

City of High Point

*Municipal Office Building
211 South Hamilton Street
High Point, NC 27261*



Meeting Agenda

Monday, November 18, 2013

4:45 PM

Council Chambers

City Council

*Bernita Sims, Mayor
Britt W. Moore, Mayor Pro Tem
James C. Davis, Foster L. Douglas
Jason P. Ewing, Jeffrey J. Golden,
Judith P. Mendenhall, Rebecca R. Smothers,
Jay W. Wagner*

REGULAR MEETING ITEMS**FINANCE COMMITTEE - Mayor Pro Tem Moore, Chair**

- [130303](#) Contract - Bid No. 02 - Restoration of the Lexington Avenue Elevated Tank
Approval of contract awarding Bid No. 02 for upgrades and restoration of the Lexington Avenue elevated tank. Purchasing and the Public Services Department recommends that contract be awarded to Caldwell Tanks, Inc., in the amount of \$623,300.00 which is the lowest responsible and responsive bidder meeting specifications.
- [130304](#) Contract - Bid No. 25 - Reclosers
Approval of contract awarding Bid No. 25 for the purchase of ten (10) reclosers. Purchasing and the Electric Department recommends that contract be awarded to Lekson Associates, Inc. (G&W) in the amount of \$169,960.00 which is the lowest responsible and responsive bidder meeting specifications.
- [130305](#) Contract - Bid No. 32 - Circuit Switchers
Approval of contract awarding Bid No. 32 for the purchase of two (2) circuit switchers. Purchasing and the Electric Department recommends that contract be awarded to Chapman Company (S & C Electric) in the amount of \$104,797.00 which is the lowest responsible and responsive bidder meeting specifications.
- [130306](#) Contract - Bid No. 29 - Incinerator Equipment Upgrade at Eastside Wastewater Treatment Plant
Approval of contract awarding Bid No. 29 for the procurement of specialized air emissions equipment and repair of the Eastside Waste Water Treatment Plant incinerator. Purchasing and the Public Services Department recommends that contract be awarded to Infilco Degremont, Inc. in the amount of \$7,784,900.00 which is the lowest responsible and responsive bidder meeting specifications.
- [130307](#) Contract - Change Order Request - ALS of North Carolina, Inc.
Council is requested to approve a change order in the amount of \$145,000.00 to the ALS of North Carolina, Inc. contract for the traffic signal work at the intersection of Montlieu Avenue and Centennial Street.
- [130308](#) Resolution - Lease-Purchase Financing - Bank of America Public Capital Corporation
City Council is requested to authorize the City Manager and Financial Services Director to accept the financing proposal, to authorize the borrowing through adopting the "Resolution Approving Financing Terms for an Installment Contract with Bank of America Public Capital Corp," and to authorize the preparation and execution of the necessary documents in connection with the installment financing agreement for

purchase of fire trucks and front-end loader.

[130309](#)

Resolution - Local Government Commission - Proposed Issuance of Bonds

City Council is requested to adopt "Resolution Making Certain Findings and Determinations and Authorizing the Filing of an Application with the Local Government Commission in Connection with the Proposed Issuance of Transportation Improvement Bonds, Parks and Recreation Improvement Bonds and Firefighting Facilities Bonds by the City of High Point, North Carolina; and establish the date of Monday, December 2, 2013 at 5:30 p.m. as required by state law on the issuance of the referenced 2/3 bonds.

[130310](#)

Resolution - North Carolina Department of Transportation - Home Furnishings Market Grant

Council is requested to adopt a Resolution authorizing the City Manager to execute documents to enter into an agreement (FY14 Demonstration Grant Program) with the North Carolina Department of Transportation (NCDOT) in the amount of \$1,200,000.00 for support of transportation activities for the bi-annual International Home Furnishings Market in High Point.

PUBLIC HEARINGS - 5:30 P.M.

COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

[130311](#)

Ordinance - Annexation 13-04 - 350 South Land Holdings, LLC

A request by 350 South Land Holdings, LLC to consider a voluntary non-contiguous annexation of approximately 1.54 acres, of the former Joe Drive right-of-way, lying approximately 1,750 feet north of Sandy Ridge Road.

[130312](#)

Amendment to Zoning Case 12-11 - 350 South Land Holdings, LLC

A request by 350 South Land Holdings, LLC to amend Conditional Zoning Case 12-11 (CZ12-11) to:

- a. Add approximately 1.54 acres, of the former Joe Drive right-of-way, lying approximately 1,750 feet north of Sandy Ridge Road.
- b. Rezone approximately 1.54 acres from the Residential Single Family-40 (RS-40) District, within Guilford County's zoning jurisdiction, to an amended Planned Unit Development-Mixed (PDM) District.

[130313](#)

Land Use Plan Amendment 13-01 - High Point University

A request by High Point University to change the land use plan map for approximately 8.3 acres from Low Density Residential to an Institutional land use designation. The Planning and Development Department has amended the request to include an additional 0.5 acres. The site consists of a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street (private street).

- [130314](#) Ordinance - Rezoning Case 13-08 - High Point University
A request by High Point University to rezone approximately 8.3 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site consists primarily of a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street (private street).
- [130315](#) Resolution - Street Abandonment 13-19 - High Point University
A request by High Point University to abandon Willoubar Terrace, an improved right-of-way lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue.
- [130316](#) Land Use Plan Amendment 13-02 - High Point University
A request by High Point University to change the land use plan map for approximately 6.3 acres from Low Density Residential to an Institutional land use designation. The Planning and Development Department has amended the request to include an additional 0.7 acres. The site consists of a one (1) block area bounded by E. Farriss Avenue, N. Centennial Street, Willoubar Terrace (private street) and Fifth Street (private street).
- [130317](#) Amendment to Zoning Case 11-03 - High Point University
A request by High Point University to amend Conditional Zoning Case 11-03 (CZ11-03) to:
- a. Add approximately 6.3 acres and rezone the additional land area from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The land area to be added to CZ11-03 consists primarily of a one (1) block area bounded by E. Farriss Avenue, N. Centennial Street, Willoubar Terrace (private street) and Fifth Street (private street).
 - b. Amend conditions of Conditional Zoning Ordinance CZ11-03 pertaining to lighting, building setback, fencing and vehicular access.
- [130318](#) Ordinance - Rezoning Case 13-09 - High Point University
A request by High Point University to rezone approximately 4.1 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site is lying along the west side of W. College Drive, between W. Lexington Avenue and the northern portion of E. Farriss Avenue.
- [130319](#) Resolution - Street Abandonment Case 13-21 - High Point University
A request by High Point University to abandon that portion of W. College Drive, an improved right-of-way, lying between W. Lexington Avenue and Panther Drive (private street).
- [130320](#) Resolution - Street Abandonment 13-17 - City of High Point
A request by the Technical Review Committee to abandon the southern 245 feet of the Berkley Street right-of-way.
- [130321](#) Resolution - Street Abandonment 13-18 - City of High Point
A request by the Technical Review Committee to abandon the eastern

285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street.

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

- [130322](#) Housing Authority Board of Commissioners - Reappointment - Ed Squires
Council is requested to confirm the reappointment of Ed Squires to the High Point Housing Authority Board of Commissioners. Reappointment is effective immediately and will expire December 22, 2018.
- [130323](#) Boards and Commissions - Vacancy Report
Attached is the current list of vacancies for all Boards and Commissions.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

- [130324](#) Approval of the following Minutes
Finance Committee meeting held Monday, November 4th @ 4:00 p.m.
City Council Regular meeting held Monday, November 4th @ 4:45/5:30 p.m.
City Manager's Briefing held Thursday, November 7th @ 9:00 a.m.

ADJOURNMENT

The City Council of the City of High Point, North Carolina held a regular meeting in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina, the regular place of meeting, at 4:45 p.m. on November 18, 2013.

Present: Mayor Bernita Sims, presiding, and Council Members James Davis, Foster Douglas, Jason Ewing, Jeffrey Golden, Judith Mendenhall, Britt Moore, Rebecca Smothers and Jay Wagner

Absent: None

Also Present: City Manager Strib Boynton, Attorney Fred Baggett, and City Clerk Lisa B. Vierling

* * * * *

Council Member Moore introduced the following resolution the title of which was read and copies of which had been previously distributed to each Council Member:

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AUTHORIZING AND RATIFYING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION IN CONNECTION WITH THE PROPOSED ISSUANCE OF GENERAL OBLIGATION STREET AND SIDEWALK IMPROVEMENT BONDS, PARKS AND RECREATIONAL FACILITIES BONDS AND FIRE FIGHTING FACILITIES BONDS BY THE CITY OF HIGH POINT, NORTH CAROLINA

BE IT RESOLVED by the City Council (the "City Council") for the City of High Point, North Carolina (the "City"):

Section 1. The City Council does hereby determine that:

(a) Preliminary studies have been completed to demonstrate the need for improvements to the streets and sidewalks, parks and recreational facilities and fire fighting facilities of the City.

(b) The City Council wishes to commence the procedures for the issuance of not to exceed \$3,365,000 Street and Sidewalk Improvement Bonds, \$2,000,000 Parks and Recreational Facilities Bonds and \$750,000 Fire Fighting Facilities Bonds constituting general obligation bonds of the City at this time.

(c) The annual audits of the City show the City to be in strict compliance with debt management policies and that the budgetary and fiscal management policies are in compliance with law.

Section 2. The filing of an application of the City with the North Carolina Local Government Commission for approval of the issuance of said Street and Sidewalk Improvement Bonds, Parks and Recreational Facilities Bonds and Fire Fighting Facilities Bonds of the City is hereby authorized, ratified and approved.

Section 3. The law firm of Womble Carlyle Sandridge & Rice, LLP is hereby appointed to serve, but solely at the pleasure of the City Council, as bond counsel to the City in connection with the authorization, sale and issuance of the said bonds.

Section 4. Davenport & Company LLC is hereby appointed to serve, but solely at the pleasure of the City Council, as financial advisor to the City in connection with the sale and issuance of the said bonds.

Section 5. This resolution shall take effect immediately upon its passage.

Upon motion of Council Member Moore, seconded by Council Member Smothers, the foregoing resolution entitled "RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AUTHORIZING AND RATIFYING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION IN CONNECTION WITH THE PROPOSED ISSUANCE OF GENERAL OBLIGATION STREET

AND SIDEWALK IMPROVEMENT BONDS, PARKS AND RECREATIONAL FACILITIES BONDS AND FIRE FIGHTING FACILITIES BONDS BY THE CITY” was passed by the following vote:

Ayes: Mayor Bernita Sims, Council Members, James Davis, Foster Douglas, Jason Ewing, Jeffrey Golden, Judith Mendenhall, Britt Moore, Rebecca Smothers and Jay Wagner

Noes: None

Thereupon, Council Member Moore introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

**ORDER AUTHORIZING
\$3,365,000 STREET AND SIDEWALK IMPROVEMENT BONDS**

BE IT ORDERED by the City Council for the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue street and sidewalk improvement bonds in an aggregate principal amount not exceeding \$3,365,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, widen and improve streets and sidewalks inside and outside the corporate limits of said City, including, without limitation, bridges, bicycle lanes, curbs and gutters, culverts, drains, grade crossings, traffic controls and any necessary land and rights of way.
2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the Clerk to the City Council and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Upon motion of Council Member Moore, seconded by Council Member Smothers, the foregoing order entitled "ORDER AUTHORIZING \$3,365,000 STREET AND SIDEWALK IMPROVEMENT BONDS" was passed upon introduction by the following vote:

Ayes: Mayor Bernita Sims, Council Members James Davis, Foster Douglas, Jason Ewing, Jeffrey Golden, Judith Mendenhall, Britt Moore, Rebecca Smothers, and Jay Wagner

Noes: None

Thereupon, Council Member Moore introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

**ORDER AUTHORIZING
\$2,000,000 PARKS AND RECREATIONAL FACILITIES BONDS**

BE IT ORDERED by the City Council for the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue parks and recreational facilities bonds in an aggregate principal amount not exceeding \$2,000,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, improve, expand and equip existing park and recreational facilities inside and outside the corporate limits of said City, including, without limitation, greenways, playgrounds, athletic fields, recreational facilities and any necessary land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the Clerk to the City Council and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Upon motion of Council Member Moore, seconded by Council Member Smothers, the foregoing order entitled "ORDER AUTHORIZING \$2,000,000 PARKS AND RECREATIONAL FACILITIES BONDS" was passed upon introduction by the following vote:

Ayes: Mayor Bernita Sims, Council Members James Davis, Foster Douglas, Jason Ewing, Jeffrey Golden, Judith Mendenhall, Britt Moore, Rebecca Smothers, and Jay Wagner

Noes: None

Thereupon, Council Member Moore introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

**ORDER AUTHORIZING
\$750,000 FIRE FIGHTING FACILITIES BONDS**

BE IT ORDERED by the City Council for the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue fire fighting facilities bonds in an aggregate principal amount not exceeding \$750,000 for the purpose of providing funds, together with any other available funds, to acquire, construct and equip fire fighting facilities inside and outside the corporate limits of said City, including, without limitation, a fire training tower and any necessary land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the Clerk to the City Council and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Upon motion of Council Member Moore, seconded by Council Member Smothers, the foregoing order entitled "ORDER AUTHORIZING \$750,000 FIRE FIGHTING FACILITIES BONDS" was passed upon introduction by the following vote:

Ayes: Mayor Bernita Sims, Council Members James Davis, Foster Douglas, Jason Ewing, Jeffrey Golden, Judith Mendenhall, Britt Moore, Rebecca Smothers, and Jay Wagner

Noes: None

The City Council thereupon designated the Financial Services Director of the City to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed after the bond orders have been introduced and before the public hearing thereon.

Thereupon, the Financial Services Director of the City caused to be filed with the City Clerk, in the presence of the City Council, the sworn statement of debt as so required.

Thereupon, the City Council fixed 5:30 p.m., December 2, 2013, in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina, as the hour, day and place for the public hearing upon the orders entitled "ORDER AUTHORIZING \$3,365,000 STREET AND SIDEWALK IMPROVEMENT BONDS," "ORDER AUTHORIZING \$2,000,000 PARKS AND RECREATIONAL FACILITIES BONDS" and "ORDER AUTHORIZING \$750,000 FIRE FIGHTING FACILITIES BONDS" and directed the City Clerk to publish said orders, as required by The Local Government Bond Act, as amended, once in the High Point Enterprise not later than the sixth day before said date.

* * * * *

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on November 18, 2013, as it relates in any way to the passage of the foregoing resolution and bond orders authorizing general obligation bonds of said City and that said proceedings are recorded in the minutes of said Board.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said City 18th day of November, 2013.





City Clerk

**CITY OF HIGH POINT, NORTH CAROLINA
SWORN STATEMENT OF DEBT MADE PURSUANT TO THE
LOCAL GOVERNMENT BOND ACT, AS AMENDED**

I, Jeffrey A. Moore, Financial Services Director of the City of High Point, North Carolina, having been designated by the City Council of said City to make and file with the City Clerk a statement of the debt of said City pursuant to The Local Government Bond Act, as amended, DO HEREBY CERTIFY that the following is a true statement as shown by the books in my office, not taking into consideration any debt incurred or to be incurred in anticipation of the collection of taxes or other revenues or in anticipation of the sale of bonds other than funding and refunding bonds:

(a) GROSS DEBT

a(1) Outstanding debt evidenced by bonds:

Refunding Bonds, Series 2003	\$ 1,170,000
Refunding Bonds, Series 2005	20,780,000
Public Improvement Bonds, Series 2005	1,000,000
Public Improvement Bonds, Series 2006	11,945,000
Public Improvement Bonds, Series 2007A	3,650,000
Public Improvement Bonds, Series 2007B	12,860,000
Public Improvement Bonds, Series 2008	11,215,000
Public Improvement Bonds, Series 2010A	3,585,000
Public Improvement Bonds, Series 2010B	16,580,000
Refunding Bonds, Series 2010C	13,080,000
Public Improvement Bonds, Series 2012	5,495,000
Refunding Bonds, Series 2012	<u>15,275,000</u>
Total	<u>\$116,635,000</u>

a(2) Bonds authorized by orders introduced,
but not yet adopted:

Street and Sidewalk Improvement Bonds	\$3,365,000
Parks and Recreational Facilities Bonds	2,000,000
Fire Fighting Facilities Bonds	<u>750,000</u>
Total	<u>\$6,115,000</u>

a(3) Unissued bonds authorized by adopted orders:

Refunding (2010)	\$ 7,000,000
Refunding (2012)	14,560,000
Refunding (2013)	<u>15,000,000</u>
Total	<u>\$36,560,000</u>

a(4)	Outstanding debt, not evidenced by bonds:	\$ <u> -0-</u>
(a)	GROSS DEBT, being the sum of a(1), a(2), a(3) and a(4):	<u>\$159,310,000</u>

(b) DEDUCTIONS

b(1)	Funding and refunding bonds authorized by orders introduced but not yet adopted:	\$ <u> -0-</u>
b(2)	Funding and refunding bonds authorized but not yet issued:	<u>\$36,560,000</u>
b(3)	The amount of money held in sinking funds or otherwise for the payment of any part of the principal of gross debt other than debt incurred for water, gas, electric light or power purposes or sanitary sewer purposes (to the extent that the bonds are deductible under G.S. 159-55(b)):	\$ <u> -0-</u>
b(4)	Bonded debt included in gross debt and incurred, or to be incurred, for water, gas, electric light or power purposes:	<u>\$10,182,026</u>
b(5)	Bonded debt included in gross debt and incurred, or to be incurred, for sanitary sewer system purposes (to the extent that said debt is made deductible by G.S. 159-55(b)):	\$ <u> -0-</u>
b(6)	Uncollected special assessments heretofore levied for local improvements for which any part of the gross debt (that is not otherwise deducted) was or is to be incurred to the extent that such assessments will be applied, when collected, to the payment of any part of the gross debt:	\$ <u> -0-</u>
b(7)	The amount, as estimated by the Financial Services Director, of special assessments to be levied for local improvements for which any part of the gross debt (that is not otherwise deducted) was or is to be incurred, to the extent that the special assessments, when collected, will be applied to the payment of any part of the gross debt:	\$ <u> -0-</u>
(b)	DEDUCTIONS, being the sum of b(1), b(2), b(3), b(4), b(5), b(6) and b(7):	<u>\$46,742,026</u>

(c) NET DEBT

(c) NET DEBT, being the difference between the
GROSS DEBT (a) and the DEDUCTIONS (b): \$112,567,974

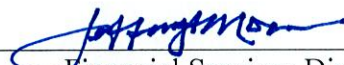
(d) ASSESSED VALUE

(d) ASSESSED VALUE of property subject to taxation
by the City, as revealed by the City tax records and
certified to the City by the assessor: \$8,951,699,640

(e) PERCENTAGE

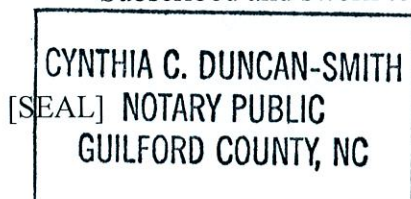
(e) Percentage which the NET DEBT (c) bears to the
ASSESSED VALUE (d): 1.26%

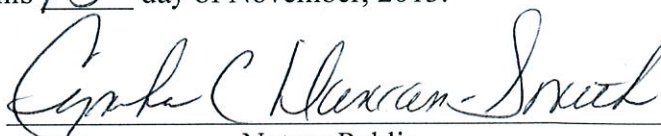
The foregoing statement is true.


Financial Services Director

STATE OF NORTH CAROLINA)
)
COUNTY OF GUILFORD) ss:

Subscribed and sworn to before me this 13th day of November, 2013.



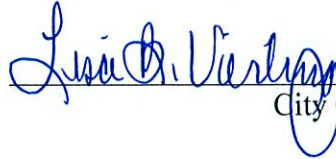

Notary Public

My Commission Expires: 11/18/2015.

* * * * *

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of a statement which was filed with me at a meeting of the City Council of said City held on November 18, 2013, after the introduction and before the public hearing on orders authorizing general obligation bonds of said City, and that said statement is open to public inspection in my office.

WITNESS my hand and official seal of said City this 18th day of November, 2013.



City Clerk





November 6, 2013

To: Randy McCaslin, Assistant City Manager
From: Garey Edwards, Electric Director
Subject: Bid No. 25-101713
Reclosers

On October 17, 2013 the City received bid No. 25-101713 for ten (10) reclosers. We received bids from five companies. I have attached Allen Averill's recommendation and bid tabulation for your consideration.

I agree with Allen's recommendation that we award to **Lekson Associates, Inc. (G&W)**, for a total amount of **\$169,960.00**. This includes the ten (10) reclosers with voltage sensors as outlined in the bid under option #1. Atlantic Power Sales was the lowest bidder, however, they could not supply the proper voltage sensors and therefore their proposal was rejected. Lekson Associates Inc. was the lowest responsive bidder that met the specifications. These reclosers will be used to protect our large underground circuits. Sufficient funds have been allocated in the budget for the purchase of this equipment. Please do not hesitate to call me if you have any questions concerning this recommendation.

cc: file
Jeff Moore
Tarinda Chappell
Tracey Adams
Josh Williams
Allen Averill
Larry Hopkins

Attachments

City of High Point, P.O. 230, 816 E. Green Dr., High Point, NC 27261 USA
Phone 336.883.3485 Fax: 336.883.3478 TDD 336.883.8517



Electric Department

Allen Averill

ELECTRIC ENGINEERING MANAGER



TO: Mr. Garey Edwards

FROM: Allen Averill

SUBJECT: Recloser Recommendation

DATE: November 5, 2013

On October 17, 2013, we received bids for ten reclosers, Bid #25-101713. We requested bids from six companies, and we received bids from six companies. Attached is the tabulation showing the results of the bid.

I recommend that we award the bid to G&W for both Item#1 and Option #1, in the amount of \$169,960.00, which was the lowest qualified bid received. Atlantic Power Sales had a lower bid, but they did not meet our specifications as outlined in the bid package.



FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL

DEPARTMENT: ELECTRIC

COUNCIL AGENDA DATE:

BID NO.: 25-101713

CONTRACT NO.:

DATE OPENED:

DESCRIPTION:

RECLOSERS

PURPOSE:

FOR PROTECTION ON ENERGIZED UNDERGROUND CIRCUITS

COMMENTS:

IT IS MY RECOMMENDATION THAT THE ENTIRE BID BE AWARDED TO G & W c/o LEKSON ASSOC. IN THE AMOUNT OF \$169,960.00. THEY ARE THE LOWEST RESPONSIVE BIDDER MEETING SPECIFICATIONS.

RECOMMEND AWARD TO:

G & W c/o LEKSON ASSOCIATES

AMOUNT:

\$169,960.00

JUSTIFICATION:

ATLANTIC POWER SALES WAS THE LOWEST BIDDER BUT THEY COULD NOT MEET SPECIFICATIONS.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
631795	533701			\$169,960.00
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD:

Garey Edwards

Digitally signed by Garey Edwards
DN: cn=Garey Edwards, o=City of High Point, ou=Electric
Department, email=garey.edwards@highpointnc.gov, c=US
Date: 2013.11.12 13:30:03 -0500

DATE:

NOVEMBER 7, 2013

The Purchasing Division concurs with recommendation submitted by the Electric Dept. and recommends award to the lowest responsible, responsive bidder G & W c/o Lekson Assoc. in the amount of \$ 169,960.00.

PURCHASING MANAGER:

Tarinda Chappell

Digitally signed by Tarinda Chappell
DN: cn= Tarinda Chappell, o=City of High Point, ou=Purchasing,
email=tarinda.chappell@highpointnc.gov, c=US
Date: 2013.11.12 13:37:59 -0500

DATE:

Nov 12, 2013

Approved for Submission to Council

FINANCIAL SERVICES DIRECTOR

Jeffrey Moore
20130620-173418

Digitally signed by Jeffrey Moore
DN: cn=Jeffrey Moore, o=City of High Point, ou=Administration, email=jeff.moore@highpointnc.gov, c=US
Date: 2013.11.12 14:56:48 -0500

DATE:

Nov 12, 2013

CITY MANAGER:

Strib Boynton

Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=Administration, ou=City of High Point,
email=cindy.smith@highpointnc.gov, c=US
Date: 2013.11.13 08:11:57 -0500

DATE:

Nov 13, 2013

BIDDERS LIST & TABULATION

FORMAL BID #25-101713 – RECLOSERS – ELECTRIC DEPT.

VENDOR NAME & ADDRESS	ITEM	QTY.	UNIT PRICE	TOTAL PRICE	DELIVERY A.R.O.
ABB c/o WESCO 3025 STONYBROOK DR. RALEIGH, NC 27604	ITEM #1	10	\$15,560.00	\$155,600.00	8-12 WKS.
	OPTION #1	10	\$17,460.00	\$174,600.00	
COOPER c/o HD SUPPLY 5031 UNICON DR. WAKE FOREST, NC 27587	ITEM #1	10	\$17,963.00	\$179,630.00	98 DAYS
	OPTION #1	10	\$1,150.00	\$11,500.00	
G&W c/o LEKSON ASSOC., INC. 4004-105 BARRETT DRIVE RALEIGH, NC 27609	ITEM #1	10	\$13,771.00	\$137,710.00	91 DAYS
	OPTION #1	10	\$16,996.00	\$169,960.00	
S&C c/o R.W. CHAPMAN & CO. P.O. BOX 240748 CHARLOTTE, NC 28224	ITEM #1	10	-	NO QUOTE	-
	OPTION #1	10			
SIEMENS c/o NAT'L. TRANSFORMER SALES 2613 DISCOVERY DR., STE. B RALEIGH, NC 27604	ITEM #1	10	\$16,750.00	\$167,500.00	168 DAYS
	OPTION #1	10	\$4,477.00	\$44,770.00	
TAVRIDA c/o ATLANTIC POWER SALES 165 LAUREL RIDGE CT. GASTONIA, NC 28056	ITEM #1	10	\$13,404.00	\$134,040.00	42-56 DAYS
	OPTION #1	10	-	NO QUOTE	

* Bid packages mailed out September 20, 2013.

**CITY MANAGER'S BRIEFING
NOVEMBER 7, 2013 – 9:00 A.M
THIRD FLOOR CONFERENCE ROOM**

MINUTES

PRESENT:

Council Members Davis, Ewing, Golden, Moore, Smothers, and Wagoner

ABSENT:

Mayor Sims, Council Members Douglas and Mendenhall

STAFF PRESENT:

Strib Boynton, City Manager

Allen Oliver, Assistant City Manager

Randy McCaslin, Assistant City Manager

Eric Olmedo, Budget Office

Police Chief, Marty Sumner

Ken Schultz, Assistant Police Chief

Lisa Vierling, City Clerk

Dawn Sparks, Deputy City Clerk

POLICE DEPARTMENT FISCAL YEAR STATISTICAL REPORT

Marty Sumner stated that for the fifth year in a row violent crime and property crime has decreased to historic levels. There was an increase among vehicle thefts, which were all mopeds. For the purposes of reporting mopeds are considered motor vehicles. There was one individual who had a streak in arsons which is reflected as an increase in the stats on arson. The long term trend is that violent crime from the early 1990s is now 72% lower.

The Department handled 122,000 calls last year. 66,000 of those came from the citizens and the department self-initiated another 55,000. Chief Sumner felt it was very healthy when the officers are self-initiating almost half of the calls, because it means the department is proactive and not wasting their time.

In 2004 the Department had the West End Initiative. Following the Initiative crime was reduced in four individual neighborhoods for four years following the initiative. Each one of those neighborhoods is still either 23% to 40% lower in crime for both property and violence than before the initiative.

In population High Point is the ninth largest city in the state. High Point is the third safest city in the state, behind Cary and Raleigh. Chief Sumner stated the only reason Raleigh is lower is they have 420,000 for population, which adjusts their numbers down.

High Point has lowered the percentage of domestic related homicides. There was one homicide in the past five years, which was a couple from Nigeria that came here and resided for only one month and had no history of any crime.

Council Member Wagoner asked about the surge in gang activity he has been reading about. Chief Sumner stated that there are two gangs with more than 200 members and they are at war. The Department monitors High Point's members and the other groups, and they have not really spilled over into High Point.

Council Member Smothers asked if the Department was in need of more staff for the animal control problem. Council Member Smothers noted that the city does not have coverage on the weekends or after hours. Chief Sumner stated that this is an area that needs additional staff. The department could add a second shift and weekend coverage if they had two more officers. Council Member Smothers stated she would like to see some estimates on adding more staff for animal control.

PRELIMINARY OUTLINE OF ENTERPRISE FUND – ENVIRONMENTAL SERVICES

Eric Olmedo gave a presentation on some of the key issues into moving environmental services into an enterprise system. The decision to move forward to an enterprise system will be part of the budget process.

The \$5.00 garbage collection fee has been implemented beginning July 1, 2013. Staff was directed to come back to Council with a plan for moving environmental services into an enterprise fund. Staff is suggesting a three year plan, gradually increasing garbage collection fees with a user fee. From an administrative standpoint, staff is proposing to merge the landfill fund with this new garbage collection fund, creating a solid waste fund.

Currently with the \$5 fee that was implemented they will collect about \$2.4 million to fund garbage collection. Currently there is a \$1 recycling fee that generates about \$550,000, which council approved five years ago, and it is set to sunset at the end of this fiscal year.

There is about \$65,000 in other fees that are collected every year.

Mr. Olmedo stated that going forward in the next three years the plan is very conservative with very little customer growth in it. It is projected that next year they would continue to collect the \$5 fee and to step the fee up to \$8 a month. At that point the property tax subsidy is \$2.64 million. As they transition to an enterprise fund they have to consider building a fund balance of 10%, which is city policy. The third year of the plan continues with the \$5 fee and gradually increases the fee to \$11. In the fourth year environmental services is fully self-sufficient at a \$14 a month fee.

As they go forward debt service goes away next year and then they need to get to a point where the city is charging itself the same tipping fee that is charged outside people.

Next year on the expenditure side there are minor increases in personnel and operating. Tipping fees will go from \$26 per ton to \$31 per ton. There will be an increase in fleet replacement and debt service drops from \$700,000 to \$350,000 next year.

The third year of the plan is shifted to almost all fee revenue and debt service goes away on the expenditure side. Fleet replacement and tipping fees increase slightly, which gets to an increase of \$36 fee a ton.

On the fourth year the fund is fully sufficient.

Strib Boynton noted that the \$14 a month includes garbage collection, recycling and bulk pickup.

If they raise the rate they would have an ability to possibly decrease the tax rate. The first year impact of the rate increase is reducing the reliance on property tax by \$700,000, which equates to about 8/10 of a cent. The tax rate could possibly decrease from 67.5 to 66.7. The second year impact is an additional reduction of almost \$1.5 million, a reduction of 1.65 cents to the tax rate. The third year it is \$1.1 million decrease, which equates to a 1.3 cents rate reduction. The cumulative effect would be reducing property tax reliance by \$3.3 million.

Council Member Davis stated that he would like to see some estimates in the future of what it would look like if they increased property taxes and there were no enterprise funds to use as a comparison.

Strib Boynton stated that by moving into an enterprise system the below average valued homes will see their monthly bill go up.

Council Member Davis commended staff on their presentation and stated that his ward will be excited about the plan.

Council Member Smothers stated that Council will most likely hear from the non-profits and some of the churches regarding the rate increase.

Mr. Boynton stated they will get this outlined in the budget and return in December to make a decision on this plan.

TRANSIT STUDY

Strib Boynton stated that earlier in October he requested some names that Council would like to see on the Transit Study. Mr. Boynton stated he has asked a couple businesses in town for some specific names of individuals to participate in the study.

Council Member Smothers requested they contact John Cates. Eric Olmedo stated that John Cates is actually a resident of Jamestown. Mr. Boynton stated that they could also use people that have businesses in High Point.

Other Items

Allen Oliver stated that High Point has a baseball player, Bill Myers, who is going to be named the American League Rookie of the Year, which comes along with \$20,000 to be given to a charity of his choice, and he has selected Miracle League of High Point.

ADJOURNMENT

The meeting adjourned at 11:00 a.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on November 12, 2013 and before the City Council of the City of High Point on November 18, 2013 regarding **Zoning Case 13-08** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on November 3, 2013, for the Planning and Zoning Commission public hearing and on November 6, 2013 and November 13, 2013, 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 18, 2013.**

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 Public & Institutional (CZ-PI) District**. The site consist of approximately 8.3 acres bounded and by Montlieu Avenue, Fifth Street Barbee Avenue and N. Centennial Street (604, 608, 610, 612, 700, 702, 704, 706, 708, 712, 714, & 716 Montlieu Avenue; 601, 603 & 605 Fifth Street; 705, 707, 709, 907, 909 & 913 Barbee Avenue; 600 thru 607 Willoubar Terrace and 60, 602, 604, 608, & 610 N. Centennial Street). The property is also known as Guilford County Tax Parcels 0190022 thru 0190030; 0190032 thru 0190052; 0190054 thru 0190059.

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. **USES:**

- A. The zoning site shall be limited to surface off-street parking use only.
- B. The zoning site shall be subject to the development and dimensional requirements of the Public & Institutional (PI) District, and the specific conditions listed in this Conditional Zoning Ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Lot Combination: As requested by the Technical Review Committee, parcels associated with the zoning site shall be combined prior to development or subdivision.
2. Lighting:
 - a. Within fifty (50) feet of the Barbee Avenue right-of-way, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height. All lighting shall be directed inwards towards the interior of the zoning site and include the use of shields to direct lighting and glare away from adjacent residential uses.
 - b. Where the zoning site abuts residentially zoned parcel(s) along the north side of Barbee Avenue, lighting shall be setback a minimum of twenty (20) feet from the abutting residential parcel(s) property line.
3. Landscaping, Buffers, and Screening:
 - a. Landscaping:
 - i. Centennial Street frontage and Montlieu Avenue frontage: A minimum twenty (20) foot wide Street Yard, planted at Type C rate, shall be installed along the N. Centennial Street and Montlieu Avenue frontage of the zoning site.
 - ii. Barbee Avenue frontage: The intent is to provide a low-level screening of off-street parking areas near Barbee Avenue through the use of an assortment of understory trees, canopy trees, shrubs, berms and other topography treatments.
 - a) Along the Barbee Avenue frontage 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 along the Barbee Avenue frontage 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 Barbee Avenue right-of way, landscaping shall be arranged in such a manner as provide low-level screening from vehicle headlights that my face towards Barbee Avenue.

b. Fencing:

- i. If fencing is installed along the Barbee Avenue frontage of the zoning site, said fencing shall be located behind the Barbee Avenue street planting yard.
- ii. Where the zoning site abuts residentially zoned parcel(s) along the north side of Barbee Avenue, an opaque fence shall be installed, in the required planting yard, around the residential parcel.

B. Transportation Conditions.

1. Right-of-way dedication: The property owner shall dedicate a thirty (30) foot by thirty (30) foot right of way chord at the intersection of N Centennial Street and Montlieu Avenue for the installation of a traffic signal mast arm.
2. Vehicular Access:
 - a. No access will be allowed to N. Centennial Street.
 - b. No access will be allowed to Barbee Avenue.
 - c. Any access to Montlieu Avenue will either be provided at the existing Willoubar Terrace or Fifth Street (private drive) existing access points.
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 now 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

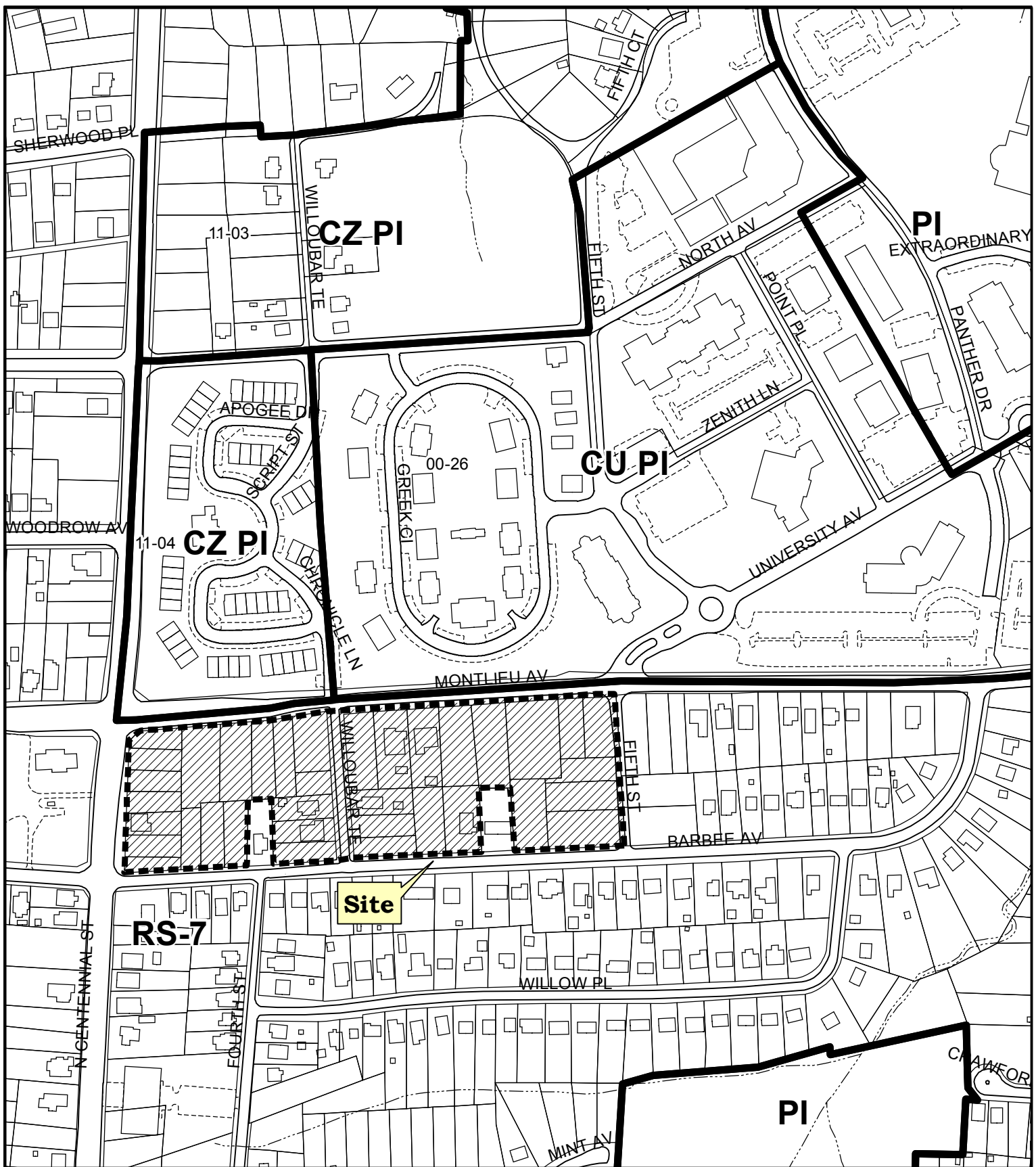
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective upon the date of adoption.

November 18, 2013.

Lisa B. Vierling, City Clerk



ZONING CASE 13-08

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

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

**Planning & Development
 Department**

City of High Point

Date: October 24, 2013



Scale: 1"=300'
 y/ba-pz/2013/pz/z13-08.mxd

PLANNING AND ZONING COMMISSION RECOMMENDATION

On October 22, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd and Mr. Mark Walsh.

City of High Point

Street Closing Case 13-17

A request by the Technical Review Committee to abandon the southern 245 feet of the Berkley Street right-of-way.

Mr. Herbert Shannon presented Street Closing Case 13-17 and recommended approval as outlined in the staff report.

No one spoke on behalf or in opposition of the request.

The Planning & Zoning Commission recommended approval of Street Abandonment Case 13-17 by a vote of 7-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 13-17
October 22, 2013**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: To abandon the southern 245 feet of the Berkley Street right-of-way. The southern terminus of this right-of-way is partially unimproved with a gravel driveway.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Berkley Street	Local street	60-foot wide right-of-way; 20-foot wide ribbon paved street

Adjacent Property Zoning and Current Land Use		
North	Heavy Industrial (HI) District	Berkley Street right-of-way
East	Heavy Industrial (HI) District	Vacant industrial building
South	Heavy Industrial (HI) District	Industrial uses
West	Heavy Industrial (HI) District	Industrial uses

Analysis

The City of High Point Technical Review Committee (TRC) is requesting to abandon the southern 245 feet of the Berkley Street right-of-way. The area proposed to be abandoned has a width of 60 feet and a length of 245 feet (14,700± square feet). This ROW was recorded in 1973 on a map entitled “Final Map Property of Swaim, Inc. & Noland S. Garner - High Point Township” (Plat Book 16 – Page 30 Randolph County Register of Deeds). The improved portion of this ROW ends at the entrance to the abutting property to the west (416 Berkley Road), the southern 245 feet of this right-of-way is partially improved with a gravel driveway.

This right-of-way terminates into property to the south. All parcels abutting this ROW have frontage to adjacent improved public streets, thus this abandonment request will not deprive any owner reasonable access to their property. Early notices to obtain input from abutting property owners were mailed out on September 16, 2013. In addition, regular notice for the public hearing was sent and signs posted at the subject right-of-way to be abandoned was also performed.

Findings & Recommendations

The TRC reviewed this request on September 18, 2013 and identified no concerns related to the abandonment of this right-of-way. However, staff has noticed that there are Duke Energy poles and lines within the ROW and an electrical utility easement needs to be retained. This abandonment of the public’s interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public’s interest and is

found not to deprive owners in the vicinity of the right-of-way reasonable means of ingress and egress to their property.

The Planning and Development Department recommends approval of this request to abandon the southern 245 feet of the Berkley Street right-of-way with the retention of a 30-foot wide electrical utility easement centered over the existing Duke Energy poles and lines.

Report Preparation

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



STREET ABANDONMENT REQUEST SA13-17

Applicant: City of High Point
Area: 0.35 acres



Location of requested street abandonment



Previously abandoned right-of-ways

Department of Planning
and Development

City of High Point

Date: September 10, 2013



Scale: 1"=200'

y:/ba-pz/2013/pz/sa13-17.mxd

Attachments: Photographs (October 2013) and Aerial (February, 2010)
Looking south towards the southern terminus of Berkley Street.



Looking north towards the northern portion of Berkley Street



STREET ABANDONMENT REQUEST SA13-17



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

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 16th DAY OF SEPTEMBER, 2013 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, The Technical Review Committee has petitioned the City Council of the City of High Point to permanently abandon (close) all of the southern 245 feet of the Berkley Street right-of-way.

Street Abandonment Case 13-17

Abandonment of all of the southern 245 feet of the Berkley Street right-of-way as shown on a map entitled "Final Map Property of Swaim, Inc & Noland S. Garner High Point Township" as recorded in Plat Book 16 at Page 30, in the Office of the Register of Deeds for Randolph County, North Carolina. The area is more specifically described as follows: **A POINT OF BEGINNING** starting at the southwest corner of Randolph County Tax Parcel 6799214174 (Deed Book 230 Page 451); thence in westward direction North 73°13'20" West 60 feet to the southeast corner of Randolph County Tax Parcel 6799210262 (Deed Book 445/397); thence in a northward direction along the eastern property line of Randolph County Tax Parcel 6799210262 North 21°34'83" East 245 feet; thence in a eastward direction North 73°13'20" East 60 feet to the western property line of Randolph County Tax Parcel 6799214174; thence in a southward direction along the western property line of Randolph County Tax Parcel 6799214174 South 21°34'83" West 245 feet to the point of beginning at the southwest corner of Randolph County Tax Parcel 6799214174); .

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 21st day of October, 2013, at 4:45 p.m. setting the 18th day of November, 2013 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 25, 2013 and November 1, 8 & 15, 2013; 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 all of the southern 245 feet of the Berkley Street right-of-way as shown on a map entitled "Final Map Property of Swaim, Inc & Noland S. Garner High Point Township" as recorded in Plat Book 16 at Page 30, in the Office of the Register of Deeds for Randolph County.

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 all of the southern 245 feet of the Berkley Street right-of-way as shown on a map entitled "Final Map Property of Swaim, Inc & Noland S. Garner High Point Township" as recorded in Plat Book 16 at Page 30, in the Office of the Register of Deeds for Randolph County, North Carolina be closed pursuant to North Carolina G.S. 160A-299; with the retention of a 30-foot wide electrical utility easement centered over the existing Duke Energy poles; and
2. That a copy of this resolution be filed in the Office of the Register of Deeds for Randolph County, North Carolina.

By order of the City Council,
this the 18th day of November , 2013
Lisa B. Vierling, City Clerk

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

**STAFF REPORT
ANNEXATION CASE 13-04
November 18, 2013**

Request	
Applicant: 350 South Land Holdings, LLC	Owner(s): 350 South Land Holding, LLC
Proposal: Voluntary non-contiguous annexation of approximately 1.54 acres	Effective Date: Upon adoption
	Associated Zoning Case: Amendment to Zoning Case 12-11

Site Information	
Location:	Northern portion of the former Joe Drive right-of-way, lying approximately 1,750 feet north of Sandy Ridge Road
Tax Parcel Numbers:	Portion of Guilford County Tax Parcels 0171055 and 0170876
Site Acreage:	Approximately 1.54 acres
Current Zoning:	Agricultural (AG) District (<i>Guilford County</i>)
Current Land Use:	Roadway
Current Fire District:	Colfax Fire Department: The High Point Fire Department has contracted with the Colfax Fire District to provide services to the unincorporated rural area lying south of I-40.
Proposed Development:	The applicant is proposing to develop a Business/Industrial Park.
Proposed Unit Type, Number & Average Value:	Not applicable.
Proposed Build-out Schedule:	The subject site will be part of a Business/Industrial Park development, totally over 500 acres. It is anticipated that this will be a long-term development with a 20+ year build out scenario.
Proposed City of High Point Council Ward:	The proposed annexation site is currently surrounded by Ward 6, if approved; the area will be part of Ward 6.
Physical Characteristics:	The site has moderately sloping terrains.
Water and Sewer Proximity:	There is an existing 16-inch City water within Sandy Ridge Road. A 16-inch sewer line runs along the West Fork of the Deep River and 8-inch & 6-inch sewer lines are in the northern portions of Sandy Ridge Road.
General Drainage and Watershed:	The site drains in a westerly direction. Development is subject to the Oak Hollow Lake General Watershed Areas (GWA) requirements of the water supply watershed regulations. Engineered stormwater treatment measures are required for non-residential development with an impervious surface area greater than 24% of the site.

Overlay District(s):	Oak Hollow Lake GWA and Airport Overlay - Zone 2
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Adjacent Property Zoning and Current Land Use			
North:	PDM	Planned Unit Development-Mixed District	Single family detached dwelling
South:	AG	Agricultural District (<i>Guilford County</i>)	Joe Drive
East:	PDM	Planned Unit Development-Mixed District	Single family detached dwelling
West:	PDM	Planned Unit Development-Mixed District	Undeveloped parcels and accessory farm structures

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Joe Drive	Local Street	59 ft.
Vehicular Access:	The 1.54 acres associated with this application will be added to Phase I of CZ12-11. Vehicular access to this portion of the PUD will from Sandy Ridge Road and Joe Drive.		

City Department Comment Summary

Comments were not requested for this proposed annexation due to the fact the site abuts the City's corporate limits. Annexation petitions for uses within close proximity to existing service areas do not cause the need for individual department comment.

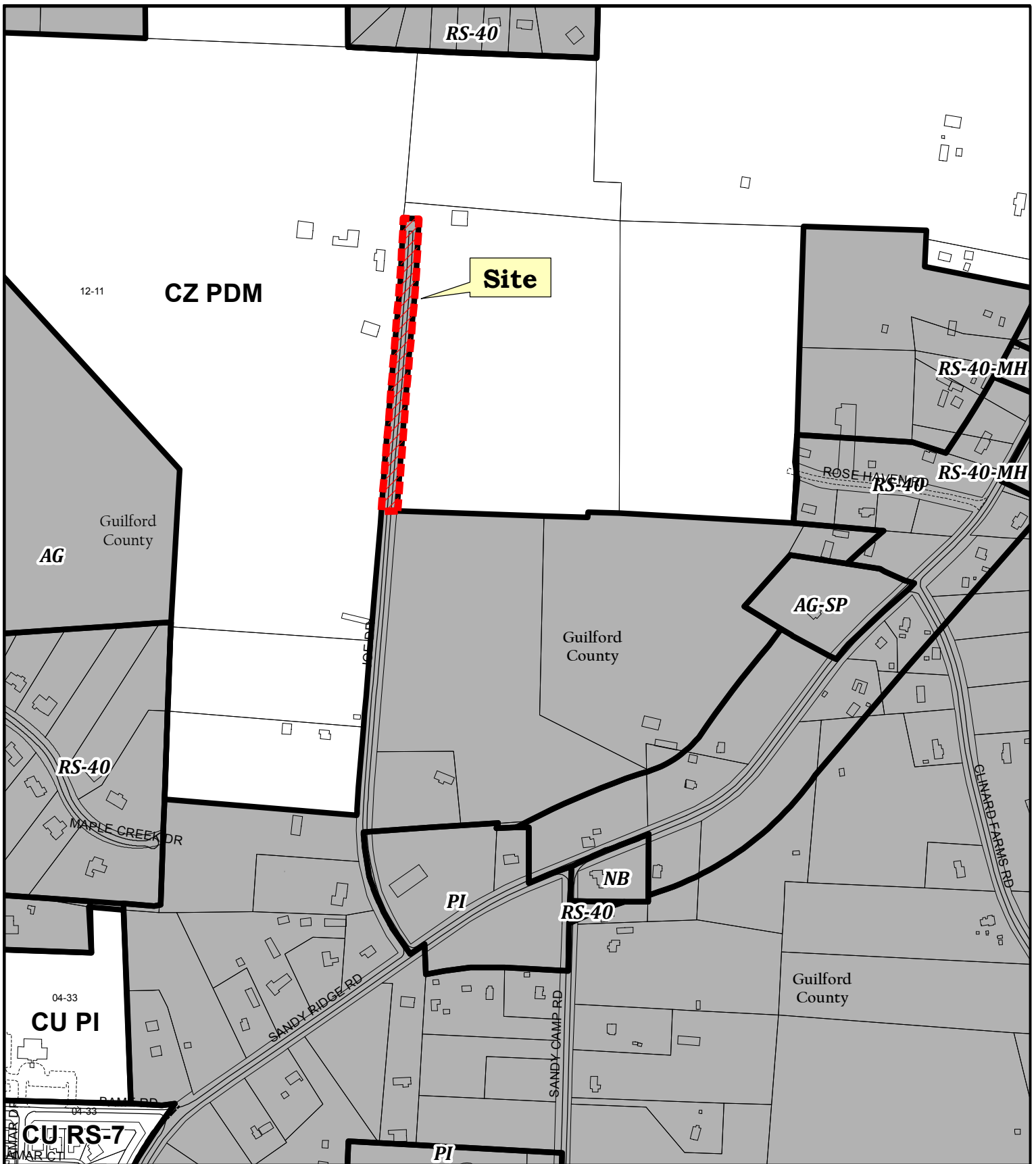
Details of Proposal

This annexation application for 1.54 acres is associated with the abutting 500 acres that were annexed and zoned by City Council in May 2013 for development of a Business/Industrial Park. The southern portion of this 500-acre area is bisected by the 59 foot wide by 1,190 foot long northern terminus of the Joe Drive right-of-way. The applicant requested and was been granted approval by the NC Department of Transportation and Guilford County to abandon the northern portion of Joe Drive.

Now that this right-of-way is abandoned, it is considered private property. The applicant is requesting that the land area within this former right-of-way be annexed into the City of High Point and added to Conditional Zoning Case 12-11. This annexation petition represents a logical progression of the City's annexation policy for this area as the property is surrounded on three sides by the High Point Corporate limits. City utility lines, both water and sewer, have already been established to the west along the Deep River stream corridor and to the east along Sandy Ridge Road. Additionally, based on the location of existing annexed parcels in this area, City service vehicles are already present in this general area.

Report Preparation

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



ANNEXATION REQUEST ANX13-04

Applicant: 350 South Land Holding, LLC
Area: 1.54 acres (approximate)

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

**Planning & Development
Department**

City of High Point

Date: August 13, 2013



Scale: 1"=500'
y:/ba-pz/2013/pz/aux13-04.mxd

Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. **XXXXXX**

AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF HIGH POINT

WHEREAS, The City of High Point has been petitioned under G.S. 160A-58.1, as amended, to annex the area described herein; and,

WHEREAS, the City Clerk has investigated the sufficiency of said petition and has certified it to be valid; and

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30 p.m. on the **18th day of November, 2013**; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-58.1 as amended;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of **November 18, 2013**.

ANNEXATION DESCRIPTION

FOR 350 SOUTH PROPERTY - 1.54 ACRES

BEGINNING AT AN OLD IRON PIPE ON THE WESTERN 60 FOOT RIGHT OF WAY FOR JOE DRIVE (STATE ROAD#1877) AND BEING IN AN EASTERN LINE OF 350 SOUTH LAND HOLDING, LLC AS RECORDED IN DEED BOOK 6934 PAGE 2020,

THENCE WITH THE WESTERN 60 FOOT RIGHT OF WAY FOR SAID JOE DRIVE AS RECORDED IN DEED BOOK 1907 PAGE 0685 N 07 DEG. 01 MIN. 06 SEC. E DISTANCE BEING 902.08 FEET TO AN EXISTING 3/4 INCH IRON PIPE, THENCE WITH THE SAME N 07 DEG. 01 MIN. 06 SEC. E DISTANCE BEING 245.75 FEET TO A POINT ON THE EASTERN LINE OF AFORESAID 350 SOUTH LAND HOLDING, LLC AND BEING THE NORTHWESTERN TERMINUS OF JOE DRIVE , THENCE WITH THE NORTHERN 60 FOOT TERMINUS OF JOE DRIVE AND A LINE OF 350 SOUTH LAND HOLDING AS RECORDED IN DEED BOOK 7485 PAGE 284 S 82 DEG. 57 MIN. 14 SEC. E DISTANCE BEING 58.55 FEET TO A POINT, THENCE WITH THE EASTERN 60 FOOT RIGHT OF WAY FOR JOE DRIVE AND THE WESTERN LINE OF SAID 350 SOUTH LAND HOLDING AS DESCRIBED IN DEED BOOK 7485 PAGE 284 S 07 DEG. 01 MIN. 30 SEC. W DISTANCE BEING 245.73 FEET TO AN EXISTING 3/4 INCH IRON PIPE, THENCE WITH THE SAME S 07 DEG. 01 MIN. 30 SEC. W DISTANCE BEING 394.08 FEET TO AN EXISTING IRON PIPE, THENCE WITH THE SAME S 07 DEG. 01 MIN. 30 SEC. W DISTANCE BEING 510.30 FEET TO AN EXISTING IRON PIPE, SAID EXISTING IRON PIPE BEING THE SOUTHWEST CORNER OF 350 SOUTH LAND HOLDING, LLC AND BEING THE NORTHWEST CORNER OF JOE W. FRAZIER AS RECORDED IN DEED BOOK 3641 PAGE 0378, THENCE WITH THE SOUTHERN LINE OF HEREIN DESCRIBED AND BEING THE NEW NORTHERN TERMINUS OF JOE DRIVE N 80 DEG. 43 MIN. 01 SEC. W DISTANCE BEING 58.46 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 1.54 ACRES MORE OR LESS.

SECTION 2. Upon and after **November 18, 2013, 2013**, the foregoing property and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-58.3.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds for Guilford County and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, thereof, together with a duly certified copy of this ordinance.

Adopted by City Council,
this the **18th** day of **November 18, 2013**.
Lisa B. Vierling, City Clerk

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on November 12, 2013 and before the City Council of the City of High Point on November 18, 2013 regarding **Zoning Case 13-09** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on November 3, 2013, for the Planning and Zoning Commission public hearing and on November 6, 2013 and November 13, 2013, 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 18, 2013.**

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 Public & Institutional (CZ-PI) District**. The property is approximately 4.1 acres lying south of E. Lexington Avenue and west of W. College Drive (*1003 thru 1037 W. College Drive*). The property is also known as Guilford County Tax Parcels 0182434 thru 0182445.

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 following land uses allowed in the Public & Institutional (PI) District shall be permitted, subject to the development and dimensional requirements of the PI District and the specific conditions listed in this Conditional Zoning Ordinance:

1. Colleges or Universities (SIC 8220).
2. Fraternities or Sororities (Univ. or College)
3. Accessory Uses and Structures (customary)

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Lot Combination: As requested by the Technical Review Committee, parcels associated with the rezoning site shall be combined prior to development or subdivision.
2. Within fifty (50) feet of the northern and southern boundary of the zoning site mechanical or electrical equipment, dumpsters or other such similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
3. Within one-hundred (100) feet of the northern and southern boundary of the zoning site, loading areas for a building shall not be located on any side of a building that faces a public street or residentially zoned parcel.
4. Lighting:
 - a. Within fifty (50) feet of the western and southern boundary of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height. All lighting shall be directed inwards towards the interior of the zoning site and include the use of shields to direct lighting and glare away from adjacent residential uses.
 - b. Where the zoning site abuts the residentially zoned parcel along W. College Drive (1003 W. College Drive), lighting shall be setback a minimum twenty (20) feet from the abutting residentially parcel property line.
5. Landscaping, Buffers, and Screening:
 - a. W. Lexington Avenue Street frontage: A minimum 20 foot wide Street Yard, planted at Type C rate, shall be installed along the W. Lexington Avenue frontage of the zoning site.
 - b. Fencing:
Where the zoning site abuts the residentially zoned parcel along W. College Drive (1003 W. College Drive), an opaque fence shall be installed, in the required planting yard next to this parcel.

B. Transportation Conditions.

1. Vehicular Access: No access will be allowed to W. Lexington Avenue.
2. 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 now 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.

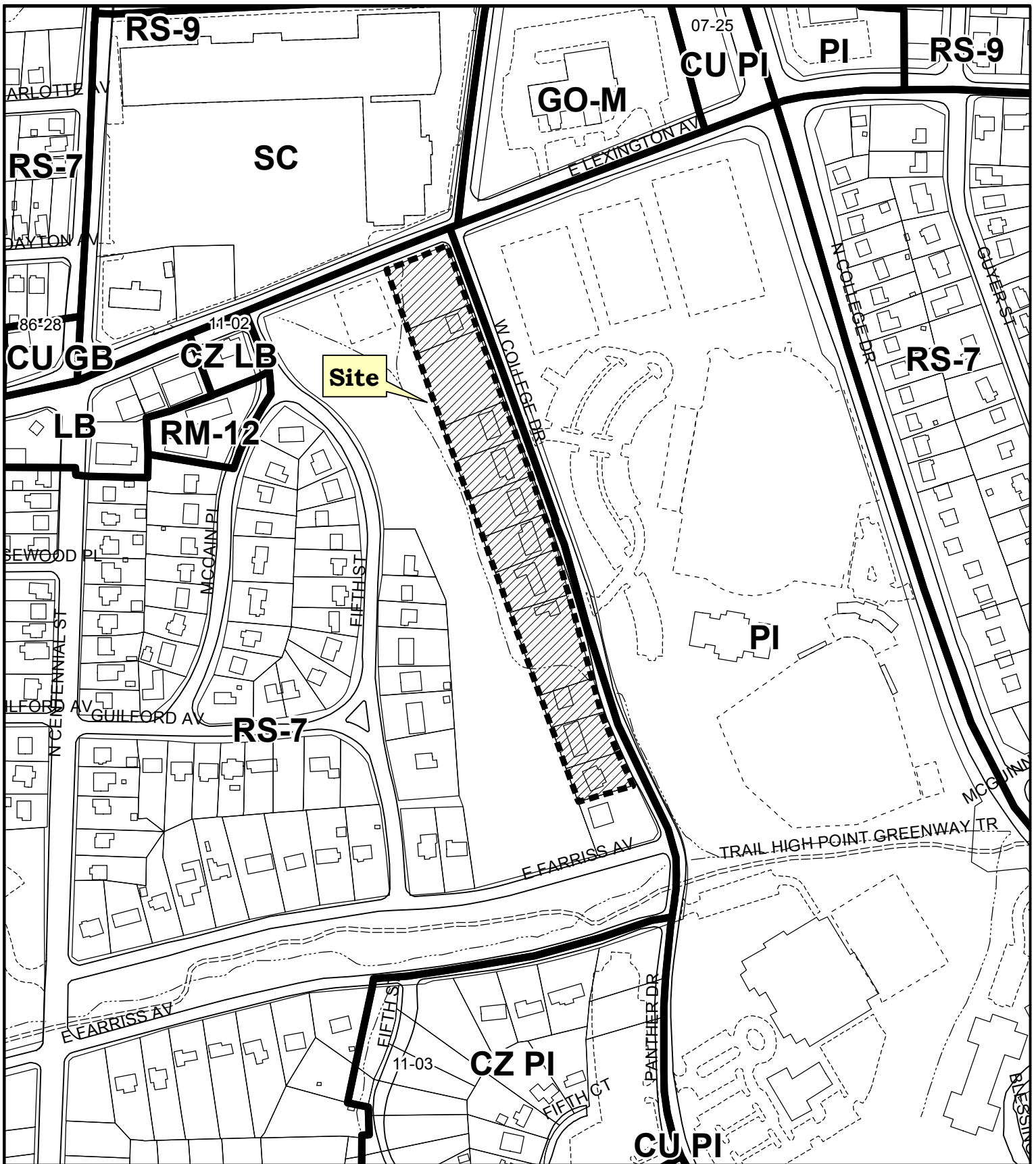
SECTION 5

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.
November 18, 2013.

Lisa B. Vierling, City Clerk



ZONING CASE 13-09

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

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

**Planning & Development
 Department**

City of High Point

Date: October 24, 2013



Scale: 1"=300'
 y/ba-pz/2013/pz/z13-09.mxd



MEMORANDUM

Date: November 13, 2013

To: Allen Oliver, Assistant City Manager

From: Terry Houk, Interim Director of Public Services (TLH)

Re: Agenda Item

I respectfully request that the following be included for consideration on the next Council Agenda:

Acceptance of the low bid submitted by Infilco Degremont, Inc. for Procurement of Specialized Air Emissions Equipment and for Repair of the Eastside WWTP Incinerator.

The Eastside WWTP Solids Handling Facilities are being upgraded to meet new Environmental Protection Agency (EPA) Maximum Achievable Control Technology (MACT) standards. These upgrades and standards are specific to air emissions for the incinerator. The upgrade includes replacement of the dewatering facilities and associated equipment.

The bidding process is configured in four (4) phases based on lead time of the equipment purchased. The following is a summary list of the phases:

November 2013:	Procurement of air emissions equipment and construction/repair of incinerator
January 2014:	Procurement of dewatering equipment and polymer feed systems
January 2014:	Procurement of solids feed pumps and storage hopper
Fall 2014:	Installation of all equipment purchased with exception of some of the equipment in Bid 1.

Public Services is recommending this contract be accepted for procurement of air emissions equipment and construction/repair of incinerator in the amount of \$7,784,900.00.

Funding for this contract will come from 2014 Revenue Bonds.

Cc: Chris Thompson
Jeff Moore
Tarinda Chappell
File

City of High Point, P.O. Box 230, 211 South Hamilton Street, High Point, NC 27261 USA
Fax: 336.883.1675 Phone: 336.883.3215 TDD: 336.883.8517

November 13, 2013

Mr. Chris Thompson
Director of Public Services
City of High Point
P.O. Box 230
High Point, North Carolina 27261

4011 WestChase Blvd.
Suite 500
Raleigh, NC 27607

919 833-7152
hazenandsawyer.com

Re: Eastside Wastewater Treatment Plant
Incinerator Equipment Procurement Package
Bid No. 29-102413

Dear Mr. Thompson:

Bids for providing equipment and field services for the Eastside Wastewater Treatment Plant Incinerator Equipment Procurement were received on October 24, 2013. Three pre-approved incinerator system suppliers submitted and the bid tabulation is attached.

Infilco Degremont, Inc. is the apparent low bidder with a total base bid of \$7,805,800. Upon detailed review, Infilco Degremont's bid was determined to be in order and in accordance with the requirements of the Notice to Bidders.

The bid documents allowed for two deductive alternates. Hazen and Sawyer reviewed the bids from the two other bidders and determined that there is no combination of deductions that would result in a lower lump sum bid from any other bidder. Furthermore, the bid allowed for the award of the contract to also be based on the qualifications of the Bidders as noted in the Instruction to Bidders. Hazen and Sawyer has had previous experience working with Infilco Degremont, Inc., and it is clear that Infilco Degremont, Inc. has the most experience of the Bidders in providing this type of equipment and services in North America.

Infilco Degremont, Inc. offered an addition of \$89,100 for Alternate Bid Item No. 1 for a total lump sum bid of \$7,894,900. Additionally, Infilco Degremont, Inc. offered several value engineering recommendations that would result in further deductions to their price (see attached). Hazen and Sawyer recommends that a \$110,000 deduction be accepted for Value Engineering Item 5 resulting in a total amount for the scope of supplies and services provided by Infilco Degremont, Inc. of \$7,784,900.

We recommend that the City of High Point proceed with award to the low bidder, Infilco Degremont, Inc. in the amount of \$7,784,900. Please do not hesitate to call if you have any questions.

Very truly yours,
Hazen and Sawyer, P.C.



C. Todd Johnson, P.E.
Senior Associate

cc: Terry Houk, City of High Point
Bob Difiore, H&S

CITY OF HIGHT POINT EASTSIDE WASTEWATER TREATMENT PLANT INCINERATOR EQUIPMENT PROCUREMENT							
Bidder	Part A	Part B	Total Base Bid	Alt. Bid No. 1	Alt Bid No. 2	Total with Alt. Bid No. 1	Total After Value Engineering
Infilco Degremont, Inc.	\$7,638,800	\$167,000	\$7,805,800	\$89,100	-\$4,500	\$7,894,900	\$7,784,900
Hankin Environmental Systems, Inc.	\$7,965,000	\$235,000	\$8,200,000	\$56,000	-\$5,000	\$8,256,000	n/a
Industrial Furnace Co.	\$10,184,000	\$632,500	\$10,816,500	\$771,450	-\$15,000	\$11,587,950	n/a

Summary of Bid Items

Part A:

Lump sum for all work including WESP and scrubber modifications

Part B:

Unit price for field services and 1/2" steel plate for cladding windbox and tapered section shell

Alt. Bid No. 1 (Accepted):

Addition for providing multiple venturi scrubber in-lieu of WESP and scrubber modifications

Alt. Bid No. 2 (Rejected):

Deduction for providing 3/8" steel plate in-lieu of 1/2" steel plate in Part B

Value Engineering:

\$110,000 deduction for accepting value engineering deduction item 5
Providing radiative recuperator by Thermal Transfer in-lieu of Alstom

INFILCO

Value Engineering and Clarifications

Value Engineering

The offer hereunder is based on IDI's value engineering efforts to reduce overall contract cost and is based on a recommended reduced scope of supply. The **cost deducts** for each item is presented in section titled "Proposal and Contract".

1. **PLC:** The equipment supplier will provide a new PLC for only new equipment furnished under this contract. This PLC will operate in parallel with the existing fluidized bed incineration (FBI) system PLC.
2. **Instruments:** The equipment supplier will provide new instrumentation for only new equipment furnished under this contract. Existing instruments not affected by this upgrade will remain in operation and will continue to be supported by the existing fluidized bed incineration (FBI) system PLC.
3. **Windbox:** No additional work will be performed on the windbox portion of the reactor. Existing steel shell and refractory will be left unchanged.
4. **Reactor Appendages:** The reactor roof spray guns, bed quench guns, and fuel oil guns will be left unchanged. No additional work will be performed on this portion of the reactor.
5. **Radiative Recuperator:** A radiative recuperator, manufactured by Thermal Transfer, will be provided in place of the specified manufacturer.

(10)

1000000

VALUE ENGINEERING DEDUCTS

The offer hereunder is based on IDI's value engineering efforts to reduce overall contract cost. The ideas are presented in section titled "**Value Engineering and Clarifications**" and are based on a recommended, reduced scope of supply.

IDI OFFER OF DEDUCT FROM BID PRICE FOR VALUE ENGINEERED SYSTEM

Item 1. PLC

\$ 314,860

Item 2. Instruments

\$ 117,350

Item 3. Windbox

\$ 48,250

Item 4. Reactor Appendages

\$ 12,800

Item 4. Radiative Recuperator

\$ 110,000

TOTAL AMOUNT

\$ 603,260



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Public Services**

COUNCIL AGENDA DATE: **November 18, 2013**

BID NO.: **29-102413**

CONTRACT NO.:

DATE OPENED: **Oct 24, 2013**

DESCRIPTION:

Procurement of air emissions equipment and construction/repair of incinerator

PURPOSE:

The Eastside WWTP Solids Handling Facilities are being upgraded to meet new Environmental Protection Agency (EPA) Maximum Achievable Control Technology (MACT) standards. These upgrades and standards are specific to air emissions for the incinerator.

COMMENTS:

RECOMMEND AWARD TO: **Infilco Degremont, Inc.**

AMOUNT: **\$7,784,900.00**

JUSTIFICATION:

Infilco Degremont, Inc. is low bidder.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
421779	533701	2014	Rev Bonds	\$16,000,000.00
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD:

Terry L. Houk

Digitally signed by Terry L. Houk
DN: cn=Terry L. Houk, o=Public Services, ou=City of
High Point, email=terry.houk@highpointnc.gov, c=US
Date: 2013.11.13 11:58:38 -0500

DATE: **November 13, 2103**

The Purchasing Division concurs with recommendation submitted by the **Public Services and recommends
award to the lowest responsible, responsive bidder **Infilco Degremont Inc** in the amount of \$ **16,000,000.00****

PURCHASING MANAGER:

Tarinda Chappell

Digitally signed by Tarinda Chappell
DN: cn=Tarinda Chappell, o=City of High Point, ou=Purchasing,
email=tarinda.chappell@highpointnc.gov, c=US
Date: 2013.11.14 09:54:20 -0500

DATE: **Nov 14, 2013**

Approved for Submission to Council

FINANCIAL SERVICES DIRECTOR: **Jeffrey Moore**
20130620-173418

Digitally signed by Jeffrey Moore
DN: cn=Jeffrey Moore, o=Bank of America North Carolina CA, OU,
ou=Bank of America - High Point, City of High Point, c=US
Date: 2013.11.14 10:54:52 -0500

DATE: **Nov 14, 2013**

CITY MANAGER: **Strib Boynton**

Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=Administration, ou=City of High Point,
email=cindy.smith@highpointnc.gov, c=US
Date: 2013.11.14 10:54:52 -0500

DATE: **Nov 14, 2013**

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

**STAFF REPORT
ANNEXATION CASE 13-04
November 18, 2013**

Request	
Applicant: 350 South Land Holdings, LLC	Owner(s): 350 South Land Holding, LLC
Proposal: Voluntary non-contiguous annexation of approximately 1.54 acres	Effective Date: Upon adoption
	Associated Zoning Case: Amendment to Zoning Case 12-11

Site Information	
Location:	Northern portion of the former Joe Drive right-of-way, lying approximately 1,750 feet north of Sandy Ridge Road
Tax Parcel Numbers:	Portion of Guilford County Tax Parcels 0171055 and 0170876
Site Acreage:	Approximately 1.54 acres
Current Zoning:	Agricultural (AG) District (<i>Guilford County</i>)
Current Land Use:	Roadway
Current Fire District:	Colfax Fire Department: The High Point Fire Department has contracted with the Colfax Fire District to provide services to the unincorporated rural area lying south of I-40.
Proposed Development:	The applicant is proposing to develop a Business/Industrial Park.
Proposed Unit Type, Number & Average Value:	Not applicable.
Proposed Build-out Schedule:	The subject site will be part of a Business/Industrial Park development, totally over 500 acres. It is anticipated that this will be a long-term development with a 20+ year build out scenario.
Proposed City of High Point Council Ward:	The proposed annexation site is currently surrounded by Ward 6, if approved; the area will be part of Ward 6.
Physical Characteristics:	The site has moderately sloping terrains.
Water and Sewer Proximity:	There is an existing 16-inch City water within Sandy Ridge Road. A 16-inch sewer line runs along the West Fork of the Deep River and 8-inch & 6-inch sewer lines are in the northern portions of Sandy Ridge Road.
General Drainage and Watershed:	The site drains in a westerly direction. Development is subject to the Oak Hollow Lake General Watershed Areas (GWA) requirements of the water supply watershed regulations. Engineered stormwater treatment measures are required for non-residential development with an impervious surface area greater than 24% of the site.

Overlay District(s):	Oak Hollow Lake GWA and Airport Overlay - Zone 2
-----------------------------	--

Adjacent Property Zoning and Current Land Use			
North:	PDM	Planned Unit Development-Mixed District	Single family detached dwelling
South:	AG	Agricultural District (<i>Guilford County</i>)	Joe Drive
East:	PDM	Planned Unit Development-Mixed District	Single family detached dwelling
West:	PDM	Planned Unit Development-Mixed District	Undeveloped parcels and accessory farm structures

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Joe Drive	Local Street	59 ft.
Vehicular Access:	The 1.54 acres associated with this application will be added to Phase I of CZ12-11. Vehicular access to this portion of the PUD will from Sandy Ridge Road and Joe Drive.		

City Department Comment Summary

Comments were not requested for this proposed annexation due to the fact the site abuts the City's corporate limits. Annexation petitions for uses within close proximity to existing service areas do not cause the need for individual department comment.

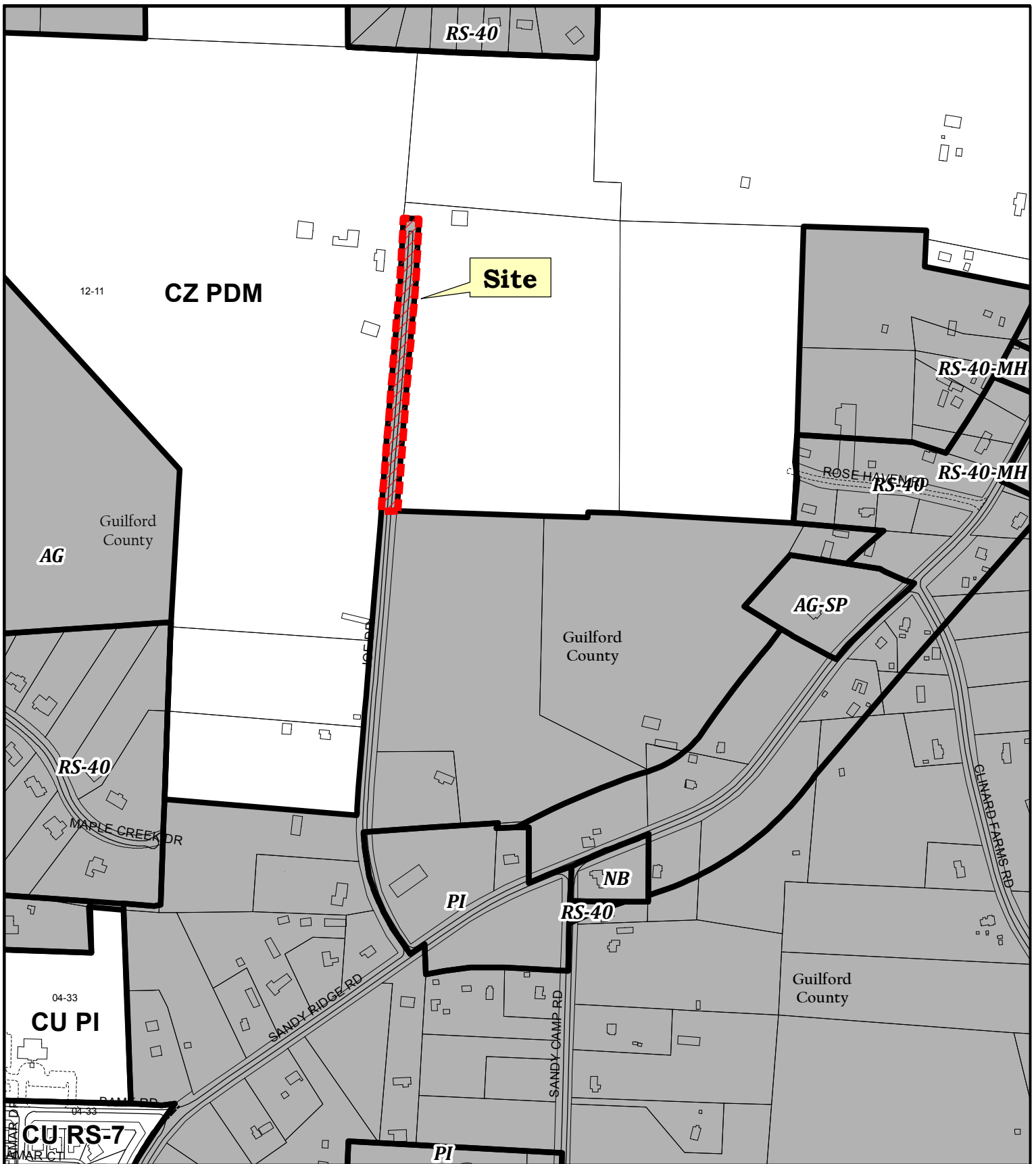
Details of Proposal

This annexation application for 1.54 acres is associated with the abutting 500 acres that were annexed and zoned by City Council in May 2013 for development of a Business/Industrial Park. The southern portion of this 500-acre area is bisected by the 59 foot wide by 1,190 foot long northern terminus of the Joe Drive right-of-way. The applicant requested and was been granted approval by the NC Department of Transportation and Guilford County to abandon the northern portion of Joe Drive.

Now that this right-of-way is abandoned, it is considered private property. The applicant is requesting that the land area within this former right-of-way be annexed into the City of High Point and added to Conditional Zoning Case 12-11. This annexation petition represents a logical progression of the City's annexation policy for this area as the property is surrounded on three sides by the High Point Corporate limits. City utility lines, both water and sewer, have already been established to the west along the Deep River stream corridor and to the east along Sandy Ridge Road. Additionally, based on the location of existing annexed parcels in this area, City service vehicles are already present in this general area.

Report Preparation

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



ANNEXATION REQUEST ANX13-04

Applicant: 350 South Land Holding, LLC
Area: 1.54 acres (approximate)

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

**Planning & Development
Department**

City of High Point

Date: August 13, 2013



Scale: 1"=500'
y:/ba-pz/2013/pz/aux13-04.mxd

Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. **XXXXXX**

AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF HIGH POINT

WHEREAS, The City of High Point has been petitioned under G.S. 160A-58.1, as amended, to annex the area described herein; and,

WHEREAS, the City Clerk has investigated the sufficiency of said petition and has certified it to be valid; and

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30 p.m. on the **18th day of November, 2013**; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-58.1 as amended;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of **November 18, 2013**.

ANNEXATION DESCRIPTION

FOR 350 SOUTH PROPERTY - 1.54 ACRES

BEGINNING AT AN OLD IRON PIPE ON THE WESTERN 60 FOOT RIGHT OF WAY FOR JOE DRIVE (STATE ROAD#1877) AND BEING IN AN EASTERN LINE OF 350 SOUTH LAND HOLDING, LLC AS RECORDED IN DEED BOOK 6934 PAGE 2020,

THENCE WITH THE WESTERN 60 FOOT RIGHT OF WAY FOR SAID JOE DRIVE AS RECORDED IN DEED BOOK 1907 PAGE 0685 N 07 DEG. 01 MIN. 06 SEC. E DISTANCE BEING 902.08 FEET TO AN EXISTING 3/4 INCH IRON PIPE, THENCE WITH THE SAME N 07 DEG. 01 MIN. 06 SEC. E DISTANCE BEING 245.75 FEET TO A POINT ON THE EASTERN LINE OF AFORESAID 350 SOUTH LAND HOLDING, LLC AND BEING THE NORTHWESTERN TERMINUS OF JOE DRIVE , THENCE WITH THE NORTHERN 60 FOOT TERMINUS OF JOE DRIVE AND A LINE OF 350 SOUTH LAND HOLDING AS RECORDED IN DEED BOOK 7485 PAGE 284 S 82 DEG. 57 MIN. 14 SEC. E DISTANCE BEING 58.55 FEET TO A POINT, THENCE WITH THE EASTERN 60 FOOT RIGHT OF WAY FOR JOE DRIVE AND THE WESTERN LINE OF SAID 350 SOUTH LAND HOLDING AS DESCRIBED IN DEED BOOK 7485 PAGE 284 S 07 DEG. 01 MIN. 30 SEC. W DISTANCE BEING 245.73 FEET TO AN EXISTING 3/4 INCH IRON PIPE, THENCE WITH THE SAME S 07 DEG. 01 MIN. 30 SEC. W DISTANCE BEING 394.08 FEET TO AN EXISTING IRON PIPE, THENCE WITH THE SAME S 07 DEG. 01 MIN. 30 SEC. W DISTANCE BEING 510.30 FEET TO AN EXISTING IRON PIPE, SAID EXISTING IRON PIPE BEING THE SOUTHWEST CORNER OF 350 SOUTH LAND HOLDING, LLC AND BEING THE NORTHWEST CORNER OF JOE W. FRAZIER AS RECORDED IN DEED BOOK 3641 PAGE 0378, THENCE WITH THE SOUTHERN LINE OF HEREIN DESCRIBED AND BEING THE NEW NORTHERN TERMINUS OF JOE DRIVE N 80 DEG. 43 MIN. 01 SEC. W DISTANCE BEING 58.46 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 1.54 ACRES MORE OR LESS.

SECTION 2. Upon and after **November 18, 2013, 2013**, the foregoing property and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-58.3.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds for Guilford County and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, thereof, together with a duly certified copy of this ordinance.

Adopted by City Council,
this the **18th** day of **November 18, 2013**.
Lisa B. Vierling, City Clerk



December 19, 2013

Banc of America Public Capital Corp
555 California Street, 4th Floor
San Francisco, California 94104

Re: Schedule of Property No. 01, dated December 19, 2013 to Master Equipment Financing Agreement, dated as of December 19, 2013 between Banc of America Public Capital Corp, as Lender, and the City of High Point, North Carolina, as Purchaser

Ladies and Gentlemen:

As legal counsel to City of High Point, North Carolina ("Purchaser"), I have examined (a) an executed counterpart of a certain Master Equipment Financing Agreement, dated as of December 19, 2013, and Exhibits thereto by and between Banc of America Public Capital Corp ("Lender") and Purchaser (the "Agreement") and an executed counterpart of Schedule of Property No. 1, dated December 19, 2013, by and between Lender and Purchaser (the "Schedule"), which, among other things, provides for the financing of certain property listed in the Schedule (the "Equipment") and a certain Acquisition Fund and Account Control Agreement among the Lender, Purchaser, and Deutsche Bank Trust Company Americas as Acquisition Fund Custodian, dated December 19, 2013 (the "Acquisition Fund Agreement"), (b) an executed counterpart of the resolutions of Purchaser which, among other things, authorize Purchaser to execute the Agreement and the Schedule and (c) such other opinions, documents and matters of law as I have deemed necessary in connection with the following opinions. The Schedule and the terms and provisions of the Agreement incorporated therein by reference together with the Installment Payment Schedule attached to the Schedule are herein referred to collectively as the "Purchase Agreement", and the Purchase Agreement and the Acquisition Fund Agreement are referred to collectively as the "Transaction Documents."

Based on the foregoing, I am of the following opinions:

1. Purchaser is a municipal corporation, duly organized and existing under the laws of the State.

2. Purchaser has the requisite power and authority to acquire and finance the Equipment and to execute and deliver the Transaction Documents and to perform its obligations under the Purchase Agreement.

3. The Transaction Documents have been duly authorized, approved, executed and delivered by and on behalf of Purchaser and are valid and binding obligations of Purchaser enforceable in accordance with their respective terms.

4. The authorization, approval, execution and delivery of the Transaction Documents and all other proceedings of Purchaser relating to the transactions contemplated thereby have been performed in accordance with all open meeting laws, public bidding laws and all other applicable state or federal laws.

5. There is no proceeding pending or threatened in any court or before any governmental authority or arbitration board or tribunal that, if adversely determined, would adversely affect the transactions contemplated by the Transaction Documents or the security interest of Lender or its assigns, as the case may be, in the Equipment or other collateral thereunder.

All capitalized terms herein shall have the same meanings as in the Transaction Documents unless otherwise provided herein. Lender and its successors and assigns, and any counsel rendering an opinion on the tax-exempt status of the interest components of the Installment Payments, are entitled to rely on this opinion.

Very truly yours,

A handwritten signature in cursive script, appearing to read "JoAnne L. Carlyle".

JoAnne L. Carlyle

20131217000206450 S/INS
Bk: RE2368 Pg: 620
12/17/2013 03:36:39 PM 1/4



Return to: Joanne Carlyle, City Attorney
✓ City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. 1355 /13-78

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 18th DAY OF NOVEMBER, 2013 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, The Technical Review Committee has petitioned the City Council of the City of High Point to permanently abandon (close) all of the southern 245 feet of the Berkley Street right-of-way.

Street Abandonment Case 13-17

Abandonment of all of the southern 245 feet of the Berkley Street right-of-way as shown on a map entitled "Final Map Property of Swaim, Inc. & Noland S. Garner High Point Township" as recorded in Plat Book 16 at Page 30, in the Office of the Register of Deeds for Randolph County, North Carolina. The area is more specifically described as follows: **A POINT OF BEGINNING** starting at the southwest corner of Randolph County Tax Parcel 6799214174 (Deed Book 230 Page 451); thence in westward direction North 73°13'20" West 60 feet to the southeast corner of Randolph County Tax Parcel 6799210262 (Deed Book 445/397); thence in a northward direction along the eastern property line of Randolph County Tax Parcel 6799210262 North 21°34'83" East 245 feet; thence in a eastward direction North 73°13'20" East 60 feet to the western property line of Randolph County Tax Parcel 6799214174; thence in a southward direction along the western property line of Randolph County Tax Parcel 6799214174 South 21°34'83" West 245 feet to the point of beginning at the southwest corner of Randolph County Tax Parcel 6799214174); .

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 21st day of October, 2013, at 4:45 p.m. setting the 18th day of November, 2013 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 25, 2013 and November 1, 8 & 15, 2013; 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 all of the southern 245 feet of the Berkley Street right-of-way as shown on a map entitled "Final Map Property of Swaim, Inc. & Noland S. Garner High Point Township" as recorded in Plat Book 16 at Page 30, in the Office of the Register of Deeds for Randolph County.

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 all of the southern 245 feet of the Berkley Street right-of-way as shown on a map entitled "Final Map Property of Swaim, Inc. & Noland S. Garner High Point Township" as recorded in Plat Book 16 at Page 30, in the Office of the Register of Deeds for Randolph County, North Carolina be closed pursuant to North Carolina G.S. 160A-299; with the retention of a 30-foot wide electrical utility easement centered over the existing Duke Energy poles; and
2. That a copy of this resolution be filed in the Office of the Register of Deeds for Randolph County, North Carolina.

By order of the City Council,
this the 18th day of November, 2013
Lisa B. Vierling, City Clerk

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.



STREET ABANDONMENT REQUEST SA13-17

Applicant: City of High Point
Area: 0.35 acres



Department of Planning
and Development

City of High Point

Date: September 10, 2013



Scale: 1"=200'

y:\ba-pz\2013\pz\sa13-17.mxd



Location of requested street abandonment



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 18, 2013 and upon approval by City Council will be recorded in Book 88 of the Official Minute Books and Resolution Book XVIII 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, the 4th day of December, 2013.



Lisa B. Vierling
Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

I, Cynthia C. Duncan-Smith, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 4th day of December, 2013.

Cynthia C. Duncan-Smith
Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2015

CYNTHIA C. DUNCAN-SMITH
NOTARY PUBLIC
GUILFORD COUNTY, NC

Engineering Services Department

B. Keith Pugh, P.E.

DIRECTOR



Date: November 4, 2013

To: Allen Oliver, Assistant City Manager

From: Keith Pugh, Engineering Services *BKP*

Re: City Council Agenda, November 18, 2013 – Change Order Request - Traffic Signal Installation Contract – City Contract ENG-2012-005

On Monday, June 4, 2012 the High Point City Council awarded Contract 2012-005 for North College Drive Traffic Signal Installations to ALS of North Carolina at the contract bid amount of \$400,000. This contract contains an extension clause that allows the City to extend the contract up to 100 percent beyond the original bid amount. One change order for this contract was approved in July 2013 for \$78,207.

The requested Change Order 2 is for traffic signal work at the intersection of Montlieu Avenue and Centennial Street. This work will include mast arm traffic signal installation similar to the intersections of Centennial Street, East Lexington Avenue, and Montlieu Avenue along North College Drive. The contract work includes the signal mast arm foundations, the signal mast arms, new signal heads and pedestrian signals for these intersections. The improvements will be monitored by High Point DOT staff during construction.

HPDOT recommends approval of Change Order 2 in the amount of \$145,000 to ALS of North Carolina, Inc. This will bring the total contract amount to \$623,207.00.

Funding is available in:
101611 533801 \$145,000.00

Ec: Mr. Jeff Moore, Finance Director
Mr. Mark McDonald, HPDOT Director
Mr. Leon Adams, Adams and Clark Enterprises, Inc.

Mr. Randy McCaslin, Asst. City Manager
Mr. Eric Olmedo, Budget
Mrs. Tarinda Chappell, Purchasing

**FINANCE COMMITTEE
NOVEMBER 4, 2013 – 4:00 P.M
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

PRESENT:

Chairman Moore, Council Members Wagoner, Davis, and Sims

OTHERS PRESENT:

Council Members Mendenhall, Ewing, Douglas, and Golden

STAFF PRESENT:

Strib Boynton, City Manager; Allen Oliver, Assistant City Manager; Randy McCaslin, Assistant City Manager; Jeron Hollis, Public Information; Jeff Moore, Director of Finance; Eric Olmedo, Budget Officer; Chris Thompson, Director of Public Services; Terry Houk, Assistant Director of Public Services; Garey Edwards, Director of Electric Department; Steve Lingerfelt, Director of Information Technology; JoAnne Carlyle, City Attorney; Lisa Vierling, City Clerk, Dawn Sparks, Deputy City Clerk

MEDIA PRESENT:

Pat Kimbrough, *High Point Enterprise*

OTHERS PRESENT:

David Wall, Chairman of the ABC Commission
Rosalin Stewart – ABC General Manager
Cynthia Davis, Planning & Zoning Commission

130276 Budget Ordinance Amendment – Washington Street Park

Adoption of a budget ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$31,000.00 from Hayden Harman Foundation to the new Washington Street Park

Council Member Wagoner clarified that this is money inbound. There were no questions regarding this item.

A motion was made by Council Member Moore, seconded by Council Member Davis to forward this matter to Council with a favorable recommendation of adoption. Motion passed unanimously.

130291 Contract – Bid No. 26 - Wire

Approval of contract awarding Bid No. 26 for the purchase of underground cable. Purchasing and the Electric Department recommends that contract be awarded to Stuart C. Irby Company in the amount of \$252,980.00 which is the lowest responsible and responsive bidder meeting specifications.

Garey Edwards advised that this is replacement wire which is stored at the warehouse and used for underground utilities construction. The supply is restocked when it gets low based on demand and usage.

A motion was made by Council Member Moore, seconded by Council Member Wagoner to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously.

130292 Contract – Bid No. 23 – Metal Clad Switchgear

Approval of contract awarding Bid No. 23 for the purchase of two (2) metal clad switchgear lineups. Purchasing and the Electric Department recommends that contract be awarded to Schneider Electric USA in the amount of \$697,891.00, which is the lowest responsible and responsive bidder meeting specifications.

Garey Edwards advised that the switch gears act as breakers that go to the substations. Mayor Sims asked if any other companies provide this same switch gear. Mr. Edwards stated that the low bidder on these gears did not supply all the parts, which did not meet the specifications.

A motion was made by Council Member Moore, seconded by Council Member Davis to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously.

130293 Contracts – Network Infrastructure Upgrade

Approval of contracts for necessary network infrastructure upgrades for the Information and Technology Services Department. Purchasing and the IT Department recommends that contracts be awarded to Slait Consulting in the amount of \$230,356.62 and NWN Corporation in the amount of \$82,737.66 for a total contract amount of \$313,094.28.

Steve Lingerfelt advised that over the last several years the City has added several applications and all these applications are trying to access the same network storage. This will add to the City's network storage and keeps the speed of the applications up as well.

A motion was made by Council Member Moore, seconded by Mayor Sims to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously.

130294 Contract – Davis Martin Powell – Water & Sewer System Design – I-74 Corporate Park

Council is requested to approve a contract with Davis Martin Powell in the amount of \$285,000.00 for engineering services related to the design of the water and sewer system to serve the I-74 Corporate Park.

A motion was made by Council Member Wagoner, seconded by Council Member Mendenhall to recuse Council Member Davis and Council Member Ewing from discussion on this matter. Motion passed unanimously.

Mayor Sims asked if there was an assumption that Davis Martin Powell will be doing the project management or if the city be bidding that part out. Mr. Boynton advised that they are looking into whether the staff can handle it.

A motion was made by Council Member Moore, seconded by Council Member Wagoner to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously.

130295 Resolution – General Obligation Refunding Bonds

City Council requested to adopt resolution authorizing the issuance and sale of general obligation refunding bonds not to exceed \$15,000,000 and authorize the Mayor, City Manager, and Financial Services Director to execute necessary agreements and documents connected thereto.

Jeff Moore advised this is the next legal step that authorizes the issuance of the refunding bonds. Pricing of the bonds as of this morning is still showing about \$560,000 over the next 5 ½ years. The net effect is about a \$100,000.00 a year savings to the City.

A motion was made by Council Member Moore, seconded by Mayor Sims to forward this matter to Council with a favorable recommendation of adoption. Motion passed unanimously.

130296 Commitment Letter – Unity Builders – Meredith Street Apartments

Council is requested to authorize the City Manager to execute a loan agreement with Unity Builders for the acquisition and rehabilitation of the Meredith Street Apartments.

Mayor Sims stated they are utilizing home funds for this and asked if staff looked at any of the Section 108 funds for this. Michael McNair stated they did look into that, but there is a timeliness issue and it is a long process with HUD to get those dollars. Mayor Sims asked by utilizing these home funds, what other projects will get put off or not done at all. Mr. McNair stated that they had set aside funds in the plan for a large project, and utilizing these funds will not affect other projects that have been planned.

A motion was made by Council Member Moore, seconded by Mayor Sims to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously.

ABC BOARD FINANCIAL STATEMENT REVIEW

The High Point ABC System currently employs over 30 workers in its six stores and administrative offices. The year ending June 30, 2013 the sales reached over \$14 million. Since its inception High Point ABC Board has distributed more than \$20 million to the City of High Point and \$2 million to Guilford County. 2013 was the first year the High Point ABC System has given the City more than \$1 million. \$95,000 was also contributed to the High Point Police Department for enforcement. Last year the High Point ABC System collected and disbursed almost \$4 million dollars in cash, approximately 3% of the profits were used for alcohol education rehabilitation. The system handled over 1 million bottles last year. Total assets for the High Point ABC Board are \$5,806,563.00.

The ABC Board is required to have an annual audit. This year they met all the requirements of the audit and all suggested targets. The commission tells the system what to sell, what price to sell it at, when it can be open, and what is done with the revenue.

North Carolina is number 5 in the country in per capita money raised in alcohol sales. North Carolina is 49th in the country in alcohol consumption.

Rosalin Stewart stated that the City system has six stores. The stores are doing their customer survey right now. They employ 26 fulltime employees and 11 part time employees. Last year they had over \$14.2 million in sales.

Council Member Mendenhall asked how the ABC Board determines what amount of money they make available for grants. Ms. Stewart stated that it is mandated by the state that a certain percentage of their profit go towards alcohol rehabilitation. High Point is well over that percentage. They have been giving \$40,000 a year for the last twelve years, and this year the board voted to make it \$50,000. They allow the groups who are interested in obtaining a grant to submit a presentation for the board.

OTHER ITEMS:

Council Member Wagoner handed out some information regarding attracting people to the community.

Mayor Sims handed out a list of different items that need discussion and direction from Council.

Strib Boynton handed out a Department Consultant List, which was compiled for a public information request.

ADJOURNMENT

The meeting adjourned at 4:30 p.m. on a motion duly made and seconded.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Council Member Britt Moore



November 8, 2013

To: Randy McCaslin, Assistant City Manager
From: Garey Edwards, Electric Director
Subject: Bid No. 32-110713
115kV Circuit Switchers

On November 7, 2013 the City received bid No. 32-110713 for two (2) circuit switchers. We received bids from three companies. I have attached the bid tabulation for your review.

I agree recommend that we award to **Chapman Company(S&C Electric)**, for a total amount of **\$104,797.00**. This includes the two (2) circuit switchers with two (2) days start-up as outlined in the bid under line #3. Chapman Company was the lowest responsive bidder that met the specifications. These circuit switchers will be used at our Commerce and North Substations. Sufficient funds have been allocated in the budget for the purchase of this equipment. Please do not hesitate to call me if you have any questions concerning this recommendation.

cc: file
Jeff Moore
Tarinda Chappell
Tracey Adams
Josh Williams
Allen Averill
Larry Hopkins
Sherry Smith

Attachments

City of High Point, P.O. 230, 816 E. Green Dr., High Point, NC 27261 USA
Phone 336.883.3485 Fax: 336.883.3478 TDD 336.883.8517





**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **ELECTRIC**

COUNCIL AGENDA DATE:

BID NO.: **32-110713**

CONTRACT NO.:

DATE OPENED:

DESCRIPTION:

CIRCUIT SWITCHERS FOR SUBSTATIONS

PURPOSE:

TO INSTALL FOR COMMERCE AND NORTH SUBSTATION TRANSFORMERS

COMMENTS:

I RECOMMEND THAT WE AWARD THE BID TO S&C ELECTRIC IN THE AMOUNT OF \$104,797.00. THEY ARE THE LOWEST RESPONSIVE BIDDER MEETING SPECIFICATIONS.

RECOMMEND AWARD TO: **S & C ELECTRIC**

AMOUNT: **\$104,797.00**

JUSTIFICATION:

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
631799	533701	631141022205	40202	\$43,801.00
631799	533701	631131022005	40202	\$55,701.00
631799	533701	631131022005	40202	\$2,647.50
631799	533701	631141022205	40202	\$2,647.50
TOTAL BUDGETED AMOUNT				\$104,797.00

DEPARTMENT HEAD: **Garey Edwards**

Digitally signed by Garey Edwards
DN: cn=Garey Edwards, o=City of High Point, ou=Electric
Department, email=garey.edwards@highpointnc.gov, c=US
Date: 2013.11.07 15:55:18 -0500

DATE: **NOVEMBER 7, 2013**

The Purchasing Division concurs with recommendation submitted by the **Electric Dept and recommends award to the lowest responsible, responsive bidder **S & C Electric** in the amount of \$ **104,797.00**.**

PURCHASING MANAGER: **Tarinda Chappell**

Digitally signed by Tarinda Chappell
DN: cn=Tarinda Chappell, o=City of High Point, ou=Purchasing,
email=tarinda.chappell@highpointnc.gov, c=US
Date: 2013.11.08 10:01:59 -0500

DATE: **Nov 8, 2013**

Approved for Submission to Council

FINANCIAL SERVICES DIRECTOR: **Jeffrey Moore**
20130620-173418

Digitally signed by Jeffrey Moore 2013.11.08 17:34:18
DN: cn=Jeffrey Moore, o=City of High Point, ou=Finance, email=jeff.moore@highpointnc.gov, c=US
Date: 2013.11.11 13:41:28 -0500

DATE: **Nov 11, 2013**

CITY MANAGER: **Strib Boynton**

Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=Administration, ou=City of High Point,
email=cindy.smith@highpointnc.gov, c=US
Date: 2013.11.13 08:05:44 -0500

DATE: **Nov 13, 2013**

BIDDERS LIST & TABULATION

**** AWARDED TO S&C ELECTRIC ****

INFORMAL BID #32-110713 – CIRCUIT SWITCHERS 115kv – ELECTRIC DEPT.					
VENDOR NAME & ADDRESS	LINE ITEM #	QTY.	UNIT PRICE (UOM=EA)	TOTAL PRICE	DLVRY. A.R.O.
D.C. TECHNOLOGY P.O. BOX 240994 CHARLOTTE, NC 28224	1	1	\$57,925.00	\$57,925.00	80 DAYS
	2	1	\$45,998.00	\$45,998.00	
	3	2	See Notes	See Notes	
R.W. CHAPMAN COMPANY P.O. BOX 240748 CHARLOTTE, NC 28224	1	1	\$59,425.00	\$59,425.00	80 DAYS
	2	1	\$49,125.00	\$49,125.00	
	3	2	-	\$9,215.00	
S&C ELECTRIC c/o CHAPMAN COMPANY 1338 HUNDRED OAKS DR. CHARLOTTE, NC 28217	1	1	\$55,701.00	\$55,701.00	80 DAYS
	2	1	\$43,801.00	\$43,801.00	
	3	2	-	\$5,295.00	

*Bids emailed October 22, 2013.

PLANNING AND ZONING COMMISSION RECOMMENDATION

On November 12, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd, Mr. Andrew Putnam and Mr. Ed Spivey.

High Point University

Land Use Plan Amendment Case 13-02

A request by High Point University to change the land use plan map for approximately 6.3 acres from Low Density Residential to an Institutional land use designation. The Planning and Development Department has amended the request to include an additional 0.7 acres. The site consists of a one (1) block area bounded by E. Farriss Avenue, N. Centennial Street, Willoubar Terrace (private street) and Fifth Street (private street).

AND

High Point University

Amendment to Zoning Case 11-03

A request by High Point University to amend Conditional Zoning Case 11-03 (CZ11-03) to:

- a. Add approximately 6.3 acres and rezone the additional land area from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The land area to be added to CZ11-03 consists primarily of a one (1) block area bounded by E. Farriss Avenue, N. Centennial Street, Willoubar Terrace (private street) and Fifth Street (private street).
- b. Amend conditions of Conditional Zoning Ordinance CZ11-03 pertaining to lighting, building setback, fencing and vehicular access.

Mr. Andy Piper and Mr. Herbert Shannon presented these applications and recommended approval as outlined in the staff report.

Speaking on behalf of the request was the applicant's representative, Mr. Ron Guerra, Director of Construction, High Point University. He provided a general overview of this proposal.

Speaking in opposition to this request were Mr. Willis McCoy, 323 Foley Drive, Garner, NC (former realtor and property appraiser) representing family members who live off Barbee Avenue; Mr. David Brauns, 810 E. Farriss Avenue, High Point, Mr. Clayton Mays, 1001 W. College Drive and Ms. Adrienne Middlebrooks, 803 E. Farriss Avenue, High Point. These speakers noted the following concerns:

- Approval of the request will negatively affect the property values of the two remaining properties at 806 and 810 E. Farriss Avenue.
- The University should have ownership of the entire block before seeking rezoning. Based on discussions an owner had with his realtor, being surrounded by a PI District will impact private sales of their property.
- There were ongoing problems pertaining to lighting, noise and a lack of respect shown to adjacent residents in the manner complaint are handled when students living in houses disturb neighbors.
- No information as to how this area will developed had been shared with adjacent property owners.

The Planning & Zoning Commission recommended approval of Land Use Plan Amendment Case 13-01, as recommended by staff, by a vote of 5-1.

The Planning & Zoning Commission recommended approval of amendment to Zoning Case 11-03 as submitted by the applicant, by a vote of 5-1.

Ms. Davis voted in opposition to the request. She voiced concern with the impact the University would have on the adjacent properties and their values.

CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT
STAFF REPORT
LAND USE PLAN AMENDMENT CASE 13-02, AND
AMENDMENT TO ZONING CASE 11-03
November 12, 2013

Requests		
Applicant: High Point University	Owner: High Point University	
LUPA Proposal: To change the future land use designation for approximately 7 acres to an Institutional land use designation	From:	Low Density Residential
	To:	Institutional
Zoning Proposal: a. To add approximately 6.3 acres to Conditional Zoning CZ11-03 (CZ11-03). b. Amend conditions of CZ11-03 pertaining to lighting, lot combination, building setback, fencing and vehicular access & improvement.	From:	RS-7 Residential Single Family-7 District
	To:	CZ PI Conditional Zoning Public & Institutional

Site Information		
Location:	The site consists primarily of a one (1) block area bounded by E. Farriss Avenue, N. Centennial Street, Willoubar Terrace (private street) and Fifth Street (private street).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	Guilford County Tax Parcels 0190072 thru 0190089	Same, except tax parcel 0190074 and 0190076 are not part of the zoning application
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 7 acres	Approximately 6.3 acres
Current Land Use:	Plan Amendment	Zoning Request
	Single family dwellings and undeveloped parcels	Same
Physical Characteristics:	The site has a moderate to severely sloping terrain. A perennial stream is lying along the eastern boundary of the zoning site.	
Water and Sewer Proximity:	An 8-inch City water line lies adjacent to the site along N. Centennial Street and Fifth Street (private drive), and a 6-inch City water line is lying along E. Farriss Avenue. A 12-inch City sewer line is lying adjacent to the site along E. Farriss Avenue. There are also 8-inch City sewer lines running in a south to north direction along N. Centennial Street, through the middle of the site and along the stream corridor east of the site.	
General Drainage and Watershed:	The site drains in a northern direction and development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily developments with an impervious surface	

	area that is greater than 24% or more of the site.
Overlay District:	City Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	RS-7	Residential Single Family-7 District	Single family residential dwellings (<i>across E. Farriss Avenue and greenway trail</i>)
South:	CZ PI	Conditional Zoning Public & Institutional District	High Point University campus
East:	CZ PI	Conditional Zoning Public & Institutional District	High Point University campus (<i>across Fifth Street</i>)
West:	RS-7	Residential Single Family-7 District	Single family residential dwellings and undeveloped parcels (<i>across N. Centennial Street</i>)

Adjacent Land Use Designations	
North:	Recreation/Open Space
South:	Institutional
East:	Recreation/Open Space
West:	Low Density Residential

Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Proposed Designation:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	Goal 1: Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Goals, Objectives & Policies:	The following goal and objectives of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods;
Relevant Area Plan:	University Area Plan <u>Goal 3:</u> Ensure compatibility between the edge of campus and the surrounding neighborhood. <u>Policy 3.5:</u> Transition the intensity of uses along the campus edge adjacent to existing residences. i. Decrease the bulk, mass and height of buildings, or increase setbacks. ii. Prevent the spillover of light and glare from outdoor lighting onto adjacent properties by limiting the height, illumination, and direction of outdoor lighting. iii. Locate parking areas internal to campus, where possible, to minimize visual impacts on adjacent residential properties. They should be

	screened from view, and access to the parking areas should be from internal campus driveways and not directly from local residential streets to minimize cut-through traffic in the residential neighborhood. iv. A combination of fencing and landscaping can be used to soften the edges, however solid fencing is typically discouraged along public streets. v. Placement of loading areas and mechanical equipment should be placed to minimize impact on adjacent properties. Screening shall be provided. vi. Consider reusing structures along the campus edges for housing, administrative offices, or other university uses. <u>Policy 3.6:</u> New campus development should be contiguous to the existing campus and consist of an entire sub-area. However, if a partial rezoning of a sub-area is requested, then a site plan must be submitted along with the rezoning request that demonstrates how the impacts on adjacent properties will be mitigated. <u>Policy 3.7:</u> Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests. <u>Transition Areas</u> The site is located within sub-area 1 of phase II. This area is identified as a Transition Area (Permanent Edge), particularly those lots fronting on the south side of E. Farriss Ave. New development in these areas should strive to maintain the existing setting of the area. Compatibility with adjacent properties is of the utmost importance. The height, mass, scale, setbacks, and intensity of new development should be taken into consideration. When measuring height, the finished grade and elevation should be taken into account. Other factors to consider within Transition Areas are parking lot location; access; lighting height, direction and intensity; and landscaping type, rate, location and width of planting area. If the area is characterized by large mature trees, then an effort should be made to maintain trees where possible. In places where Transition Areas abut public streets, solid fencing is typically discouraged. The types and impact of use should also be taken into consideration, for example the hours during which the use is most active. <u>Growth Area - Phase II, Sub-area 1</u> The plan specifically notes that this sub-area should be reserved for low-intensity uses, for example, 1-2 story buildings or a daytime parking lot, both of which would need substantial landscaping. It also states that if taller buildings are needed, then the setbacks should be increased to lessen the impact, and when developed, consideration should be given to preserving the existing mature trees along the south side of E. Farriss Avenue.
Zoning History and LUPA History:	Over the past 13 years, there have been numerous Zoning Cases and Land Use Plan approvals to facilitate the westward expansion of the campus from Panther Drive (formerly known as W. College Drive) to N. Centennial Street.

Transportation Information					
Adjacent Streets:	Name			Classification	Approx. Frontage
	E. Farriss Avenue			Local Street	1,400 ft.
	N. Centennial Street			Major Thoroughfare	500 ft.
	Fifth Street			Private Drive	515 ft.
	Willoubar Terrance			Private Drive	405 ft.
Vehicular Access:	Access to Farriss Ave will be through the existing Fifth Street private drive. There will be no additional access to Centennial Street				
Traffic Counts: (Average Daily Trips)	N. Centennial Street			7,500 ADT	
Estimated Trip Generation:	N/A				
Traffic Impact Analysis:	Required				Comment
	☐	<u>Yes</u>	☐	<u>No</u> X	None
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.				

School District Comment
Not applicable to this zoning case.

Details of Proposal

1. General Overview:

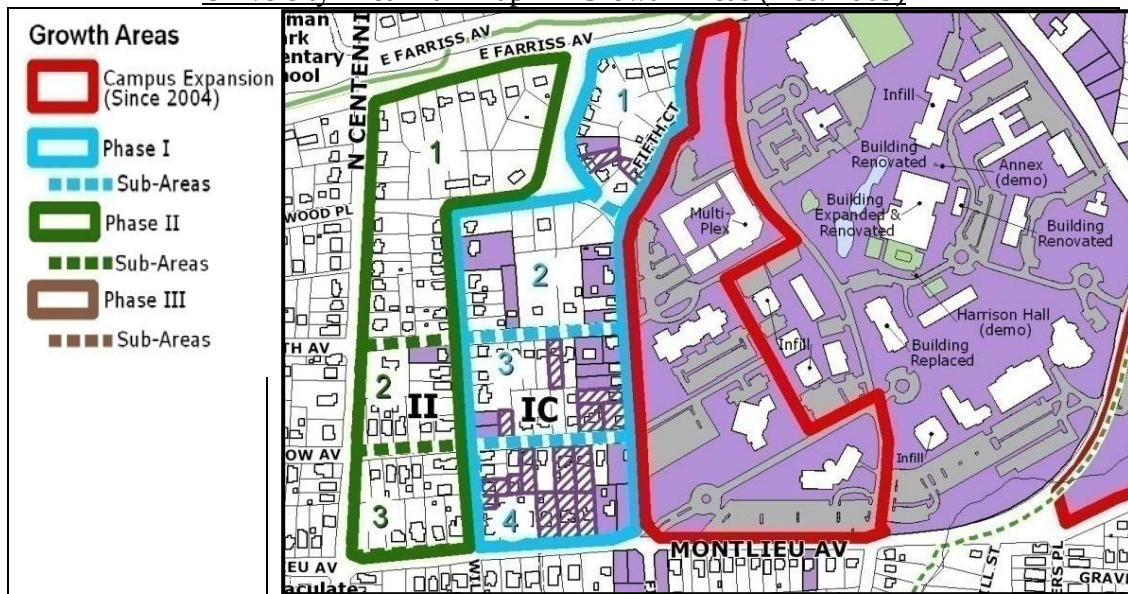
The University desires to expand the campus to include this block that abuts the campus to the south and east. The site currently has a residential classification upon the City's Land Use Plan Map and a single family residential zoning designation. In order to add this area to the campus and allow college/university related uses, the applicant has submitted both a Land Use Plan Map Amendment and Zoning Map Amendment application.

There are two properties within this blocks that are not owned by the University. The Land Use Plan Amendment submitted by the applicant requests the Institutional land use classification for property owned by the University. The Planning & Development Department added the two remaining properties (806 & 810 E. Farriss Avenue) to the amendment request. Amending the Land Use Plan classification of these parcels will not change its residential zoning or the property owners' right to continue to use them as single-family dwellings. The 806 & 810 E. Farriss Avenue properties will remain in RS-7 District.

2. Summary of Land Use Plan Amendment Request:

The *University Area Plan*, adopted in December 2009, is a neighborhood plan that provides policies to help protect existing neighborhoods by guiding the orderly growth of the University. It includes the identification of several Growth Areas where the campus would expand in the future. Currently the Institutional Land Use classification covers all of Growth Area IC and most of Growth Area II; including sub-areas 2, 3 & the southern half of sub-area 1 (*see areas outlined in blue and green on the following map*). The current request would designate the remaining northern half of Growth Area II, Sub-area 1 with an Institutional Land Use Map classification.

University Area Plan Map 4 – Growth Areas (Dec. 2009)



3. Summary of Zoning Request:

The applicant is requesting to rezone 6.3 acres from a RS-7 District to a CZ-PI District to allow college/university related uses. This zoning application is an amendment to the previously approved Conditional Zoning Case 11-03 (CZ11-03). CZ11-03 has an existing adopted Conditional Zoning Ordinance; this amendment proposes the following changes to that ordinance:

- Amend the property description to include the additional 6.3 acres;
- Include the zoning site into Tract B of CZ11-03;
- Where the zoning site abuts residentially zoned parcels along E. Farriss Avenue, require lighting to be setback a minimum of 20 feet from residential parcels and require an opaque fence to be installed in the planting yards next to the residential parcels;
- Amend transportation improvement conditions to include the dedication of right-of-way along N. Centennial Street for the installation and construction of a northbound right turn lane from N. Centennial Street into E. Farris Avenue; and
- Delete a previously adopted condition requiring development to occur in a manner so that buildings are located between the perimeter of the site and any parking areas.

4. Applicant's Request to Reduce Standards of Development Ordinance

In a conditional zoning application, the Development Ordinance allows an applicant to request less restrictive standards than those of the ordinance with regard to dimensional, parking, and landscaping standards. The Planning & Zoning Commission and City Council are under no obligation to approve such a request.

There is a previously adopted condition in CZ11-03, pertaining to the E. Farris Avenue frontage, that permits a taller building height (80 feet) with no additional building setback for building heights over 50 feet. The applicant requests this less restrictive building height standard also apply to the E. Farriss Avenue frontage of the 6.3-acre campus expansion.

Staff Analysis

Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

Staff Comments:

- ❖ The *University Area Plan* designates Growth Areas to provide for a more orderly expansion of the University. The site is located in Growth Area II, Sub-Area 1. The request to include the remaining portion of this sub-area is consistent with the *University Area Plan*.
- ❖ The site is considered a Transition Area because it is on the campus edge. One of the policies in the *University Area Plan* is to maintain a "Transition Area" along the E. Farriss Avenue frontage to ensure compatibility with the adjacent properties by minimizing any negative visual impacts. The same issues would also apply along the N. Centennial Street frontage of the site. Policy 3.5 iii of the *University Area Plan* speaks to providing for a transition in the intensity of uses along the campus edge by locating parking areas internal to the campus. The applicant is proposing to delete a previously adopted condition in CZ11-03 pertaining to parking [Condition - Part II. A.1)e.]. This condition prohibits parking along the perimeter of the campus by requiring buildings to be located between the perimeter and parking areas. The applicant's proposal to delete this condition is not supported by the policies of the *University Area Plan*. Subject to previously adopted Condition II. A.1)e., being retained, the request will promote an orderly development pattern consistent with the objectives of the *University Area Plan*.

Review Factors:

The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<u>Staff Comments:</u> Development standards of the PI District, along with existing and proposed conditions for CZ11-03, will ensure that development is compatible with the adjoining residential neighborhood.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	<u>Staff Comments:</u> Existing and proposed conditions for CZ11-03 provide for screening of loading areas from abutting roadways and limit height of lighting near adjoining residential

	uses. Conditions of the ordinance, along with PI District standards of the Development Ordinance, will help mitigate any adverse impacts on adjacent properties.
<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; <i>Staff Comments:</i> The site is within the City Lake General Watershed Area and development will be subject to 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; <i>Staff Comments:</i> The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties. <i>Staff Comments:</i> Except for two parcels along E. Farriss Avenue, the University owns all properties from North Avenue to E. Farriss Avenue. To minimize development impacts on these remaining properties, the University offered conditions pertaining to fencing and lighting to mitigate any adverse impacts.

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.

Staff Comments:

Over the past 13, years the High Point University campus has expanded westward from Panther Drive (former known as W. College Drive) to N. Centennial Street. They have purchased the properties, razed the residential structures, constructed University facilities, and abandoned all of the public streets between Montlieu Avenue and E. Farriss Avenue. Approximately 62 acres have been rezoned and added to the western portion of the campus, which has resulted in a change of the character of this area.

Development Patterns:

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

Staff Comments:

One of the objectives of the *University Area Plan* is to establish an orderly growth pattern for expansion and eliminate haphazard development that adversely impacts adjacent residential neighborhoods. This was done by establishing growth areas. The land area proposed to be added to CZ11-03 is in a growth area anticipated to be a logical area of expansion as it abuts the existing campus boundary to the south and east.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) subject to the approval of Land Use Plan Amendment Case 13-02, the requested CZ-PI District is consistent with the adopted plans, 2) subject to Condition - Part II. A.1)e. pertaining to parking being retained in CZ11-03, the request is consistent with the objectives of the *University Area Plan*, 3) the standards of the Development Ordinance, along with existing and proposed conditions of CZ11-03 ensure development will be in harmony with the adjoining residential neighborhood; and 4) this is an orderly expansion of the campus consistent with the Growth Area policies of the *University Area Plan*.

Recommendation

Staff recommends approval of the request to change the future land use designation for approximately 7 acres to an Institutional land use classification. The request is consistent with the growth policies of the *University Area Plan* and in line with the *Community Growth Vision Statement* which supports the continued growth of the City's educational institutions, including High Point University.

The Planning & Development Department recommends approval of the request to rezone this 6.3-acre parcel to the CZ-PI District subject to the approval of Land Use Plan Amendment Case 13-02.

Required Action

Planning and Zoning Commission:

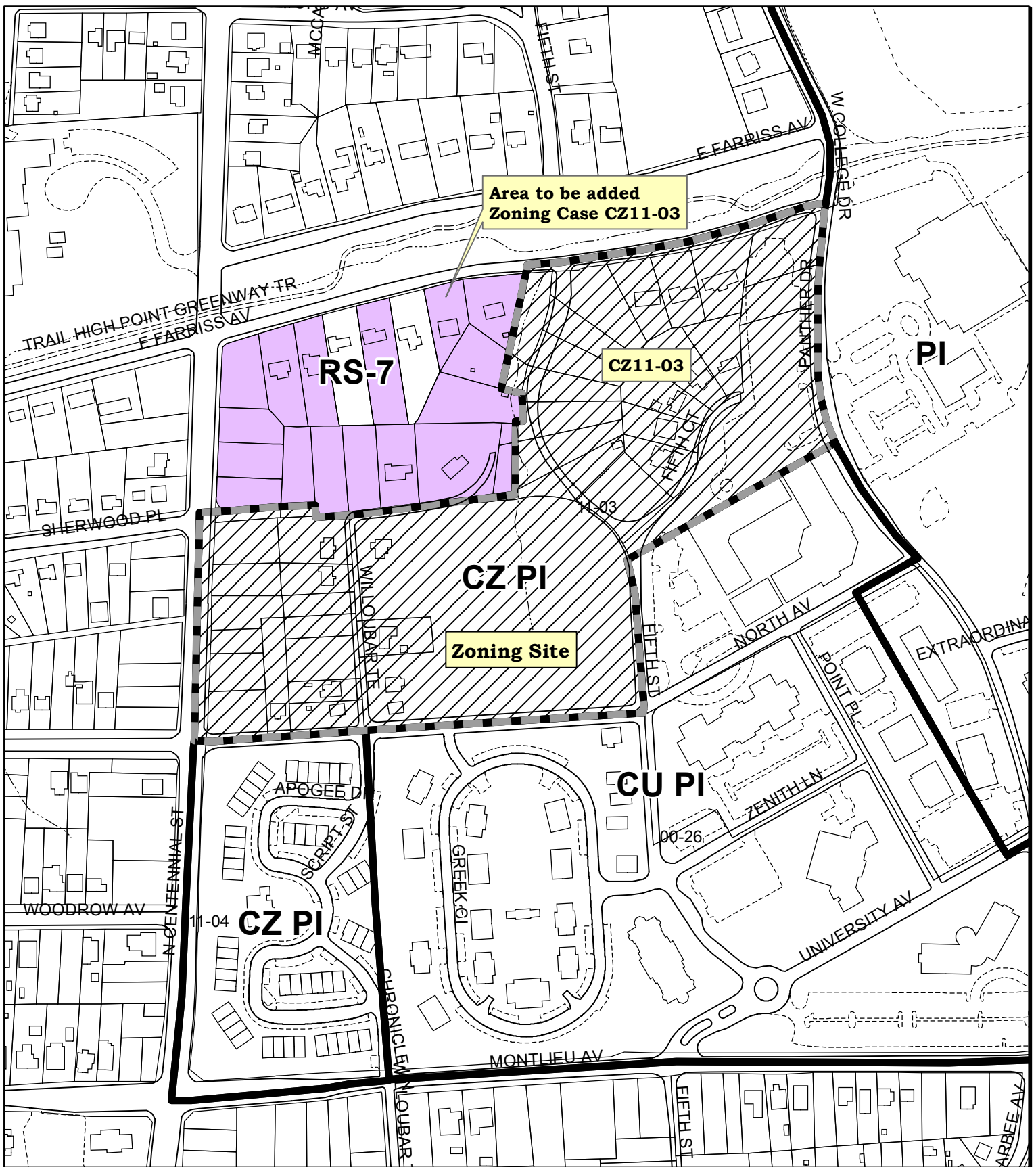
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point 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. 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 Andy Piper, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.



AMENDMENT TO CZ11-03

(November 2013)

From: Residential Single Family-7

To: Conditional Zoning Public Institutional

Existing Zoning Boundary

Subject Property Boundary

**Planning & Development
Department**

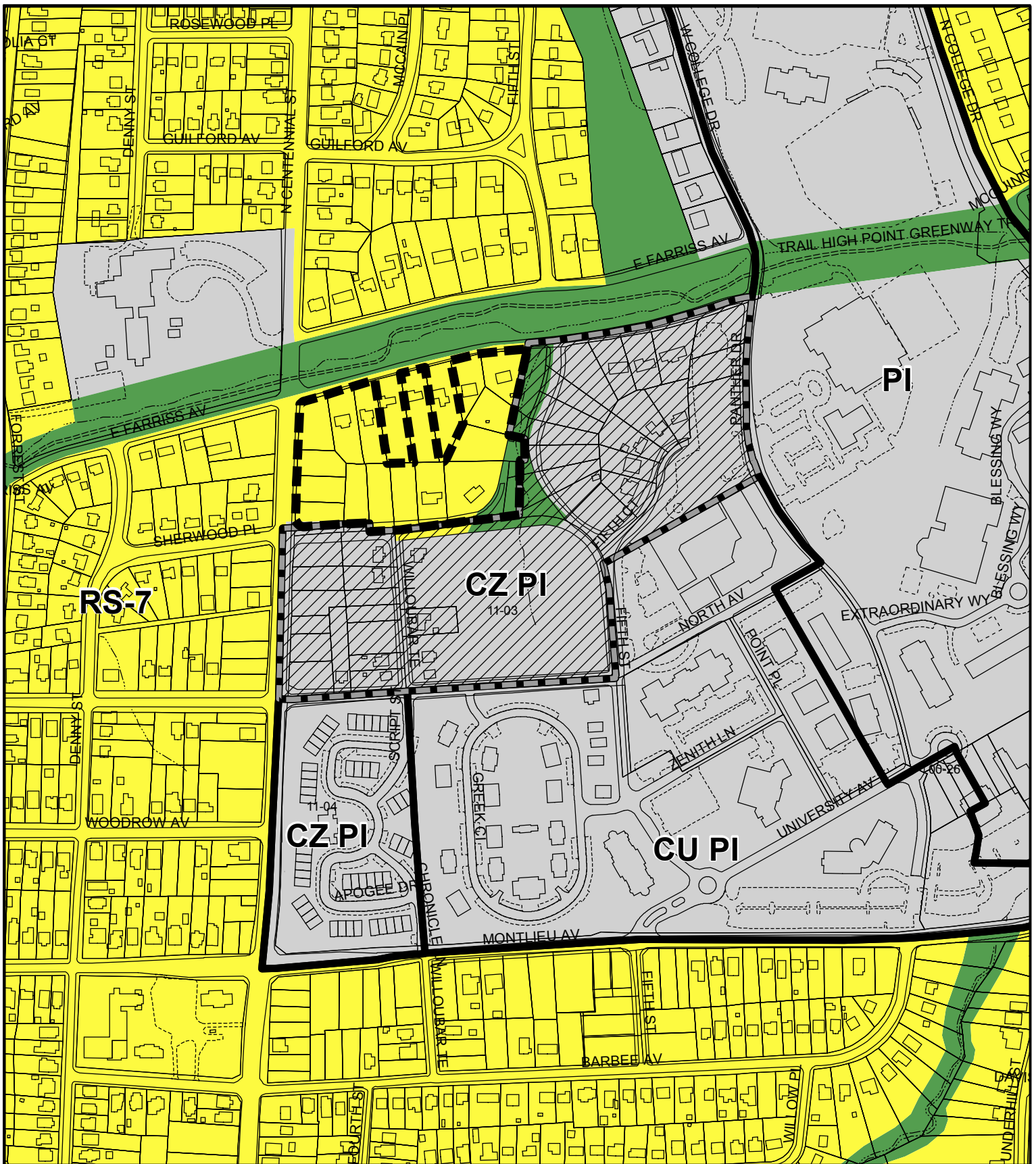
City of High Point

Date: October 24, 2013



Scale: 1"=300'

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AMENDMENT TO CZ11-03

Land Use Plan

- Low-Density Residential
- Institutional
- Recreation/Open Space

Planning & Development
Department

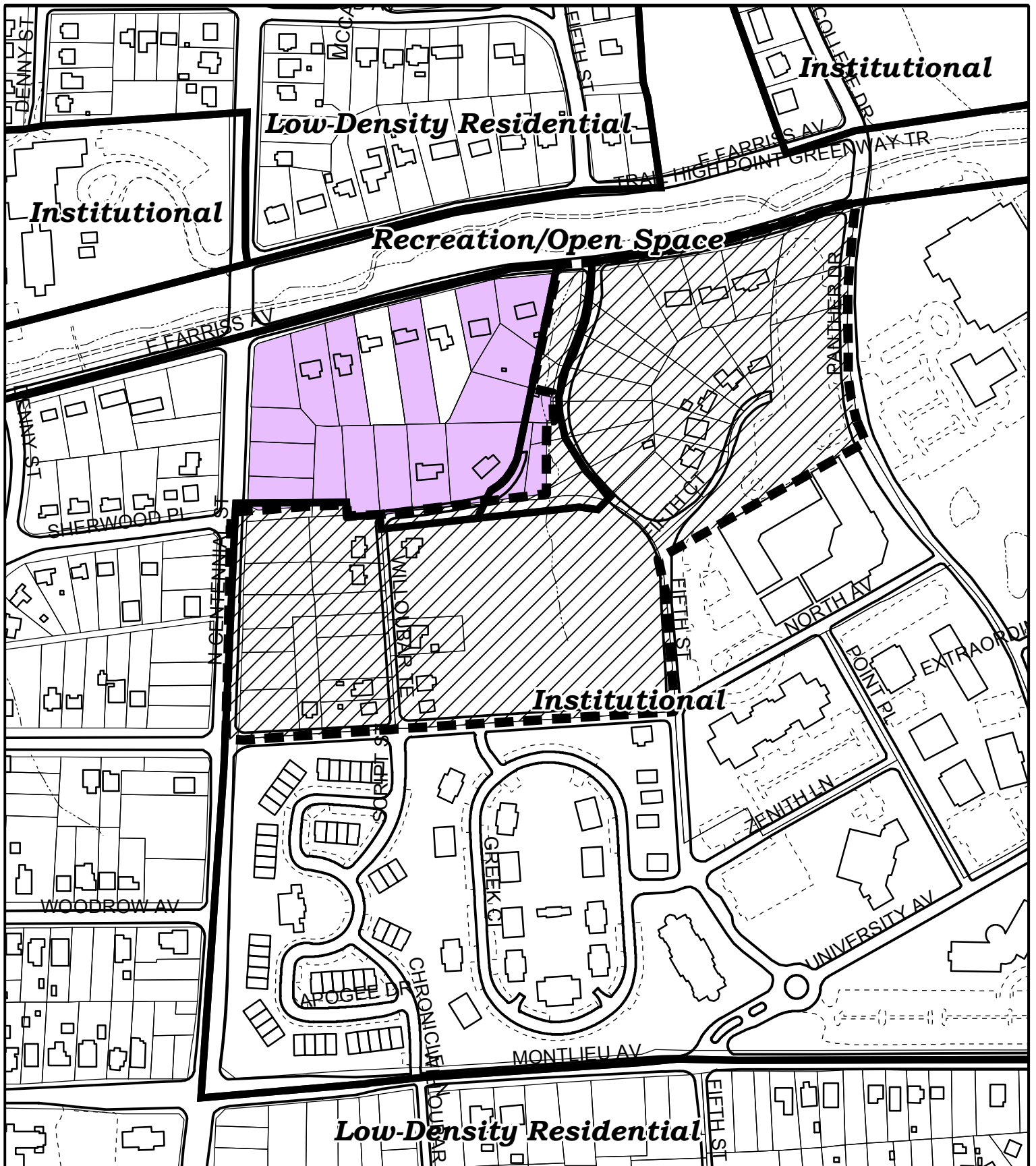
City of High Point

Date: October 29, 2013



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AMENDMENT TO CZ11-03

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: October 29, 2013



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AMENDMENT TO CZ11-03



AMENDMENT TO CZ11-03



Transportation



October 10, 2013

To: Lee Burnette, Director of Planning and Development

From: Mark McDonald, P.E., Transportation Director

A handwritten signature in black ink, appearing to read "Mark McDonald", written over the printed name.

Subject: **Amendment to Zoning Case 11-03, High Point University.**

My staff and I have reviewed the rezoning request and have the following comments:

A traffic impact analysis was not required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. In addition to the improvements required in CZ 11-03, the following improvements must be added in order to mitigate the development's impact on the surrounding roadway network:

Right of Way

Dedicate right of way along N Centennial St for the installation of a northbound right turn lane from N Centennial into Farriss Ave.

Improvements

Construct a northbound right turn lane from N Centennial St into Farriss Ave prior to the construction of a welcome center/guard house on Farriss Ave.

The City of High Point Transportation Director and the North Carolina Department of Transportation shall approve all construction and improvements.

If you have any questions or would like to further discuss this case, please advise.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on November 12, 2013 and before the City Council of the City of High Point on November 18, 2013 regarding Amendment to Zoning Case 11-03 (November 2013) a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on November 3, 2013, for the Planning and Zoning Commission public hearing and on November 6, 2013 and November 13, 2013, 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 _____.

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 Public & Institutional (CZ-PI) District.**

The zoning site for CZ11-03 is approximately ~~21~~ 27.5 acres, bounded by ~~a portion of~~ E. Farriss Avenue, ~~a portion of~~ Panther Drive (private), a portion of Fifth Street (private), North Avenue (private) and N. Centennial Street. ~~abandon portion of the Sherwood Place right-of-way lying east of N. Centennial Street and northern segment of Willoubar Terrace.~~

The property is also known as Guilford County Tax Parcels 0189876 thru 0189894; 0190107 thru 0190122, 0190126 (portion), 0190153 & 54, **0190072 thru 0190089;** 189864 thru 189875; and currently addressed as 900, 906, 908, 910, 912, 914, **1000, R1, 1000, 1002, 1004 & 1008** N. Centennial Street, that portion of the Sherwood Place right-of-way abandon by the City of High Point (Street Abandonment Case 11-08); 709, 711 & 715 North Avenue; 900, 901, 902, 903, 904, 906, 907, 909, 911, 913, 912, 914, 915, **999, 1001, 1003, 1005,** 1006, 1006 R1, 1008 **thru 1011–1010,** Willoubar Terrace; **802, 804, 808, 812, 814,** 817, 819 823, 825, 829, 833, 1000, 1002, 1004, 1006, 1008, 1010, 1012 Fifth Street and 1003, 1005, 1007, 1009, 1011 Fifth Court,

900, 902, 904, 906, E. Farriss Avenue; 965 Panther Drive (formerly known as 923 W. College Drive), and a portion of 921 Panther Drive (Formerly known as W. College Drive)

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 following land uses allowed in the Public & Institutional (PI) District shall be permitted, subject to the development and dimensional requirements of the PI District and the specific conditions listed in this Conditional Zoning Ordinance:

1. Colleges or Universities (SIC 8220).
2. Fraternities or Sororities (Univ. or College)
3. Accessory Uses and Structures (customary)

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1). General Development Standards for the entire zoning site

a. Lighting

- i. Within fifty (50) feet of the exterior perimeter of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height where this tract is adjacent to parcels in residential zoning districts not owned by the applicant. This lighting shall be directed inward towards the interior of the zoning site to minimize lighting spill-off/glare upon adjacent residentially zoned property.

ii. Where the zoning site abuts residentially zoned parcel(s) along the south side of E. Farriss Avenue, lighting shall be setback a minimum twenty (20) feet from the abutting residential parcel(s) property line.

- b. Within fifty (50) feet of the exterior perimeter of the zoning site mechanical or electrical equipment, dumpsters or other such similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level, as seen from the centerline of any adjacent public street. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
- c. Within one-hundred (100) feet of the N. Centennial Street and E. Farriss Avenue right-of-way(s), loading areas for a building shall not be located on any side of a building that faces these road right-of ways.

- d. Lot Combination: **As requested by the Technical Review Committee,** ~~All~~ parcels associated with the rezoning site shall be combined ~~into one lot~~ prior to development and subdivision.
- e. ~~Parking: Except for where approved vehicular access points are located, development shall occur in a manner so that buildings are located between the perimeter of the site and any parking, and vehicle circulation areas.~~
- f. ~~Building Setback: Building setback shall meet standards of the PI District except as noted below:~~
 - i. ~~Internal Building Setback — A zero foot building setback shall be permitted where the zoning site abuts PI, CU PI, and CZ PI district zoned owned by High Point University.~~

2). Additional Development Standards for Tract A

- a. Building Height - A maximum building height of one-hundred (100) feet shall be permitted in Tract “A” within the eastern half of the block bounded by Fifth Street (private), North Avenue (private drive) and Willoubar Terrace (private drive).

3). Additional Development Standards for Tract B

- a. Building Setback - Building setback shall meet standards of the PI District except as noted below:
 - i. A minimum forty-five (45) foot building setback shall be provided from the E. Farris Avenue right-of-way line.
- b. Building Height - Building height shall meet standards of the PI District except as noted below:
 - i. A maximum building height of eighty (80) feet shall be permitted. The additional building setback requirement, noted in Table 4-11-5(f) of the Development Ordinance, for buildings over fifty (50) feet in height shall not apply.

B. Landscaping, Buffers and Screening.

1. Fencing

- a. If fencing is installed along the N. Centennial Street and along the E. Farris Avenue 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.
- b. **Where the zoning site abuts residentially zoned parcel(s) along the south side of E. Farris Avenue, an opaque fence shall be installed, in the required planting yard, around the residential parcel.**

2. Standards along E. Farriss Avenue

Along the E. Farriss Avenue frontage of the zoning site a Street Planting Yard shall be installed consisting of the following.

<u>Minimum width</u>	<u>Minimum Average Width</u>	<u>Maximum width</u>
30 feet	35 feet	60 feet

This street planting yard shall at a minimum meet the following planting rate:

<u>Canopy Tree Rate</u>	<u>Understory Tree Rate</u>	<u>Shrub Rate</u>
4 per 100 linear feet	7 per 100 linear feet	25 per 100 linear feet
A minimum 25% of the above note plantings shall consist of evergreen species. 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.		

In lieu of the above noted planting rate for E. Farriss Avenue frontage, the applicant may submit an alternative landscape plan for review and approval by the Planning & Development Department prior to issuance of any building permit upon the site. Along with the landscaping plan, a depiction of the building elevations and/or parking areas after landscaping, as viewed from E. Farriss Avenue may be requested from the Landscape Architect to assist in assessing the effectiveness of the plan. An alternate plan shall be considered only when the required planting rate is impractical and the alternate plan achieves the same overall effect.

3. Standards along North Centennial Street.

- 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:
 - i. 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.
 - ii. 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.

- iii. 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.
- iv. 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 Landscape Architect to assist in assessing the effectiveness of the plan.

C. Transportation

a. Access:

- 1. No new vehicular access shall be permitted from N. Centennial Street.
- 2. **No vehicular access shall be permitted from E. Farriss Avenue between Fifth Street (private drive) and W. College Drive.**
~~Tract B — Access to E. Farriss Avenue shall only be from the existing intersection of E. Farriss Avenue and Fifth Street (private drive segment).~~

b. Improvements:

1. **Intersection of N. Centennial Street and North Avenue**

- i. Provide southbound left-turn and northbound right-turn lane at the intersection of N. Centennial Street and North Avenue (private drive).
- ii. Dedicate the required right of way on N. Centennial Street for the southbound left turn lane.
- iii. The southbound left turn lane and the northbound right turn lane on N. Centennial Street must be constructed prior to issuance of Certificate of Occupancy of the last building that has frontage on North Avenue between N. Centennial Street and Fifth Street.

2. **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 land from N. Centennial Street into E. Farriss Avenue prior to the construction of a welcome center/guard house on E. Farriss Avenue.

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 now 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.
_____, 2013.

Lisa B. Vierling, City Clerk

Conditional Zoning Case 11-03 Supplemental Information	
Initial Zoning Application	Adopted April 18, 2011 (Ordinance # 6817/11-25)
Amendment #1 (July 2012)	Adopted February 20, 2012 (Ordinance # 6895/12-12)
Amendment #2 (May 2012)	Adopted July 16, 2012 (Ordinance # 6938/12-55)
Amendment #3 (February 2013)	Adopted February 18, 2013 (Ordinance #6977 / 13-09)

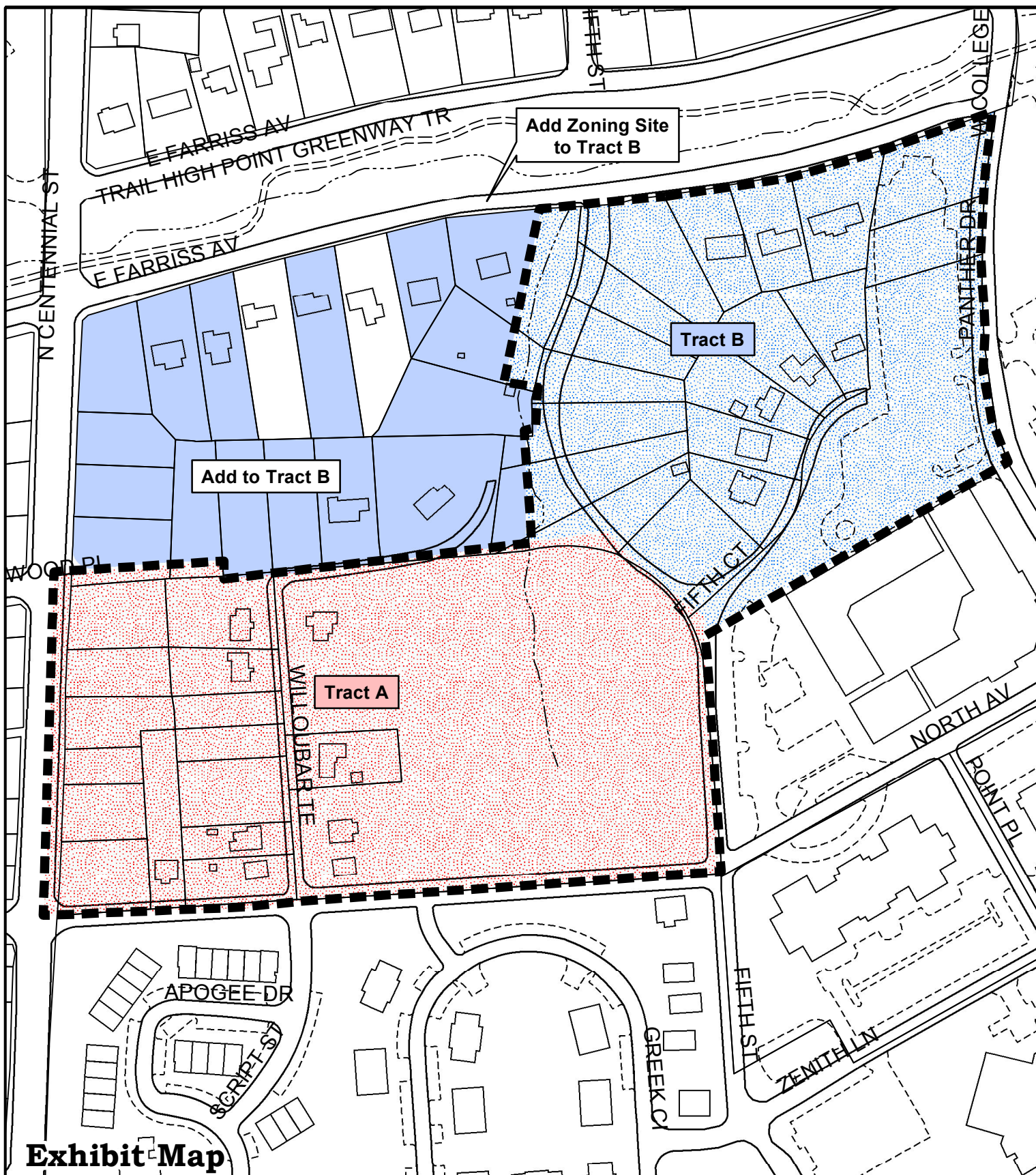


Exhibit Map

AMENDMENT TO CZ11-03

(November 2013)

From: Residential Single Family-7

To: Conditional Zoning Public Institutional

Existing Zoning Boundary

Subject Property Boundary

Planning & Development
Department

City of High Point

Date: November 1, 2013



Scale: 1"=200'

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Citizens Information Meeting Report Amendment to Zoning Case 11-03

Submitted by: Ron Guerra on behalf of
High Point University



October 23, 2013

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

From: Ron Guerra, MBA
Director of Construction and Renovation

Re: Major Amendment to Zoning Case CZ11-03
Community Meeting Report, October 18, 2013, 6:00 P.M.

High Point University conducted a Citizens' Information Meeting in support of a Major Amendment to Zoning Case CZ-11-03. The meeting was held at High Point University in Norton Hall Room 202. Letters of invitation were mailed to 33 residents on October 8, 2013 (letter is attached). The application is for a Major Amendment to Case CZ-11-03, which includes the rezoning of 16 parcels fronting E. Farriss Avenue, N. Centennial Street, and Willoubar Terrace from RS7 to CZ Pl. Mr. Ron Guerra, Director of Construction, Renovation and Campus Development, Mr. Jason Sweet, Assistant Director of Construction and Renovation, and Mr. Ravindra Bissram, of Jamestown Engineering Group, Inc., represented the University.

Mr. Guerra reviewed maps illustrating the properties included in the Major Amendment and Rezoning. Potential uses for the property within the rezoning area were discussed. Mr. Guerra also explained that alternatives for the site's development are currently being assessed by the University, so final plans for its use are not available at this time.

It was a very positive meeting with specific discussion focused on the following:

- The natural buffer provided by the park/greenway area between East and West Farriss Avenue. The existing tree canopy averages 80 – 100 feet in height.
- The landscaping, setbacks, and lighting conditions /requirements of the City of High Point shall be adhered to by HPU.
- General appearances of any proposed buildings along E. Farriss Avenue.

I received an e-mail from Ms. Adrienne W. Middlebrooks, on 10/17/13, whose address is 803 E. Farriss Ave., High Point, NC 27262, informing me that she would not be able to attend this meeting; however she did have some questions and she sent me an e-mail.

I replied to her e-mail by sending one dated, 10/18/13 and stated my answers, in **red**, right next to her questions. Please see attached document labeled **"E-mails – Questions & Answers between Ms. A.W. Middlebrooks and Mr. Ron Guerra"**

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Ron Guerra', written over a horizontal line.

HIGH POINT UNIVERSITY

Ron Guerra
Director of Construction, Renovation and Campus Development



October 8, 2013

Ladies and Gentlemen:

**Subject: Citizen Information Meeting, Friday, October 18, 2013,
N. Centennial Street/E. Farriss Avenue/Willoubar Terrace
(private)/Fifth Street (private)**

A Citizen Information Meeting will be held on Friday, October 18, 2013, at 6:00 p.m. in Norton Hall, Room 202, (corner of University Avenue and Panther Drive) for the purpose of allowing us to inform you about our development plan and zoning proposal.

High Point University has filed an application with the City of High Point for the rezoning and land use plan map amendment (from RS 7 to CZ PI) of the block bordered by N. Centennial Street, E. Farriss Avenue, Willoubar Terrace (private), and Fifth Street (private). The zoning change requested is from RS 7 to CZ PI. The property consists of 16 lots and approximately 6.6 acres.

We have enclosed for your review a Conditional Use District Zoning Citizen Information Meeting Statement made available by the City of High Point, which may help clarify the rezoning process and requirements.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal is scheduled to take place at City Hall on November 12, 2013, at 6:00 p.m.

Questions, comments, or concerns should be directed to Ron Guerra, Director of Construction and Renovation at 336-841-9363.

We look forward to answering your questions and receiving your input.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'R. Guerra'.

Ron Guerra, Director of Construction and Renovation
High Point University

E-mails – Questions & Answers between Ms. A.W. Middlebrooks and Mr. Ron Guerra

From: Guerra, Roland
Sent: Friday, October 18, 2013 9:36 AM
To: 'Adrienne Middlebrooks'
Cc: Grubb, Julie
Subject: RE: Citizen Information meeting on the 18th

Dear Ms. Middlebrooks,

I apologize that I have not been able to get back to you sooner but I have inundated with meetings and project deadlines. However, I do know that Julie, here in our department did get back to you on Tuesday, 10/15/13. I have answered your questions; please see below, in red. I will call you a little later today to review any further questions or comments that you may have.

Thank you,



-----Original Message-----

From: Adrienne Middlebrooks [<mailto:awmiddle@gmail.com>]
Sent: Thursday, October 17, 2013 10:27 AM
To: Guerra, Roland; Grubb, Julie
Subject: Citizen Information meeting on the 18th

Good morning,

Prior to this message, I left voice messages in attempt to contact you, but without success this week. Thanks for the call Tuesday afternoon.

I am unable to attend the citizens' meeting on Friday the 18th; however I have several questions about the proposed rezoning and its impact on the close proximity neighborhood bordering HPU.

While I appreciate the opportunity to be heard on this matter and understand time constraints placed on all parties, the relatively short notice of the meeting seems rather inconsiderate.

My immediate concerns and questions are as follows:

1. What is the agenda for the meeting? When will the minutes be available for review?
There is no formal agenda for a Citizens Information Meeting. We will be discussing, in general, what are HPU's plans for that area, at this time.
 - a) What are the proposed zoning changes and why is HPU pushing for them? The proposed zoning change is from RS 7 to CZ PI (Residential to Conditional Public Institution). HPU is wanting to re-zone this piece of property as it has done with all of the other properties owned by HPU.
 - b) What is the basis for requesting conditional use of the property zone district? The conditional use actually comes from the City of High Point. In other words, if HPU wants to rezone this piece of property it must adhere to the conditions mutually agreed to as prescribed by the City of High Point. The conditions typically require that HPU install heavier landscaping in some

allowed), lighting of any parking areas must not spill over past a certain degree, etc.

- c) How does approval of this request affect my neighborhood in the future? We are not rezoning any property where your property is located.

3. What is the time table for new construction projects? (I assure you that families are uninterested in living a dust bowl with heavy equipment shaking our foundations for extended periods of time.) At this time, HPU is still in the planning and design phase for this property so the time frame is not known exactly but the earliest would be spring 2015.

4. How will rezoning the properties affect access to the "even" side of East Farriss Ave? For example, as HPU acquires property, a barrier is erected to restrict access to the public - is this policy the same for the property in question? At this time, HPU is not looking to acquire any property or change in access to anything on that side of E. Farriss Ave.

Currently, traffic exiting the campus backs up quickly after various events and some drivers use the even side of Farriss Ave as a one way to N. Centennial St. (Clearly restricting the access on one side of East Farriss would increase the flow of traffic volume on the opposite side and increase the level of encroachment by HPU.) The HPU security department and personnel work with the City of High Point Police department, at HPU's expense, to minimize traffic impact to the community during events.

5. What type of lighting will be installed on the property? Conditions in the zoning require that lighting installed be directed inward towards HPU property and limit overflow lighting onto the community. I have personally been involved with a person that complained about a light fixture, which HPU installed near the intersection of 5th St. & Farriss Ave, for safety concerns. The complaint was that the light was shining through the Greenway Park trees and into their home. I went out there at night, drove down Farriss Ave. on the other side of the Greenway Park and our campus, found the problem light and spoke with the Security Dept. to point the light down further so it would not come glaring through the trees. After this, I called the homeowner and she said it was better.

(Typically, HPU installs lighting that creates virtual 24/7 daylight, requiring room darkening window treatments.)

6. What role will HPU security serve in this rezone transition, particularly as it pertains to Greenway access? None. Greenway access from your side of Farriss will not be affected.

One additional note: After HPU acquired property and began to use North St as an access point to N. Centennial St., the traffic increased dramatically and created a rather dangerous situation of vehicles entering/exiting the campus at high rates of speed.

I appreciate your time and attention to this message and look forward to receiving your reply.

Regards,
A. W. Middlebrooks

**Citizens Information Meeting
Friday, October 18, 2013
High Point University
RS-7 to CZ-PI**

334-410-4133

PLANNING AND ZONING COMMISSION RECOMMENDATION

On November 12, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd, Mr. Andrew Putnam and Mr. Ed Spivey.

High Point University

Land Use Plan Amendment Case 13-02

A request by High Point University to change the land use plan map for approximately 6.3 acres from Low Density Residential to an Institutional land use designation. The Planning and Development Department has amended the request to include an additional 0.7 acres. The site consists of a one (1) block area bounded by E. Farriss Avenue, N. Centennial Street, Willoubar Terrace (private street) and Fifth Street (private street).

AND

High Point University

Amendment to Zoning Case 11-03

A request by High Point University to amend Conditional Zoning Case 11-03 (CZ11-03) to:

- a. Add approximately 6.3 acres and rezone the additional land area from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The land area to be added to CZ11-03 consists primarily of a one (1) block area bounded by E. Farriss Avenue, N. Centennial Street, Willoubar Terrace (private street) and Fifth Street (private street).
- b. Amend conditions of Conditional Zoning Ordinance CZ11-03 pertaining to lighting, building setback, fencing and vehicular access.

Mr. Andy Piper and Mr. Herbert Shannon presented these applications and recommended approval as outlined in the staff report.

Speaking on behalf of the request was the applicant's representative, Mr. Ron Guerra, Director of Construction, High Point University. He provided a general overview of this proposal.

Speaking in opposition to this request were Mr. Willis McCoy, 323 Foley Drive, Garner, NC (former realtor and property appraiser) representing family members who live off Barbee Avenue; Mr. David Brauns, 810 E. Farriss Avenue, High Point, Mr. Clayton Mays, 1001 W. College Drive and Ms. Adrienne Middlebrooks, 803 E. Farriss Avenue, High Point. These speakers noted the following concerns:

- Approval of the request will negatively affect the property values of the two remaining properties at 806 and 810 E. Farriss Avenue.
- The University should have ownership of the entire block before seeking rezoning. Based on discussions an owner had with his realtor, being surrounded by a PI District will impact private sales of their property.
- There were ongoing problems pertaining to lighting, noise and a lack of respect shown to adjacent residents in the manner complaint are handled when students living in houses disturb neighbors.
- No information as to how this area will developed had been shared with adjacent property owners.

The Planning & Zoning Commission recommended approval of Land Use Plan Amendment Case 13-01, as recommended by staff, by a vote of 5-1.

The Planning & Zoning Commission recommended approval of amendment to Zoning Case 11-03 as submitted by the applicant, by a vote of 5-1.

Ms. Davis voted in opposition to the request. She voiced concern with the impact the University would have on the adjacent properties and their values.

CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT
STAFF REPORT
LAND USE PLAN AMENDMENT CASE 13-02, AND
AMENDMENT TO ZONING CASE 11-03
November 12, 2013

Requests		
Applicant: High Point University	Owner: High Point University	
LUPA Proposal: To change the future land use designation for approximately 7 acres to an Institutional land use designation	From:	Low Density Residential
	To:	Institutional
Zoning Proposal: a. To add approximately 6.3 acres to Conditional Zoning CZ11-03 (CZ11-03). b. Amend conditions of CZ11-03 pertaining to lighting, lot combination, building setback, fencing and vehicular access & improvement.	From:	RS-7 Residential Single Family-7 District
	To:	CZ PI Conditional Zoning Public & Institutional

Site Information		
Location:	The site consists primarily of a one (1) block area bounded by E. Farriss Avenue, N. Centennial Street, Willoubar Terrace (private street) and Fifth Street (private street).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	Guilford County Tax Parcels 0190072 thru 0190089	Same, except tax parcel 0190074 and 0190076 are not part of the zoning application
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 7 acres	Approximately 6.3 acres
Current Land Use:	Plan Amendment	Zoning Request
	Single family dwellings and undeveloped parcels	Same
Physical Characteristics:	The site has a moderate to severely sloping terrain. A perennial stream is lying along the eastern boundary of the zoning site.	
Water and Sewer Proximity:	An 8-inch City water line lies adjacent to the site along N. Centennial Street and Fifth Street (private drive), and a 6-inch City water line is lying along E. Farriss Avenue. A 12-inch City sewer line is lying adjacent to the site along E. Farriss Avenue. There are also 8-inch City sewer lines running in a south to north direction along N. Centennial Street, through the middle of the site and along the stream corridor east of the site.	
General Drainage and Watershed:	The site drains in a northern direction and development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily developments with an impervious surface	

	area that is greater than 24% or more of the site.
Overlay District:	City Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	RS-7	Residential Single Family-7 District	Single family residential dwellings (<i>across E. Farriss Avenue and greenway trail</i>)
South:	CZ PI	Conditional Zoning Public & Institutional District	High Point University campus
East:	CZ PI	Conditional Zoning Public & Institutional District	High Point University campus (<i>across Fifth Street</i>)
West:	RS-7	Residential Single Family-7 District	Single family residential dwellings and undeveloped parcels (<i>across N. Centennial Street</i>)

Adjacent Land Use Designations	
North:	Recreation/Open Space
South:	Institutional
East:	Recreation/Open Space
West:	Low Density Residential

Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Proposed Designation:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	Goal 1: Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Goals, Objectives & Policies:	The following goal and objectives of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods;
Relevant Area Plan:	University Area Plan <u>Goal 3:</u> Ensure compatibility between the edge of campus and the surrounding neighborhood. <u>Policy 3.5:</u> Transition the intensity of uses along the campus edge adjacent to existing residences. i. Decrease the bulk, mass and height of buildings, or increase setbacks. ii. Prevent the spillover of light and glare from outdoor lighting onto adjacent properties by limiting the height, illumination, and direction of outdoor lighting. iii. Locate parking areas internal to campus, where possible, to minimize visual impacts on adjacent residential properties. They should be

	screened from view, and access to the parking areas should be from internal campus driveways and not directly from local residential streets to minimize cut-through traffic in the residential neighborhood. iv. A combination of fencing and landscaping can be used to soften the edges, however solid fencing is typically discouraged along public streets. v. Placement of loading areas and mechanical equipment should be placed to minimize impact on adjacent properties. Screening shall be provided. vi. Consider reusing structures along the campus edges for housing, administrative offices, or other university uses. <u>Policy 3.6:</u> New campus development should be contiguous to the existing campus and consist of an entire sub-area. However, if a partial rezoning of a sub-area is requested, then a site plan must be submitted along with the rezoning request that demonstrates how the impacts on adjacent properties will be mitigated. <u>Policy 3.7:</u> Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests. <u>Transition Areas</u> The site is located within sub-area 1 of phase II. This area is identified as a Transition Area (Permanent Edge), particularly those lots fronting on the south side of E. Farriss Ave. New development in these areas should strive to maintain the existing setting of the area. Compatibility with adjacent properties is of the utmost importance. The height, mass, scale, setbacks, and intensity of new development should be taken into consideration. When measuring height, the finished grade and elevation should be taken into account. Other factors to consider within Transition Areas are parking lot location; access; lighting height, direction and intensity; and landscaping type, rate, location and width of planting area. If the area is characterized by large mature trees, then an effort should be made to maintain trees where possible. In places where Transition Areas abut public streets, solid fencing is typically discouraged. The types and impact of use should also be taken into consideration, for example the hours during which the use is most active. <u>Growth Area - Phase II, Sub-area 1</u> The plan specifically notes that this sub-area should be reserved for low-intensity uses, for example, 1-2 story buildings or a daytime parking lot, both of which would need substantial landscaping. It also states that if taller buildings are needed, then the setbacks should be increased to lessen the impact, and when developed, consideration should be given to preserving the existing mature trees along the south side of E. Farriss Avenue.
Zoning History and LUPA History:	Over the past 13 years, there have been numerous Zoning Cases and Land Use Plan approvals to facilitate the westward expansion of the campus from Panther Drive (formerly known as W. College Drive) to N. Centennial Street.

Transportation Information					
Adjacent Streets:	Name			Classification	Approx. Frontage
	E. Farriss Avenue			Local Street	1,400 ft.
	N. Centennial Street			Major Thoroughfare	500 ft.
	Fifth Street			Private Drive	515 ft.
	Willoubar Terrance			Private Drive	405 ft.
Vehicular Access:	Access to Farriss Ave will be through the existing Fifth Street private drive. There will be no additional access to Centennial Street				
Traffic Counts: (Average Daily Trips)	N. Centennial Street			7,500 ADT	
Estimated Trip Generation:	N/A				
Traffic Impact Analysis:	Required				Comment
	☐	<u>Yes</u>	☐	<u>No</u> X	None
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.				

School District Comment
Not applicable to this zoning case.

Details of Proposal

1. General Overview:

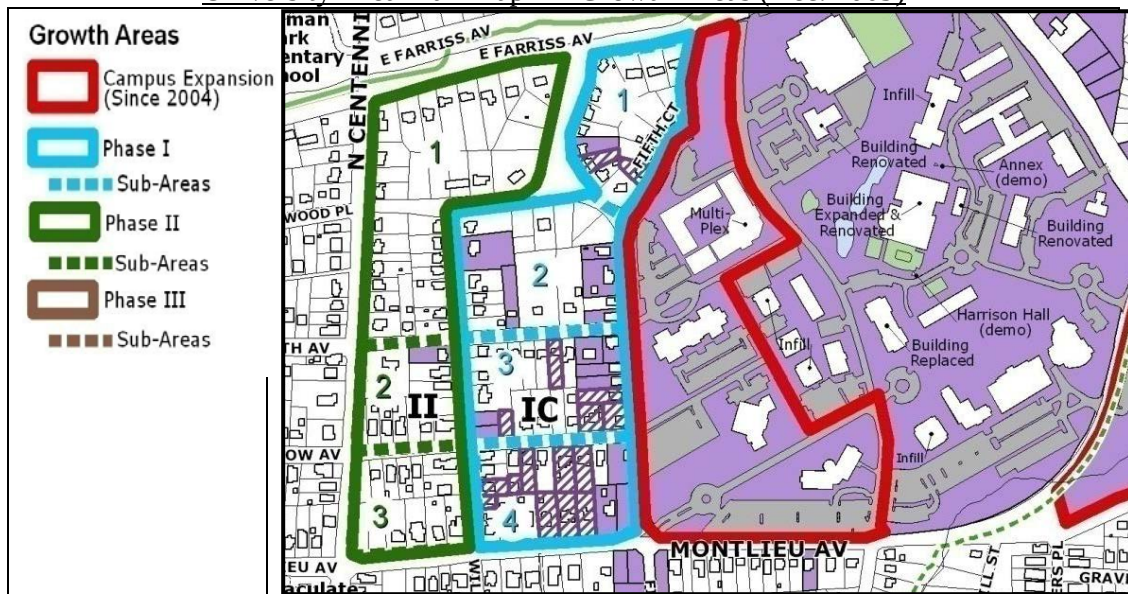
The University desires to expand the campus to include this block that abuts the campus to the south and east. The site currently has a residential classification upon the City's Land Use Plan Map and a single family residential zoning designation. In order to add this area to the campus and allow college/university related uses, the applicant has submitted both a Land Use Plan Map Amendment and Zoning Map Amendment application.

There are two properties within this blocks that are not owned by the University. The Land Use Plan Amendment submitted by the applicant requests the Institutional land use classification for property owned by the University. The Planning & Development Department added the two remaining properties (806 & 810 E. Farriss Avenue) to the amendment request. Amending the Land Use Plan classification of these parcels will not change its residential zoning or the property owners' right to continue to use them as single-family dwellings. The 806 & 810 E. Farriss Avenue properties will remain in RS-7 District.

2. Summary of Land Use Plan Amendment Request:

The *University Area Plan*, adopted in December 2009, is a neighborhood plan that provides policies to help protect existing neighborhoods by guiding the orderly growth of the University. It includes the identification of several Growth Areas where the campus would expand in the future. Currently the Institutional Land Use classification covers all of Growth Area IC and most of Growth Area II; including sub-areas 2, 3 & the southern half of sub-area 1 (see areas outlined in blue and green on the following map). The current request would designate the remaining northern half of Growth Area II, Sub-area 1 with an Institutional Land Use Map classification.

University Area Plan Map 4 – Growth Areas (Dec. 2009)



3. Summary of Zoning Request:

The applicant is requesting to rezone 6.3 acres from a RS-7 District to a CZ-PI District to allow college/university related uses. This zoning application is an amendment to the previously approved Conditional Zoning Case 11-03 (CZ11-03). CZ11-03 has an existing adopted Conditional Zoning Ordinance; this amendment proposes the following changes to that ordinance:

- Amend the property description to include the additional 6.3 acres;
- Include the zoning site into Tract B of CZ11-03;
- Where the zoning site abuts residentially zoned parcels along E. Farriss Avenue, require lighting to be setback a minimum of 20 feet from residential parcels and require an opaque fence to be installed in the planting yards next to the residential parcels;
- Amend transportation improvement conditions to include the dedication of right-of-way along N. Centennial Street for the installation and construction of a northbound right turn lane from N. Centennial Street into E. Farris Avenue; and
- Delete a previously adopted condition requiring development to occur in a manner so that buildings are located between the perimeter of the site and any parking areas.

4. Applicant's Request to Reduce Standards of Development Ordinance

In a conditional zoning application, the Development Ordinance allows an applicant to request less restrictive standards than those of the ordinance with regard to dimensional, parking, and landscaping standards. The Planning & Zoning Commission and City Council are under no obligation to approve such a request.

There is a previously adopted condition in CZ11-03, pertaining to the E. Farris Avenue frontage, that permits a taller building height (80 feet) with no additional building setback for building heights over 50 feet. The applicant requests this less restrictive building height standard also apply to the E. Farriss Avenue frontage of the 6.3-acre campus expansion.

Staff Analysis

Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

Staff Comments:

- ❖ The *University Area Plan* designates Growth Areas to provide for a more orderly expansion of the University. The site is located in Growth Area II, Sub-Area 1. The request to include the remaining portion of this sub-area is consistent with the *University Area Plan*.
- ❖ The site is considered a Transition Area because it is on the campus edge. One of the policies in the *University Area Plan* is to maintain a "Transition Area" along the E. Farriss Avenue frontage to ensure compatibility with the adjacent properties by minimizing any negative visual impacts. The same issues would also apply along the N. Centennial Street frontage of the site. Policy 3.5 iii of the *University Area Plan* speaks to providing for a transition in the intensity of uses along the campus edge by locating parking areas internal to the campus. The applicant is proposing to delete a previously adopted condition in CZ11-03 pertaining to parking [Condition - Part II. A.1)e.]. This condition prohibits parking along the perimeter of the campus by requiring buildings to be located between the perimeter and parking areas. The applicant's proposal to delete this condition is not supported by the policies of the *University Area Plan*. Subject to previously adopted Condition II. A.1)e., being retained, the request will promote an orderly development pattern consistent with the objectives of the *University Area Plan*.

Review Factors:

The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<u>Staff Comments:</u> Development standards of the PI District, along with existing and proposed conditions for CZ11-03, will ensure that development is compatible with the adjoining residential neighborhood.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	<u>Staff Comments:</u> Existing and proposed conditions for CZ11-03 provide for screening of loading areas from abutting roadways and limit height of lighting near adjoining residential

	uses. Conditions of the ordinance, along with PI District standards of the Development Ordinance, will help mitigate any adverse impacts on adjacent properties.
<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; <i>Staff Comments:</i> The site is within the City Lake General Watershed Area and development will be subject to 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; <i>Staff Comments:</i> The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties. <i>Staff Comments:</i> Except for two parcels along E. Farriss Avenue, the University owns all properties from North Avenue to E. Farriss Avenue. To minimize development impacts on these remaining properties, the University offered conditions pertaining to fencing and lighting to mitigate any adverse impacts.

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.

Staff Comments:

Over the past 13, years the High Point University campus has expanded westward from Panther Drive (former known as W. College Drive) to N. Centennial Street. They have purchased the properties, razed the residential structures, constructed University facilities, and abandoned all of the public streets between Montlieu Avenue and E. Farriss Avenue. Approximately 62 acres have been rezoned and added to the western portion of the campus, which has resulted in a change of the character of this area.

Development Patterns:

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

Staff Comments:

One of the objectives of the *University Area Plan* is to establish an orderly growth pattern for expansion and eliminate haphazard development that adversely impacts adjacent residential neighborhoods. This was done by establishing growth areas. The land area proposed to be added to CZ11-03 is in a growth area anticipated to be a logical area of expansion as it abuts the existing campus boundary to the south and east.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) subject to the approval of Land Use Plan Amendment Case 13-02, the requested CZ-PI District is consistent with the adopted plans, 2) subject to Condition - Part II. A.1)e. pertaining to parking being retained in CZ11-03, the request is consistent with the objectives of the *University Area Plan*, 3) the standards of the Development Ordinance, along with existing and proposed conditions of CZ11-03 ensure development will be in harmony with the adjoining residential neighborhood; and 4) this is an orderly expansion of the campus consistent with the Growth Area policies of the *University Area Plan*.

Recommendation

Staff recommends approval of the request to change the future land use designation for approximately 7 acres to an Institutional land use classification. The request is consistent with the growth policies of the *University Area Plan* and in line with the *Community Growth Vision Statement* which supports the continued growth of the City's educational institutions, including High Point University.

The Planning & Development Department recommends approval of the request to rezone this 6.3-acre parcel to the CZ-PI District subject to the approval of Land Use Plan Amendment Case 13-02.

Required Action

Planning and Zoning Commission:

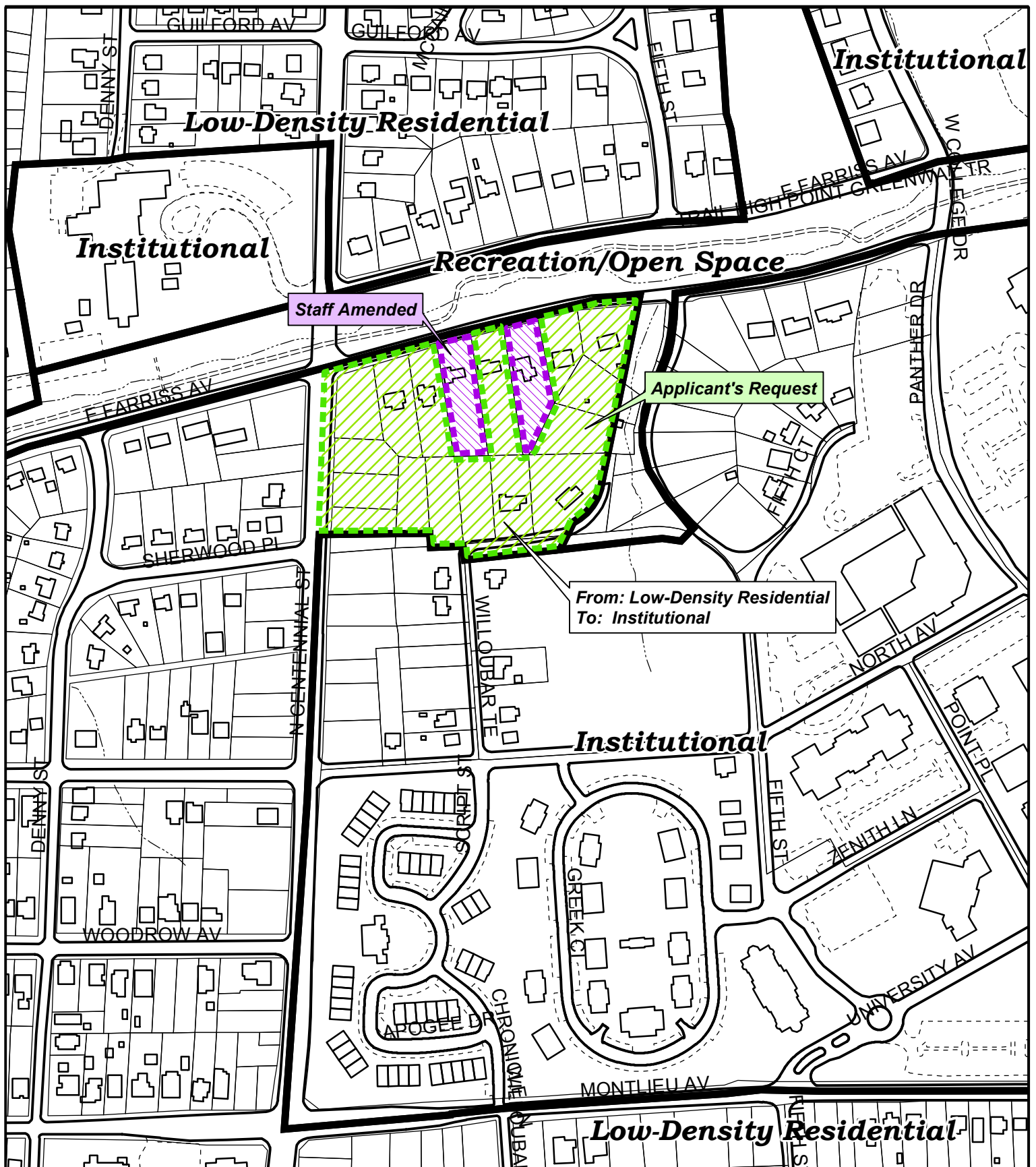
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point 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. 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 Andy Piper, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.



LAND USE PLAN AMENDMENT 13-02

**Request: From: Low Density Residential
To: Institutional**

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
Department**

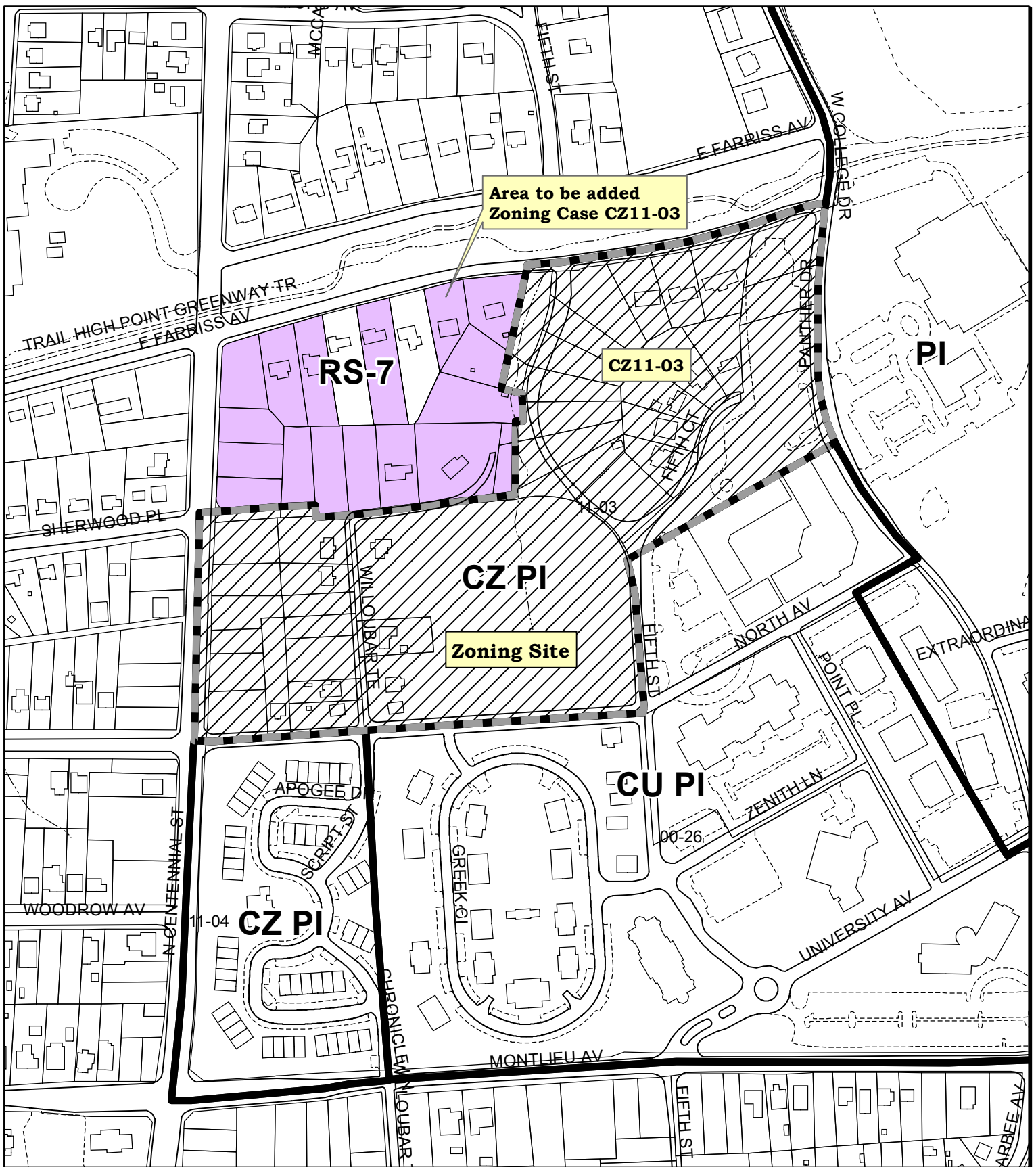
City of High Point

Date: November 13, 2013



Scale: 1"=300'

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AMENDMENT TO CZ11-03

(November 2013)

From: Residential Single Family-7

To: Conditional Zoning Public Institutional

Existing Zoning Boundary

Subject Property Boundary



**Planning & Development
Department**

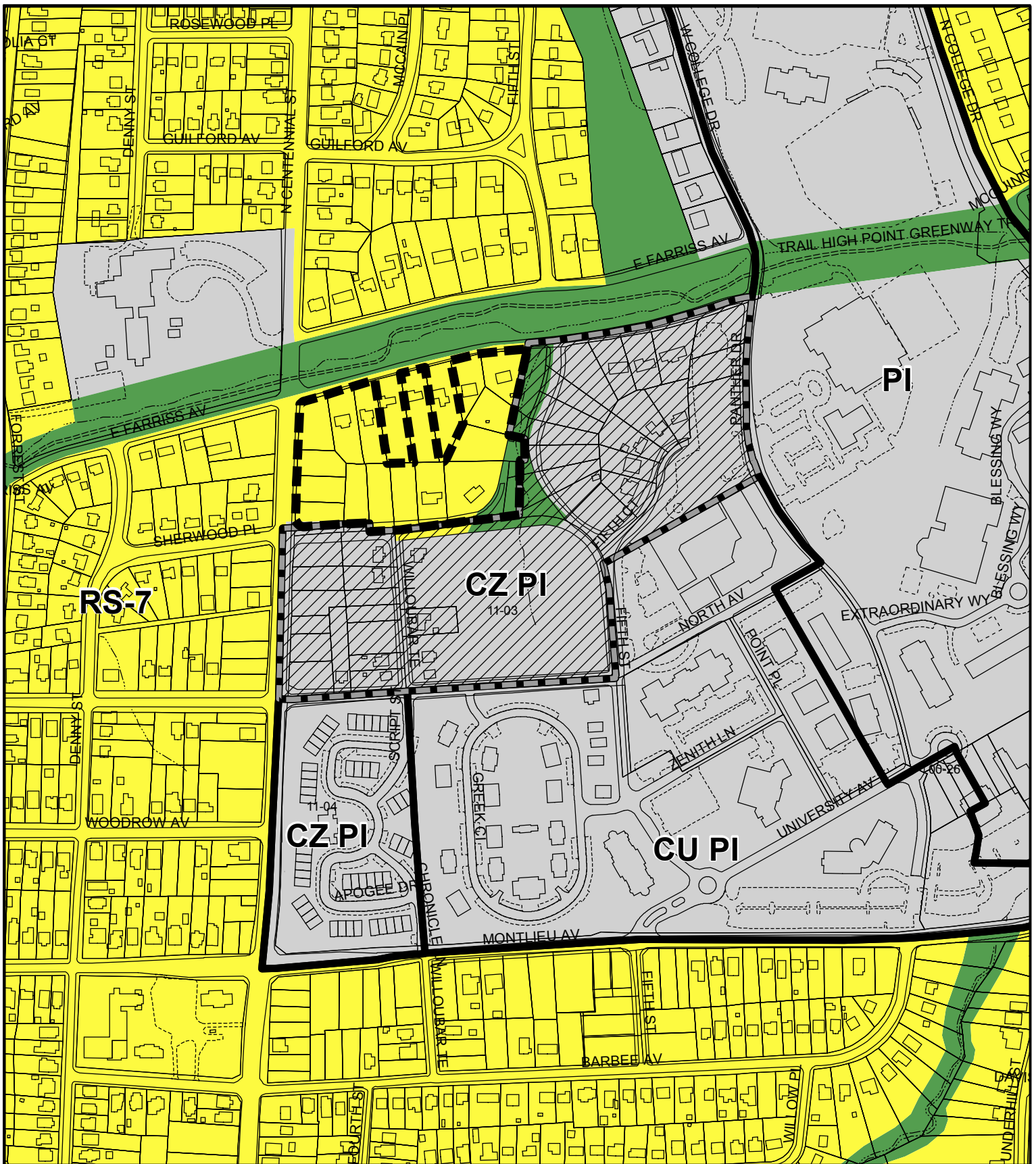
City of High Point

Date: October 24, 2013



Scale: 1"=300'

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AMENDMENT TO CZ11-03

Land Use Plan

- Low-Density Residential
- Institutional
- Recreation/Open Space

Planning & Development
Department

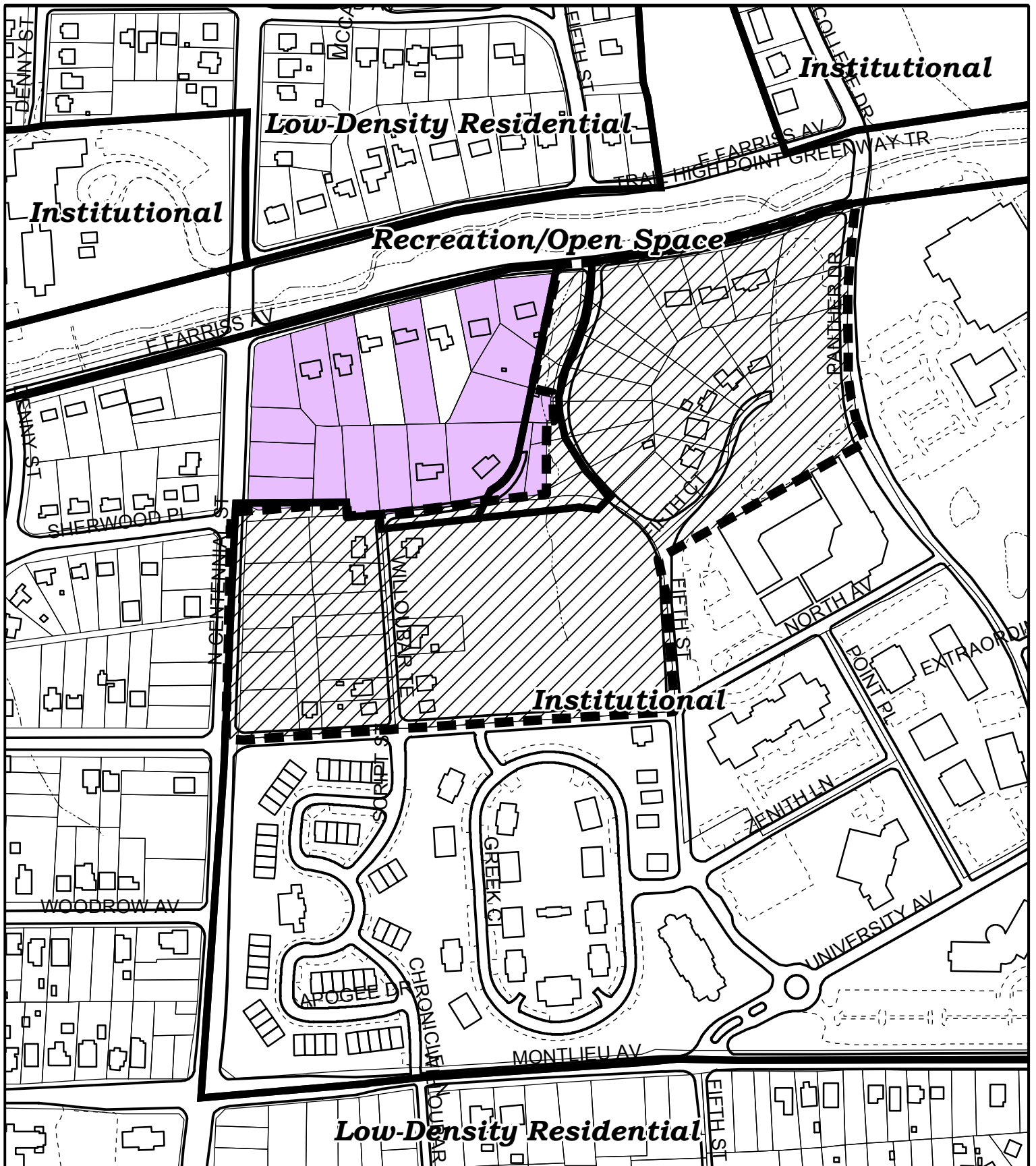
City of High Point

Date: October 29, 2013



Scale: 1"=400'

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Az11-03clu.mxd





AMENDMENT TO CZ11-03

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: October 29, 2013



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Az11-03topo.mxd

AMENDMENT TO CZ11-03



Transportation



October 10, 2013

To: Lee Burnette, Director of Planning and Development

From: Mark McDonald, P.E., Transportation Director

A handwritten signature in black ink, appearing to read "M McDonald", with a long horizontal line extending to the right.

Subject: **Amendment to Zoning Case 11-03, High Point University.**

My staff and I have reviewed the rezoning request and have the following comments:

A traffic impact analysis was not required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. In addition to the improvements required in CZ 11-03, the following improvements must be added in order to mitigate the development's impact on the surrounding roadway network:

Right of Way

Dedicate right of way along N Centennial St for the installation of a northbound right turn lane from N Centennial into Farriss Ave.

Improvements

Construct a northbound right turn lane from N Centennial St into Farriss Ave prior to the construction of a welcome center/guard house on Farriss Ave.

The City of High Point Transportation Director and the North Carolina Department of Transportation shall approve all construction and improvements.

If you have any questions or would like to further discuss this case, please advise.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on November 12, 2013 and before the City Council of the City of High Point on November 18, 2013 regarding Amendment to Zoning Case 11-03 (November 2013) a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on November 3, 2013, for the Planning and Zoning Commission public hearing and on November 6, 2013 and November 13, 2013, 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 _____.

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 Public & Institutional (CZ-PI) District.**

The zoning site for CZ11-03 is approximately ~~21~~ 27.5 acres, bounded by ~~a portion of~~ E. Farriss Avenue, ~~a portion of~~ Panther Drive (private), a portion of Fifth Street (private), North Avenue (private) and N. Centennial Street. ~~abandon portion of the Sherwood Place right-of-way lying east of N. Centennial Street and northern segment of Willoubar Terrace.~~

The property is also known as Guilford County Tax Parcels 0189876 thru 0189894; 0190107 thru 0190122, 0190126 (portion), 0190153 & 54, **0190072 thru 0190089;** 189864 thru 189875; and currently addressed as 900, 906, 908, 910, 912, 914, **1000, R1, 1000, 1002, 1004 & 1008** N. Centennial Street, that portion of the Sherwood Place right-of-way abandon by the City of High Point (Street Abandonment Case 11-08); 709, 711 & 715 North Avenue; 900, 901, 902, 903, 904, 906, 907, 909, 911, 913, 912, 914, 915, **999, 1001, 1003, 1005,** 1006, 1006 R1, 1008 **thru 1011–1010,** Willoubar Terrace; **802, 804, 808, 812, 814,** 817, 819 823, 825, 829, 833, 1000, 1002, 1004, 1006, 1008, 1010, 1012 Fifth Street and 1003, 1005, 1007, 1009, 1011 Fifth Court,

900, 902, 904, 906, E. Farriss Avenue; 965 Panther Drive (formerly known as 923 W. College Drive), and a portion of 921 Panther Drive (Formerly known as W. College Drive)

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 following land uses allowed in the Public & Institutional (PI) District shall be permitted, subject to the development and dimensional requirements of the PI District and the specific conditions listed in this Conditional Zoning Ordinance:

1. Colleges or Universities (SIC 8220).
2. Fraternities or Sororities (Univ. or College)
3. Accessory Uses and Structures (customary)

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1). General Development Standards for the entire zoning site

a. Lighting

- i. Within fifty (50) feet of the exterior perimeter of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height where this tract is adjacent to parcels in residential zoning districts not owned by the applicant. This lighting shall be directed inward towards the interior of the zoning site to minimize lighting spill-off/glare upon adjacent residentially zoned property.

ii. Where the zoning site abuts residentially zoned parcel(s) along the south side of E. Farriss Avenue, lighting shall be setback a minimum twenty (20) feet from the abutting residential parcel(s) property line.

- b. Within fifty (50) feet of the exterior perimeter of the zoning site mechanical or electrical equipment, dumpsters or other such similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level, as seen from the centerline of any adjacent public street. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
- c. Within one-hundred (100) feet of the N. Centennial Street and E. Farriss Avenue right-of-way(s), loading areas for a building shall not be located on any side of a building that faces these road right-of ways.

- d. Lot Combination: **As requested by the Technical Review Committee,** ~~All~~ parcels associated with the rezoning site shall be combined ~~into one lot~~ prior to development and subdivision.
- e. ~~Parking: Except for where approved vehicular access points are located, development shall occur in a manner so that buildings are located between the perimeter of the site and any parking, and vehicle circulation areas.~~
- f. ~~Building Setback: Building setback shall meet standards of the PI District except as noted below:~~
 - i. ~~Internal Building Setback — A zero foot building setback shall be permitted where the zoning site abuts PI, CU PI, and CZ PI district zoned owned by High Point University.~~

2). Additional Development Standards for Tract A

- a. Building Height - A maximum building height of one-hundred (100) feet shall be permitted in Tract “A” within the eastern half of the block bounded by Fifth Street (private), North Avenue (private drive) and Willoubar Terrace (private drive).

3). Additional Development Standards for Tract B

- a. Building Setback - Building setback shall meet standards of the PI District except as noted below:
 - i. A minimum forty-five (45) foot building setback shall be provided from the E. Farris Avenue right-of-way line.
- b. Building Height - Building height shall meet standards of the PI District except as noted below:
 - i. A maximum building height of eighty (80) feet shall be permitted. The additional building setback requirement, noted in Table 4-11-5(f) of the Development Ordinance, for buildings over fifty (50) feet in height shall not apply.

B. Landscaping, Buffers and Screening.

1. Fencing

- a. If fencing is installed along the N. Centennial Street and along the E. Farris Avenue 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.
- b. **Where the zoning site abuts residentially zoned parcel(s) along the south side of E. Farris Avenue, an opaque fence shall be installed, in the required planting yard, around the residential parcel.**

2. Standards along E. Farriss Avenue

Along the E. Farriss Avenue frontage of the zoning site a Street Planting Yard shall be installed consisting of the following.

<u>Minimum width</u>	<u>Minimum Average Width</u>	<u>Maximum width</u>
30 feet	35 feet	60 feet

This street planting yard shall at a minimum meet the following planting rate:

<u>Canopy Tree Rate</u>	<u>Understory Tree Rate</u>	<u>Shrub Rate</u>
4 per 100 linear feet	7 per 100 linear feet	25 per 100 linear feet
A minimum 25% of the above note plantings shall consist of evergreen species. 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.		

In lieu of the above noted planting rate for E. Farriss Avenue frontage, the applicant may submit an alternative landscape plan for review and approval by the Planning & Development Department prior to issuance of any building permit upon the site. Along with the landscaping plan, a depiction of the building elevations and/or parking areas after landscaping, as viewed from E. Farriss Avenue may be requested from the Landscape Architect to assist in assessing the effectiveness of the plan. An alternate plan shall be considered only when the required planting rate is impractical and the alternate plan achieves the same overall effect.

3. Standards along North Centennial Street.

- 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:
 - i. 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.
 - ii. 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.

- iii. 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.
- iv. 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 Landscape Architect to assist in assessing the effectiveness of the plan.

C. Transportation

a. Access:

- 1. No new vehicular access shall be permitted from N. Centennial Street.
- 2. **No vehicular access shall be permitted from E. Farriss Avenue between Fifth Street (private drive) and W. College Drive.**
~~Tract B — Access to E. Farriss Avenue shall only be from the existing intersection of E. Farriss Avenue and Fifth Street (private drive segment).~~

b. Improvements:

1. **Intersection of N. Centennial Street and North Avenue**

- i. Provide southbound left-turn and northbound right-turn lane at the intersection of N. Centennial Street and North Avenue (private drive).
- ii. Dedicate the required right of way on N. Centennial Street for the southbound left turn lane.
- iii. The southbound left turn lane and the northbound right turn lane on N. Centennial Street must be constructed prior to issuance of Certificate of Occupancy of the last building that has frontage on North Avenue between N. Centennial Street and Fifth Street.

2. **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 land from N. Centennial Street into E. Farriss Avenue prior to the construction of a welcome center/guard house on E. Farriss Avenue.

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 now 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.
_____, 2013.

Lisa B. Vierling, City Clerk

Conditional Zoning Case 11-03 Supplemental Information	
Initial Zoning Application	Adopted April 18, 2011 (Ordinance # 6817/11-25)
Amendment #1 (July 2012)	Adopted February 20, 2012 (Ordinance # 6895/12-12)
Amendment #2 (May 2012)	Adopted July 16, 2012 (Ordinance # 6938/12-55)
Amendment #3 (February 2013)	Adopted February 18, 2013 (Ordinance #6977 / 13-09)

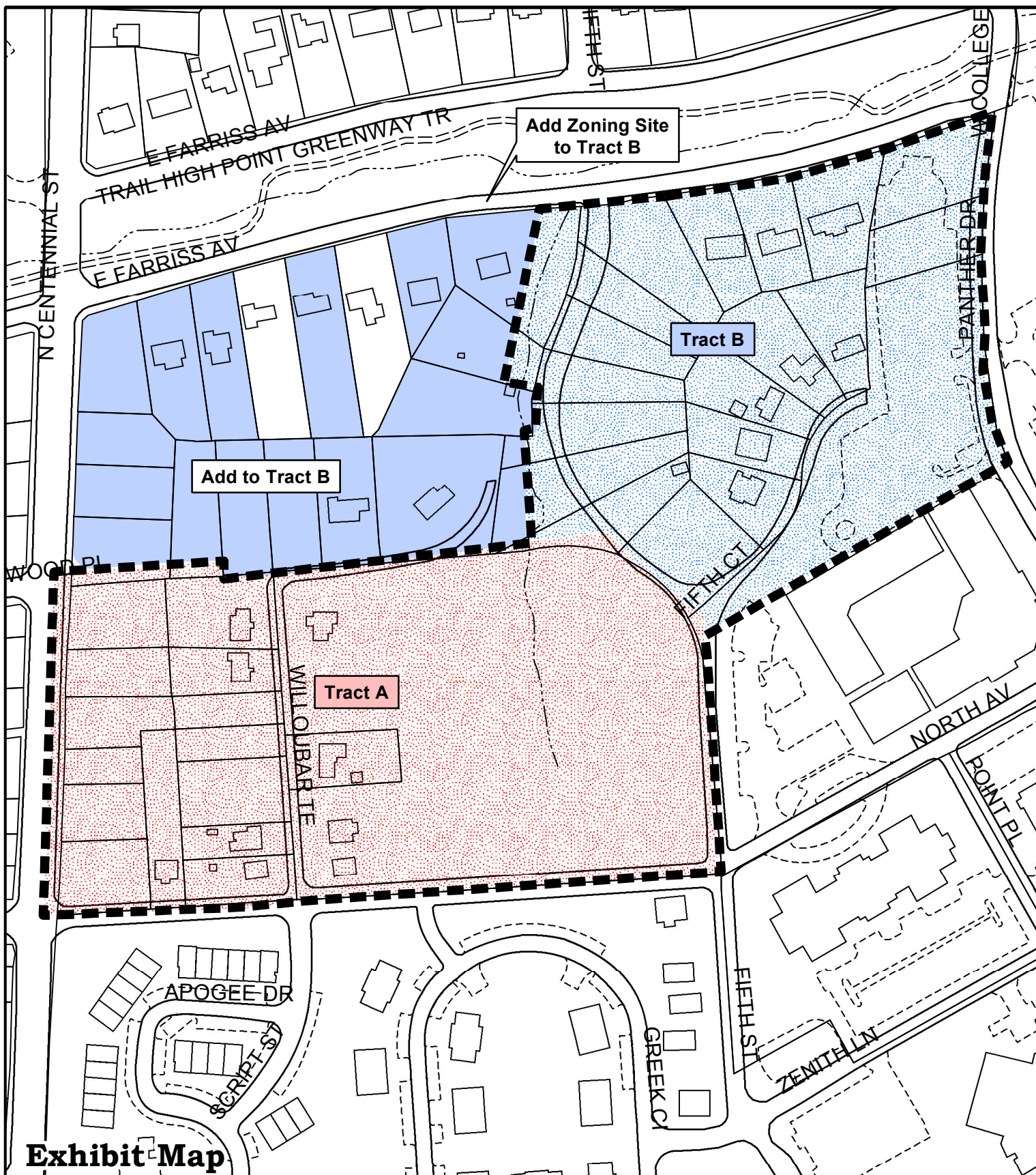


Exhibit Map

AMENDMENT TO CZ11-03

(November 2013)

From: Residential Single Family-7

To: Conditional Zoning Public Institutional

Existing Zoning Boundary

Subject Property Boundary

**Planning & Development
Department**

City of High Point

Date: November 1, 2013



Scale: 1"=200'

y:/ba-pz/2013/pz/Az11-03exh.mxd

Citizens Information Meeting Report Amendment to Zoning Case 11-03

Submitted by: Ron Guerra on behalf of
High Point University



October 23, 2013

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

From: Ron Guerra, MBA
Director of Construction and Renovation

Re: Major Amendment to Zoning Case CZ11-03
Community Meeting Report, October 18, 2013, 6:00 P.M.

High Point University conducted a Citizens' Information Meeting in support of a Major Amendment to Zoning Case CZ-11-03. The meeting was held at High Point University in Norton Hall Room 202. Letters of invitation were mailed to 33 residents on October 8, 2013 (letter is attached). The application is for a Major Amendment to Case CZ-11-03, which includes the rezoning of 16 parcels fronting E. Farriss Avenue, N. Centennial Street, and Willoubar Terrace from RS7 to CZ Pl. Mr. Ron Guerra, Director of Construction, Renovation and Campus Development, Mr. Jason Sweet, Assistant Director of Construction and Renovation, and Mr. Ravindra Bissram, of Jamestown Engineering Group, Inc., represented the University.

Mr. Guerra reviewed maps illustrating the properties included in the Major Amendment and Rezoning. Potential uses for the property within the rezoning area were discussed. Mr. Guerra also explained that alternatives for the site's development are currently being assessed by the University, so final plans for its use are not available at this time.

It was a very positive meeting with specific discussion focused on the following:

- The natural buffer provided by the park/greenway area between East and West Farriss Avenue. The existing tree canopy averages 80 – 100 feet in height.
- The landscaping, setbacks, and lighting conditions /requirements of the City of High Point shall be adhered to by HPU.
- General appearances of any proposed buildings along E. Farriss Avenue.

I received an e-mail from Ms. Adrienne W. Middlebrooks, on 10/17/13, whose address is 803 E. Farriss Ave., High Point, NC 27262, informing me that she would not be able to attend this meeting; however she did have some questions and she sent me an e-mail.

I replied to her e-mail by sending one dated, 10/18/13 and stated my answers, in **red**, right next to her questions. Please see attached document labeled **"E-mails – Questions & Answers between Ms. A.W. Middlebrooks and Mr. Ron Guerra"**

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Ron Guerra', written over a horizontal line.

HIGH POINT UNIVERSITY

Ron Guerra
Director of Construction, Renovation and Campus Development



October 8, 2013

Ladies and Gentlemen:

**Subject: Citizen Information Meeting, Friday, October 18, 2013,
N. Centennial Street/E. Farriss Avenue/Willoubar Terrace
(private)/Fifth Street (private)**

A Citizen Information Meeting will be held on Friday, October 18, 2013, at 6:00 p.m. in Norton Hall, Room 202, (corner of University Avenue and Panther Drive) for the purpose of allowing us to inform you about our development plan and zoning proposal.

High Point University has filed an application with the City of High Point for the rezoning and land use plan map amendment (from RS 7 to CZ PI) of the block bordered by N. Centennial Street, E. Farriss Avenue, Willoubar Terrace (private), and Fifth Street (private). The zoning change requested is from RS 7 to CZ PI. The property consists of 16 lots and approximately 6.6 acres.

We have enclosed for your review a Conditional Use District Zoning Citizen Information Meeting Statement made available by the City of High Point, which may help clarify the rezoning process and requirements.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal is scheduled to take place at City Hall on November 12, 2013, at 6:00 p.m.

Questions, comments, or concerns should be directed to Ron Guerra, Director of Construction and Renovation at 336-841-9363.

We look forward to answering your questions and receiving your input.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'R. Guerra'.

Ron Guerra, Director of Construction and Renovation
High Point University

E-mails – Questions & Answers between Ms. A.W. Middlebrooks and Mr. Ron Guerra

From: Guerra, Roland
Sent: Friday, October 18, 2013 9:36 AM
To: 'Adrienne Middlebrooks'
Cc: Grubb, Julie
Subject: RE: Citizen Information meeting on the 18th

Dear Ms. Middlebrooks,

I apologize that I have not been able to get back to you sooner but I have inundated with meetings and project deadlines. However, I do know that Julie, here in our department did get back to you on Tuesday, 10/15/13. I have answered your questions; please see below, in red. I will call you a little later today to review any further questions or comments that you may have.

Thank you,



-----Original Message-----

From: Adrienne Middlebrooks [<mailto:awmiddle@gmail.com>]
Sent: Thursday, October 17, 2013 10:27 AM
To: Guerra, Roland; Grubb, Julie
Subject: Citizen Information meeting on the 18th

Good morning,

Prior to this message, I left voice messages in attempt to contact you, but without success this week. Thanks for the call Tuesday afternoon.

I am unable to attend the citizens' meeting on Friday the 18th; however I have several questions about the proposed rezoning and its impact on the close proximity neighborhood bordering HPU.

While I appreciate the opportunity to be heard on this matter and understand time constraints placed on all parties, the relatively short notice of the meeting seems rather inconsiderate.

My immediate concerns and questions are as follows:

1. What is the agenda for the meeting? When will the minutes be available for review?
There is no formal agenda for a Citizens Information Meeting. We will be discussing, in general, what are HPU's plans for that area, at this time.
 - a) What are the proposed zoning changes and why is HPU pushing for them? The proposed zoning change is from RS 7 to CZ PI (Residential to Conditional Public Institution). HPU is wanting to re-zone this piece of property as it has done with all of the other properties owned by HPU.
 - b) What is the basis for requesting conditional use of the property zone district? The conditional use actually comes from the City of High Point. In other words, if HPU wants to rezone this piece of property it must adhere to the conditions mutually agreed to as prescribed by the City of High Point. The conditions typically require that HPU install heavier landscaping in some

allowed), lighting of any parking areas must not spill over past a certain degree, etc.

- c) How does approval of this request affect my neighborhood in the future? We are not rezoning any property where your property is located.

3. What is the time table for new construction projects? (I assure you that families are uninterested in living a dust bowl with heavy equipment shaking our foundations for extended periods of time.) At this time, HPU is still in the planning and design phase for this property so the time frame is not known exactly but the earliest would be spring 2015.

4. How will rezoning the properties affect access to the "even" side of East Farriss Ave? For example, as HPU acquires property, a barrier is erected to restrict access to the public - is this policy the same for the property in question? At this time, HPU is not looking to acquire any property or change in access to anything on that side of E. Farriss Ave.

Currently, traffic exiting the campus backs up quickly after various events and some drivers use the even side of Farriss Ave as a one way to N. Centennial St. (Clearly restricting the access on one side of East Farriss would increase the flow of traffic volume on the opposite side and increase the level of encroachment by HPU.) The HPU security department and personnel work with the City of High Point Police department, at HPU's expense, to minimize traffic impact to the community during events.

5. What type of lighting will be installed on the property? Conditions in the zoning require that lighting installed be directed inward towards HPU property and limit overflow lighting onto the community. I have personally been involved with a person that complained about a light fixture, which HPU installed near the intersection of 5th St. & Farriss Ave, for safety concerns. The complaint was that the light was shining through the Greenway Park trees and into their home. I went out there at night, drove down Farriss Ave. on the other side of the Greenway Park and our campus, found the problem light and spoke with the Security Dept. to point the light down further so it would not come glaring through the trees. After this, I called the homeowner and she said it was better.

(Typically, HPU installs lighting that creates virtual 24/7 daylight, requiring room darkening window treatments.)

6. What role will HPU security serve in this rezone transition, particularly as it pertains to Greenway access? None. Greenway access from your side of Farriss will not be affected.

One additional note: After HPU acquired property and began to use North St as an access point to N. Centennial St., the traffic increased dramatically and created a rather dangerous situation of vehicles entering/exiting the campus at high rates of speed.

I appreciate your time and attention to this message and look forward to receiving your reply.

Regards,
A. W. Middlebrooks

**Citizens Information Meeting
Friday, October 18, 2013
High Point University
RS-7 to CZ-PI**

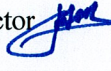
334-410-4133



MEMORANDUM

November 11, 2013

MEMO TO: Strib Boynton, City Manager
Members of City Council

FROM: Jeffrey A. Moore, Financial Services Director 
Fred Baggett, Interim City Attorney

SUBJECT: Required City Council actions for 2/3 general obligation bonds

Please include the following actions by City Council for their November 18, 2013, Council meeting.

1. City Council must authorize the staff to apply for the 2/3 bonds capability. The City's bond attorney has prepared a resolution which will approve the filing of the application with the Local Government Commission. City Council is requested to approve the attached "Resolution Making Certain Findings and Determinations and Authorizing the Filing of an Application with the Local Government Commission in Connection with the Proposed Issuance of General Obligation Street and Sidewalk Improvement Bonds, Parks and Recreation Facilities Bonds, and Fire Fighting Facilities Bonds by the City of High Point, North Carolina."
2. City Council is requested to establish a public hearing on December 2, 2013 at 5:30pm as required by state law on the issuance of the referenced 2/3 bonds.

This is the first of several necessary legal proceedings for the issuance of these bonds. As always, we will be available if you have any questions.

Accounting
336.883.3240

Internal Audit
336.883.3122

Purchasing
336.883.3219

Treasury Services
336.883.3230

The City Council of the City of High Point, North Carolina held a regular meeting in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina, the regular place of meeting, at 4:45 p.m. on November 18, 2013.

Present: Mayor Bernita Sims, presiding, and Council Members

Absent: Council Members

Also Present: _____

* * * * *

_____ introduced the following resolution the title of which was read and copies of which had been previously distributed to each Council Member:

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AUTHORIZING AND RATIFYING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION IN CONNECTION WITH THE PROPOSED ISSUANCE OF GENERAL OBLIGATION STREET AND SIDEWALK IMPROVEMENT BONDS, PARKS AND RECREATIONAL FACILITIES BONDS AND FIRE FIGHTING FACILITIES BONDS BY THE CITY OF HIGH POINT, NORTH CAROLINA

BE IT RESOLVED by the City Council (the “City Council”) for the City of High Point, North Carolina (the “City”):

Section 1. The City Council does hereby determine that:

(a) Preliminary studies have been completed to demonstrate the need for improvements to the streets and sidewalks, parks and recreational facilities and fire fighting facilities of the City.

(b) The City Council wishes to commence the procedures for the issuance of not to exceed \$3,365,000 Street and Sidewalk Improvement Bonds, \$2,000,000 Parks and Recreational

Facilities Bonds and \$750,000 Fire Fighting Facilities Bonds constituting general obligation bonds of the City at this time.

(c) The annual audits of the City show the City to be in strict compliance with debt management policies and that the budgetary and fiscal management policies are in compliance with law.

Section 2. The filing of an application of the City with the North Carolina Local Government Commission for approval of the issuance of said Street and Sidewalk Improvement Bonds, Parks and Recreational Facilities Bonds and Fire Fighting Facilities Bonds of the City is hereby authorized, ratified and approved.

Section 3. The law firm of Womble Carlyle Sandridge & Rice, LLP is hereby appointed to serve, but solely at the pleasure of the City Council, as bond counsel to the City in connection with the authorization, sale and issuance of the said bonds.

Section 4. Davenport & Company LLC is hereby appointed to serve, but solely at the pleasure of the City Council, as financial advisor to the City in connection with the sale and issuance of the said bonds.

Section 5. This resolution shall take effect immediately upon its passage.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled "RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AUTHORIZING AND RATIFYING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION IN CONNECTION WITH THE PROPOSED ISSUANCE OF GENERAL OBLIGATION STREET AND SIDEWALK IMPROVEMENT BONDS, PARKS AND RECREATIONAL FACILITIES

BONDS AND FIRE FIGHTING FACILITIES BONDS BY THE CITY” was passed by the following vote:

Ayes: _____

Noes: _____

Thereupon, _____ introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

**ORDER AUTHORIZING
\$3,365,000 STREET AND SIDEWALK IMPROVEMENT BONDS**

BE IT ORDERED by the City Council for the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue street and sidewalk improvement bonds in an aggregate principal amount not exceeding \$3,365,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, widen and improve streets and sidewalks inside and outside the corporate limits of said City, including, without limitation, bridges, bicycle lanes, curbs and gutters, culverts, drains, grade crossings, traffic controls and any necessary land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the Clerk to the City Council and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing order entitled "ORDER AUTHORIZING \$3,365,000 STREET AND SIDEWALK IMPROVEMENT BONDS" was passed upon introduction by the following vote:

Ayes: _____

Noes: _____

Thereupon, _____ introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

**ORDER AUTHORIZING
\$2,000,000 PARKS AND RECREATIONAL FACILITIES BONDS**

BE IT ORDERED by the City Council for the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue parks and recreational facilities bonds in an aggregate principal amount not exceeding \$2,000,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, improve, expand and equip existing park and recreational facilities inside and outside the corporate limits of said City, including, without limitation, greenways, playgrounds, athletic fields, recreational facilities and any necessary land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the Clerk to the City Council and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing order entitled "ORDER AUTHORIZING \$2,000,000 PARKS AND RECREATIONAL FACILITIES BONDS" was passed upon introduction by the following vote:

Ayes: _____

Noes: _____

Thereupon, _____ introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

**ORDER AUTHORIZING
\$750,000 FIRE FIGHTING FACILITIES BONDS**

BE IT ORDERED by the City Council for the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue fire fighting facilities bonds in an aggregate principal amount not exceeding \$750,000 for the purpose of providing funds, together with any other available funds, to acquire, construct and equip fire fighting facilities inside and outside the corporate limits of said City, including, without limitation, a fire training tower and any necessary land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the Clerk to the City Council and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing order entitled "ORDER AUTHORIZING \$750,000 FIRE FIGHTING FACILITIES BONDS" was passed upon introduction by the following vote:

Ayes: _____

Noes: _____

The City Council thereupon designated the Financial Services Director of the City to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed after the bond orders have been introduced and before the public hearing thereon.

Thereupon, the Financial Services Director of the City caused to be filed with the City Clerk, in the presence of the City Council, the sworn statement of debt as so required.

Thereupon, the City Council fixed 5:30 p.m., December 2, 2013, in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina, as the hour, day and place for the public hearing upon the orders entitled “ORDER AUTHORIZING \$3,365,000 STREET AND SIDEWALK IMPROVEMENT BONDS,” “ORDER AUTHORIZING \$2,000,000 PARKS AND RECREATIONAL FACILITIES BONDS” and “ORDER AUTHORIZING \$750,000 FIRE FIGHTING FACILITIES BONDS” and directed the City Clerk to publish said orders, as required by The Local Government Bond Act, as amended, once in the High Point Enterprise not later than the sixth day before said date.

* * * * *

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on November 18, 2013, as it relates in any way to the passage of the foregoing resolution and bond orders authorizing general obligation bonds of said City and that said proceedings are recorded in the minutes of said Board.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said City 18th day of November, 2013.

City Clerk

[SEAL]

**CITY OF HIGH POINT, NORTH CAROLINA
SWORN STATEMENT OF DEBT MADE PURSUANT TO THE
LOCAL GOVERNMENT BOND ACT, AS AMENDED**

I, Jeffrey A. Moore, Financial Services Director of the City of High Point, North Carolina, having been designated by the City Council of said City to make and file with the City Clerk a statement of the debt of said City pursuant to The Local Government Bond Act, as amended, DO HEREBY CERTIFY that the following is a true statement as shown by the books in my office, not taking into consideration any debt incurred or to be incurred in anticipation of the collection of taxes or other revenues or in anticipation of the sale of bonds other than funding and refunding bonds:

(a) GROSS DEBT

a(1) Outstanding debt evidenced by bonds:

Refunding Bonds, Series 2003	\$ 1,170,000
Refunding Bonds, Series 2005	20,780,000
Public Improvement Bonds, Series 2005	1,000,000
Public Improvement Bonds, Series 2006	11,945,000
Public Improvement Bonds, Series 2007A	3,650,000
Public Improvement Bonds, Series 2007B	12,860,000
Public Improvement Bonds, Series 2008	11,215,000
Public Improvement Bonds, Series 2010A	3,585,000
Public Improvement Bonds, Series 2010B	16,580,000
Refunding Bonds, Series 2010C	13,080,000
Public Improvement Bonds, Series 2012	5,495,000
Refunding Bonds, Series 2012	<u>15,275,000</u>
Total	<u>\$116,635,000</u>

a(2) Bonds authorized by orders introduced,
but not yet adopted:

Street and Sidewalk Improvement Bonds	\$3,365,000
Parks and Recreational Facilities Bonds	2,000,000
Fire Fighting Facilities Bonds	<u>750,000</u>
Total	<u>\$6,115,000</u>

a(3) Unissued bonds authorized by adopted orders:

Refunding (2010)	\$ 7,000,000
Refunding (2012)	14,560,000
Refunding (2013)	<u>15,000,000</u>
Total	<u>\$36,560,000</u>

a(4)	Outstanding debt, not evidenced by bonds:	\$ <u>-0-</u>
(a)	GROSS DEBT, being the sum of a(1), a(2), a(3) and a(4):	<u>\$159,310,000</u>
(b) DEDUCTIONS		
b(1)	Funding and refunding bonds authorized by orders introduced but not yet adopted:	\$ <u>-0-</u>
b(2)	Funding and refunding bonds authorized but not yet issued:	<u>\$36,560,000</u>
b(3)	The amount of money held in sinking funds or otherwise for the payment of any part of the principal of gross debt other than debt incurred for water, gas, electric light or power purposes or sanitary sewer purposes (to the extent that the bonds are deductible under G.S. 159-55(b)):	\$ <u>-0-</u>
b(4)	Bonded debt included in gross debt and incurred, or to be incurred, for water, gas, electric light or power purposes:	<u>\$10,182,026</u>
b(5)	Bonded debt included in gross debt and incurred, or to be incurred, for sanitary sewer system purposes (to the extent that said debt is made deductible by G.S. 159-55(b)):	\$ <u>-0-</u>
b(6)	Uncollected special assessments heretofore levied for local improvements for which any part of the gross debt (that is not otherwise deducted) was or is to be incurred to the extent that such assessments will be applied, when collected, to the payment of any part of the gross debt:	\$ <u>-0-</u>
b(7)	The amount, as estimated by the Financial Services Director, of special assessments to be levied for local improvements for which any part of the gross debt (that is not otherwise deducted) was or is to be incurred, to the extent that the special assessments, when collected, will be applied to the payment of any part of the gross debt:	\$ <u>-0-</u>
(b)	DEDUCTIONS, being the sum of b(1), b(2), b(3), b(4), b(5), b(6) and b(7):	<u>\$46,742,026</u>

(c) NET DEBT

(c) NET DEBT, being the difference between the
GROSS DEBT (a) and the DEDUCTIONS (b): \$112,567,974

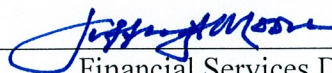
(d) ASSESSED VALUE

(d) ASSESSED VALUE of property subject to taxation
by the City, as revealed by the City tax records and
certified to the City by the assessor: \$8,951,699,640

(e) PERCENTAGE

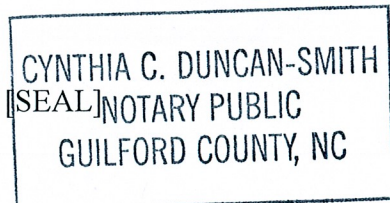
(e) Percentage which the NET DEBT (c) bears to the
ASSESSED VALUE (d): 1.26%

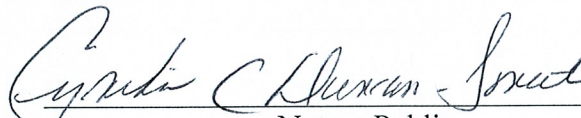
The foregoing statement is true.


Financial Services Director

STATE OF NORTH CAROLINA)
)
COUNTY OF GUILFORD) ss:

Subscribed and sworn to before me this 13th day of November, 2013.




Notary Public

My Commission Expires: 1/18/2015.

* * * * *

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of a statement which was filed with me at a meeting of the City Council of said City held on November 18, 2013, after the introduction and before the public hearing on orders authorizing general obligation bonds of said City, and that said statement is open to public inspection in my office.

WITNESS my hand and official seal of said City this 18th day of November, 2013.

City Clerk

[SEAL]

TO THE PUBLISHERS OF THE HIGH POINT ENTERPRISE:

Please publish the following once in the High Point Enterprise on Friday, November 22, 2013:

**ORDER AUTHORIZING
\$3,365,000 STREET AND SIDEWALK IMPROVEMENT BONDS**

BE IT ORDERED by the City Council for the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue street and sidewalk improvement bonds in an aggregate principal amount not exceeding \$3,365,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, widen and improve streets and sidewalks inside and outside the corporate limits of said City, including, without limitation, bridges, bicycle lanes, curbs and gutters, culverts, drains, grade crossings, traffic controls and any necessary land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the Clerk to the City Council and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

**ORDER AUTHORIZING
\$2,000,000 PARKS AND RECREATIONAL FACILITIES BONDS**

BE IT ORDERED by the City Council for the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue parks and recreational facilities bonds in an aggregate principal amount not exceeding \$2,000,000 for the purpose of providing funds, together with any other available funds, to acquire, construct, improve, expand and equip existing park and recreational facilities inside and outside the corporate limits of said City, including, without limitation, greenways, playgrounds, athletic fields, recreational facilities and any necessary land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the Clerk to the City Council and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

**ORDER AUTHORIZING
\$750,000 FIRE FIGHTING FACILITIES BONDS**

BE IT ORDERED by the City Council for the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue fire fighting facilities bonds in an aggregate principal amount not exceeding \$750,000 for the purpose of providing funds, together with any other available funds, to acquire, construct and equip fire fighting facilities inside and outside the corporate limits of said City, including, without limitation, a fire training tower and any necessary land and rights of way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the Clerk to the City Council and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

The foregoing orders have been introduced and a sworn statement of debt has been filed under the Local Government Bond Act showing the appraised value of the City of High Point, North Carolina to be \$8,951,699,640 and the net debt thereof, including the proposed bonds, to

be \$112,567,974. A tax may be levied to pay the principal of and interest on the bonds if they are issued. Anyone who wishes to be heard on the questions of the validity of the bond orders and the advisability of issuing the bonds may appear at a public hearing or an adjournment thereof to be held at 5:30 p.m. on December 2, 2013, in the Council Chambers of the Municipal Building located at 211 South Hamilton Street in High Point, North Carolina.

Lisa B. Vierling
City Clerk
City of High Point, North Carolina

PLANNING AND ZONING COMMISSION RECOMMENDATION

On November 12, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd, Mr. Andrew Putnam and Mr. Ed Spivey.

High Point University

Land Use Plan Amendment Case 13-01

A request by High Point University to change the land use plan map for approximately 8.3 acres from Low Density Residential to an Institutional land use designation. The Planning and Development Department has amended the request to include an additional 0.5 acres. The site consists of a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street (private street).

AND

High Point University

Zoning Case 13-08

A request by High Point University to rezone approximately 8.3 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site consists primarily of a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street (private street).

Mr. Andy Piper and Mr. Herbert Shannon presented these applications. It was stated that if the City Council determines this is an appropriate expansion of the University campus, then the Land Use Plan Amendment Case 13-01 should be approved. Once that request is approved, then it is reasonable for the City Council to approve Zoning Case 13-08 with the conditions offered by the applicant.

Speaking on behalf of the request was the applicant's representative, Mr. Ron Guerra, Director of Construction, High Point University and Mr. Chris Dudley, Vice President for Administration at High Point University. They provided a general overview of this proposal and noted that the University is land locked and requires additional area for expansion.

Speaking in opposition to this request were Mr. Willis McCoy, 323 Foley Drive, Garner NC, (former realtor and property appraiser) representing family members who live off Barbee Avenue; Mr. Scott Massey, 912 Forrest Street, High Point, and Ms. Adrienne Middlebrooks, 803 E. Farriss Avenue, High Point. Their comments were focused on growth of the University into the neighborhoods. They stated that growth plans for the University should be shared with the City and with neighbors to help guide decisions on both public and private investments in these areas. Residents wanted to be a part of the discussion on growth, and felt the University should develop a master plan.

Speaking neither in favor nor in opposition to the request was Ms. Al Higgins, Human Relations Director for the City of High Point. She offered her departments services, if needed, in facilitating community outreach between the University and surrounding residential neighborhoods.

After the public hearing was closed, the Commission members had several comments:

- That this request is outside of growth area established by the *University Area Plan*.
- That the University was purchasing property and razing homes outside the growth area for the past two years and it had not developed a master plan.

- That the University commit to approaching Council to update their growth plans. On this last concern, the Chair asked Mr. Dudley would the University commit to approaching the City Council concerning their growth plans. He responded that the University would do so.

The Planning & Zoning Commission recommended approval of Land Use Plan Amendment Case 13-01, as recommended by staff, by a vote of 6-0.

The Planning & Zoning Commission recommended approval of Zoning Case 13-08 as submitted by the applicant, by a vote of 6-0.

Since this site is outside of growth areas identified in the *University Area Plan*, the Planning & Zoning Commission desired that the City Council specifically note for emphasis a statement from page 5 of 8 in the staff report under Consistency with Adopted Plans. *“If additional expansion of the campus outside these growth areas are anticipated by the University, then the City Council’s policies, established in the University Area Plan, to protect the surrounding established neighborhoods will become irrelevant. Such action will lead to the further decline of these neighborhoods and its housing.”*

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

**STAFF REPORT
LAND USE PLAN AMENDMENT CASE 13-01
ZONING CASE 13-08
November 12, 2013**

Requests		
Applicant: High Point University	Owner: High Point University and Juan & Linda Gomez	
LUPA Proposal: To change the future land use designation for approximately 8.8 acres to an Institutional land use designation	From:	Low Density Residential
	To:	Institutional
Zoning Proposal: To rezone approximately 8.3 acres	From:	RS-7 Residential Single Family-7 District
	To:	CZ PI Conditional Zoning Public & Institutional District

Site Information		
Location:	The site consists primarily of a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street (private street).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	Guilford County Tax Parcels 0190022 thru 0190059	Same, except tax parcels 0190031 and 0190053 are not part of zoning application
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 8.8 acres.	Approximately 8.3 acres
Current Land Use:	Plan Amendment	Zoning Request
	Single family dwellings and undeveloped parcels	Same
Physical Characteristics:	The site has a gently sloping terrain.	
Water and Sewer Proximity:	Lying adjacent to the site, within the abutting public streets and private drives, are 6-inch and 8-inch City water lines and City sewer lines.	
General Drainage and Watershed:	The site drains in a southerly direction towards Barbee Avenue. Development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily developments with an impervious surface area that is greater than 24% or more of the site.	
Overlay District:	City Lake General Watershed Area (GWA)	

Adjacent Property Zoning and Current Land Use			
North:	CU-PI	Conditional Use Public & Institutional District	High Point University campus (<i>across Montlieu Avenue</i>)
	CZ-PI	Conditional Zoning Public & Institutional District	
South:	RS-7	Residential Single Family-7 District	Single family residential dwellings
East:	RS-7	Residential Single Family-7 District	Undeveloped parcels (<i>across Fifth Street</i>)
West:	RS-7	Residential Single Family-7 District	Former private school (<i>across N. Centennial Street</i>)

Adjacent Land Use Designations	
North:	Institutional
South:	Low Density Residential
East:	Low Density Residential
West:	Low Density Residential

Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Proposed Designation:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	Goal 1: Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Goals, Objectives & Policies:	The following goal and objectives of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods.
Relevant Area Plan(s):	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. Employ design measures to accentuate their boundaries through features such as gateway treatments and street tree plantings. University Area Plan <u>Goal 1:</u> Ensure residents in the University area have information about future University expansion plans, so they can make informed decisions about investing in their properties. <u>Policy 2.1:</u> Create a University document that provides locations and future uses with a timetable for expansions so that future infrastructure needs can be accommodated.

	<u>Goal 3</u>: Ensure compatibility between the edge of campus and the surrounding neighborhood. <u>Policy 3.5</u>: Transition the intensity of uses along the campus edge adjacent to existing residences. ii. Prevent the spillover of light and glare from outdoor lighting onto adjacent properties by limiting the height, illumination, and direction of outdoor lighting. iii. Locate parking areas internal to campus, where possible, to minimize visual impacts on adjacent residential properties. They should be screened from view, and access to the parking areas should be from internal campus driveways and not directly from local residential streets to minimize cut-through traffic in the residential neighborhood. iv. A combination of fencing and landscaping can be used to soften the edges, however solid fencing is typically discouraged along public streets. vi. Consider reusing structures along the campus edges for housing, administrative offices, or other University uses. <u>Policy 3.6</u>: New campus development should be contiguous to the existing campus and consist of an entire sub-area. However, if a partial rezoning of a sub-area is requested, then a site plan must be submitted along with the rezoning request that demonstrates how the impacts on adjacent properties will be mitigated. <u>Policy 3.7</u>: Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests. <u>Policy 4.4</u>: Demolition of viable single-family homes is discouraged if the University does not have an immediate need for new development. The University should not proceed with demolitions prior to receiving approval of a zoning action, unless conditions of the structure are deemed unsafe and warrant earlier removal. When demolition is deemed necessary, an effort should be made to salvage the architectural components of the structure prior to demolition.
Zoning History and LUPA History:	Since 1998, High Point University has received five (5) Land Use Plan Amendments and 16 zoning approvals for the area lying north of Montlieu Avenue and west of Panther Drive (former W. College Drive to accommodate the westward expansion of the University.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Montlieu Avenue	Major Thoroughfare	1,125 ft.
	N. Centennial Street	Major Thoroughfare	325 ft.
	Barbee Avenue	Local Street	1,020 ft.
	Fifth Street	Private Street	350 ft.
Vehicular Access:	Access is proposed to be taken from Montlieu Avenue, via Willoubar Terrance and Fifth Street (private street).		

Traffic Counts: (Average Daily Trips)	Montlieu Avenue N. Centennial Street	4,400 ADT 7,500 ADT
Estimated Trip Generation:	N/A	
Traffic Impact Analysis:	Required	
	<u>Yes</u>	<u>No</u> X
	None	
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.	

School District Comment

Not applicable to this zoning case.

Details of Proposal

High Point University desires to expand their campus to add a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street to use for parking. The site currently has a residential classification on the City's Land Use Plan Map and a single family residential zoning designation. In order to add this area to the campus, the University has submitted both a Land Use Map Amendment and Zoning Map Amendment application. The Land Use Map Amendment proposes to change the Land Use Plan classification of this area from Low Density Residential to Institutional. The Zoning Map Amendment proposes to rezone this area from its current RS-7 District to a CZ-PI District.

There are two properties within these blocks that are not owned by the University. The Land Use Plan Amendment submitted by the applicant requests the Institutional land use classification for property owned by the University. The Planning & Development Department added the two remaining properties (711 & 911 Barbee Avenue) to the amendment request. Amending the Land Use Plan classification of these parcels will not change its residential zoning or the property owners' right to continue to use them as single-family dwellings; however, it will provide consistent Land Use policy for these two blocks, if approved. Included with the zoning application is a conditional zoning ordinance that list conditions for development of the site and restrict use of the site to surface parking only. The two properties on Barbee Avenue (711 & 911 Barbee Avenue) will remain in RS-7 Districts.

This requested expansion of the campus is not consistent with all policies of the *University Area Plan*. This plan was adopted by the High Point City Council in December 2009 and it provides policies to help protect adjacent residential neighborhoods by guiding the orderly growth of the University. It is important to state that the *University Area Plan* is not a master plan for the University but rather a neighborhood plan. The purpose of the plan is to balance the goal of encouraging the University's growth and expansion with the goal of protecting the established neighborhoods surrounding the University and maintaining their stability.

In regards to the University's submittal, it is inconsistent with a principal policy of the *University Area Plan*. The rezoning site is outside the Growth Areas outlined by the plan for University expansion. These Growth Areas were established to increase predictability about future campus expansion so as to help maintain the stability of adjacent neighborhoods.

Staff Analysis

Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

Staff Comments:

The City's *Community Growth Vision Statement* encourages support for the continued growth of the City's educational institutions, including High Point University. The *University Area Plan* calls for the University to establish a more specific timeframe, location, and identification of needs to help with advance planning; and it identifies Growth Areas to increase predictability about future campus expansion to help maintain the stability of adjacent neighborhoods.

This submittal is the first expansion of the University outside the growth area defined in the *University Area Plan*. While the proposed expansion may be logical from the University's perspective, it does create uncertainty from the neighborhood perspective. If additional expansion of the campus outside these growth areas are anticipated by the University, then the City Council's policies, established in the *University Area Plan*, to protect the surrounding established neighborhoods will become irrelevant. Such action will lead to the further decline of these neighborhoods and its housing.

It is a policy goal of the City to support continued growth of the University for its many educational, cultural and economic benefits. However, additional goals set forth in City policy support protecting the established neighborhoods that surround the University. Expansion of the University onto this site is likely warranted to support the University's many programs. However, such additional unplanned expansions of the University campus will continue to chip away at these neighborhoods and accelerate their instability.

Review Factors:

The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<u>Staff Comments:</u> By its nature, the rezoning site becomes a new campus edge and should therefore be considered a Transition Area as defined in the <i>University Area Plan</i>. The intent of Transition Areas is to maintain the existing setting, if possible, to ensure compatibility with abutting residential areas. Because most of the houses in the subject area have already been demolished, the character of the area along the Montlieu Avenue frontage has already changed. The applicant has offered to

	restrict use of the zoning site to surface parking and had included conditions that 1) restricts vehicular access only from Montlieu Avenue, 2) provides for higher landscaping standards along Barbee Avenue and 3) conditions the placement of fencing and lighting along Barbee Avenue.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; <u>Staff Comments:</u> The <i>University Area Plan</i> states that parking areas should be located internal to campus to help prevent negative impacts on adjacent neighborhoods. The applicant has offered to provide a wider planting yard and higher planting rate for landscaping along Barbee Avenue to diffuse the impact of headlights from vehicles. Additionally, they have offered to limit the height of lighting next to abutting single family dwellings.
<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; <u>Staff Comments:</u> Staff has not identified any environmental impacts based upon the proposed district; the site is within the City Lake General Watershed Area and development will be subject to 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; <u>Staff Comments:</u> The site is within an area currently served by City of High Point utilities and municipal services and the submittal has no known impacts on municipal services. Conditions offered by the applicant to dedicate right-of-way at the intersection of N. Centennial Street and Montlieu Avenue will ensure future improvements to that street can be accomplished without impacting other perimeter improvements on the site (i.e. fencing & landscaping).
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties. <u>Staff Comments:</u> As outlined in Factor #1 the applicant has offered conditions to offset impacts adjacent residential property owners.

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.

Staff Comments:

The applicant has purchased, or has under contract most of the property within this two-block area. Most of the 40 single family dwellings built in these two blocks were razed and the previous residential neighborhood is now a green space across the street from campus. Removal of the homes has changed the character of this area and although this cannot be prevented by the City, it is becoming a pattern that is being repeated along other edges of the campus.

Development Patterns:

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

Staff Comments:

Expansion of the University campus into this area is not supported by the *University Area Plan*. However, the rezoning site is contiguous to the existing campus and almost all housing has been razed. The viability of residential development on this site is a very unlikely possibility given that the University has acquired these properties.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.

In this case, staff suggests that the approval of the applicant's request can be considered to be reasonable and in the public interest because: 1) the site is adjacent to the High Point University Campus, 2) it is subject to the approval of Land Use Plan Amendment Case 13-01, and 3) conditions offered by the applicant to limit use of the site to parking only, restrict location of vehicular access to Montlieu Avenue, and provide for higher landscaping and screening of parking spaces near Barbee Avenue helps minimize impacts to the adjacent residential neighborhood.

Recommendation

The Planning and Development Department's comments in this report are based on policies contained in the City Council adopted Land Use Plan, Community Growth Vision Statement, *University Area Plan* (neighborhood area plan), Core City Plan, and from previous City Council zoning decisions (both approval and denials). These actions by City Council establish land use policy in guiding future development and zoning actions.

The University's request is consistent with the City's Community Growth Vision Statement that supports the continued growth of the City educational institutions. Furthermore, given that the University acquired the properties within the rezoning site and razed the houses, the City Council has limited alternatives to the proposal.

The *University Area Plan*, adopted in 2009, encouraged the University to establish a more specific timeframe, location and identification of their growth needs. Identifying those needs in advance allows the City time for advance planning for infrastructure (water, sewer, electric, stormwater, transportation) and avoid unnecessary delays in construction. It also allows for the City to establish relevant land use policies for the protection of the surrounding neighborhoods that are not in the path of campus expansion. These actions assist in creating stability in the neighborhoods that surround the University, which is in the interest of both the City and the University.

In regards to the requests, if the City Council determines this is an appropriate expansion of the University campus, then the Land Use Plan Amendment Case 13-01 should be approved. Once that request is approved, then it is reasonable for the City Council to approve the Zoning Case 13-08 with the conditions offered by the applicant.

Required Action

Planning and Zoning Commission:

Upon making its recommendation, 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. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point 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. 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 Andy Piper, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.

UNIVERSITY AREA PLAN

Growth Area Map Exhibit



Phase I



Sub-area



Phase II



Sub-area



Phase III



Sub-area



**PI Zoned Property
Owned HPU**



**Non - PI Zoned Property
Owned HPU**

**Planning & Development
Department**

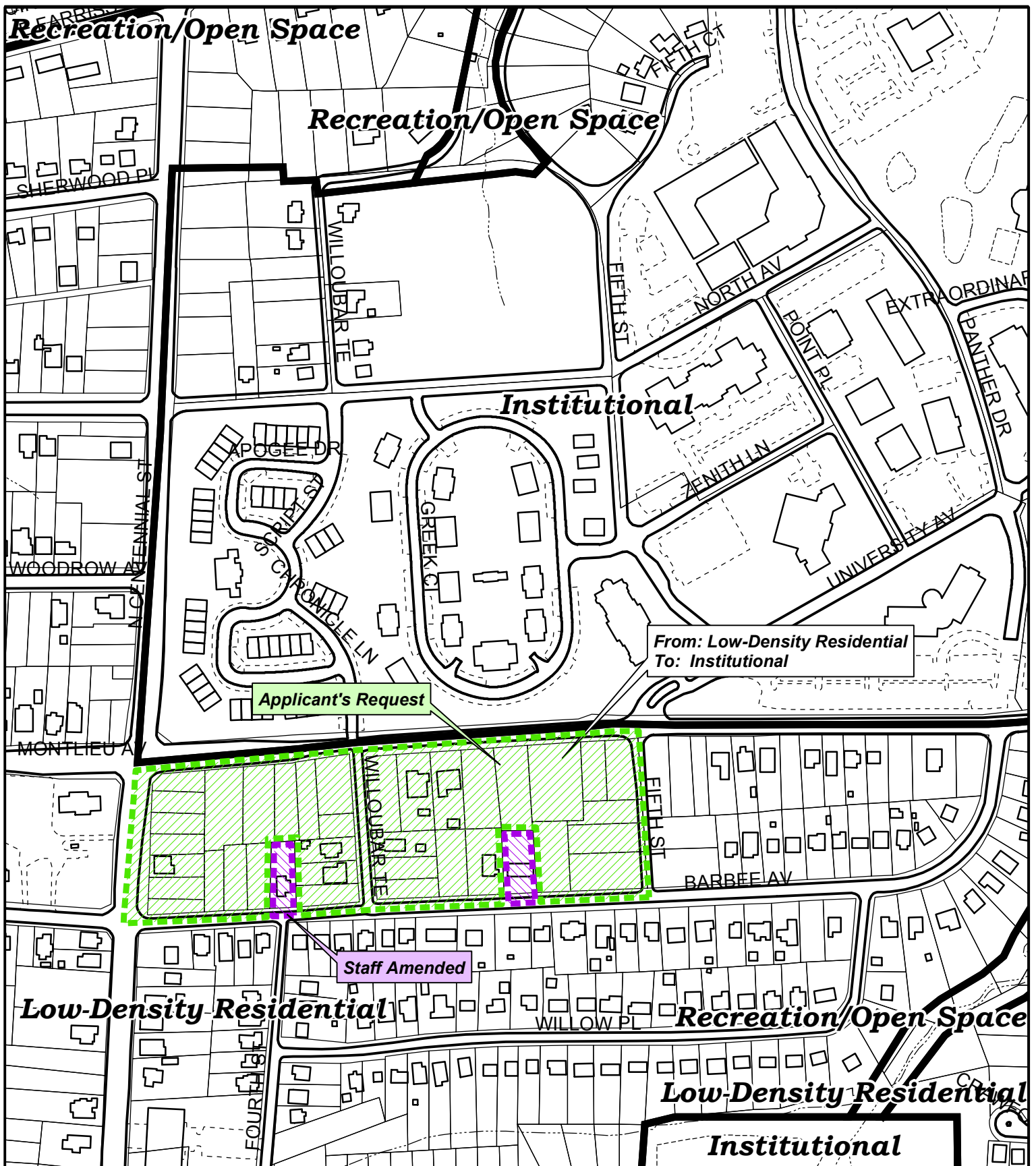
City of High Point

Date: November 12, 2013



Scale: 1'=800'

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UniversityAreaPlan.mxd



LAND USE PLAN AMENDMENT 13-01

**Request: From: Low Density Residential
To: Institutional**

**Existing Land Use Plan
Subject Property Boundary**



**Planning & Development
Department**

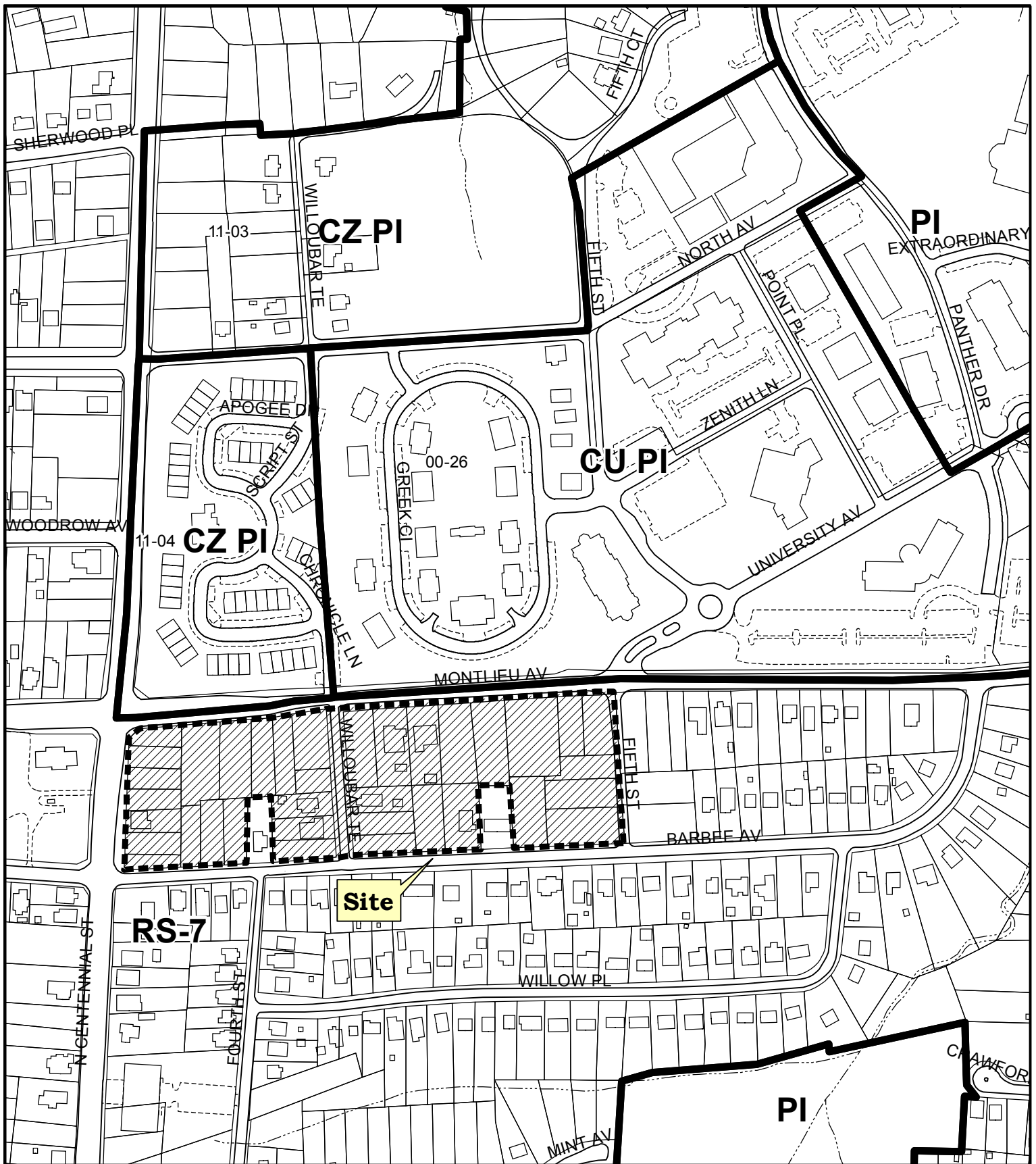
City of High Point

Date: November 13, 2013



Scale: 1"=300'

y:/ba-pz/2013/pz/lupa13-01.mxd



ZONING CASE 13-08

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

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

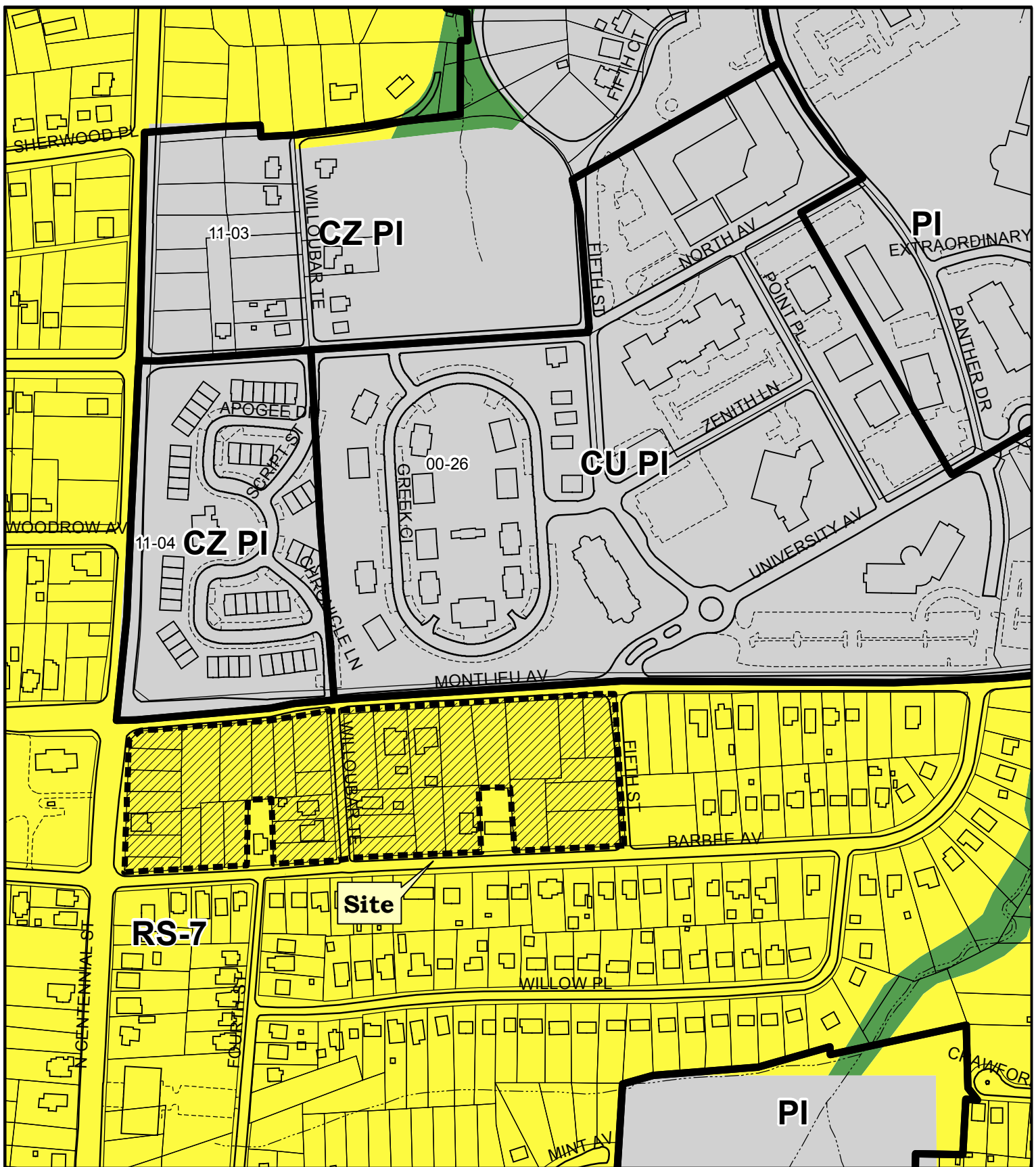
Planning & Development
Department

City of High Point

Date: October 24, 2013



Scale: 1"=300'
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ZONING CASE 13-08

Land Use Plan

- Low-Density Residential
- Institutional
- Recreation/Open Space

Planning & Development
Department

City of High Point

Date: October 29, 2013



Scale: 1"=300'
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ZONING CASE 13-08

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

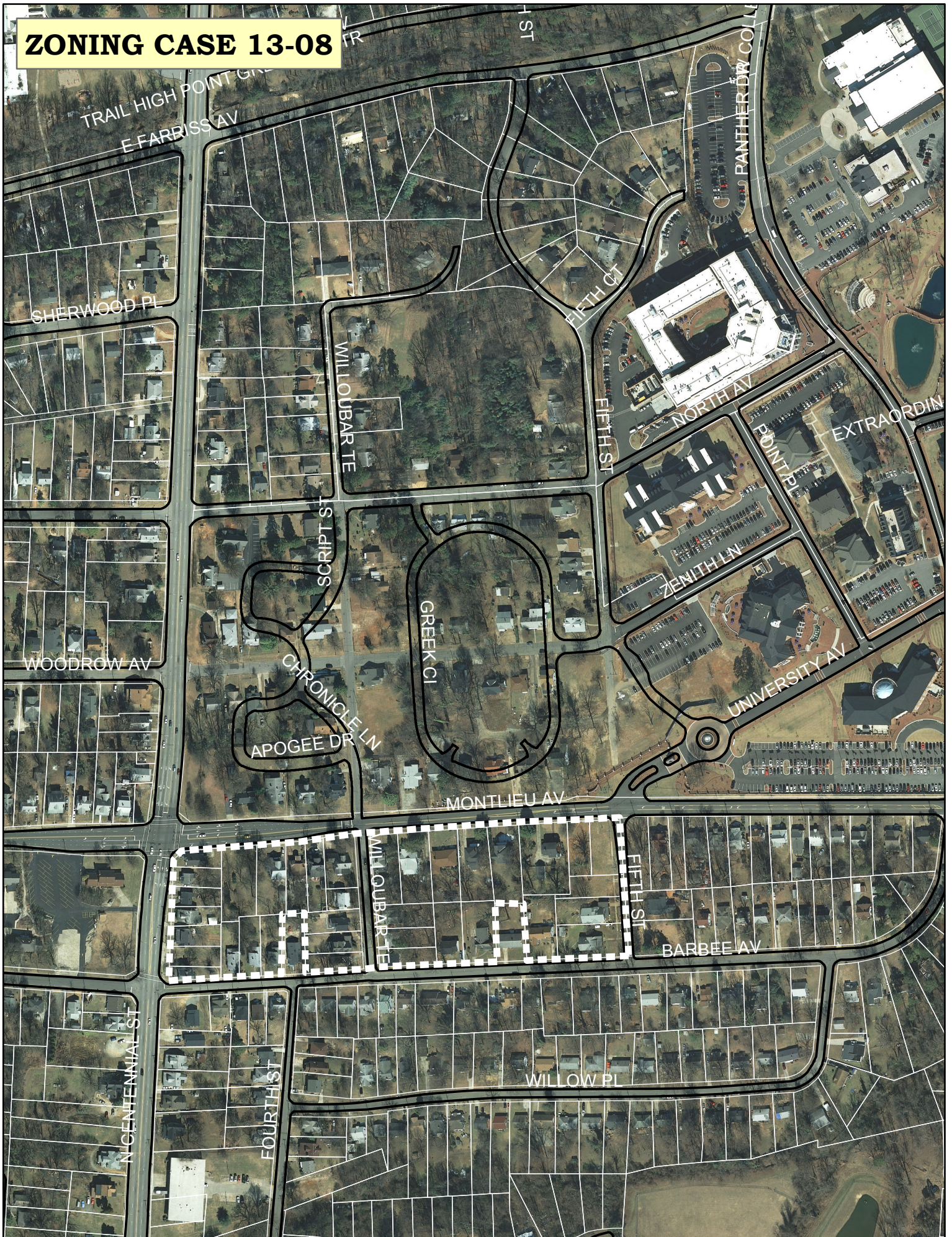
Date: October 29, 2013



Scale: 1"=300'

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ZONING CASE 13-08





October 10, 2013

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: Zoning Case 13-08, High Point University. Property is bounded by Montlieu Ave, N Centennial St, Barbee Ave and Fifth St.

My staff and I have reviewed the rezoning request and have the following comments:

A traffic impact analysis was not required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. In order to mitigate the development's impact on the surrounding roadway network the following improvements will be required:

Right of Way

Dedicate a 30'x30' right of way chord at the intersection of N Centennial St and Montlieu Ave for the installation of a traffic signal mast arm.

Access

No access will be allowed to N. Centennial St and Barbee Ave. Any access to Montlieu Ave will either be provided at the existing Willoubar Terrace or Fifth Street existing access points.

The City of High Point Transportation Director and the North Carolina Department of Transportation shall approve all construction and improvements.

If you have any questions or would like to further discuss this case, please advise.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on November 12, 2013 and before the City Council of the City of High Point on November 18, 2013 regarding Zoning Case 13-08 a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on November 3, 2013, for the Planning and Zoning Commission public hearing and on November 6, 2013 and November 13, 2013, 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 _____.

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 Public & Institutional (CZ-PI) District**. The site consist of approximately 8.3 acres bounded and by Montlieu Avenue, Fifth Street Barbee Avenue and N. Centennial Street (604, 608, 610, 612, 700, 702, 704, 706, 708, 712, 714, & 716 Montlieu Avenue; 601, 603 & 605 Fifth Street; 705, 707, 709, 907, 909 & 913 Barbee Avenue; 600 thru 607 Willoubar Terrace and 60, 602, 604, 608, & 610 N. Centennial Street). The property is also known as Guilford County Tax Parcels 0190022 thru 0190030; 0190032 thru 0190052; 0190054 thru 0190059.

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES:

- A. The zoning site shall be limited to surface off-street parking use only.
- B. The zoning site shall be subject to the development and dimensional requirements of the Public & Institutional (PI) District, and the specific conditions listed in this Conditional Zoning Ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Lot Combination: As requested by the Technical Review Committee, parcels associated with the zoning site shall be combined prior to development or subdivision.
2. Lighting:
 - a. Within fifty (50) feet of the Barbee Avenue right-of-way, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height. All lighting shall be directed inwards towards the interior of the zoning site and include the use of shields to direct lighting and glare away from adjacent residential uses.
 - b. Where the zoning site abuts residentially zoned parcel(s) along the north side of Barbee Avenue, lighting shall be setback a minimum of twenty (20) feet from the abutting residential parcel(s) property line.
3. Landscaping, Buffers, and Screening:
 - a. Landscaping:
 - i. Centennial Street frontage and Montlieu Avenue frontage: A minimum twenty (20) foot wide Street Yard, planted at Type C rate, shall be installed along the N. Centennial Street and Montlieu Avenue frontage of the zoning site.
 - ii. Barbee Avenue frontage: The intent is to provide a low-level screening of off-street parking areas near Barbee Avenue through the use of an assortment of understory trees, canopy trees, shrubs, berms and other topography treatments.
 - a) Along the Barbee Avenue frontage 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 along the Barbee Avenue frontage 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 Barbee Avenue right-of way, landscaping shall be arranged in such a manner as provide low-level screening from vehicle headlights that my face towards Barbee Avenue.

b. Fencing:

- i. If fencing is installed along the Barbee Avenue frontage of the zoning site, said fencing shall be located behind the Barbee Avenue street planting yard.
- ii. Where the zoning site abuts residentially zoned parcel(s) along the north side of Barbee Avenue, an opaque fence shall be installed, in the required planting yard, around the residential parcel.

B. Transportation Conditions.

1. Right-of-way dedication: The property owner shall dedicate a thirty (30) foot by thirty (30) foot right of way chord at the intersection of N Centennial Street and Montlieu Avenue for the installation of a traffic signal mast arm.
2. Vehicular Access:
 - a. No access will be allowed to N. Centennial Street.
 - b. No access will be allowed to Barbee Avenue.
 - c. Any access to Montlieu Avenue will either be provided at the existing Willoubar Terrace or Fifth Street (private drive) existing access points.
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 now 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.

2013.

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report

Zoning Case 13-08

Submitted by: Ron Guerra on behalf of
High Point University



October 23, 2013

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

From: Ron Guerra, MBA
Director of Construction and Renovation

Re: Zoning Case CZ-13-08
Community Meeting Report, October 17, 2013, 7:00 P.M.

High Point University conducted a Citizens' Information Meeting in support of Zoning Case CZ-13-08. The meeting was held at High Point University in Norton Hall Room 202. Letters of invitation were mailed to 79 residents on October 8, 2013 (letter is attached). The application is for Rezoning Case CZ-13-08, which includes the rezoning of 36 parcels fronting Montlieu Avenue, Centennial Street, Barbee Avenue, Fifth Street, and Willoubar Terrace from RS7 to CZ PI. Mr. Ron Guerra, Director of Construction, Renovation and Campus Development, Mr. Jason Sweet, Assistant Director of Construction and Renovation, and Mr. Ravindra Bissram, of Jamestown Engineering Group, Inc., represented the University.

Mr. Guerra reviewed maps illustrating the properties included in the Rezoning. Potential uses for the property within the rezoning area were discussed. Mr. Guerra also explained that alternatives for the site's development are currently being assessed by the University, so final plans are not available at this time.

It was a very positive meeting with specific discussion focused on the following:

- The more immediate use for the properties as surface parking. In the future, use may entail dormitories, but probably not classrooms.
- The effect of site development on storm water flows, which will be required to meet the applicable storm water requirements of the City's Development Ordinance.
- Zoning conditions applicable to site lighting and increased planting buffers along public streets. Discussions of the "Signature Wall" that is installed around the university properties.
- Property owners questioned if Barbee Avenue was to be closed, and were assured that Barbee Avenue would remain open as a public street.
- Overhead utilities are being installed underground in the area.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Ron Guerra', written over the printed name 'HIGH POINT UNIVERSITY'.

Ron Guerra
Director of Construction, Renovation and Campus Development



October 8, 2013

Ladies and Gentlemen:

**Subject: Citizen Information Meeting, Thursday, October 17, 2013,
Centennial Street/Barbee Avenue/
Fifth Street(private)/Montlieu Avenue**

A Citizen Information Meeting will be held on Thursday, October 17, 2013, at 7:00 p.m. in Norton Hall, Room 202, (corner of University Avenue and Panther Drive) for the purpose of allowing us to inform you about our development plan and zoning proposal.

High Point University has filed an application with the City of High Point for the rezoning and land use plan map amendment (from RS 7 to CZ PI) of two blocks bordered by Centennial Street, Barbee Avenue, Fifth Street (private), and Montlieu Avenue. The zoning change requested is from RS 7 to CZ PI. The property consists of approximately 36 lots and approximately 8.0 acres. A Street Closing Petition for Willoubar Terrace between Barbee Avenue and Montlieu Avenue has also been filed by the University.

We have enclosed for your review a Conditional Use District Zoning Citizen Information Meeting Statement made available by the City of High Point, which may help clarify the rezoning process and requirements.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal is scheduled to take place at City Hall on November 12, 2013, at 6:00 p.m.

Questions, comments, or concerns should be directed to Ron Guerra, Director of Construction and Renovation at 336-841-9363.

We look forward to answering your questions and receiving your input.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'R Guerra'.

Ron Guerra, Director of Construction and Renovation
High Point University

HIGH POINT UNIVERSITY
833 MONTLIEU AVENUE, HIGH POINT, NORTH CAROLINA 27262 (336) 841-9000
WWW.HIGHPOINT.EDU

Sign-In Sheet

Citizens Information Meeting
Thursday, October 17, 2013
High Point University
RS-7 to CZ-PI

Rezoning Case No. 13-08
Rezoning Location: Montlieu Avenue/Centennial Street/Barbee Avenue/
Fifth Street/Willoubar Terrace

<u>Name</u>	<u>Address</u>	<u>Phone No./E-Mail Address</u>
Nai Tina Tottolengandy	3006 Liberty Rd 27408	336 255 6381 / farmaceynat@yahoo.ca
DEBRA LEONARD-ROGERS	922 Barbee Ave. 313 MONTLIEU AVE.	336-884-8049 - missutreg8@northstate.net
Mr & Mrs. Clarence Nelson	1004 Barbee Ave.	(336) 885 6542
Roy H Smith	610 Barbee Ave	886-5950
Debra Smith	610 Barbee Ave	886-5950
Rebecca Jones	730 Montlieu Ave	336 887 8708
Satira R. Russell	835 Welton Place	336-885-8383 satirarussell@yahoo.com
Edlin Lozynski		
Patricia Baker	414 Fourth St	336 772-4793
Nina Nicholson	501 Fourth St.	336-841-0424
Mary Ellen Dorey	1005 Barbee Ave.	336-883-4762

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS, HIGH POINT MUNICIPAL BUILDING
NOVEMBER 4, 2013 – 4:45 P.M.**

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Upon call of the roll, the following Council Members were present. Mayor Pro Tem Moore offered the invocation; the Pledge of Allegiance followed.

Mayor Bernita Sims, Mayor Pro Tem Britt Moore (At-Large), Council Member Rebecca Smothers (At-Large), Council Member Jeffrey Golden (Ward 1), Council Member Foster Douglas (Ward 2), Council Member Judy Mendenhall (Ward 3), Council Member Jay Wagner (Ward 4), Council Member James Davis (Ward 5), and Council Member Jason Ewing (Ward 6)

REGULAR MEETING ITEMS

FINANCE COMMITTEE - *Mayor Pro Tem Moore, Chair*
Committee Members: Wagner, Davis and Sims
(all were present)

130276 Budget Ordinance Amendment - Washington Street Park

Adoption of a budget ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$31,000.00 from Hayden Harman Foundation for the new Washington Street Park.

Attachments: [Budget Ordinance Amendment - Hayden-Harman Foundation](#)

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Adopted Ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of \$31,000.00 from the Hayden Harman Foundation for the new Washington Street Park.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Budget Ordinance Amendment be adopted. The motion PASSED by a 9-0 unanimous vote.

**Ordinance No. 7013/13-44
Introduced 11/4/2013; Adopted 11/4/2013
Ordinance Book, Volume XVIII, Page 44**

130291 Contract - Bid No. 26 - Wire

Approval of contract awarding Bid No. 26 for the purchase of underground cable. Purchasing and the Electric Department recommends that contract be awarded to Stuart C. Irby Company in the amount of \$352,980.00 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: [Bid No. 26 Wire for Electric Department](#)

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Stuart C. Irby Company in the amount of \$352,980.00 which is the lowest responsible and responsive bidder meeting specifications.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

130292 Contract - Bid No. 23 - Metal Clad Switchgear

Approval of contract awarding Bid No. 23 for the purchase of two (2) metal clad switchgear lineups. Purchasing and the Electric Department recommends that contract be awarded to Schneider Electric USA in the amount of \$697,891.00 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: [Bid No. 23 - Metal Clad Switchgear](#)

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Schneider Electric USA in the amount of \$697,891.00 which is the lowest responsible and responsive bidder meeting specifications.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

130293 Contracts - Network Infrastructure Upgrade

Approval of contracts for necessary network infrastructure upgrades for the Information and Technology Services Department. Purchasing and the IT Department recommends that contracts be awarded to Slait Consulting in the amount of \$230,356.62 and NWN Corporation in the amount of \$82,737.66 for a total contract amount of \$313,094.28.

Attachments: [Network Infrastructure Upgrade](#)

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Slait Consulting in the amount of \$230,356.62 and NWN Corporation in the amount of \$82,737.66 for a total contract amount of \$313,094.28.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

130294 Contract - Davis Martin Powell - Water & Sewer System Design - I-74 Corporate Park

Council is requested to approve a contract with Davis Martin Powell in the amount of \$285,000.00 for engineering services related to the design of the water and sewer system to serve the I-74 Corporate Park.

Attachments: [Contract - DMP - Water and Sewer System Design - I-74 Corporate Park](#)

Mayor Pro Tem Moore moved to recused Council Members Davis and Ewing from voting on this matter due to a conflict of interest. Council Member Mendenhall made a second to the motion which carried unanimously.

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Approved contract with Davis Martin Powell in the amount of \$285,000.00 for engineering services related to the design of the water and sewer system to serve the I-74 Corporate Park.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Smothers, that this Contract be approved. The motion carried by the following 6-1vote:

Aye(6): Mayor Sims, Mayor Pro Tem Moore, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Wagner
Nay(1): Council Member Douglas
Recused(2): Council Member Davis, and Council Member Ewing

130295 Resolution - General Obligation Refunding Bonds

City Council requested to adopt resolution authorizing the issuance and sale of general obligation refunding bonds not to exceed \$15,000,000 and authorize the Mayor, City Manager, City Clerk and the Financial Services Director to execute necessary agreements and documents connected thereto.

Attachments: [Resolution - Sale of GO Refunding Bonds](#)
 [Bond Resolution Signed Copy](#)

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Adopted Resolution authorizing the issuance and sale of general obligation refunding bonds not to exceed \$15,000,000 and authorized the Mayor, City Manager, City Clerk and the Financial Services Director to execute necessary agreements and documents connected thereto.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Resolution be adopted. The motion PASSED by a 9-0 unanimous vote.

**Resolution No. 1347/13-70
Introduced 11/4/2013; Adopted 11/4/2013
Resolution Book, Volume XVIII, Page 70**

130296 Commitment Letter - Unity Builders - Meredith Street Apartments

Council is requested to authorize the City Manager to execute a loan agreement with Unity Builders for the acquisition and rehabilitation of the Meredith Street Apartments.

Attachments: [Commitment Letter - Unity Builders - Meredith Street Apts](#)

This matter was discussed during a Finance Committee meeting held at 4:00 p.m. prior to this meeting. The Committee recommended approval.

Approved the loan agreement with Unity Builders for the acquisition and rehabilitation of the Meredith Street Apartments and authorized the City Manager to execute same.

A motion was made by Mayor Pro Tem Moore, seconded by Council Member Wagner, that this Loan Agreement with Unity Builders be approved. The motion PASSED by a 9-0 unanimous vote.

Pending Items**130230 Review of Health Insurance Coverage for City Council Members**

At the request of Council Member Mendenhall, Council is being asked to review the current council-established policy regarding health insurance coverage and costs associated with the same.

Note: This matter was initially placed on the City Council's Agenda and heard on August 19, 2013. At that time, this matter was referred back to the Finance Committee for further discussion.

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Council Member Douglas, Chair
Committee Members Mendenhall, Ewing and Golden
(all were present)

130297 Ordinance - Demolition of Dwelling - 809 E. Farriss Avenue

Adoption of an ordinance ordering the Inspector to effectuate the demolition of a dwelling located at 809 E. Farriss Avenue belonging to Jesse David and Heather Spradley.

Attachments: [Ordinance to Demolish - 809 E. Farriss Avenue](#)

Chairman Douglas asked staff to comment on this property.

Katherine Bossi, Local Codes Enforcement Supervisor, gave a brief summary of the staff report which is hereby incorporated in Legistar as a permanent part of these proceedings. Staff made the first inspection on April 12th in response to a complaint from the neighborhood. Ms. Bossi reviewed the major violations and noted the biggest issue with this property is at the rear portion of the house because the roof is collapsing with the floor system underneath that. The hearing was held on May 7th, but the owner did not appear. Ms. Bossi noted that the house has been vandalized of all of its plumbing, electrical and mechanical systems which have rendered the house inhabitable. Staff is requesting the

Ordinance to demolish due to the repairs exceeding 50% of the tax value of the structure itself and staff did issue the order to repair or demolish with a compliance date of August 7th. There have been no permits obtained and no repairs made to the property.

Mayor Pro Tem Moore asked if there has been any contact with the property owners. Ms. Bossi explained that the property was starting the process of a foreclosure and staff did a title search, notified the owners of record as well as the beneficiaries, trustees, registered agents, and that is when they discovered that the foreclosure was scheduled to take place on November 8th, but the case has been closed and the matter has been ordered, adjudged and decreed that the filing be declared inactive and closed without prejudice to either party. As a result, the property now goes back to the owner of record with a judgment.

Chairman Douglas asked if the property owners were present. Since the property owners were not present, he proceeded with the motion.

Adopted Ordinance ordering the Inspector to effectuate the demolition of a dwelling located at 809 E. Farriss Avenue

A motion was made by Council Member Douglas, seconded by Council Member Mendenhall, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

**Ordinance No. 7013/13-45
Introduced 11/4/2013; Adopted 11/4/2013
Ordinance Book, Volume XVIII, Page 45**

BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

130299 Appointment - Boards & Commissions - Parks & Recreation Commission

Council Member Douglas is recommending the appointment of Darrell McLean to the Parks and Recreation Commission as the Ward 2 representative. Appointment will be effective immediately and will expire July 1, 2016.

Attachments: [MCLEAN Darrell 2013](#)

Approved the appointment of Darrell McLean to the Parks and Recreation Commission as the Ward 2 representative.

A motion was made by Council Member Douglas, seconded by Council Member Golden, that this Appointment be approved. The motion PASSED by a 9-0 unanimous vote.

130300 Appointment- Boards & Commissions- Historic Preservation Commission

Council Member Judith Mendenhall is recommending the appointment of William Hollis Anderson to fill the unexpired term of Shane Brown, who has resigned. Mr. Anderson resides in the Sherrod Park Historic District. Appointment to be effective immediately and will expire July 1, 2014.

Attachments: [ANDERSON William Hollis 2013](#)

Approved the appointment of William Hollis Anderson to the Historic Preservation Commission.

A motion was made by Council Member Mendenhall, seconded by Council Member Smothers, that this Appointment be approved. The motion PASSED by a 9-0 unanimous vote.

130301 Reappointment- Boards & Commissions- Historic Preservation Commission

Mayor Sims is recommending the reappointment of Glenn Chavis as the Mayor's At-Large representative on the Historic Preservation Commission. Reappointment to be effective immediately and will expire on July 1, 2016.

Approved the reappointment of Glenn Chavis to the Historic Preservation Commission.

A motion was made by Mayor Sims, seconded by Council Member Mendenhall, that this Reappointment be approved. The motion PASSED by a 9-0 unanimous vote.

130302 Boards and Commissions - Vacancy Report

Attached is the current list of vacancies for all Boards and Commissions.

Attachments: [Vacancy Report](#)

This information is attached for informational purposes only. No action is required on this item.

PUBLIC COMMENT PERIOD - 5:15 P.M.

Note: For specific detailed comments made by the following residents, please refer to the transcript for the Public Comment Period which is hereby attached and incorporated in **Exhibit Book, Volume XI, Page 1.**

The following residents spoke during the Public Comment Period:

Dorothy Darr (*gave a brief presentation on the Southwest Renewal Foundation and asked for 2/3 bond funding for a High Point Core City Greenway*)

Handout: **Exhibit Book, Volume XI, Page 2.**

Dan Reynolds (*addressed concerns regarding the condition of a structure located at Woodbury/Furlough Street*)

Handout: **Exhibit Book, Volume XI, Page 3.**

Cynthia Davis (*addressed concerns regarding how recent public records/information requests were handled and emails/dialogue between council members and some things that*

should not have been said about her). She accused Council Members Mendenhall and Ewing for violating the City's Code of Ethics Policy and felt they should be ashamed because they held the Code of Ethics over Mayor Sims and Council Member Douglas and demanded their resignations. She also faulted other Council Members who sat idly by and did not respond to the emails/dialogue going back and forth because they could have spoken up and said that as a citizen, she does have the right to the information she is requesting. She suggested that maybe there might be others who also need to consider stepping down.

Dollie Hayden (concerns about the lack of sidewalks on Manor, Cedrow and Scientific; questioned why front doors were locked when she recently tried to attend a meeting; and asked Council to consider changing Council meeting times to enable more citizens to attend).

Martin Harper, Sr. (complimented Council Members Moore and Golden for stepping up to the challenge he gave when speaking before Council recently to do things to bring the community together and invited Council to a community picnic sponsored by One Hundred Men Praying at Macedonia Park from 10:00 a.m. to 2:00 p.m. to come out and meet some of the citizens)

130298 APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

Approval of the following Minutes

- Finance Committee meeting held Monday, October 21st @ 3:00 p.m.
- High Point City Council Regular meeting held October 21st @ 4:45/5:30 p.m.
- Comprehensive Planning Committee meeting held Tuesday, October 22nd @ 4:00 p.m.
- City Manager's Briefing held Monday, October 28th @ 4:00 p.m.

A motion was made by Council Member Mendenhall, seconded by Council Member Douglas, that the preceding minutes be approved with a correction to the October 21, 2013 Finance Committee Minutes reflecting the absence of Council Member Ewing. The motion PASSED by a 9-0 unanimous vote.

ADJOURNMENT

There being no further business to come before Council the meeting adjourned at 5:36 p.m. upon motion duly made by Council Member Smothers and seconded by Council Member Ewing.

Respectfully Submitted,

Bernita Sims, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

TERM EXPIRATIONS 2013

CITY OF HIGH POINT					
BOARDS & COMMISSIONS					
TERM EXPIRATIONS FOR 2013					
BOARD	MEMBER	Ward	EXPIRATION	Eligible for reappt.	Appointment Responsibility
ABC Board	David Wall		11/15/2013	no	Mayor w/CC approval
Board of Adjustment	VACANT (Alternate)		7/1/2013	yes	Mayor w/CC approval
Board of Adjustment	Harry Rowsey, Jr.				Mayor w/CC approval
Guilford County/City Ins. Adv. Comm.	Skip Queen		12/21/2013	yes	Mayor w/CC approval
Historic Preservation Commission	Steven Dudash		7/1/2013	yes	6/EWING
Housing Authority Board	Ed Squires		12/22/2013	yes	Mayor w/CC approval
Human Relations Commission	Milagros Amaro	At-Large Member	5/1/2012	no	Council- Golden (Liaison)
Library Board of Trustees	Forrest Littleton	2	10/31/2013	yes	2/DOUGLAS
Library Board of Trustees	Bruce Laney	AL	10/31/2013	no	AL/MOORE
Piedmont Triad Water Authority	John Bencini		9/30/2013	yes	Mayor w/CC approval
Piedmont Triad Water Authority	John W. Thomas, III		9/30/2013	yes	Mayor w/CC approval
Theatre Advisory Board	VACANT		6/1/2015		Liaison: MOORE (not ward specific)
Theatre Advisory Board	VACANT		6/1/2013		Liaison: MOORE (not ward specific)
Theatre Advisory Board	VACANT		6/1/2014		Liaison: MOORE (not ward specific)

PLANNING AND ZONING COMMISSION RECOMMENDATION

On November 12, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd, Mr. Andrew Putnam and Mr. Ed Spivey.

High Point University

Street Abandonment Case 13-21

A request by High Point University to abandon that portion of W. College Drive, an improved right-of-way, lying between W. Lexington Avenue and Panther Drive (private street).

Mr. Herbert Shannon presented Street Closing Case 13-21. He noted that if it is determined that reasonable means of access is provided, the Planning and Development Department recommends approval of this request.

Speaking on behalf of the request was the applicant's representative, Mr. Ron Guerra, Director of Construction, High Point University.

Speaking in opposition to this request were Mr. Clayton Mays, 1001 W. College Drive, Ms. Martha Ward, 1001 W. College Drive and Ms. Adrienne Middlebrooks, 803 E. Farriss Avenue. These speakers noted the following concerns:

- Mr. Mays and Ms. Ward noted flooding from adjacent streams blocking access to their property from E. Farriss Avenue and W. College Drive during heavy storm events. They recommend the street not be abandoned until flooding problems in this area were addressed. They also do not want their address changed and do not want to relocate their mailbox.
- Several commitments have been made to neighboring property owners by the current University administration pertaining to this abandonment request. There can be no guarantee that these commitments will be honored by a future University administration.
- There are still outstanding issues and the speakers believe the request is premature.
- If approved, the City cannot prevent access restrictions at the intersection of W. Lexington Avenue and W. College Drive. This may force more traffic on to E. Farriss Avenue, which will negatively impact residential property owners along this street.

The Planning & Zoning Commission recommended approval of Street Abandonment Case 13-21 by a vote of 4-2. Members Davis and Lomax voted in opposition to the request. Ms. Davis noted that at this time she could not support the request based on concerns presented by speakers that there is limited access to the property at 1001 W. College from flooding during heavy storm events.

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

**STAFF REPORT
STREET ABANDONMENT CASE 13-21
November 12, 2013**

Request	
Applicant: High Point University	Proposal: A request by High Point University to abandon that portion of W. College Drive, an improved right-of-way, lying between W. Lexington Avenue and Panther Drive (private street).

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
W. Lexington Avenue	Major Thoroughfare	69-foot wide right-of-way; 42-foot (+/-) paving with curb and gutter
W. Farriss Avenue (northern section)	Local Street	34-foot wide right-of-way; 31-foot (+/-) paving with curb and gutter
W. Farriss Avenue (southern section)	Local Street	34-foot wide right-of-way; 31-foot (+/-) paving with curb and gutter
Panther Drive	Private Street	35-foot wide private drive

Adjacent Property Zoning and Current Land Use			
North:	SC	Shopping Center District	Commercial/retail uses (across W. Lexington Avenue)
South:	CZ-PI PI	Conditional Zoning Public & Institutional Public & Institutional District	High Point University Campus (Panther Drive)
East:	PI	Public & Institutional District	High Point University Campus
West:	RS-7	Residential Single Family-7 District	Single family residential dwellings and undeveloped parcels

Analysis

High Point University has submitted a request to abandon that portion of W. College Drive, lying south of W. Lexington Avenue. The street right-of-way (ROW) width varies between 40 to 60 feet and has an approximate length of 3,100 feet (0.6 mile), totaling approximately 155,000 square feet (3.5± acres). This ROW was platted in 1927, as a part of a subdivision entitled “Revised Recorded Map of College Development and Improvement Company - High Point N.C.”. The plat for where E. Farriss Avenue intersects with W. College Drive was recorded in 1939 as a part of a Subdivision map entitled “Plat No. 2 Sherwood Park property of O.A. Kirkman - High Point N.C. W. College Drive currently provides direct access to individual lots and serves as a means of access for property owners along this street and for neighboring residences to the west.

High Point University owns most of the property along both sides of this street; however, there are parcels along the west side of W. College Drive that are not currently owned by the University. The City of High Point owns the property at 1037 W. College Drive and maintains the public park along with the greenway on property between the northern and southern

segments of E. Farriss Avenue. Other property owners are Ms. Beatrice Lowe McClain (1003 W. College Drive) and Mr. Clayton Mays Jr, (1001 W. College Drive). The City of High Point and Ms. McClain have signed as co-applicant of this Street Abandonment request. However, Mr. Mays has not signed as a co-applicant and is not supporting this street abandonment request.

According to North Carolina law, when a municipality abandons a public right-of-way, the property contained within that public right-of-way reverts equally to the abutting property owners. Therefore, the City of High Point, Ms. McClain and Mr. May will obtain half of the ROW for their abutting properties. The University has a contract to purchase the McClain property, and may request ownership or access rights to the portion of the roadway the City will obtain. The University must negotiate with Mr. Mays to obtain his half of the ROW, or face the prospect of not being able to utilize the full street width in that portion of the ROW, thus preventing the University from having rights to the entire roadway.

The Technical Review Committee (TRC) reviewed this request on October 9, 2013. The Committee stated the applicant needed to address and resolve the following issues prior to abandonment of the W. College Drive right-of-way:

1. Retention of easements:

- There are various utilities lines (water, sewer, stormwater, electrical etc.) along the full length of this roadway. A utility easement must be retained over the full length and width of this ROW. Additionally, the applicant needs to document how free and clear access will be provided to all fire hydrants along W College Drive for fire protection for all abutting property owners.
- The Greenway trail crosses W. College Drive. If abandoned a minimum 20-foot wide greenway easement must be retained to maintain public access greenway trail.

2. Vehicular access:

- This request affects property owners along W. College Drive and E. Farriss Avenue. NCGS 160A-299 states no property owner shall be deprived reasonable means of ingress and egress to their property. Reasonable access includes access to all governmental and private services such as solid waste service, emergency response vehicles, school bus pick-up, postal service, and parcel delivery (i.e. FedEx or other similar private delivery services). It is unclear how current levels of public services will continue to be provided to property owners along W. College Drive and E. Farriss Avenue. Additionally, an approved access plan needs to be provided to all remaining private dwellings and properties for all emergency services (Police, Fire, EMS, etc.).
- The City's new garbage and recycling trucks use mechanical arms to pick up items along the right side of the truck. The abandonment of W. College Drive will alter current circulation patterns used by these vehicles to provide solid waste services to 1001 W. College Drive and properties along both segment of E. Farriss Avenue.
- Mail delivery is currently provided to 1001 W. College Drive from W. College Drive; street abandonment will require the relocation of the mailbox and readdressing of this property to an E. Farriss Avenue address.
- The request will also turn E. Farriss Avenue (both northern and southern segment) into two separate dead-end streets. Public turnarounds are needed at the terminus of both

segments of these streets. No documentation has been provided as to where such turnarounds will be provided.

3. University Area Plan:

The roadway is within the scope of the *University Area Plan*, adopted by City Council in 2009 and the abandonment of the portion of W. College Drive connecting the two separate segments of E. Farriss Avenue is not supported by that plan.

4. Environmental Issues

The dwelling at 1001 W. College Drive has driveway access to both W. College Drive and E. Farriss Avenue; however, the southern portion of the property is within the 100-year floodplain and the abutting segment of E. Farriss Avenue is within the floodway. Both the property and this street have experienced flooding during past rain events.

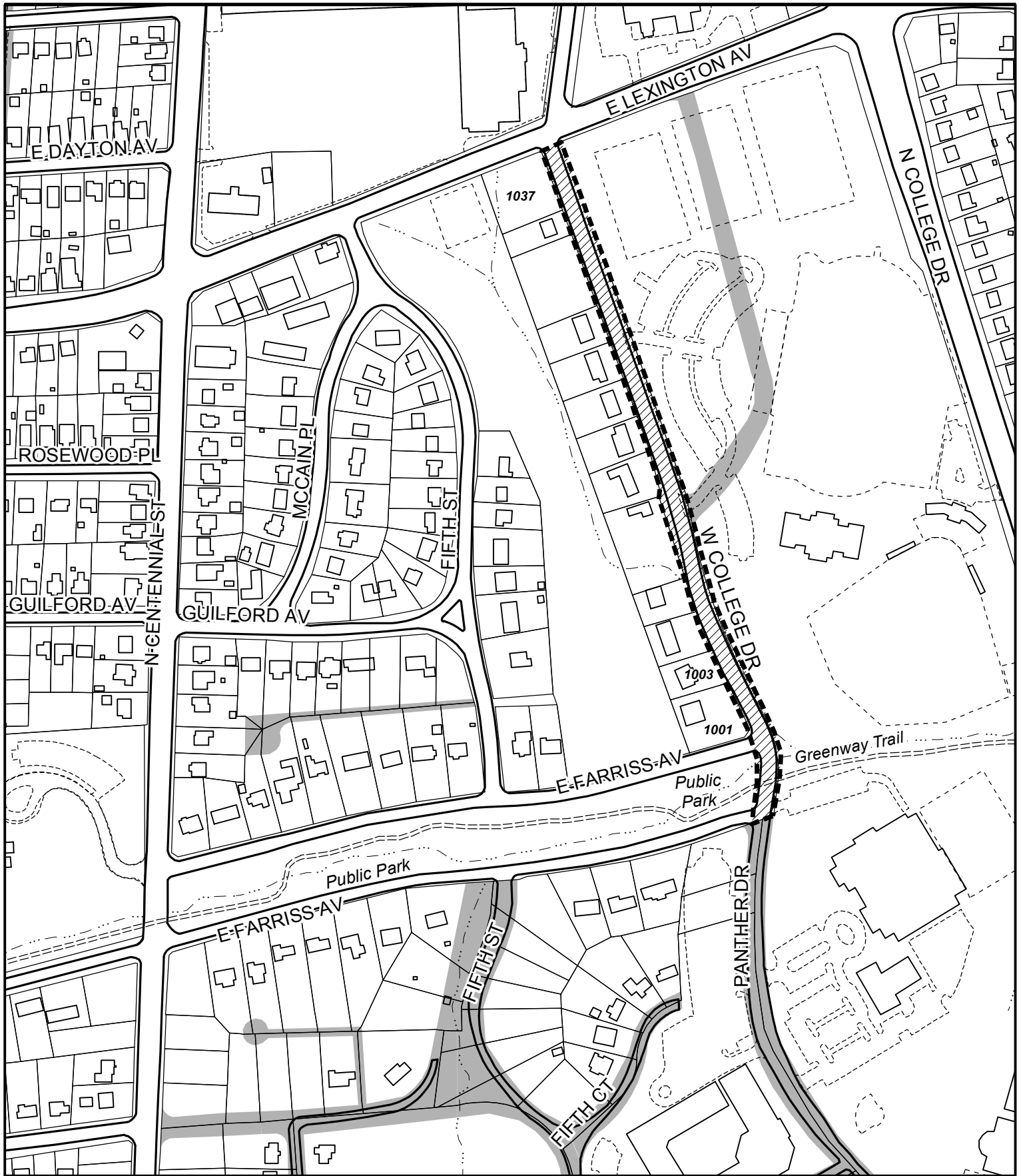
Findings & Recommendation

The TRC's comments were provided to the applicant on October 11, 2013. As of the date of this report, the TRC has not received any information as to how the identified issues will be addressed. State law does not allow approval of a street abandonment contingent upon future action. It only allows the municipality to retain easements. Therefore, any issues not resolved prior to the City Council approval cannot be enforced solely on a contingency or conditional basis.

Once these TRC issues are fully addressed City Council determines reasonable means of access is provided, then the Planning and Development Department recommends approval of this request with the retention of a utility easement over the entire width and length for all existing utilities lines (water, sewer, electrical, gas, etc.) and retention of a minimum 20-foot wide Greenway easement over the existing Greenway trail.

Report Preparation

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



STREET ABANDONMENT SA13-21

Applicant: High Point University
Area: 2.108 acres

-  Location of requested street abandonment
-  Previously abandoned right-of-ways

**Planning & Development
 Department**

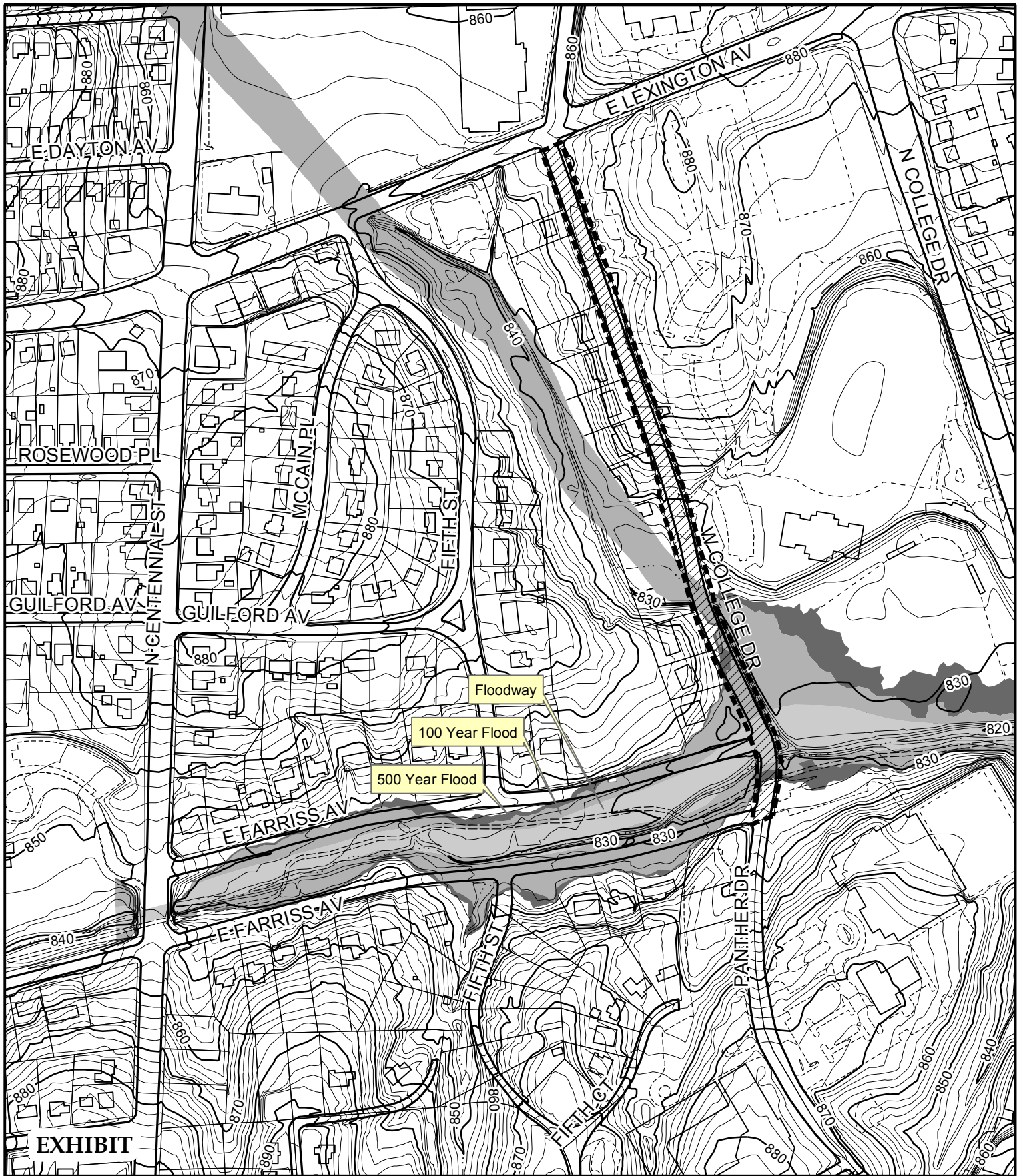
City of High Point

Date: September 30, 2013



Scale: 1"=300'

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EXHIBIT

STREET ABANDONMENT SA13-21

Applicant: High Point University
Area: 2.108 acres



Location of requested street abandonment



Previously abandoned right-of-ways

**Planning & Development
Department**

City of High Point

Date: November 4, 2013



Scale: 1"=300'

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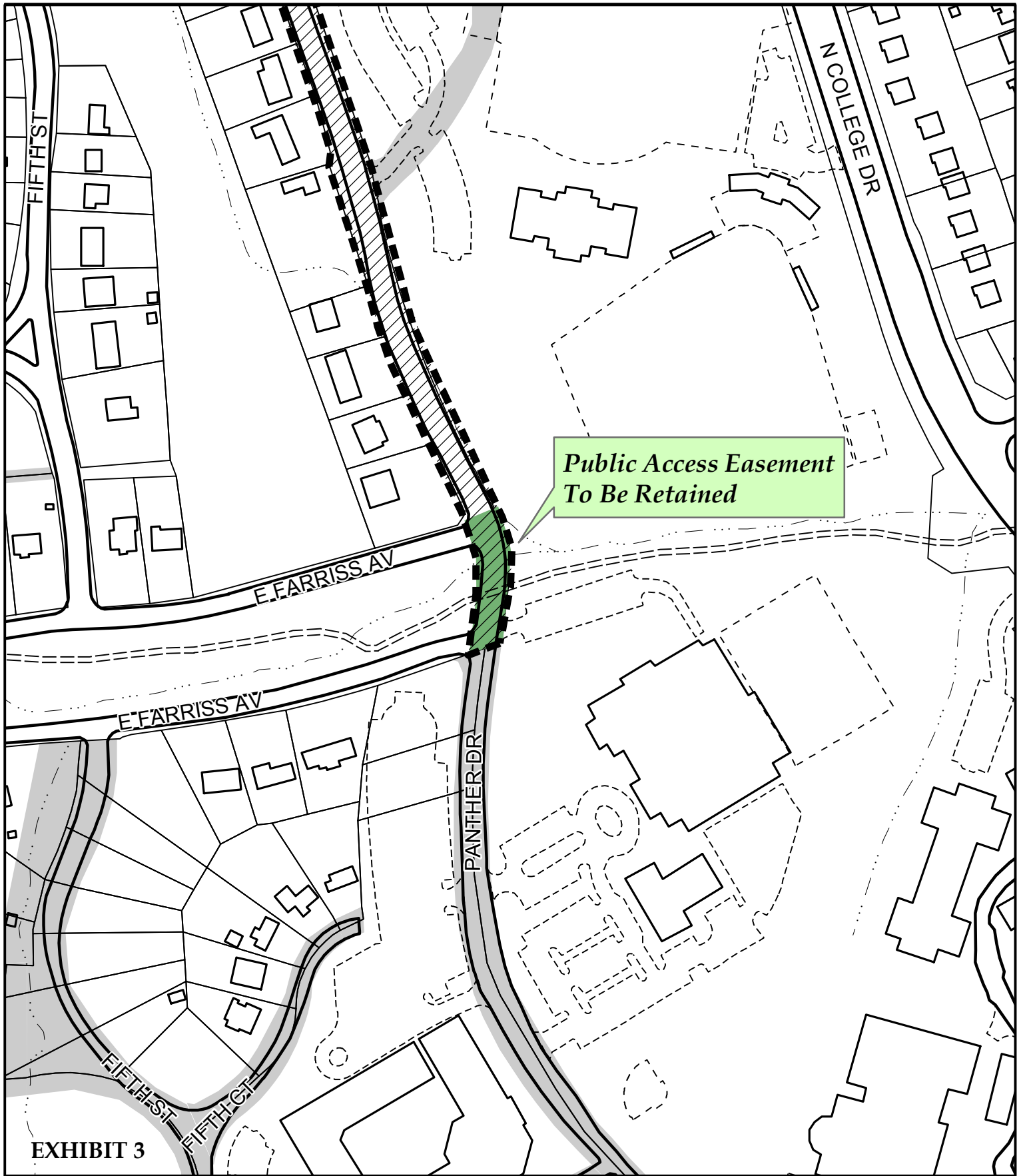


EXHIBIT 3

STREET ABANDONMENT SA13-21

Applicant: High Point University
Area: 2.108 acres



Location of requested street abandonment



Previously abandoned right-of-ways

**Planning & Development
Department**

City of High Point

Date: November 12, 2013



Scale: 1"=200'

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sa13-21exh3.mxd

Attachments: Photographs (November 2013) and Aerial (February, 2010)
Looking north of the intersection of W. College Drive and E. Farriss Avenue.



Looking south from mid-point of W. College Drive.



Looking south of the intersection of W. College Drive and W. Lexington Avenue.



Looking north from mid-point of W. College Drive.



1001 W. College as viewed from W. College Drive



1001 W. College as viewed from the intersection of W. College Drive and E. Farriss Avenue



1001 W. College as viewed from E. Farriss Avenue



STREET ABANDONMENT REQUEST SA13-21



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

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 18th DAY OF NOVEMBER, 2013 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, High Point University has petitioned the City Council of the City of High Point to permanently abandon (close) that portion of W. College Drive, an improved right-of-way, lying between W. Lexington Avenue and Panther Drive (private street).

Street Abandonment Case 13-21

Abandonment of all of the W. College Drive right-of-way lying between Panther Drive (private street) and W. Lexington Avenue. The area is more specifically described as follows: As depicted on map entitled "Revised Recorded Map of College Development and Improvement Company - High Point N.C." as recorded in Plat Book 7 at Page 159 in the Office of Register of Deeds for Guilford County, North Carolina and on map entitled "Plat No. 2 Sherwood Park property of O.A. Kirkman - High Point N.C. W. College as recorded in Plat Book 11 at Page 67 in the Office of Register of Deeds for Guilford County, North Carolina. Beginning at the northern limits of Panther Drive (formerly known as W. College Drive) as recorded in Book 6965 and Pages 929 – 932 (abandonment of southern portion of W. College Drive). This line shall represent the southern limits of the abandonment of W. College Drive. All of the W. College Drive right-of-way from this line north to the southern right-of-way line of W. Lexington Avenue is abandoned.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 21st day of October, 2013, at 4:45 p.m. setting the 18th day of November, 2013 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 25, 2013 and November 1, 8, & 15, 2013; 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 all of the W. College Drive right-of-way from northern line of Panther Drive (private street), this line north to the southern right-of-way line of W. Lexington Avenue is abandoned.

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 all of the improved portion of the W. College Drive lying north of Panther Drive to the southerly right-of-way line of W. Lexington Avenue, be closed pursuant to North Carolina G.S. 160A-299; and
2. That the City of High Point shall retain a utility easement covering the width and length of the entire area of the right-of-way; and
3. That the City of High Point shall retain a 20-foot wide public greenway easement centered over the existing Greenway trail where it crosses W. College Drive; and
4. That the City of High Point shall retain a public access easement over the entire width and length of the southern portion of W. College Drive, measured from the northern ROW line of E. Farriss Avenue/southern property line of 1001 W. College Drive (Guilford County Tax Parcel 0182446) to the southern ROW line of E. Farriss/northern property line of Guilford County Tax Parcel 0217153 (approximately 210 feet); and
5. 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 18th day of November, 2013
Lisa B. Vierling, City Clerk

PLANNING AND ZONING COMMISSION RECOMMENDATION

On October 22, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd and Mr. Mark Walsh.

City of High Point

Street Closing Case 13-18

A request by the Technical Review Committee to abandon the eastern 285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street.

Mr. Herbert Shannon presented Street Closing Case 13-18 and recommended approval as outlined in the staff report.

No one spoke on behalf or in opposition of the request.

The Planning & Zoning Commission recommended approval of Street Abandonment Case 13-18 by a vote of 7-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 13-18
October 22, 2013**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: To abandon the eastern 285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street.

Adjacent Streets		
Ogden Court	Local Street	40-foot wide right-of-way; Gravel driveway and two paved handicapped parking spaces associated with an abutting church.
Ogden Street	Local Street	50-foot wide right-of-way; 26-foot wide paved street with curb & gutter

Adjacent Property Zoning and Current Land Use		
North	Light Industrial (LI) District	Parking lot and undeveloped parcel
East	Light Industrial (LI) District	Industrial uses
South	Light Industrial (LI) District	Industrial uses
West	Light Industrial (LI) District	Partially improved (gravel) portion of the Ogden Court right-of-way.

Analysis

The City of High Point Technical Review Committee (TRC) is requesting to abandon the eastern portion of the Ogden Court right-of-way (ROW). The area proposed to be abandoned has a width of 40 feet and an approximately length of 285 feet (11,200± square feet). This ROW, formerly identified as Pitts Street, was recorded in 1905 on a map entitled “Plat of lots Owned by Redding & Pitts” (Plat Book 2 – Page 99). The ROW crosses a railroad track (Asheboro Railroad Line) and terminates into another railroad track (Southern Railroad Line). This abandonment request removes the City’s and the public’s interest; it does not remove any interest or encumbrances the railroad company has over this area.

All parcels abutting this ROW have frontage to adjacent improved public streets, thus this abandonment request will not deprive any owner reasonable access to their property. Early notices to obtain input from abutting property owners were mailed out on September 16, 2013. In addition, regular notice for the public hearing was sent and signs posted at the subject right-of-way to be abandoned was also performed.

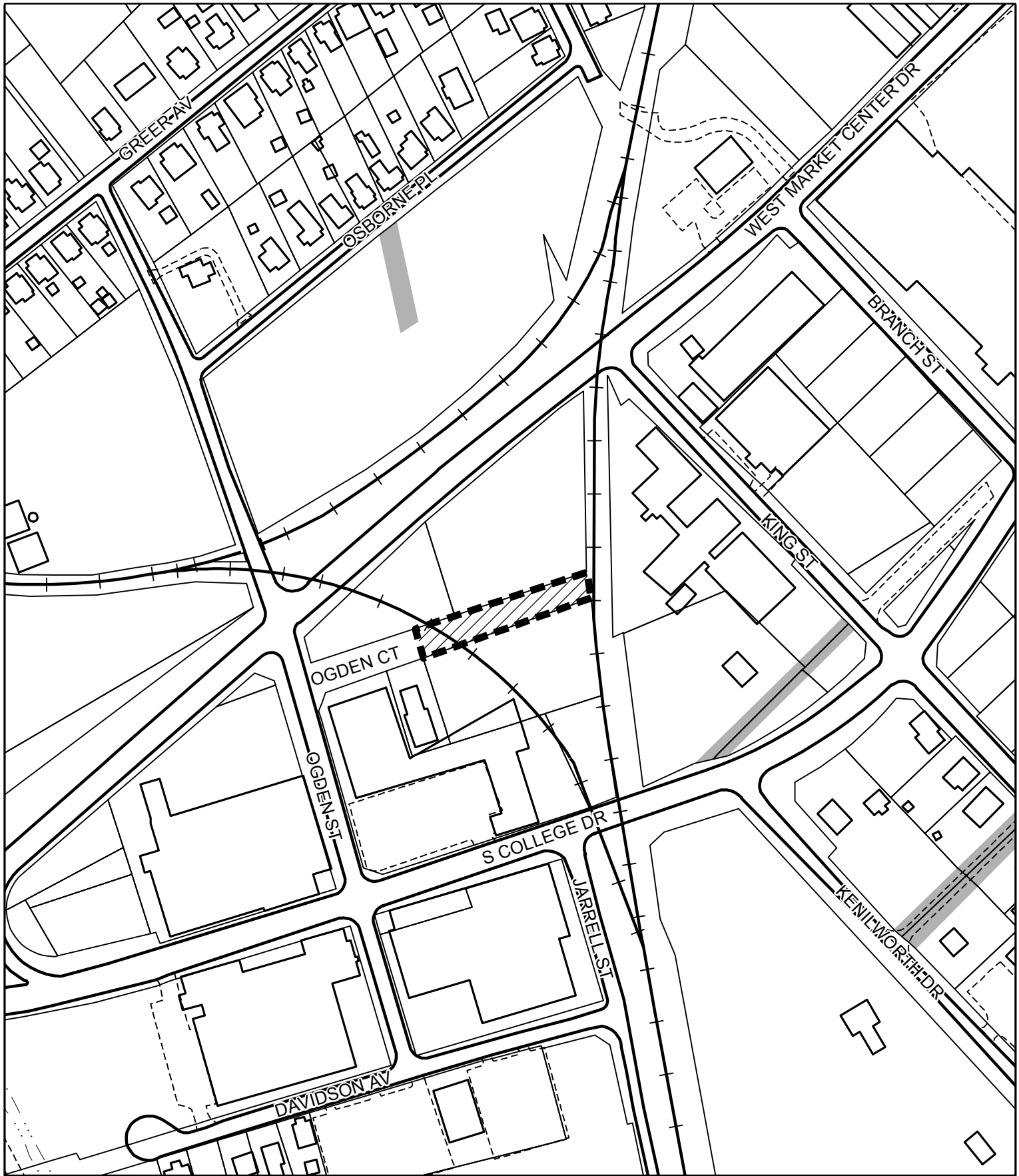
Findings & Recommendations

The TRC reviewed this request on September 18, 2013 and identified no concerns related to the abandonment of this right-of-way. This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and is found not to deprive owners in the vicinity of the right-of-way reasonable means of ingress and egress to their property.

The Planning and Development Department recommends approval of this request to abandon the eastern 285 feet of Ogden Court.

Report Preparation

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



STREET ABANDONMENT REQUEST SA13-18

Applicant: City of High Point

Area: 0.28 acres



Location of requested street abandonment



Previously abandoned right-of-ways

Department of Planning
and Development

City of High Point

Date: September 10, 2013



Scale: 1"=200'

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Attachments: Photographs (October 2013) and Aerial (February, 2010)
Looking east toward unimproved portion of the Ogden Court ROW.



Looking southeast towards unimproved portion of the Ogden Court ROW.



Looking west toward the intersection of Ogden Court and Ogden Street



STREET ABANDONMENT REQUEST ID# 5133



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

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 16th DAY OF SEPTEMBER, 2013 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, The Technical Review Committee has petitioned the City Council of the City of High Point to permanently abandon (close) all of the eastern 285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street.

Street Abandonment Case 13-18

Abandonment of all of the eastern 285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street. This right-of-way, formerly identified as Pitts Street, was recorded in 1905 on a map entitled "Plat of lots Owned by Redding & Pitts" as recorded in plat book 2, page 99 of the Guilford County register of deeds. The ROW crosses a railroad track (Asheboro Railroad Line) and terminates into another railroad track (Southern Railroad Line). The area is more specifically described as follows: Beginning at the northeast corner of Lot 11 as recorded in plat book 2, page 99 of the Guilford County register of deeds (also known as Guilford County Tax Parcel 0173880); thence approximately 50 feet in a northerly direction crossing Ogden Court to the southeast most corner of Lot 3 (also known as the southern property line of Guilford County Tax Parcel 0173881); thence in a easterly direction with the northern right-of-way line of Ogden Court and with the southern line of Lots 4, 5, 6, 7 and 8 to the southeast most corner of Lot 8 (southern property line Guilford County Tax Parcel 0173881 (portion) and 0173877 to the southeast corner of parcel 0173877); thence in an southerly direction approximately 50.00 feet, crossing Ogden Court to the northeastern corner of Lot 15 (northeast corner of Guilford County Tax Parcel 0173876) and being in the south right-of-way line of Ogden Court; thence in a westerly direction with the south right-of-way line of Ogden Court and

the northern property line of lots 12, 13, 14 and 15 (also known as the northern property line of Guilford County Tax parcel 0173876) to the to the point and place of beginning.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 21st day of October, 2013, at 4:45 p.m. setting the 18th day of November, 2013 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 25, 2013 and November 1, 8 & 15, 2013; 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 all of the all of the eastern 285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street, as shown on a map entitled "Plat of lots Owned by Redding & Pitts" as recorded in plat book 2, page 99, in the Office of the Register of Deeds for Guilford County, North Carolina.

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 all of the all of the eastern 285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street, as shown on a map entitled "Plat of lots Owned by Redding & Pitts" as recorded in plat book 2, page 99, in the Office of the Register of Deeds for Guilford County, North Carolina be closed pursuant to North Carolina G.S. 160A-299; and
2. That a copy of this resolution be filed in the Office of the Register of Deeds for Randolph County, North Carolina.

By order of the City Council,
this the 18th day of November , 2013
Lisa B. Vierling, City Clerk

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on November 12, 2013 and before the City Council of the City of High Point on November 18, 2013 regarding **Amendment to Zoning Case 11-03 (November 2013)** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on November 3, 2013, for the Planning and Zoning Commission public hearing and on November 6, 2013 and November 13, 2013, 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 18, 2013.**

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 Public & Institutional (CZ-PI) District.**

The zoning site for CZ11-03 is approximately 27.5 acres, bounded by E. Farriss Avenue, Panther Drive (private), a portion of Fifth Street (private), North Avenue (private) and N. Centennial Street.

The property is also known as Guilford County Tax Parcels 0189876 thru 0189894; 0190107 thru 0190122, 0190126 (portion), 0190153 & 54, 0190072 thru 0190089; 189864 thru 189875; and currently addressed as 900, 906, 908, 910, 912, 914, 1000, R1, 1000, 1002, 1004 & 1008 N. Centennial Street, that portion of the Sherwood Place right-of-way abandon by the City of High Point (Street Abandonment Case 11-08); 709, 711 & 715 North Avenue; 900, 901, 902, 903, 904, 906, 907, 909, 911, 913, 912, 914, 915, 999, 1001, 1003, 1005, 1006, 1006 R1, 1008 thru 1011, Willoubar Terrace; 802, 804, 808, 812, 814, 817, 819 823, 825, 829, 833, 1000, 1002, 1004, 1006, 1008, 1010, 1012 Fifth Street and 1003, 1005, 1007, 1009, 1011 Fifth Court, 900, 902, 904, 906, E. Farriss Avenue; 965 Panther Drive (formerly known as 923 W. College Drive), and a portion of 921 Panther Drive (Formerly known as W. College Drive)

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 following land uses allowed in the Public & Institutional (PI) District shall be permitted, subject to the development and dimensional requirements of the PI District and the specific conditions listed in this Conditional Zoning Ordinance:

1. Colleges or Universities (SIC 8220).
2. Fraternities or Sororities (Univ. or College)
3. Accessory Uses and Structures (customary)

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1). General Development Standards for the entire zoning site

a. Lighting

- i. Within fifty (50) feet of the exterior perimeter of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height where this tract is adjacent to parcels in residential zoning districts not owned by the applicant. This lighting shall be directed inward towards the interior of the zoning site to minimize lighting spill-off/glare upon adjacent residentially zoned property.
 - ii. Where the zoning site abuts residentially zoned parcel(s) along the south side of E. Farriss Avenue, lighting shall be setback a minimum twenty (20) feet from the abutting residential parcel(s) property line.
- b. Within fifty (50) feet of the exterior perimeter of the zoning site mechanical or electrical equipment, dumpsters or other such similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level, as seen from the centerline of any adjacent public street. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
- c. Within one-hundred (100) feet of the N. Centennial Street and E. Farriss Avenue right-of-way(s), loading areas for a building shall not be located on any side of a building that faces these road right-of ways.
- d. Lot Combination: As requested by the Technical Review Committee, parcels associated with the rezoning site shall be combined prior to development and subdivision.

2). Additional Development Standards for Tract A

- a. Building Height - A maximum building height of one-hundred (100) feet shall be permitted in Tract “A” within the eastern half of the block bounded by Fifth Street (private), North Avenue (private drive) and Willoubar Terrace (private drive).

3). Additional Development Standards for Tract B

- a. Building Setback - Building setback shall meet standards of the PI District except as noted below:
- i. A minimum forty-five (45) foot building setback shall be provided from the E. Farris Avenue right-of-way line.
- b. Building Height - Building height shall meet standards of the PI District except as noted below:
- i. A maximum building height of eighty (80) feet shall be permitted. The additional building setback requirement, noted in Table 4-11-5(f) of the Development Ordinance, for buildings over fifty (50) feet in height shall not apply.

B. Landscaping, Buffers and Screening.

1. Fencing

- a. If fencing is installed along the N. Centennial Street and along the E. Farriss Avenue 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.
- b. Where the zoning site abuts residentially zoned parcel(s) along the south side of E. Farriss Avenue, an opaque fence shall be installed, in the required planting yard, around the residential parcel.

2. Standards along E. Farriss Avenue

Along the E. Farris Avenue frontage of the zoning site a Street Planting Yard shall be installed consisting of the following.

<u>Minimum width</u>	<u>Minimum Average Width</u>	<u>Maximum width</u>
30 feet	35 feet	60 feet

This street planting yard shall at a minimum meet the following planting rate:

<u>Canopy Tree Rate</u>	<u>Understory Tree Rate</u>	<u>Shrub Rate</u>
4 per 100 linear feet	7 per 100 linear feet	25 per 100 linear feet

A minimum 25% of the above note plantings shall consist of evergreen species. 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.

In lieu of the above noted planting rate for E. Farris Avenue frontage, the applicant may submit an alternative landscape plan for review and approval by the Planning & Development Department prior to issuance of any building permit upon the site. Along with the landscaping plan, a depiction of the building elevations and/or parking areas after landscaping, as viewed from E. Farris Avenue may be requested from the Landscape Architect to assist in assessing the effectiveness of the plan. An alternate plan shall be considered only when the required planting rate is impractical and the alternate plan achieves the same overall effect.

3. Standards along North Centennial Street.

- 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:
 - i. 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.
 - ii. 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.
 - iii. 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.
 - iv. 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 Landscape Architect to assist in assessing the effectiveness of the plan.

C. Transportation

a. Access:

1. No new vehicular access shall be permitted from N. Centennial Street.
2. No vehicular access shall be permitted from E. Farris Avenue between Fifth Street (private drive) and W. College Drive.

b. Improvements:

1. Intersection of N. Centennial Street and North Avenue

- i. Provide southbound left-turn and northbound right-turn lane at the intersection of N. Centennial Street and North Avenue (private drive).
- ii. Dedicate the required right of way on N. Centennial Street for the southbound left turn lane.
- iii. The southbound left turn lane and the northbound right turn lane on N. Centennial Street must be constructed prior to issuance of Certificate of Occupancy of the last building that has frontage on North Avenue between N. Centennial Street and Fifth Street.

2. 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 land from N. Centennial Street into E. Farriss Avenue prior to the construction of a welcome center/guard house on E. Farriss Avenue.

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 now 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.

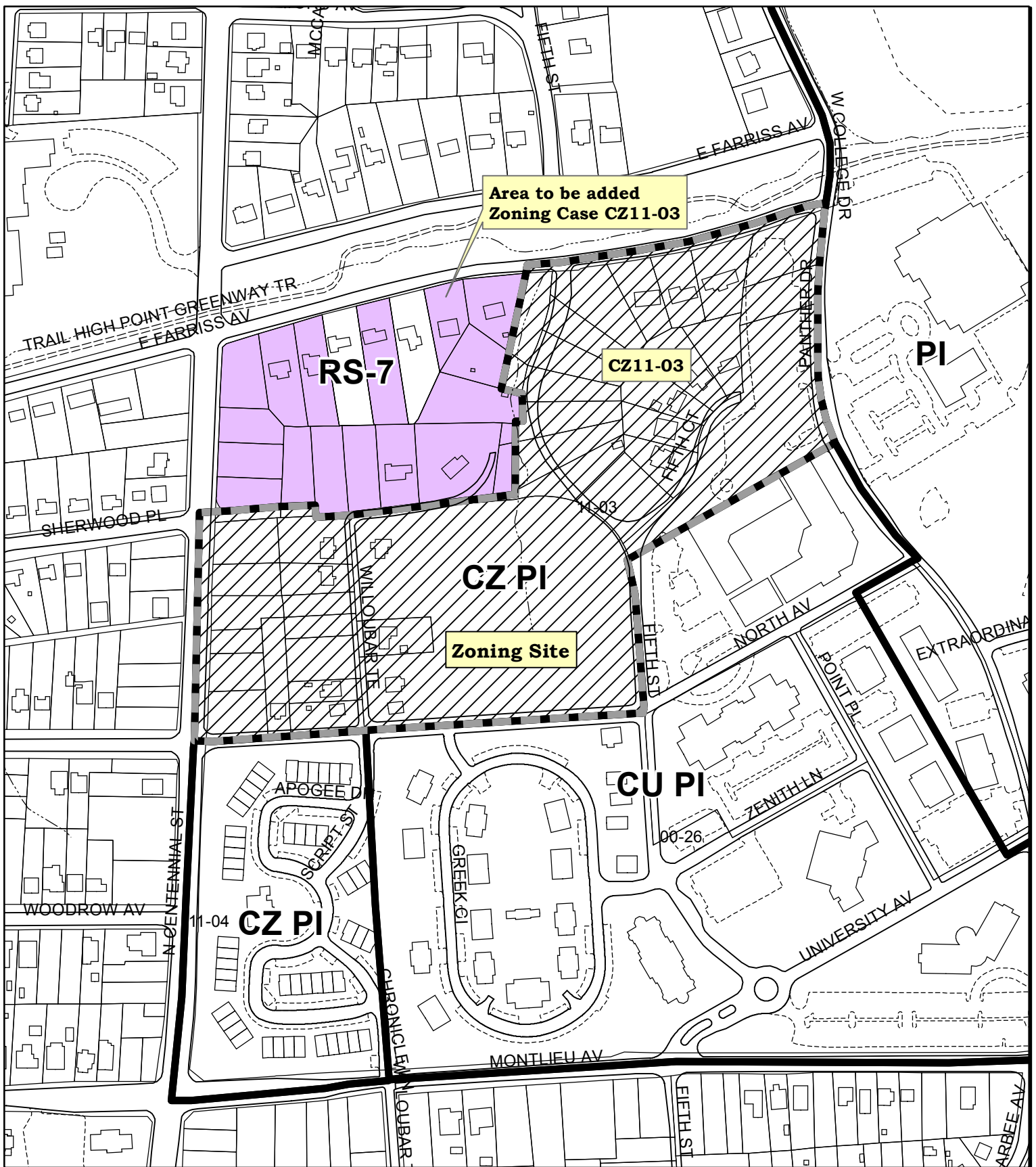
SECTION 6.

This ordinance shall become effective upon the date of adoption.

November 18, 2013.

Lisa B. Vierling, City Clerk

Conditional Zoning Case 11-03 Supplemental Information	
Initial Zoning Application	Adopted April 18, 2011 (Ordinance # 6817/11-25)
Amendment #1 (July 2012)	Adopted February 20, 2012 (Ordinance # 6895/12-12)
Amendment #2 (May 2012)	Adopted July 16, 2012 (Ordinance # 6938/12-55)
Amendment #3 (February 2013)	Adopted February 18, 2013 (Ordinance #6977 / 13-09)



AMENDMENT TO CZ11-03

(November 2013)

From: Residential Single Family-7

To: Conditional Zoning Public Institutional

Existing Zoning Boundary

Subject Property Boundary

**Planning & Development
Department**

City of High Point

Date: October 24, 2013



Scale: 1"=300'

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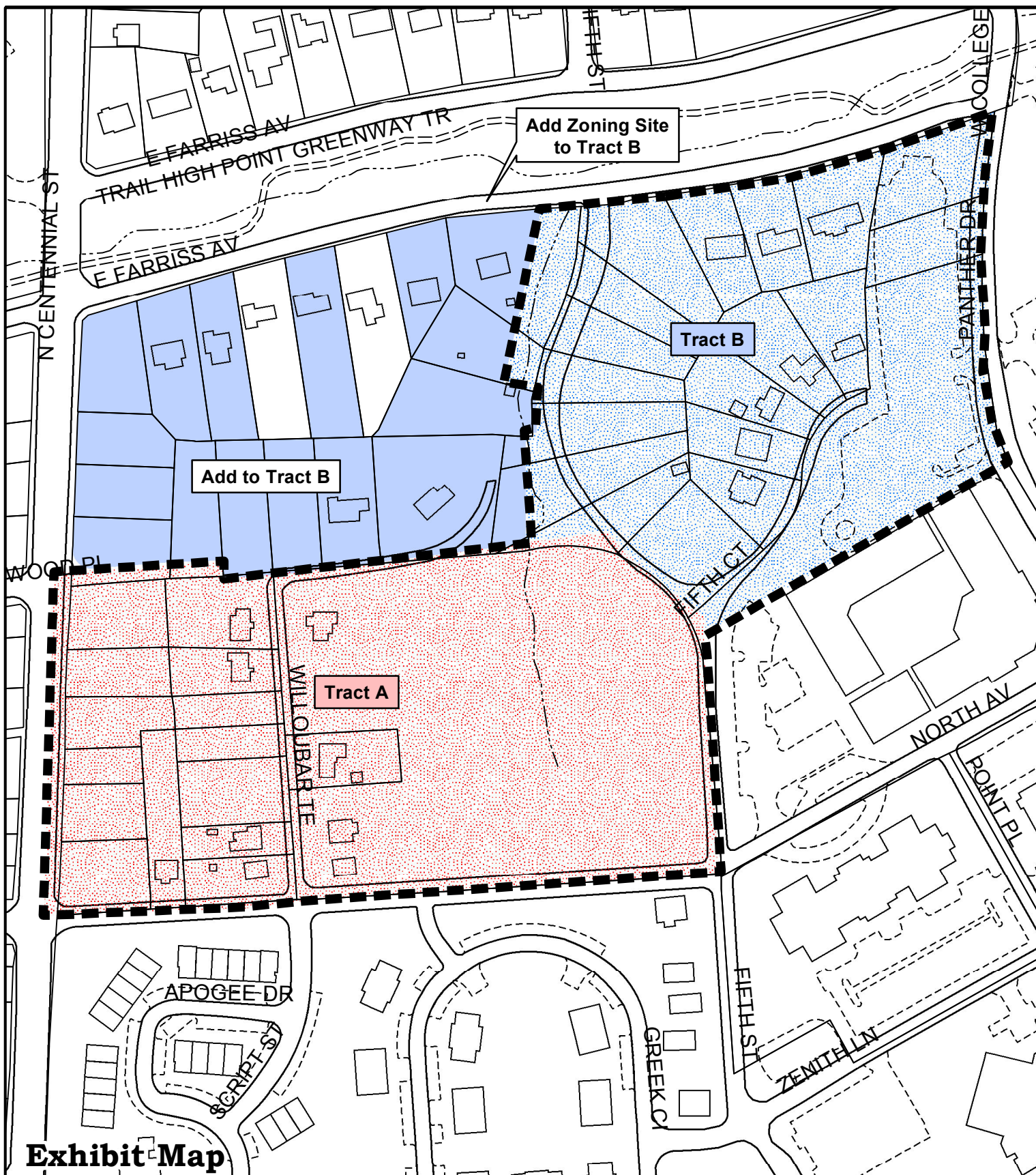


Exhibit Map

AMENDMENT TO CZ11-03

(November 2013)

From: Residential Single Family-7

To: Conditional Zoning Public Institutional

Existing Zoning Boundary

Subject Property Boundary

Planning & Development
Department

City of High Point

Date: November 1, 2013



Scale: 1"=200'

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2013080981

GUILFORD CO, NC FEE \$26.00

PRESENTED & RECORDED:

12-16-2013 02:19:41 PM

JEFF L. THIGPEN

REGISTER OF DEEDS

BY: JANE SCHULTZ

DEPUTY-HP

BK: R 7559

PG: 48-51

Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. 1356 / 13-79

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 18th DAY OF NOVEMBER, 2013 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, The Technical Review Committee has petitioned the City Council of the City of High Point to permanently abandon (close) all of the eastern 285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street.

Street Abandonment Case 13-18

Abandonment of all of the eastern 285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street. This right-of-way, formerly identified as Pitts Street, was recorded in 1905 on a map entitled "Plat of lots Owned by Redding & Pitts" as recorded in plat book 2, page 99 of the Guilford County register of deeds. The ROW crosses a railroad track (Asheboro Railroad Line) and terminates into another railroad track (Southern Railroad Line). The area is more specifically described as follows: Beginning at the northeast corner of Lot 11 as recorded in plat book 2, page 99 of the Guilford County register of deeds (also known as Guilford County Tax Parcel 0173880); thence approximately 50 feet in a northerly direction crossing Ogden Court to the southeast most corner of Lot 3 (also known as the southern property line of Guilford County Tax Parcel 0173881); thence in a easterly direction with the northern right-of-way line of Ogden Court and with the southern line of Lots 4, 5, 6, 7 and 8 to the southeast most corner of Lot 8 (southern property line Guilford County Tax Parcel 0173881 (portion) and 0173877 to the southeast corner of parcel 0173877); thence in an southerly direction approximately 50.00 feet, crossing Ogden Court to the northeastern corner of Lot 15 (northeast corner of Guilford County Tax Parcel 0173876) and being in the south right-of-way line of Ogden Court; thence in a westerly direction with the south right-of-way line of Ogden Court and

the northern property line of lots 12, 13, 14 and 15 (also known as the northern property line of Guilford County Tax parcel 0173876) to the to the point and place of beginning.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 21st day of October, 2013, at 4:45 p.m. setting the 18th day of November, 2013 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 25, 2013 and November 1, 8 & 15, 2013; and,

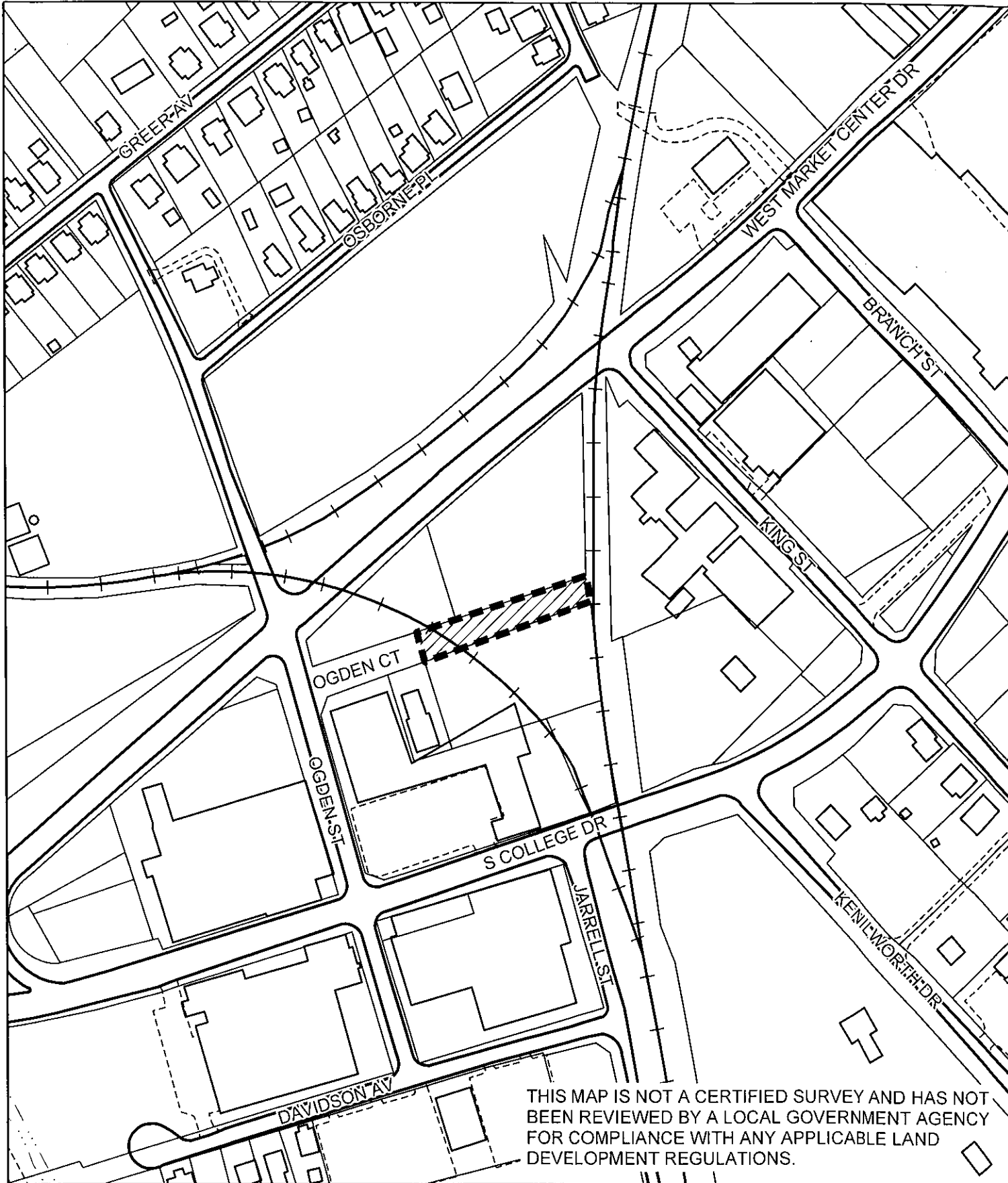
WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to abandon (closure) of all of the all of the eastern 285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street, as shown on a map entitled "Plat of lots Owned by Redding & Pitts" as recorded in plat book 2, page 99, in the Office of the Register of Deeds for Guilford County, North Carolina.

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 all of the all of the eastern 285 feet of Ogden Court, a partially improved right-of-way lying approximately 50 feet south of Market Center Drive and east of Ogden Street, as shown on a map entitled "Plat of lots Owned by Redding & Pitts" as recorded in plat book 2, page 99, in the Office of the Register of Deeds for Guilford County, North Carolina be closed pursuant to North Carolina G.S. 160A-299; and
2. 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 18th day of November, 2013
Lisa B. Vierling, City Clerk



THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

STREET ABANDONMENT REQUEST SA13-18

Applicant: City of High Point
Area: 0.28 acres



Location of requested street abandonment

Department of Planning
and Development

City of High Point

Date: September 10, 2013



Scale: 1"=200'

y:\ba-pz\2013\pz\sa13-18R.mxd



City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Certification

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing is a true and accurate Resolution adopted by the City Council in official Session on November 18, 2013 and upon approval by City Council will be recorded in Book 88 of the Official Minute Books and Resolution Book XVIII 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, the 4th day of December, 2013.



Lisa B. Vierling
Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

I, Cynthia C. Duncan-Smith, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 4th day of December, 2013.

CYNTHIA C. DUNCAN-SMITH
NOTARY PUBLIC
GUILFORD COUNTY, NC

Cynthia C. Duncan-Smith
Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2015



2013080982

GUILFORD CO, NC FEE \$26.00
PRESENTED & RECORDED:

12-16-2013 02:19:42 PM

JEFF L. THIGPEN

REGISTER OF DEEDS
BY: JANE SCHULTZ
DEPUTY-HP

BK: R 7559

PG: 52-55

Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. 1352 / 13-75

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 18th DAY OF NOVEMBER, 2013 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, High Point University has petitioned the City Council of the City of High Point to permanently abandon (close) Willoubar Terrace, an improved right-of-way lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue.

Street Abandonment Case 13-19

Abandonment of all of the Willoubar Terrace right-of-way (formerly known as Fourth Street), lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue (formerly known as Barbee Street). The area is more specifically described as follows: As depicted on map entitled "Willoubar Terrace High Point N.C." as recorded in Plat Book 4 at Page 212, in the Office of Register of Deeds for Guilford County, North Carolina. **BEGINNING AT** the southeast corner of the intersection of Montlieu Avenue and Willoubar Terrace, said point also being the northwest most corner of Lot #1 of Block "J"; thence approximately 50 feet in a westerly direction crossing the Willoubar Terrace right-of-way along the southern right-of-way of Montlieu Avenue to the northeast most corner of Lot #11 of Block "G"; thence south with the west right-of-way line of Willoubar Terrace and with the east line of Lots #11, 12, 13 and 16 of Block "G" to the southeast most corner of Lot #16 Block "G"; thence in an easterly direction approximately 50.00 feet crossing the Willoubar Terrace right-of-way along the northern right-of-way limits of Barbee Avenue to the southwest corner of Lot #15 of Block "J"; thence in a northerly direction with the east right-of-way line of Willoubar Terrace right-of-way and the western line of Lots #1, 15, 16 & 17 Block "J" to the point and place of beginning, being all of Willoubar Terrace from the south margin of Montlieu Avenue to the north margin of Barbee Avenue shown on map of Willoubar Terrace, High Point, N.C., Plat Book 4, Page 212.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 21st day of October, 2013, at 4:45 p.m. setting the 18th day of November, 2013 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 25, 2013 and November 1, 8, & 15, 2013; 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 all of the Willoubar Terrace right-of-way (formerly known as Fourth Street), lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue (formerly known as Barbee Street) as shown on a map entitled "Willoubar Terrace High Point N.C." as recorded in Plat Book 4 at Page 212, in the Office of Register of Deeds for Guilford County, North Carolina.

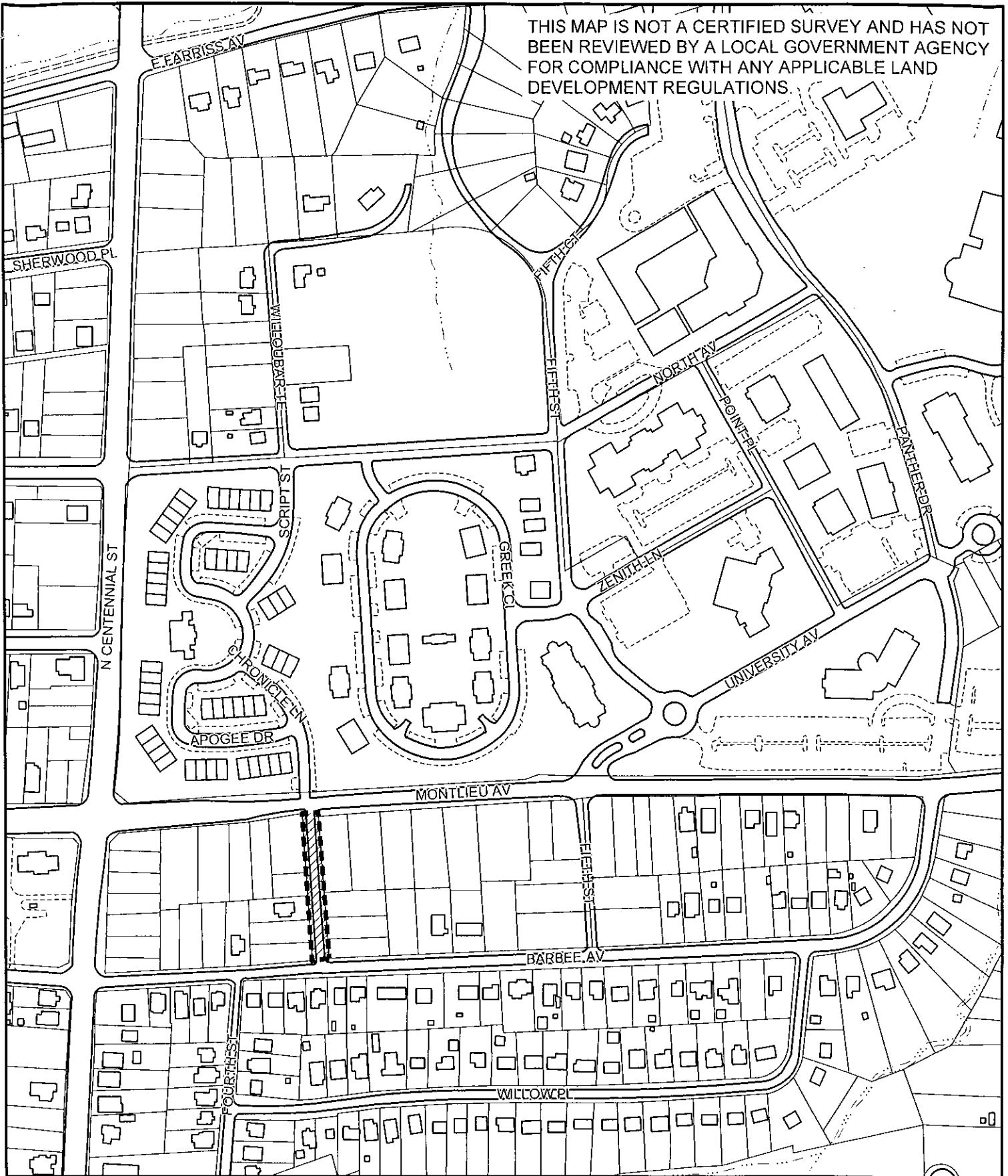
WHEREAS, it appearing to the satisfaction of this Council and the Council finds as a fact that the said right of way as herein described is not necessary for ingress and egress to any land adjoining said street; that the closing of said street is not contrary to the public interest and that no other 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 all of the improved portion of the Willoubar Terrace right-of-way, lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue, be closed pursuant to North Carolina G.S. 160A-299; and
2. That the City of High Point shall retain a utility easement covering the width and length of the entire area of the right-of-way; and
3. 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 18th day of November, 2013
Lisa B. Vierling, City Clerk

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.



STREET ABANDONMENT SA13-19

Applicant: High Point University
Area: 0.316 acres



Location of requested street abandonment

Planning & Development
Department

City of High Point

Date: October 24, 2013



Scale: 1"=300'

y:\ba-pz\2013\pz\sa13-19R.mxd



City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Certification

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing is a true and accurate Resolution adopted by the City Council in official Session on November 18, 2013 and upon approval by City Council will be recorded in Book 88 of the Official Minute Books and Resolution Book XVIII 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, the 4th day of December, 2013.



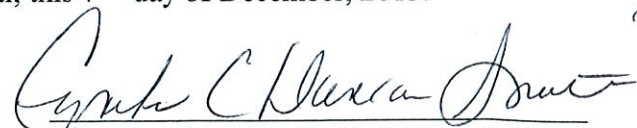

Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

I, Cynthia C. Duncan-Smith, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 4th day of December, 2013.

CYNTHIA C. DUNCAN-SMITH
NOTARY PUBLIC
GUILFORD COUNTY, NC


Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2015

PLANNING AND ZONING COMMISSION RECOMMENDATION

On November 12, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd, Mr. Andrew Putnam and Mr. Ed Spivey.

High Point University

Zoning Case 13-09

A request by High Point University to rezone approximately 4.1 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site is lying along the west side of W. College Drive, between W. Lexington Avenue and the northern portion of E. Farriss Avenue.

Mr. Herbert Shannon presented Zoning Case 13-09 and recommended approval as outlined in the staff report.

Speaking on behalf of the request was the applicant's representative, Mr. Ron Guerra, Director of Construction, High Point University.

Speaking neither in favor nor in opposition to the request was Mr. Clayton Mays, 1001 W. College Drive.

The Planning & Zoning Commission recommended approval of Zoning Case 13-09, as recommended by staff, by a vote of 7-0.

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

**STAFF REPORT
ZONING CASE 13-09
November 12, 2013**

Request	
Applicant: High Point University	Owner(s): High Point University, City of High Point and Beatrice Lowe McClain.
Zoning Proposal: To rezone approximately 4.1 acres	From: RS-7 Residential Single Family-7 District
	To: CZ-PI Conditional Zoning Public & Institutional District

Site Information	
Location:	Lying along the west side of W. College Drive, between W. Lexington Avenue and the northern portion of E. Farriss Avenue
Tax Parcel Numbers:	Guilford County Tax Parcels 0182435 thru 082445
Site Acreage:	Approximately 4.1 acres
Current Land Use:	Single family dwellings and undeveloped parcels
Physical Characteristics:	The site has a moderate to severely sloping terrain. A perennial stream bisects the southern portion of the site and runs west of the site. The flood zone associated with the stream impacts the southern and western portions of the site.
Water and Sewer Proximity:	A 12-inch City water line lies adjacent to the site along W. Lexington Avenue and a 6-inch City water line runs along W. College Drive. An 8-inch and 12-inch sewer line lies adjacent to the site along W. College Drive and W. Lexington Avenue, respectively. Also, a 12-inch sewer line runs along the stream corridor to the west of the site.
General Drainage and Watershed:	The site drains in a westerly direction and development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily developments with an impervious surface area that is greater than 24% or more of the site.
Overlay District(s):	City Lake General Watershed Area

Adjacent Property Zoning and Current Land Use			
North:	SC	Shopping Center District	Commercial/retail uses (across W. Lexington Avenue)
South:	RS-7	Residential Single Family-7 District	Single family dwelling
East:	PI	Public & Institutional District	High Point University Campus (across W. College Drive)
West:	RS-7	Residential Single Family-7 District	McCain Park

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	<u>Obj. 1H</u> : 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 an Institutional land use designation. This classification is intended to accommodate public, quasi-public and institutional uses on large tracts.
Land Use Plan Goals, Objectives & Policies:	The following goal and objectives of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods;
Relevant Area Plan(s): <i>University Area Plan</i>	<u>Goal 3</u> : Ensure compatibility between the edge of campus and the surrounding neighborhood. <u>Policy 3.5</u> : Transition the intensity of uses along the campus edge adjacent to existing residences. ii. Decrease the bulk, mass and height of buildings, or increase setbacks. iii. Prevent the spillover of light and glare from outdoor lighting onto adjacent properties by limiting the height, illumination, and direction of outdoor lighting. iv. Locate parking areas internal to campus, where possible, to minimize visual impacts on adjacent residential properties. They should be screened from view, and access to the parking areas should be from internal campus driveways and not directly from local residential streets to minimize cut-through traffic in the residential neighborhood. v. A combination of fencing and landscaping can be used to soften the edges, however; solid fencing is typically discouraged along public streets. vi. Placement of loading areas and mechanical equipment should be placed to minimize impact on adjacent properties. Screening shall be provided. vii. Consider reusing structures along the campus edges for housing, administrative offices, or other university uses. <u>Policy 3.6</u> : New campus development should be contiguous to the existing campus and consist of an entire sub-area. <u>Policy 3.7</u> : Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests.
Zoning History:	In 2006, a 1.5 acre L-shape area at the southeast corner of W. Lexington Avenue and W. College Avenue was rezoned from RS-7 District to a PI District (Zoning Case 06-26). The seven homes that were in this area have been removed and the former single family parcels have been incorporated in the University's athletic fields.

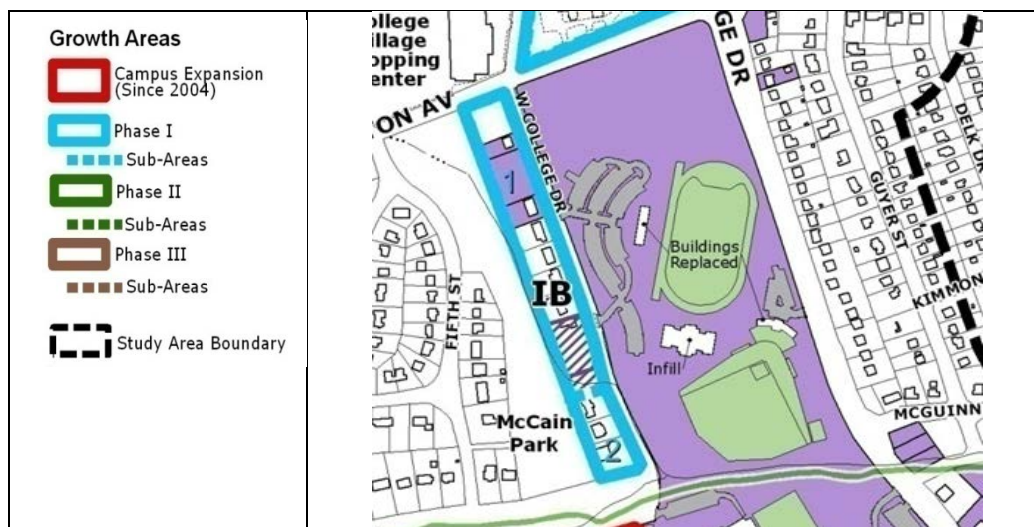
Transportation Information					
Adjacent Streets:	Name		Classification		Approx. Frontage
	W. Lexington Avenue		Major Thoroughfare		150 ft.
	W. College Drive		Local Street		1,330 ft.
Vehicular Access:	Access will be taken from W. College Drive				
Traffic Counts: (Average Daily Trips)	W. Lexington Avenue		9,500 ADT		
Estimated Trip Generation:	N/A				
Traffic Impact Analysis:	Required			Comment	
		<u>Yes</u>		<u>No</u> X	None
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.				

School District Comment
Not applicable to this zoning case.

Details of Proposal

High Point University desires to expand the campus to include this block lying south of W. Lexington Avenue and west of W. College Drive. There is one parcel within this block, at the corner of W. College Drive and E. Farriss Avenue (1001 W. College Drive), which is not owned or under contract for purchase by the University and is not included in this zoning request. This block has an Institutional classification on the City's Land Use Map and is currently zoned for residential uses. In order to add this area to the campus and allow University related uses, the applicant has submitted this request to zone the block to a CZ-PI District. The land area associated with this zoning application is designated as a Growth Area, Phase IB, in the *University Area Plan (Phase IB is outlined in blue on the map below)*.

University Area Plan Map 4 – Growth Areas (Dec. 2009)



The *University Area Plan* shows this area as a Transition Area (Permanent Edge) and compatibility with the adjacent properties is of the utmost importance. The major objective for development in this area is to insure that any negative visual impacts on adjacent properties are minimized. As a permanent edge of the campus, limiting spillover of light & glare, and providing landscaping to soften the edges to lessen the impact on adjacent properties are important. Along with this application is a Conditional Zoning Ordinance with conditions for development of the site. Key points of this ordinance are:

- Restrict use of the site to college/university related uses;
- Provides for screening of mechanical equipment, dumpsters and loading areas; and
- Restrict the height and location of lighting near residential uses and require installation of opaque fence in the planting yard where the site abuts a residential use.

Staff Analysis

Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

Staff Comments:

The *University Area Plan* designates the area requested for rezoning as Growth Area IB sub-area 1. It is a fairly thin strip of land consisting of approximately 4 acres located along the west side of W. College Dr. between E. Farriss Ave. and Lexington Ave. It extends west to McCain Park and is characterized by a combination of single-family homes and undeveloped lots. It also contains numerous large mature trees that along with the parkland help mitigate any impacts on the residential area west of McCain Park. Due to all of these characteristics, the plan recommends that this area be used for low-intensity uses such as housing for staff or students, and/or additional administrative office space. However, if this area is redeveloped for other uses, the University is encouraged to maintain as many of the large mature trees as possible to maintain this separation between the University and the adjacent residences to the west.

Review Factors:

The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<u>Staff Comments:</u> ❖ The park to the west acts as a buffer between the zoning site and adjacent residential neighborhood. ❖ The area has limited development potential as it is somewhat constrained by its narrow depth, floodplains, steep slopes, and stream buffers.

	❖ To minimize impacts to the single family dwelling to the south, the applicant has offered conditions to screen mechanical equipment and dumpsters, require loading dock to be at least 100 feet away and limit the height of lighting near this dwelling.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; <u>Staff Comments:</u> Conditions offered by the applicant to limit the height of lighting next to the abutting single family dwelling to the south and that lighting be directed towards the interior of the zoning site, will assist in mitigating any adverse impact on the abutting residential property.
<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; <u>Staff Comments:</u> A perennial stream runs through the southern portion of the zoning site. Environmental standards of the Development Ordinance require that a 100-foot stream buffer (as measured from top of bank on both sides of the stream) be provided.
<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; <u>Staff Comments:</u> The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties. <u>Staff Comments:</u> ❖ The Development Ordinance requires a Type B Planting yard be installed where college/university related uses abut a residential use. Thus, along the southern boundary of the site 25 shrubs and 8 trees are to be planted every 100 linear feet in a minimum 20-foot wide planting yard. In addition, the applicant has offered a condition requiring installation of an opaque fence in this planting yard. Combination of standards of the Development Ordinance and conditions offered by the applicant will ensure development of the site will not adversely affect the adjacent property owner. ❖ The perennial stream that runs through the southern boundary of the site is approximately 220 feet from the abutting residential property. Once the 100-foot stream buffer is applied and the planting yard installed, approximately 100-feet is available for development adjacent to the remaining single family dwelling. The limited land area and its narrow width will limit the intensity of development that can be placed near the abutting single family dwelling to the south.

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.

Staff Comments:

This segment of W. College Drive was historically a residential neighborhood lying at the northwestern edge of the High Point University campus. Over the past decade, the University has purchased and razed all of the homes along the east side of W. College Drive and extended the athletic field to include that area. The University has acquired or has under contract most of the properties along the west side of W. College Drive. With one home remaining in this block that is not owned by the University, the character of this area has changed.

Development Patterns:

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

Staff Comments:

One of the objectives of the *University Area Plan* was to establish an orderly pattern for the expansion of High Point University and discourage haphazard development that would adversely impact adjacent residential neighborhoods. This was done by establishing growth areas. The Area Plan identifies the west side of W. College Drive as a Growth Area IB. The University owns most of the property within this block, thus, expansion into Growth Area IB is a logical expansion of the campus and is consistent with the objectives of the *University Area Plan*.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.

Staff Comments:

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) the requested CZ-PI District is consistent with adopted plans, 2) conditions offered by the applicant pertaining to lighting, fencing, location of mechanical equipment and loading docks mitigate impact on adjacent single family dwellings; and 3) the request is a logical and reasonable extension of the High Point University campus as it is contiguous to the University's main campus and is consistent with the *University Area Plan's* growth areas.

Recommendation

As addressed in the Staff Analysis section of this report, conditions offered by the applicant address adopted policies and will ensure development of the zoning site will be compatible with adjacent uses. The Planning & Development Department recommends approval of the request to rezone 4.1 acres to the CZ-PI District.

Required Action

Planning and Zoning Commission:

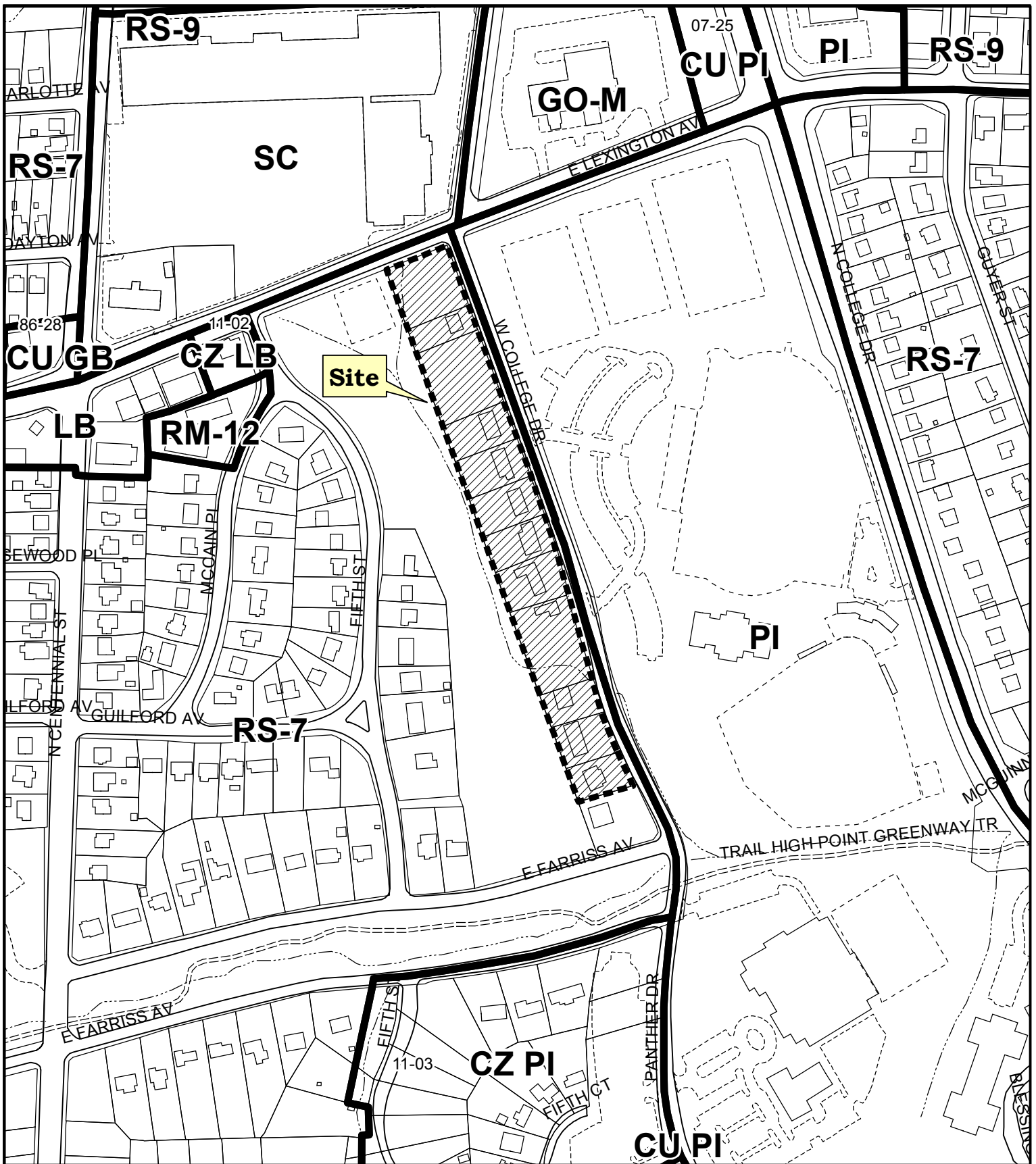
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point 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. 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(s) Herbert Shannon Jr. AICP, Senior Planner and Heidi H. Galanti AICP, Planning Services Administrator, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.



ZONING CASE 13-09

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

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

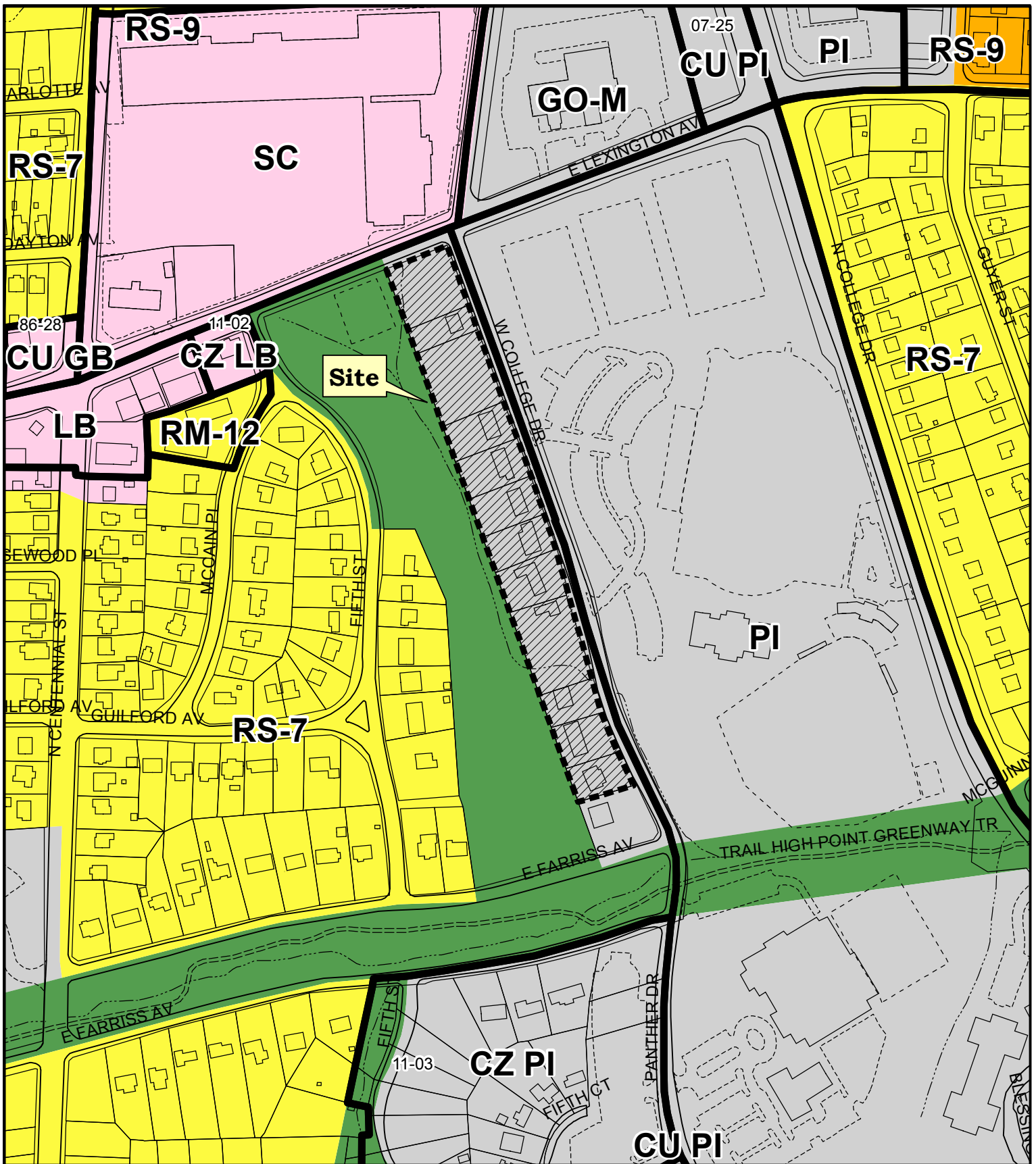
**Planning & Development
 Department**

City of High Point

Date: October 24, 2013



Scale: 1"=300'
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ZONING CASE 13-09

Land Use Plan

- | | |
|---|---|
| Low-Density Residential | Local/Convenience Commercial |
| Moderate-Density Residential | Institutional |
| | Recreation/Open Space |

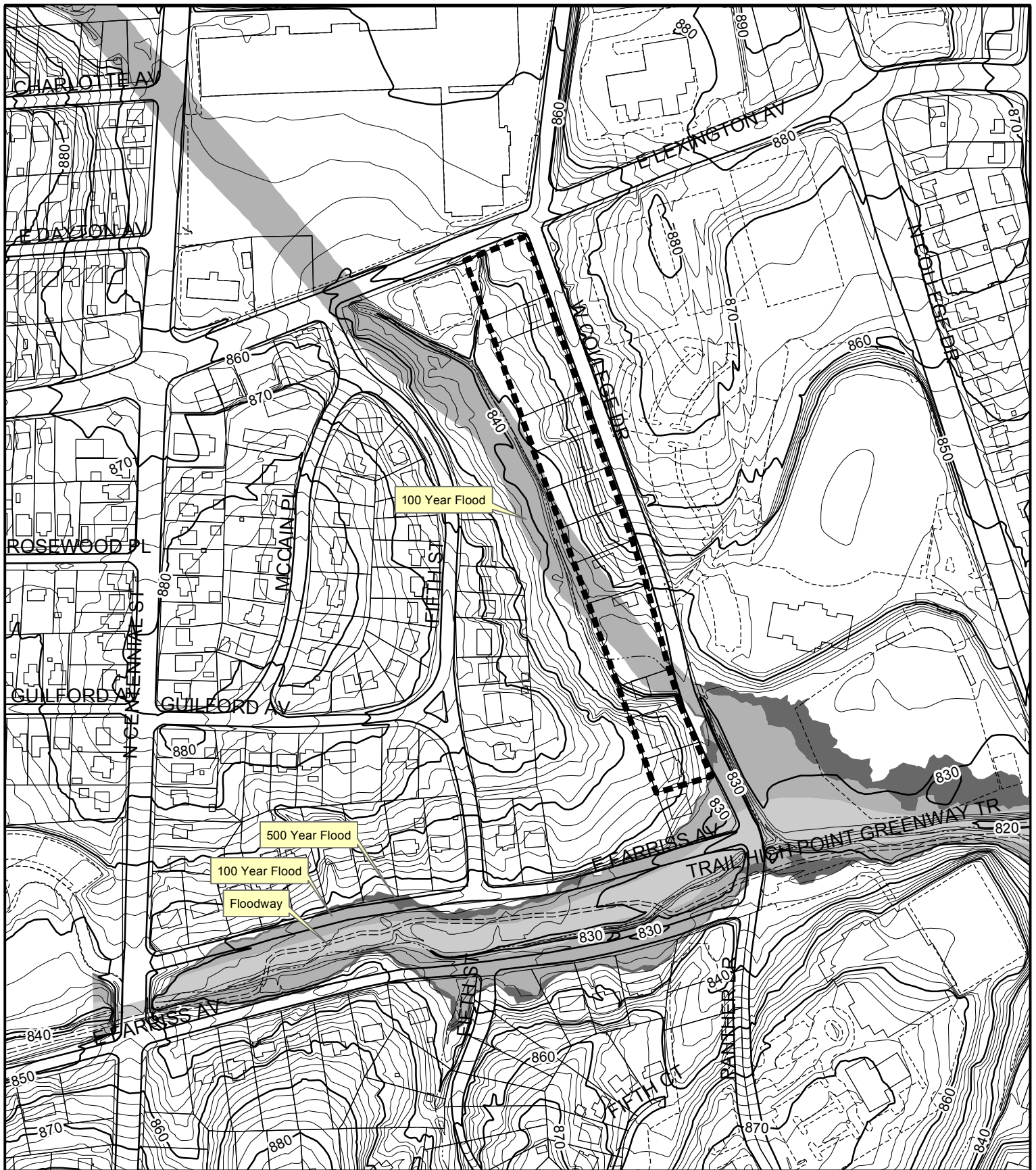
Planning & Development
Department

City of High Point

Date: October 29, 2013



Scale: 1"=300'
y:/ba-pz/2013/pz/z13-09clu.mxd



ZONING CASE 13-09

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: October 29, 2013



Scale: 1"=300'

y:/ba-pz/2013/pz/z13-09topo.mxd

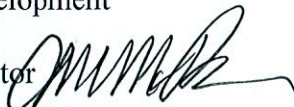
ZONING CASE 13-09



Transportation



October 10, 2013

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: Zoning Case 13-09, High Point University. Property is bounded by Lexington Ave and W College Dr.

My staff and I have reviewed the rezoning request and have the following comments:

A traffic impact analysis was not required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. In order to mitigate the development's impact on the surrounding roadway network the following improvements will be required:

Access

No access will be allowed to Lexington Ave.

The City of High Point Transportation Director and the North Carolina Department of Transportation shall approve all construction and improvements.

If you have any questions or would like to further discuss this case, please advise.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on November 12, 2013 and before the City Council of the City of High Point on November 18, 2013 regarding **Zoning Case 13-09** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on November 3, 2013, for the Planning and Zoning Commission public hearing and on November 6, 2013 and November 13, 2013, 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 _____.

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 Public & Institutional (CZ-PI) District**. The property is approximately 3.8 acres lying south of W. Lexington Avenue and west of W. College Drive (*1003 thru 1037 W. College Drive*). The property is also known as Guilford County Tax Parcels 0182435 thru 082445.

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 following land uses allowed in the Public & Institutional (PI) District shall be permitted, subject to the development and dimensional requirements of the PI District and the specific conditions listed in this Conditional Zoning Ordinance:

1. Colleges or Universities (SIC 8220).
2. Fraternities or Sororities (Univ. or College)
3. Accessory Uses and Structures (customary)

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Lot Combination: As requested by the Technical Review Committee, parcels associated with the rezoning site shall be combined prior to development or subdivision.
2. Within fifty (50) feet of the northern and southern boundary of the zoning site mechanical or electrical equipment, dumpsters or other such similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
3. Within one-hundred (100) feet of the northern and southern boundary of the zoning site, loading areas for a building shall not be located on any side of a building that faces a public street or residentially zoned parcel.
4. Lighting:
 - a. Within fifty (50) feet of the western and southern boundary of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height. All lighting shall be directed inwards towards the interior of the zoning site and include the use of shields to direct lighting and glare away from adjacent residential uses.
 - b. Where the zoning site abuts the residentially zoned parcel along W. College Drive (1003 W. College Drive), lighting shall be setback a minimum twenty (20) feet from the abutting residentially parcel property line.
5. Landscaping, Buffers, and Screening:
 - a. W. Lexington Avenue Street frontage: A minimum 20 foot wide Street Yard, planted at Type C rate, shall be installed along the W. Lexington Avenue frontage of the zoning site.
 - b. Fencing:
Where the zoning site abuts the residentially zoned parcel along W. College Drive (1003 W. College Drive), an opaque fence shall be installed, in the required planting yard next to this parcel.

B. Transportation Conditions.

1. Vehicular Access: No access will be allowed to W. Lexington Avenue.
2. 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 now 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.

2013.

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report Amendment to Zoning Case 13-09

Submitted by: Ron Guerra on behalf of
High Point University



October 23, 2013

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

From: Ron Guerra, MBA
Director of Construction and Renovation

Re: Zoning Case CZ13-09
Community Meeting Report, October 17, 2013, 5:30 P.M.

High Point University conducted a Citizens' Information Meeting in support of Zoning Case CZ-13-09. The meeting was held at High Point University in Norton Hall Room 202. Letters of invitation were mailed to 20 residents on October 8, 2013 (letter is attached). The application is for Rezoning Case CZ-13-09, which includes the rezoning of 11 parcels fronting W. College Drive from RS7 to CZ Pl. Mr. Ron Guerra, Director of Construction, Renovation and Campus Development, Mr. Jason Sweet, Assistant Director of Construction and Renovation, and Mr. Ravindra Bissram, of Jamestown Engineering Group, Inc., represented the University.

Mr. Guerra reviewed maps illustrating the properties included in the Rezoning. Potential uses for the property within the rezoning area were discussed. Mr. Guerra also explained that alternatives for the site's development are currently being assessed by the University, so final plans are not available at this time.

It was a very positive meeting with specific discussion focused on the following:

- The natural buffer provided by the park/greenway area between East and West Farriss Avenue. The existing tree canopy averages 80 – 100 feet in height.
- The appearances of any proposed buildings along E. Farriss Avenue.
- The effect of site development on storm water flows, which will be required to meet the applicable storm water requirements of the City's Development Ordinance.
- Zoning conditions applicable to site lighting and increased planting buffers along public streets.
- General noise conditions were discussed and the University will be observant of city noise ordinances.
- The university currently favors surface parking over parking decks. The university also has agreement with adjacent shopping center as using site for overflow parking for athletic events at the athletic complex.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Ron Guerra', written over the printed name.

HIGH POINT UNIVERSITY

Ron Guerra
Director of Construction, Renovation and Campus Development



October 8, 2013

Ladies and Gentlemen:

**Subject: Citizen Information Meeting, Thursday, October 17, 2013,
West College Drive**

A Citizen Information Meeting will be held on Thursday, October 17, 2013, at 5:30 p.m. in Norton Hall, Room 202, (corner of University Avenue and Panther Drive) for the purpose of allowing us to inform you about our development plan and zoning proposal.

High Point University has filed an application with the City of High Point for the rezoning (from RS 7 to CZ PI) of properties owned by the University along West College Drive between Lexington Avenue and East Farriss Avenue. The zoning change requested is from RS 7 to CZ PI. The property consists of 10 lots and approximately 3.6 acres.

We have enclosed for your review a Conditional Use District Zoning Citizen Information Meeting Statement made available by the City of High Point, which may help clarify the rezoning process and requirements.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal is scheduled to take place at City Hall on November 12, 2013, at 6:00 p.m.

Questions, comments, or concerns should be directed to Ron Guerra, Director of Construction and Renovation at 336-841-9363.

We look forward to answering your questions and receiving your input.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'R. Guerra'.

Ron Guerra, Director of Construction and Renovation
High Point University

Sign-In Sheet

Citizens Information Meeting
Thursday, October 17, 2013
High Point University
RS-7 to CZ-PI

Rezoning Case No. 13-09
Rezoning Location: West College Drive

Name

Address

Phone No./E-Mail
Address

Tim Lichtenstein	1179 E. Lex.	336-423-8292 Timglenwood@yahoo
Martin L. Ford	1001 W. College	882-2760
CLAYTON MAYS	" " "	"

Rezoning Case No. 13-09
Rezoning Location: West College Drive

Phone No./E-Mail
Address

Wayne & Nancy Wall 1210 Fifth St. 882-1301 or Gale @
Ron & Sharon Leach 1209 Fifth St. 471-6793 mctwin1@aol.com ^{tailprinting}
Jimmy & Ann Schmidt 1215 Fifth St. 687-2841 aschmidt336@aol.com ^{netmail}

Angela G. McGill
Chief Executive Office

HOUSING AUTHORITY OF THE CITY OF HIGH POINT



October 31, 2013

Mayor Bernita Sims
City of High Point
P.O. Box 230
High Point, NC 27261

Ref: The Housing Authority of the City of High Point – Commissioner Reappointments

Dear Honorable Sims:

I am requesting a reappointment of the current Housing Authority of the City of High Point's (HPHA) Commissioner Ed Squires. Mr. Squires current commission appointment will expire on December 22, 2013.

The request is based on his training and knowledge of the current critical and vital mission being undertaken by the HPHA. There has been a tremendous amount of training provided to the current Commissioners in an effort to effectively and efficiently meet the needs of the HPHA and the community at large.

Thank you in advance for considering my request to maintain Ed Squires on the HPHA Board of Commissioners.

Respectfully,

Angela McGill
Chief Executive Officer

“Empowering lives and Building Foundations” – Angela McGill

Copy: Strib Boynton
City Manager



2013080983

GUILFORD CO, NC FEE \$26.00

PRESENTED & RECORDED:

12-16-2013 02:19:43 PM

JEFF L. THIGPEN

REGISTER OF DEEDS

BY: JANE SCHULTZ

DEPUTY-HP

BK: R 7559

PG: 56-60

Return to: Joanne Carlyle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Resolution No. 1354 / 13-77

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 18th DAY OF NOVEMBER, 2013 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, High Point University has petitioned the City Council of the City of High Point to permanently abandon (close) that portion of W. College Drive, an improved right-of-way, lying between W. Lexington Avenue and Panther Drive (private street).

Street Abandonment Case 13-21

Abandonment of all of the W. College Drive right-of-way lying between Panther Drive (private street) and W. Lexington Avenue. The area is more specifically described as follows: As depicted on map entitled "Revised Recorded Map of College Development and Improvement Company - High Point N.C." as recorded in Plat Book 7 at Page 159 in the Office of Register of Deeds for Guilford County, North Carolina and on map entitled "Plat No. 2 Sherwood Park property of O.A. Kirkman - High Point N.C. W. College as recorded in Plat Book 11 at Page 67 in the Office of Register of Deeds for Guilford County, North Carolina. Beginning at the northern limits of Panther Drive (formerly known as W. College Drive) as recorded in Book 6965 and Pages 929 - 932 (abandonment of southern portion of W. College Drive). This line shall represent the southern limits of the abandonment of W. College Drive. All of the W. College Drive right-of-way from this line north to the southern right-of-way line of W. Lexington Avenue is abandoned.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 21st day of October, 2013, at 4:45 p.m. setting the 18th day of November, 2013 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 25, 2013 and November 1, 8, & 15, 2013; 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 all of the W. College Drive right-of-way from northern line of Panther Drive (private street), this line north to the southern right-of-way line of W. Lexington Avenue is abandoned.

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 all of the improved portion of the W. College Drive lying north of Panther Drive to the southerly right-of-way line of W. Lexington Avenue, be closed pursuant to North Carolina G.S. 160A-299; and
2. That the City of High Point shall retain a utility easement covering the width and length of the entire area of the right-of-way; and
3. That the City of High Point shall retain a 20-foot wide public greenway easement centered over the existing Greenway trail where it crosses W. College Drive; and
4. That the City of High Point shall retain a public access easement over the entire width and length of the southern portion of W. College Drive, measured from the northern ROW line of E. Farriss Avenue/southern property line of 1001 W. College Drive (Guilford County Tax Parcel 0182446) to the southern ROW line of E. Farriss/northern property line of Guilford County Tax Parcel 0217153 (approximately 210 feet); and
5. 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 18th day of November, 2013
Lisa B. Vierling, City Clerk

CHARLOTTE AV

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

E DAYTON AV

ROSEWOOD PL

GUILFORD AV

GUILFORD AV

SHERWOOD PL

N CENTENNIAL ST

E FARRISS AV

E FARRISS AV

FIFTH ST

FIFTH ST

PANTHER DR

N COLLEGE DR

E LEXINGTON AV

W COLLEGE DR

STREET ABANDONMENT SA13-21

Applicant: High Point University
Area: 2.108 acres



Location of requested street abandonment

Planning & Development
Department

City of High Point

Date: October 24, 2013



Scale: 1"=300'

y:/ba-pz/2013/pz/sa13-21-R.mxd

City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Certification

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing is a true and accurate Resolution adopted by the City Council in official Session on November 18, 2013 and upon approval by City Council will be recorded in Book 88 of the Official Minute Books and Resolution Book XVIII 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, the 4th day of December, 2013.




Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

I, Cynthia C. Duncan-Smith, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 4th day of December, 2013.

CYNTHIA C. DUNCAN-SMITH
NOTARY PUBLIC
GUILFORD COUNTY, NC


Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2015



2013080174

GUILFORD CO, NC FEE \$26.00

PRESENTED & RECORDED:

12-11-2013 01:36:51 PM

JEFF L. THIGPEN

REGISTER OF DEEDS
BY: JANE SCHULTZ
DEPUTY-HP

BK: R 7557

PG: 2302-2304

38

Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. 7014 / 13-46

AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF HIGH POINT

WHEREAS, The City of High Point has been petitioned under G.S. 160A-58.1, as amended, to annex the area described herein; and,

WHEREAS, the City Clerk has investigated the sufficiency of said petition and has certified it to be valid; and

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30 p.m. on the 18th day of November, 2013; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-58.1 as amended;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of November 18, 2013.

ANNEXATION DESCRIPTION

Annexation Case 13-04 for 350 South Property - 1.54 Acres

BEGINNING AT AN OLD IRON PIPE ON THE WESTERN 60 FOOT RIGHT OF WAY FOR JOE DRIVE (STATE ROAD#1877) AND BEING IN AN EASTERN LINE OF 350 SOUTH LAND HOLDING, LLC AS RECORDED IN DEED BOOK 6934 PAGE 2020,

THENCE WITH THE WESTERN 60 FOOT RIGHT OF WAY FOR SAID JOE DRIVE AS RECORDED IN DEED BOOK 1907 PAGE 0685 N 07 DEG. 01 MIN. 06 SEC. E DISTANCE BEING 902.08 FEET TO AN EXISTING 3/4 INCH IRON PIPE, THENCE WITH THE SAME N 07 DEG. 01 MIN. 06 SEC. E DISTANCE BEING 245.75 FEET TO A POINT ON THE EASTERN LINE OF AFORESAID 350 SOUTH LAND HOLDING, LLC AND BEING THE NORTHWESTERN TERMINUS OF JOE DRIVE , THENCE WITH THE NORTHERN 60 FOOT TERMINUS OF JOE DRIVE AND A LINE OF 350 SOUTH LAND HOLDING AS RECORDED IN DEED BOOK 7485 PAGE 284 S 82 DEG. 57 MIN. 14 SEC. E DISTANCE BEING 58.55 FEET TO A POINT, THENCE WITH THE EASTERN 60 FOOT RIGHT OF WAY FOR JOE DRIVE AND THE WESTERN LINE OF SAID 350 SOUTH LAND HOLDING AS DESCRIBED IN DEED BOOK 7485 PAGE 284 S 07 DEG. 01 MIN. 30 SEC. W DISTANCE BEING 245.73 FEET TO AN EXISTING 3/4 INCH IRON PIPE, THENCE WITH THE SAME S 07 DEG. 01 MIN. 30 SEC. W DISTANCE BEING 394.08 FEET TO AN EXISTING IRON PIPE, THENCE WITH THE SAME S 07 DEG. 01 MIN. 30 SEC. W DISTANCE BEING 510.30 FEET TO AN EXISTING IRON PIPE, SAID EXISTING IRON PIPE BEING THE SOUTHWEST CORNER OF 350 SOUTH LAND HOLDING, LLC AND BEING THE NORTHWEST CORNER OF JOE W. FRAZIER AS RECORDED IN DEED BOOK 3641 PAGE 0378, THENCE WITH THE SOUTHERN LINE OF HEREIN DESCRIBED AND BEING THE NEW NORTHERN TERMINUS OF JOE DRIVE N 80 DEG. 43 MIN. 01 SEC. W DISTANCE BEING 58.46 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 1.54 ACRES MORE OR LESS.

SECTION 2. Upon and after **November 18, 2013**, the foregoing property and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-58.3.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds for Guilford County and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, thereof, together with a duly certified copy of this ordinance.

Adopted by City Council,
this the **18th** day of **November 18, 2013**.
Lisa B. Vierling, City Clerk

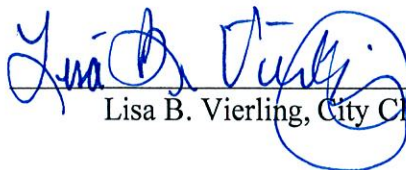


City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

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 Ordinance adopted by the City Council in official Session on November 18, 2013 and upon approval by City Council will be recorded in Book 88 of the Official Minute Books and Ordinance Book XVIII of this City, under my care, custody and control. As of this date, action to adopt said Ordinance 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, the 6th day of December, 2013.

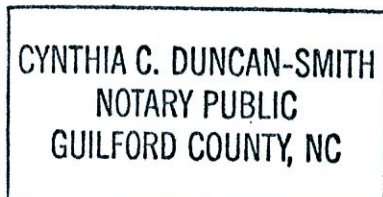

Lisa B. Vierling, City Clerk



ACKNOWLEDGEMENT

I, Cynthia C. Duncan-Smith, a Notary Public of said County and State, do hereby certify that Lisa B. Vierling is known to me as City Clerk of the City of High Point; that this person personally appeared before me this date; and, upon authority duly given and as an act of said City, issued and executed the foregoing Certification.

WITNESS my hand and official Notarial Seal, this 6th day of December, 2013.




Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2015

PLANNING AND ZONING COMMISSION RECOMMENDATION

On November 12, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd, Mr. Andrew Putnam and Mr. Ed Spivey.

High Point University

Street Abandonment Case 13-19

A request by High Point University to abandon Willoubar Terrace, an improved right-of-way lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue.

Mr. Herbert Shannon presented Street Abandonment Case 13-19 and recommended approval as outlined in the staff report.

Speaking on behalf of the request was the applicant's representative, Mr. Ron Guerra, Director of Construction, High Point University.

Speaking in opposition to the request was Mr. Willis McCoy, 323 Foley Drive, Garner, NC, representing family members who live off Barbee Avenue. He questioned if there are any public safety concerns if this street is abandoned.

Mr. Burnette addressed Mr. McCoy's question by stating no public safety concerns were noted by the Technical Review Committee and that Barbee Avenue is still a through street that provides a means of public access from N. Centennial Street to Montlieu Avenue for adjacent property owners.

The Planning & Zoning Commission recommended approval of Street Abandonment Case 13-19 by a vote of 7-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 13-19
November 12, 2013**

Request	
Applicant: High Point University	Proposal: A request to abandon Willoubar Terrace, an improved right-of-way lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Montlieu Avenue	Major Thoroughfare	55-foot wide right-of-way; 37-foot (+/-) paving with curb and gutter
Barbee Avenue	Local street	50-foot wide right-of-way; 30-foot (+/-)paving with curb and gutter

Adjacent Property Zoning and Current Land Use			
North:	CZ-PI	Conditional Zoning Public & Institutional District	High Point University campus (<i>across Montlieu Avenue</i>)
South:	RS-7	Residential Single Family-7 District	Single family residential dwelling (<i>across Barbee Avenue</i>)
East:	RS-7	Residential Single Family-7 District	Vacant single family residential dwelling and undeveloped parcels
West:	RS-7	Residential Single Family-7 District	Single family residential dwelling and undeveloped parcels

Analysis

High Point University has submitted an application to abandon Willoubar Terrace, an improved right-of-way (ROW) lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue. The ROW is 50 feet wide, approximately 352 feet in length (approximately 14,600 square feet) and a 24 feet wide pavement with curb and gutter. This ROW was platted in 1931, as a part of a subdivision entitled "Willoubar Terrace High Point N.C.". It provides direct access to individual lots and has served as an alternate means of ingress & egress for property owners in the abutting subdivisions to the south for decades.

High Point University owns or has under contract to purchase all of the parcels that front along Willoubar Terrace. The University has noted they wish to beautify the area south of their campus with landscaping, their signature fencing (brick & wrought iron fence) and use this area for surface parking lots. As the University owns all property fronting on this portion of Willoubar Terrace, no individual parcel would be denied reasonable access to their property.

The Technical Review Committee (TRC) reviewed this request on October 9, 2013. The Committee stated the applicant needs to address and resolve the following issues prior to

abandonment of the Willoubar Terrace right-of-way; 1) the University owning all parcels along Willoubar Terrace, 2) a utility easement being retained over the full length and width of this right-of-way for various utility lines (water, sewer, electrical etc.) within the right-of-way; and 3) no property owner being deprived full and complete access to all governmental and private services such as garbage/recycling pick-up, emergency response vehicles, school bus pick-up, parcel delivery (i.e. FedEx or other similar private delivery services). As submitted, the request addresses these issues.

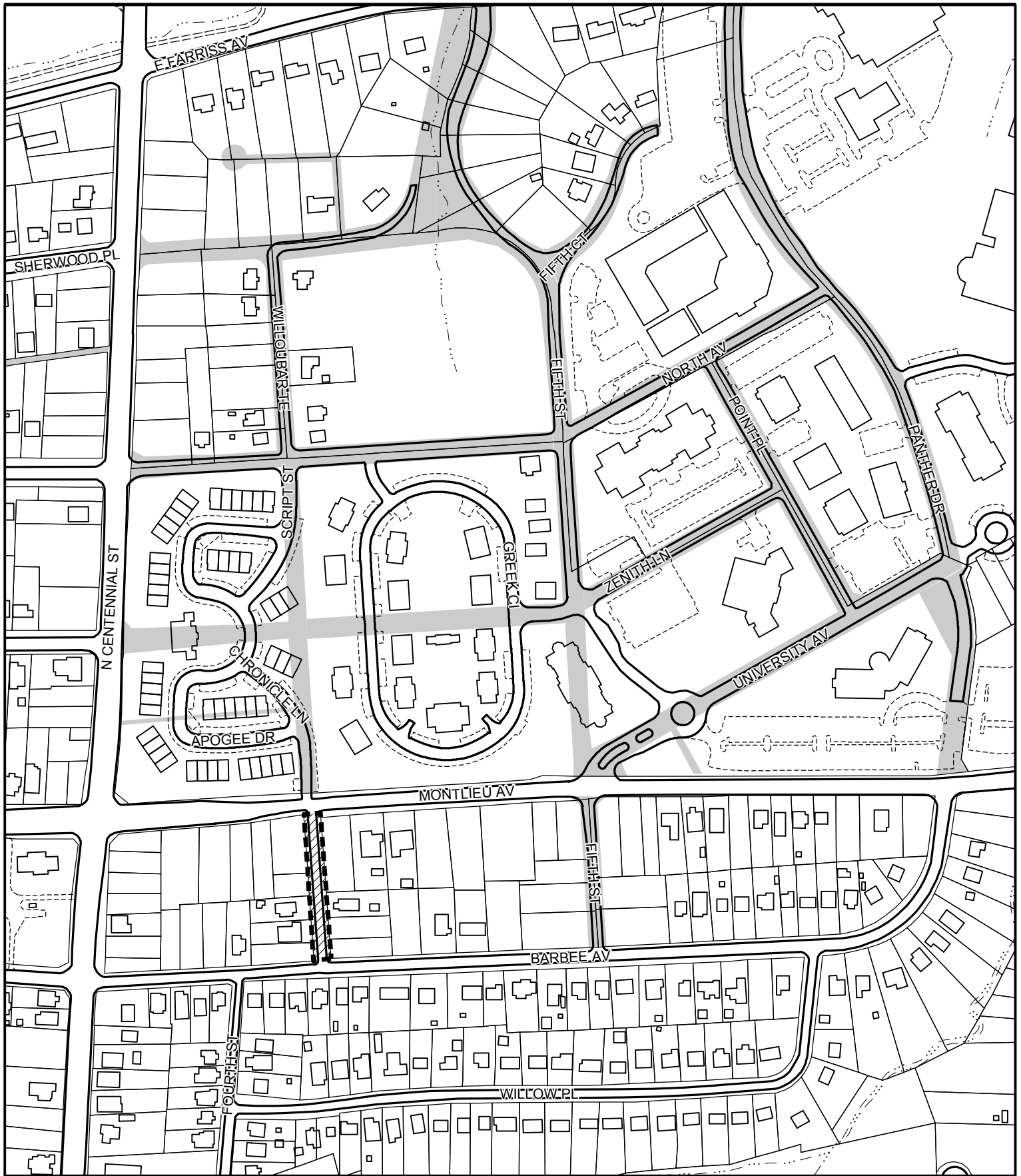
Findings & Recommendation

This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and is found not to deprive owners in the vicinity of the right-of-way reasonable means of ingress and egress to their property. The Planning and Development Department recommends approval of this request with the retention of a utility easement over the entire right-of-way for the existing electrical, water sewer and gas lines.

As a point of information, the area lying south of Montlieu Avenue has a Land Use Plan classification of Low Density Residential and a zoning of Residential Single Family-7 (RS-7) District, both of which are primarily intended for single family detached dwellings and not for University related uses. In conjunction with this street abandonment application, the University has also submitted Land Use Plan Map Amendment Application (LUPA Case 13-01) and a Zoning Map Amendment Application (Zoning Case 13-08) to facilitate an expansion of the University campus into include a two block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street (private street).

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.



STREET ABANDONMENT SA13-19

Applicant: High Point University

Area: 0.316 acres



Location of requested street abandonment



Previously abandoned right-of-ways

Planning & Development
Department

City of High Point

Date: October 24, 2013



Scale: 1"=300'

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Attachments: Photographs (October 2013) and Aerial (February, 2010)
Looking north of the intersection of Barbee Avenue and Willoubar Terrace.



Looking south of the intersection of Barbee Avenue and Montlieu Avenue.



STREET ABANDONMENT REQUEST SA13-19



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

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 18th DAY OF NOVEMBER, 2013 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, High Point University has petitioned the City Council of the City of High Point to permanently abandon (close) Willoubar Terrace, an improved right-of-way lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue.

Street Abandonment Case 13-19

Abandonment of all of the Willoubar Terrace right-of-way (formerly known as Fourth Street), lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue (formerly known as Barbee Street). The area is more specifically described as follows: As depicted on map entitled "Willoubar Terrace High Point N.C." as recorded in Plat Book 4 at Page 212, in the Office of Register of Deeds for Guilford County, North Carolina. Beginning at the southeast corner of the intersection of Montlieu Avenue and Willoubar Terrace, said point also being the northwest most corner of Lot #1 of Block "J"; thence approximately 50 feet in a westerly direction crossing the Willoubar Terrace right-of-way along the southern right-of-way of Montlieu Avenue to the northeast most corner of Lot #11 of Block "G"; thence south with the west right-of-way line of Willoubar Terrace and with the east line of Lots #11, 12, 13 and 16 of Block "G" to the southeast most corner of Lot #16 Block "G"; thence in an easterly direction approximately 50.00 feet crossing the Willoubar Terrace right-of-way along the northern right-of-way limits of Barbee Avenue to the southwest corner of Lot #15 of Block "J"; thence in a northerly direction with the east right-of-way line of Willoubar Terrace right-of-way and the western line of Lots #1, 15, 16 & 17 Block "J" to the point and place of beginning, being all of Willoubar Terrace from the south margin of Montlieu Avenue to the north margin of Barbee Avenue shown on map of Willoubar Terrance, High Point, N.C., Plat Book 4, Page 212.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 21st day of October, 2013, at 4:45 p.m. setting the 18th day of November, 2013 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 25, 2013 and November 1, 8, & 15, 2013; 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 all of the Willoubar Terrace right-of-way (formerly known as Fourth Street), lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue (formerly known as Barbee Street) as shown on a map entitled "Willoubar Terrace High Point N.C." as recorded in Plat Book 4 at Page 212, in the Office of Register of Deeds for Guilford County, North Carolina.

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 all of the improved portion of the Willoubar Terrace right-of-way, lying approximately 490 feet east of N. Centennial Street, between Montlieu Avenue and Barbee Avenue, be closed pursuant to North Carolina G.S. 160A-299; and
2. That the City of High Point shall retain a utility easement covering the width and length of the entire area of the right-of-way; and
3. 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 18th day of November, 2013
Lisa B. Vierling, City Clerk

**PROPOSED USES AND CONDITIONS FOR A CONDITIONAL ZONING DISTRICT
CITY OF HIGH POINT, NORTH CAROLINA**

Zoning Case 12-11
**Conditional Zoning Planned Unit Development – Mixed District
(CZ-PDM)**

October 1, 2012
(Submitted)

PUD Statement of Intent

The applicant has assembled approximately 431 acres of land north of the municipal boundaries of the City of High Point for annexation and rezoning to PDM District. Because of its proximity to Interstate 40 and Piedmont Triad International Airport, this land is ideally suited for office parks, corporate headquarters, and light industrial and commercial uses that potentially could create thousands of jobs and significantly enhance the city's tax base. It is the largest single annexation for business development since Piedmont Center.

Because of the tract's size, the long-term build-out, and the unknown end-users of the tracts, the applicant needs flexibility to attract a broad range of uses. This application details those uses, describes the higher quality of development intended, and describes other conditions that would be applied.

It is also applicant's intent that the zoning conditions in the district will be consistent with a Development Agreement for the tract.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 22, 2013 and before the City Council of the City of High Point on November 18, 2013, regarding **Amendment to Conditional Zoning Case 12-11** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on October 13, 2013, for the Planning and Zoning Commission public hearing and on November 6 and November 13, 2013, 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 **effective on November 18, 2013**.

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: Planned Unit Development – Mixed (PDM) District The property is approximately 511.54 acres consisting of multiple parcels generally lying south of I-40, west of Sandy Ridge Road, north of Boylston Road and east of Bunker Hill Road. The property is also known as Guilford County Tax Parcels 0168770, 0168791, 0168792, 0168794, 0168949, 0170697, 0170699 thru 0170704, 0170710, 0170731, 0170794, 0170826, 0170831, 0170834, 0170990, 0171055, 0171067, 0171075, 0171077, 0171092 and 0170876 (26 Parcels), including the northern 1,190 feet of the former Joe Drive right-of-way abandoned by NCDOT and Guilford County in September 2013 as recorded in Book 7750 Page 112 in the Office of the Register of Deeds of Guilford County, North Carolina.

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES:

- A. Uses permitted by this Conditional Zoning Ordinance are permitted as allowed by Table 4-7-1 of the Development Ordinance. All uses shall be subject to development

- standards, Special Use Permit public hearing approval or additional standards as noted in Table 4-7-1. Except as provided for by this Planned Unit Development-Mixed (PDM) District, development shall be subject to all of the applicable standards, procedures, and regulation of the City of High Point Development Ordinance (including watershed regulation and airport overlay standards).
- B. Any existing use(s) on the date of adoption of this ordinance which do not conform with the new zoning district, shall be considered a legal nonconforming use and subject to requirements of Section 9-4-17(b) (Nonconforming Situations - Nonconforming Use of Land).
- C. The following land uses shall be permitted subject to the development and dimensional requirements of the Development Ordinance, the approved Master Plan, and the specific conditions listed in this ordinance.
1. Agricultural Uses
 - a. Agricultural Production (crops)
 - b. Agricultural Production (livestock)
 - c. Animal Services (livestock)
 - d. Fish Hatcheries
 - e. Forestry
 - f. Horticultural Specialties
 - g. Veterinary Services (livestock)
 2. Accessory Uses and Structures (See Section 9-4-13 of Development Ordinance for additional requirements for accessory structures)
 - a. Accessory Uses and Structures (customary)
 - b. Bulky Item Outdoor Display (*Phase I only*)
 - c. Communication Towers (exceeding height limits of zoning district)
 - d. Communication Towers (not exceeding height limits of zoning district)
 - e. Livestock (as accessory to residential uses)
 - f. Satellite Dishes/TV and Radio Antennae (Accessory)
 - g. Swimming Pools
 3. Recreational Uses
 - a. Athletic Fields (*Phase I only*)
 - b. Clubs or Lodges (*Phase I only*)
 - c. Physical Fitness Centers (*Phase I only*)
 - d. Public Parks (*Phase I only*)
 - e. Public Recreation Facilities (*Phase I only*)
 - f. Sports & Recreation Clubs, Indoor (*Phase I only*)
 - g. Swim and Tennis Clubs (*Phase I only*)
 4. Educational & Institutional Uses
 - i. Ambulance Services (*Phase I only*)
 - ii. Auditoriums, Coliseums, or Stadiums (capacity < 100) (*Phase I only*)

- iii. Auditoriums, Coliseums, or Stadiums (capacity > 100) *(Phase I only)*
 - iv. Day Care Centers, Adult (29 or less) *(Phase I only)*
 - v. Day Care Centers, Adult (30 or more) *(Phase I only)*
 - vi. Day Care Centers, Child (29 or less) *(Phase I only)*
 - vii. Day Care Centers, Child (30 or more) *(Phase I only)*
 - viii. Fire Stations *(Phase I only)*
 - ix. Government Offices *(Phase I only)*
 - x. Libraries *(Phase I only)*
 - xi. Museums or Art Galleries *(Phase I only)*
 - xii. Police Stations, Neighborhood *(Phase I only)*
 - xiii. Post Offices *(Phase I only)*
5. Business, Professional & Personal Services
- a. Accounting, Auditing, or Bookkeeping *(Phase I only)*
 - b. Administrative or Management Services *(Phase I only)*
 - c. Advertising Agencies or Representatives *(Phase I only)*
 - d. Advertising Services, Outdoor *(Phase I only)*
 - e. Automobile Rental or Leasing *(Phase I only)*
 - f. Automobile Repair Services, Minor *(Phase I only)*
 - g. Automobile Parking (commercial) *(Phase I only)*
 - h. Banks, Savings & Loans, or Credit Unions *(Phase I only)*
 - i. Barber Shops *(Phase I only)*
 - j. Beauty Shops *(Phase I only)*
 - k. Building Maintenance Services *(Phase I only)*
 - l. Business Incubators *(Phase I only)*
 - m. Computer Maintenance and Repairs *(Phase I only)*
 - n. Computer Rental and Leasing *(Phase I only)*
 - o. Computer Services *(Phase I only)*
 - p. Economic, Socio., or Educational Research *(Phase I only)*
 - q. Employment Agencies, Personnel Agencies *(Phase I only)*
 - r. Engineering, Architect, or Survey Services *(Phase I only)*
 - s. Equipment Rental & Leasing (no outside storage) *((Phase I only)*
 - t. Equipment Repairs, Light *(Phase I only)*
 - u. Finance or Loan Offices *(Phase I only)*
 - v. Funeral Homes or Crematoriums *(Phase I only)*
 - w. Furniture Repair Shops *(Phase I only)*
 - x. Hotels or Motels *(Phase I only)*
 - y. Insurance Agencies (no on-site claims inspections) *(Phase I only)*
 - z. Insurance Agencies (carriers/on-site claims) *(Phase I only)*
 - aa. Landscape and Horticultural Services *(Phase I only)*
 - bb. Laundry or Dry Cleaning Plants *((Phase I only)*
 - cc. Laundry or Dry Cleaning Substations *(Phase I only)*
 - dd. Law Offices *(Phase I only)*
 - ee. Medical, Dental or Related Offices *(Phase I only)*
 - ff. Medical or Dental Laboratories *(Phase I only)*

- gg. Medical Equipment Rental and Leasing *(Phase I only)*
- hh. Motion Picture Productions *(Phase I only)*
- ii. Noncommercial Research Organizations *(Phase I only)*
- jj. Office Uses Not Otherwise Classified *(Phase I only)*
- kk. Pest or Termite Control Services *(Phase I only)*
- ll. Photocopying and Duplicating Services *(Phase I only)*
- mm. Photofinishing Laboratories *(Phase I only)*
- nn. Photography, Commercial *(Phase I only)*
- oo. Photography Studios *(Phase I only)*
- pp. Real Estate Offices *(Phase I only)*
- qq. Refrigerator or Large Appliance Repairs *(Phase I only)*
- rr. Rehabilitation or Counseling Services *(Phase I only)*
- ss. Research, Development or Testing Services *(Phase I only)*
- tt. Shoe Repair or Shoeshine Shops *(Phase I only)*
- uu. Stock, Security or Commodity Brokers *(Phase I only)*
- vv. Tanning Salons *(Phase I only)*
- ww. Television, Radio, or Electronic Repairs *(Phase I only)*
- xx. Travel Agencies *(Phase I only)*
- yy. Truck & Utility Trailer Rental and Leasing, Light *(Phase II only)*
- zz. Truck & Utility Trailer Rental and Leasing, Heavy *(Phase II only)*
- aaa. Veterinary Service (Other) *(Phase I only)*
- bbb. Vocational, Business or Secretarial Schools *(Phase I only)*
- ccc. Watch or Jewelry Repair Shops *(Phase I only)*
- ddd. Wireless Communication Business *(Phase I only)*

6. Retail Trade Uses

- a. Bars *(Phase I only)*
- b. Bars (capacity > 100 persons) *(Phase I only)*
- c. Caterers *(Phase I only)*
- d. Computer Sales *(Phase I only)*
- e. Garden Centers or Retail Nurseries *(Phase I only)*
- f. Newsstands *(Phase I only)*
- g. Office Machine Sales *(Phase I only)*
- h. Restaurants (no drive-thru) & Banquet Hall *(Phase I only)*
- i. Restaurants (serving mixed alcoholic beverage) *(Phase I only)*

7. Wholesale Trade Uses

- a. Agricultural Products, Other
- b. Apparel, Piece Goods and Notions *(Phase I only)*
- c. Beer/Wine/Distilled Alcoholic Beverages *(Phase I only)*
- d. Books, Periodicals and Newspapers *(Phase I only)*
- e. Drugs and Sundries *(Phase I only)*
- f. Durable Goods, Other *(Phase I only)*
- g. Electrical Goods *(Phase I only)*
- h. Farm Supplies, Other

- i. Flowers, Nursery Stock & Florists Supplies
 - j. Forest Products (*Phase I only*)
 - k. Furniture and Home Furnishings (*Phase I only*)
 - l. Groceries and Related Products (*Phase I only*)
 - m. Hardware (*Phase I only*)
 - n. Jewelry, Watches, Precious Stones & Metals (*Phase I only*)
 - o. Lumber and Millwork (*Phase I only*)
 - p. Lumber and Other Construction Materials (*Phase I only*)
 - q. Machinery, Equipment, and Supplies (*Phase I only*)
 - r. Metals (*Phase I only*)
 - s. Motor Vehicle Parts and Supplies (*Phase I only*)
 - t. Motor Vehicle Tires and Tubes (*Phase I only*)
 - u. Nondurable Goods (*Phase I only*)
 - v. Paints and Varnishes (*Phase I only*)
 - w. Paper and Paper Products (*Phase I only*)
 - x. Plastics Materials (*Phase I only*)
 - y. Plumbing and Heating Equipment (*Phase I only*)
 - z. Professional & Comm. Equipment & Supplies (*Phase I only*)
 - aa. Sporting & Recreational Goods & Supplies (*Phase I only*)
 - bb. Tobacco and Tobacco Products (*Phase I only*)
 - cc. Toys and Hobby Goods and Supplies (*Phase I only*)
 - dd. Wallpaper and Paint Brushes (*Phase I only*)
8. Transportation, Warehousing and Utilities Uses
- a. Bulk Mail and Packaging (*Phase I only*)
 - b. Bus Terminals (*Phase I only*)
 - c. Communication or Broadcasting Facilities (*Phase I only*)
 - d. Communication Towers (exceeding height limits of zoning district)
 - e. Communication Towers (not exceeding height limits of zoning district)
 - f. Courier Services, Central Facility (*Phase I only*)
 - g. Courier Service Substations (*Phase I only*)
 - h. Demolition Debris Landfills, Minor (*Phase I only*)
 - i. Heliports (*Phase I only*)
 - j. Moving and Storage Services (*Phase I only*)
 - k. Utility Company Offices (*Phase I only*)
 - l. Utility Lines and Related Appurtenances
 - Distribution Poles, Transmission Poles & Towers
 - Other
 - m. Utility Service Facilities
 - n. Warehouses (general storage/enclosed) and Distribution Centers(*Phase I only*)
9. Manufacturing and Industrial Uses
- a. Apparel and Finished Fabric Products (*Phase I only*)
 - b. Arms and Weapons (*Phase I only*)
 - c. Audio, Video and Communications Equipment (*Phase I only*)

- d. Bakery Products *(Phase I only)*
- e. Beverage Products (nonalcoholic) *(Phase I only)*
- f. Bicycle Assembly *(Phase I only)*
- g. Bicycle Parts and Accessories *(Phase I only)*
- h. Brooms and Brushes *(Phase I only)*
- i. Burial Caskets *(Phase I only)*
- j. Coffee *(Phase I only)*
- k. Computer and Office Equipment *(Phase I only)*
- l. Contractors (no outside storage) *(Phase I only)*
- m. Costume Jewelry and Notions *(Phase I only)*
- n. Dairy Products *(Phase I only)*
- o. Drugs *(Phase I only)*
- p. Electrical Industrial Apparatus, Assembly *(Phase I only)*
- q. Electrical Industrial Apparatus, Manufac. *(Phase I only)*
- r. Electrical Components *(Phase I only)*
- s. Electrical Equipment *(Phase I only)*
- t. Fabricated Valve and Wire Products *(Phase I only)*
- u. Fats and Oils, Plant *((Phase I only)*
- v. Food and Related Products, Miscellaneous *(Phase I only)*
- w. Furniture Framing *(Phase I only)*
- x. Furniture and Fixtures Assembly *(Phase I only)*
- y. Furniture and Fixtures *(Phase I only)*
- z. Glass Products from Purchased Glass *(Phase I only)*
- aa. Grain Mill Products *(Phase I only)*
- bb. Heating Equipment and Plumbing Fixtures *(Phase I only)*
- cc. Household Appliances *(Phase I only)*
- dd. Ice *(Phase I only)*
- ee. Industrial and Commercial Machinery *(Phase I only)*
- ff. Jewelry and Silverware (no plating) *(Phase I only)*
- gg. Leather and Leather Products (no tanning) *(Phase I only)*
- hh. Lighting and Wiring Equipment *(Phase I only)*
- ii. Manufactured Housing and Wood Buildings *(Phase I only)*
- jj. Measurement, Analysis & Control Instruments *(Phase I only)*
- kk. Medical, Dental and Surgical Equipment *(Phase I only)*
- ll. Metal Fasteners (screws, bolts, etc.) *(Phase I only)*
- mm. Metal Processing *(Phase I only)*
- nn. Millwork, Plywood and Veneer *(Phase I only)*
- oo. Musical Instruments *(Phase I only)*
- pp. Paperboard Containers and Boxes *(Phase I only)*
- qq. Pens and Art Supplies *(Phase I only)*
- rr. Pharmaceutical Preparations *(Phase I only)*
- ss. Photographic Equipment *(Phase I only)*
- tt. Photographic Supplies *(Phase I only)*
- uu. Pottery and Related Products *(Phase I only)*

- vv. Preserved Fruits & Vegetables (no can mfg.) *(Phase I only)*
- ww. Printing and Publishing *(Phase I only)*
- xx. Rubber and Plastics, Miscellaneous *(Phase I only)*
- yy. Signs *(Phase I only)*
- zz. Soaps and Cosmetics *(Phase I only)*
- aaa. Sporting Goods and Toys *(Phase I only)*
- bbb. Sugar and Confectionery Products *(Phase I only)*
- ccc. Textile Products (no dyeing & finishing) *(Phase I only)*
- ddd. Textile Products (with dyeing & finishing) *(Phase I only)*
- eee. Wood Containers *(Phase I only)*

10. Other Uses

- a. Automotive Parking (subj. to Sec. 9-5-6)
- b. High Mast Outdoor Lighting > 50' in ht.
- c. Temporary Construction, Storage or Offices; Real Estate Sales or Rental Offices (with concurrent building permit for permanent building)
- d. Storage Containers, Portable (accessory use)
- e. Temporary Events, including but not limited to: (Refer to Section 9-3-3(f))
 - Arts and Crafts Shows
 - Carnivals and Fairs
 - Christmas Tree Sales
 - Concerts, Stage Shows
 - Conventions, Trade Shows
 - Outdoor Religious Events
 - Turkey Shoots

Part II. CONDITIONS:

A. Development and Dimensional Requirements:

1) Building Standards

- a. Facades: The façade(s) of principal buildings, or any addition or alteration to a principal building, shall comply with the following standards:
 - i. Front Façade: Facades fronting or facing a street, or meeting the definition of a front facade, shall incorporate some combination of arcades, arches, blind arches, awnings, columns, medallions, windows, false windows, cornice or decorative roofline trim, decorative entry areas or other architectural features so as to create visual interest and facade relief. Such features shall be incorporated in the total linear distance of the facade, and these features shall be interspersed throughout the length of the facade so as to best achieve a facade design that has visual interest and a high quality of appearance. Decorative painting of the facade or foundation landscaping may be incorporated into facade design to meet

this requirement but shall not be deemed sufficient when used alone to fulfill the entirety of this requirement. Facades shall be constructed of material as provided in section (b) below (Building Materials). Buildings located on a corner lot that face two or more streets shall construct all facades that face those streets to the above standards.

- ii. Interior side walls: The first 20 percent, up to a total of 60 feet, of any interior side wall (wall not facing a street) shall have the same facade treatment (including architectural features) and building material as the front facade,
 - iii. Windows: Windows that are flush to the facade may be used but shall not be counted toward the requirements of this section unless accompanied by further architectural embellishments that enhance the facade appearance, including, but not limited to, facades with recessed windows and visually prominent sills, lintels or other such forms of framing and trim.
- b. Building Materials.
- i. The front facade shall not consist of or have the appearance of metal siding, plain concrete block, or vinyl siding. Materials such as brick, stone, textured concrete block or materials of a similar nature shall be used in front facades,
 - ii. The use of high intensity colors, metallic colors, black or fluorescent colors on any facade is prohibited. All facade colors shall be of low reflectance, subtle, neutral, or earth tone colors. Building trim and accent areas may feature brighter colors or black; however, neon tubing shall not be an acceptable feature for building trim or accent elements. Roof colors shall be low reflectance and non-metallic. This provision includes all building facades, both treated and untreated.
- c. Loading docks.
- i. Loading docks shall not be located on the front facade, or corner side facade of a building, except as provided below.
 - ii. Loading docks located on the side facade of any building shall be located to the rear of the front wall of the building a length equal to 20 percent of the length of the side wall, although this length shall not be required to exceed 60 feet; except as provided in section c. 5 below.
 - iii. A loading dock may be located on a corner side facade of a building provided that the facade does not front a major or minor thoroughfare. Such a loading dock shall be located on the facade that fronts the street of lower classification where applicable. The portion of such a corner facade that is occupied by loading docks shall not be required to provide

architectural features as required in section a.l (Facade Treatment), although shall meet the building material standards of section b (Building Materials)..

- iv. All loading docks shall be screened from view from any street at a height of six (6) feet above ground level, as seen from the centerline of any adjacent street. Existing or newly planted vegetation, opaque or solid fencing, masonry walls, earthen berms or mounds, other structures or any combination thereof may be used to achieve an effective screen. Plantings used as screening material shall be of such variety and size as to obscure at least 50 percent of the desired view at the time of planting, as determined by the Enforcement Officer. The design and content of required screening shall be included with required landscaping plans for review and approval by the Enforcement Officer.
- v. A loading dock may be located within the front 20 percent of a sidewalk only if a wing-wall or other architectural or building feature is provided that filters the views of the loading dock. Such a wall or other building feature shall provide visual interest and maintain the visual quality and character of the front façade. While such a wall or other building feature shall not be required to entirely screen the applicable loading dock, it shall screen at least 50 percent of the view of the loading dock as seen from the street, as well as provide architectural elements that attempt to draw the viewers attention to the wall or other building feature instead of the visible portions of the loading dock.

2) Site Layout

a. Greenway/Pedestrian Circulation Plan

- i. A Pedestrian Circulation Plan for the Planned Unit Development shall be submitted and approved prior to preliminary subdivision approval, group development plan approval or site plan approval.
- ii. Sidewalks and marked pedestrian crossings in parking areas shall be provided so as to connect all principal buildings except as approved for modification by the Technical Review Committee. Any such crossing in a parking area shall be exclusive of a parking space. Sidewalks should also link greenway trails, pedestrian amenities and any potential future transit locations.
- iii. It is the intent of this conditional zoning ordinance that open space shall be provided to the extent feasible and reasonable. Each site plan shall depict how open space has been preserved, where feasible. The open space shall be connected where possible, with greenways, greenway trails or other paths. At a minimum, greenways as shown on the 2012 version of the High Point Greenway Plan shall be dedicated.

- b. Screening of equipment (ground or roof mounted) and outdoor storage or use:
 - i. Decorative screening and/or landscaping shall be installed to obscure from view, at a height of six (6) feet above ground level as seen from the centerline of any adjacent street, all trash rooms, trash-holding receptacles, roof mounted equipment or appurtenances, and loading or service areas not addressed in section c. (Loading Docks), mechanical or electrical equipment, or other unsightly building appurtenances. Dumpsters shall be screened in accordance with section 9-5-1(d) (Screening) of the Development Ordinance.
- c. Outdoor storage (i) shall not cover an area greater than 25% of ground floor of principal building(s); (ii) shall be located between the building and rear property line; and (iii) shall be fully screened from ground level view from adjacent properties and public and private streets.
- d. Outside manufacturing, processing, or assembly shall not be permitted.
- e. Building Coverage: Complying with any of the following criteria shall result in an increase in 5% of maximum building coverage per tract for each criterion met.
 - i. The property owner supplies additional plantings by providing canopy and understory trees at double the rate listed in Development Ordinance (Table 5-11-2 Planting Yard Rate Chart) in all required planting yards. While any existing trees that are retained in the planting yards may still reduce the number of trees provided by the developer to meet the initial planting rate, the secondary or additional tree count shall be calculated regardless of existing trees retained in such yards. The species of these trees shall be selected from the preferred species list as provided in the Appendix of the Development Ordinance (Recommended Plant Materials List) or as approved by the Planning and Development Department. Any of the trees provided under this provision that cannot be planted in the peripheral or street yards due to space restrictions may be planted elsewhere on the site. Upon approval from the City of High Point such trees may be donated to the city if it is determined that planting them on the property will not further improve the landscaping of the site.
 - ii. Parking is not located between the front building line of a principal building and the street.
 - iii. The building design of the principal building qualifies for Leadership in Energy & Environmental Design (LEED) certification as administered by the U.S. Green Building Council.

- iv. At least 50 percent of the provided parking within a parking structure is located under the principal building or similar structure, or underground.

f. Dimensional Standards – Phase I

i. Lots standards

Minimum lot size	30,000 sq. ft
Minimum Lot width	150 feet
Minimum street frontage	100 feet

ii. Setbacks:

Sandy Ridge Road	50 feet from property line or 95 feet from the centerline of the right of way, whichever is greater.
All other streets	15 feet
Adjacent to Non-Residential Zoning	20 feet (may be reduced to 10 ft. subject to meeting setback reduction condition)
Adjacent to Residential Zoning	50 feet
<u>Setback Reduction:</u> The minimum interior setback adjacent to non-residential zoning may be reduced to 10 feet, provided that either one of the interior side lot lines or the street yard is planted as at least a C yard.	
Maximum building coverage	50% (may be increased to subject to meeting building coverage condition)

g. Dimensional Standards – Phase II

Permitted Agricultural (AG) Districts land uses, and their customary accessory uses, shall be subject to development and dimensional requirements of the AG District and requirements of the Development Ordinance.

B. Landscaping, Buffers, Screening and Lighting.

1). Planting Yard Width and Rate:

Landscaping (along Sandy Ridge Road frontage of the zoning site)

- a. Foundation plantings shall be included in landscape designs along building facades facing Sandy Ridge Road.
- b. Developments along the Sandy Ridge Road frontage of the zoning site shall install, at minimum, a Type C planting yard.

- 2). Prior to the development of the portion of Phase 1 that lies north and west of Sandy Ridge Road, west of Joe Drive, and that adjoins the Maple Creek subdivision, and beside Guilford County Tax Parcels 17-95-7080-0-1127-00-013 and 17-95-7080-0-1127-00-036, 17-95-7080-0-1127-00-008 and 17-95-7080-0-1127-00-042 and 17-95-7080-0-1127-00-005, and 17-95-7080-0-1127-00-004 and

17-95-7080-0-1127-00-034, the developer shall plant a solid row of evergreens within the required Type A fifty (50) foot planting yard. The evergreens shall be of a type that, at maturity, shall be expected to grow at least twenty-five (25) feet in height. Where the buffer and offered plantings encroach upon a protected stream buffers, existing vegetation which is required by law to be protected shall remain (See Exhibit B).

- 3). Parking lot lighting or other external lighting within the portion of Phase 1 that lies adjacent to these properties shall be of a “cut-off” style that is designed not to allow lighting to stray onto adjoining residential properties. This condition shall not apply when parcel(s) listed are no longer zoned or used for residential proposes.

C. Transportation Conditions.

1. General

These conditions apply to the property in the rezoning that lies between Sandy Ridge Road and Adkins Road referred to as Phase 1. Any development on Phase 2 will require an updated Traffic Impact Analysis and additional transportation related conditions must be added to the zoning ordinance for the property.

2. Access

- a. Access to Joe Drive will be allowed per the City of High Point Driveway Ordinance.
- b. Access to Sandy Ridge Road will be allowed through the existing tax parcel 0170831 addressed as 2519 Sandy Ridge Road. To maximize intersection spacing from Dairy Point Drive and Gallimore Dairy Road, this access will be located along the northern property line of this parcel.
- c. No access shall be allowed to Adkins Road with Phase 1 development. Future access to Adkins Road shall be predicated upon the completion of an expanded traffic impact analysis that includes the internal and external roadway network serving the entire 350 South area.

3. Right-of-way

The Developer shall dedicate right-of-way seventy (70) ft as measured from the centerline along Sandy Ridge Road, and thirty (30) ft as measured from the centerline along Joe Drive.

4. Roadway and Intersection Improvements

- a. Sandy Ridge Road @ Joe Drive: The Developer shall construct a northbound left and a southbound right turn lane at this intersection.
- b. Sandy Ridge Road @ Clinard Farms Road: The Developer shall install a northbound right turn lane and a southbound left turn lane at this intersection.
- c. Sandy Ridge Road @ Gallimore Dairy Road: The Developer shall install a northbound right turn lane at this intersection, and shall improve the

southbound left turn lane to provide for a minimum of 300 ft of storage and appropriate bay taper. The Developer shall be responsible for the design and construction of a new traffic signal at this intersection, when warranted. As part of the signal installation, the Developer will be responsible for connecting the signal to the City of High Point Signal System.

- d. Sandy Ridge Road @ Site Access Point: The Developer shall install a southbound right turn lane at this intersection, and a northbound left turn lane with a minimum of 300 ft of storage and appropriate bay taper. The Developer shall be responsible for the design and construction of a new traffic signal at this intersection, when warranted. As part of the signal installation, the Developer will be responsible for connecting the signal to the City of High Point Signal System.
 - e. All roadway and intersection improvements (excluding traffic signals) must be completed prior to the issuance of Certificate of Occupancy for any building in Phase 1.
5. The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all improvements and construction thereof.

D. Signs:

- 1. The location of signage on the rezoning site shall conform to the approved common signage plan. All other signage issues shall be subject to the requirements of the Development Ordinance.
- 2. Common signage plan for the Planned Unit Development shall be submitted and approved prior to preliminary subdivision approval, group development plan approval or site plan approval.
- 3. Specifications of size, type, height, setback, location, design, illumination, and number of signs shall be included in a Common Sign Plan element in accordance with Section 9-4-3(a)(3)g. of the Development Ordinance.

- E. The rezoning site is subject to Section 9-4-3(a)(3) & (5) (*Planned Unit Development Requirements - Development Standards*) of the Development Ordinance as it pertains to dimensional standards, access, commercial areas, alleys, local street design, boundary treatment, signs, parking, environmental sensitive areas, open space and common recreational facilities, phased development, and owners' associations.

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 now 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.

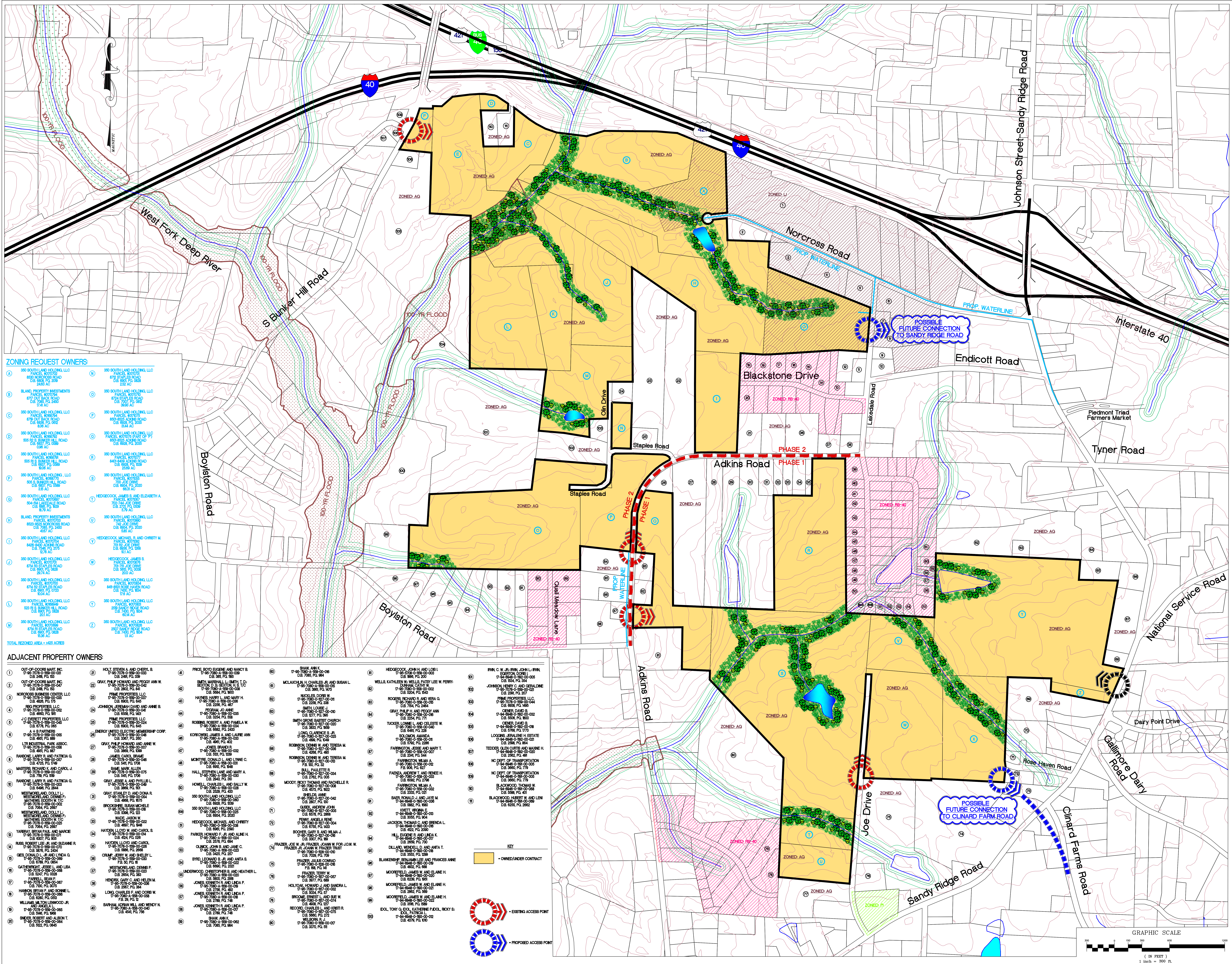
SECTION 6.

This ordinance shall become effective upon the date of adoption.

18th day of November, 2013.

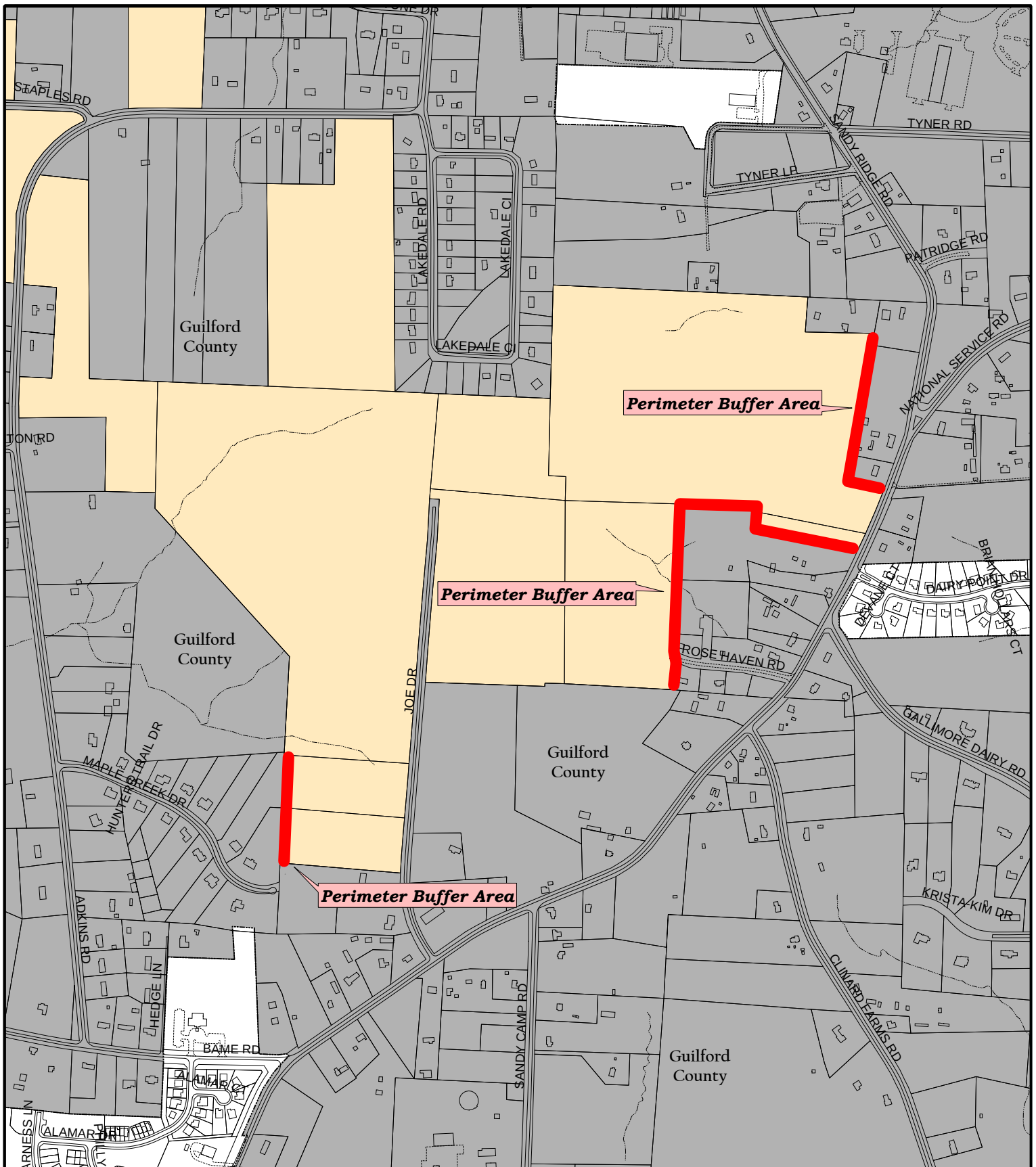
Lisa B. Vierling, City Clerk

Conditional Zoning Case 12-11 Supplemental Information	
Initial Zoning Application	Adopted May 6, 2013 and became effective on May 19, 2013. (Ordinance # 6992/13-24)



ZONING REQUEST OWNERS	
(A) 350 SOUTH LAND HOLDING LLC PARCEL: 8070702 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(N) 350 SOUTH LAND HOLDING LLC PARCEL: 8070705 8725 STAPLES ROAD DB: 8007, PG: 068 2.50 AC
(B) BLAND PROPERTY INVESTMENTS PARCEL: 8070704 8725 STAPLES ROAD DB: 8007, PG: 082 2.50 AC	(O) 350 SOUTH LAND HOLDING LLC PARCEL: 8070710 8725 STAPLES ROAD DB: 8007, PG: 082 2.50 AC
(C) 350 SOUTH LAND HOLDING LLC PARCEL: 8070706 8725 STAPLES ROAD DB: 8007, PG: 082 2.50 AC	(P) 350 SOUTH LAND HOLDING LLC PARCEL: 8070707 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
(D) 350 SOUTH LAND HOLDING LLC PARCEL: 8070708 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(Q) 350 SOUTH LAND HOLDING LLC PARCEL: 8070709 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
(E) 350 SOUTH LAND HOLDING LLC PARCEL: 8070711 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(R) 350 SOUTH LAND HOLDING LLC PARCEL: 8070712 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
(F) 350 SOUTH LAND HOLDING LLC PARCEL: 8070713 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(S) 350 SOUTH LAND HOLDING LLC PARCEL: 8070714 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
(G) 350 SOUTH LAND HOLDING LLC PARCEL: 8070715 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(T) HEDGECOCK, JAMES S. AND ELIZABETH A. PARCEL: 8070716 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
(H) BLAND PROPERTY INVESTMENTS PARCEL: 8070717 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(U) 350 SOUTH LAND HOLDING LLC PARCEL: 8070718 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
(I) 350 SOUTH LAND HOLDING LLC PARCEL: 8070719 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(V) HEDGECOCK, MICHAEL R. AND CHRISTY M. PARCEL: 8070720 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
(J) 350 SOUTH LAND HOLDING LLC PARCEL: 8070721 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(W) HEDGECOCK, JAMES S. PARCEL: 8070722 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
(K) 350 SOUTH LAND HOLDING LLC PARCEL: 8070723 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(X) 350 SOUTH LAND HOLDING LLC PARCEL: 8070724 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
(L) 350 SOUTH LAND HOLDING LLC PARCEL: 8070725 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(Y) 350 SOUTH LAND HOLDING LLC PARCEL: 8070726 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
(M) 350 SOUTH LAND HOLDING LLC PARCEL: 8070727 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC	(Z) 350 SOUTH LAND HOLDING LLC PARCEL: 8070728 8550 NORCROSS ROAD DB: 8008, PG: 208 2.50 AC
TOTAL REZONED AREA = 1425 ACRES	

ADJACENT PROPERTY OWNERS	
(1) OUT-OF-DOORS MART, INC. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(19) HOLT, STEVEN A. AND CHERYL B. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(2) OUT-OF-DOORS MART, INC. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(20) GRAY, PHILIP HOWARD AND REGGY ANN W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(3) NORFOLK BUSINESS CENTER LLC 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(21) PRIME PROPERTIES LLC 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(4) 180 PROPERTIES LLC 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(22) JOHNSON, JEREMIAH DAVID AND ANNE B. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(5) J & B PARTNERS 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(23) PRIME PROPERTIES LLC 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(6) A & B PARTNERS 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(24) PRIME PROPERTIES LLC 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(7) LTR INDUSTRIAL PARK ASSOC. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(25) PRIME PROPERTIES LLC 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(8) RANCHO LARRY R. AND PATRICIA Q. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(26) ENERGY UNITED ELECTRIC MEMBERSHIP CORP. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(9) MASTERS, RICHARD K. AND CAROL J. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(27) GRAY, PHILIP HOWARD AND ANNE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(10) RANCHO LARRY R. AND PATRICIA Q. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(28) JAMES, CAROL BRADY 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(11) WESTMORELAND, DONALD L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(29) GRAY, JESSE A. AND PHILLIPS L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(12) WESTMORELAND, DONALD L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(30) GRAY, STANLEY D. AND DONNA R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(13) WESTMORELAND, DONALD L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(31) BROOKSHIRE, BRIAN MICHAEL 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(14) YARBOROUGH, BRIAN PAUL MARCIE 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(32) MADE, JASON W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(15) RUSS, ROBERT LEE, JR. AND SHARNE R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(33) HAYDON, LLOYD W. AND CAROL S. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(16) QES, DONALD L. AND LYNDIA Q. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(34) HAYDON, LLOYD W. AND CAROL S. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(17) GATHERFORD, JESSE L. AND LISA 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(35) HAYDON, LLOYD W. AND CAROL S. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(18) FARRER, SEAN F. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(36) CRUMP, JERRY W. AND SHELLEY L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(19) HARRIS, DONALD L. AND SHARNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(37) WESTMORELAND, DONALD L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(20) WILLIAMS, M. TON LEMWOOD, JR. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(38) HENRIK, GARY C. AND HELEN M. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(21) SNIDER, ROBERT AND ALISON T. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(39) LONG, CHARLES F. AND CORNE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(22) PRICE, BOYD EUGENE AND NANCY B. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(40) HEDGECOCK, MICHAEL R. AND CHRISTY M. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(23) SMITH, MARSHALL L. SMITH T. D. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(41) PARKER, HOWARD F. JR. AND ALIENE H. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(24) NICKLES, DOBBE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(42) BOYER, GARY T. AND WILLIAM J. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(25) SMITH, LOUISE D. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(43) FRAZER, JOE W. JR. FRAZER, JOANN W. FOR JOAN W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(26) SMITH, CHURCH, SALLYBURY CHURCH 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(44) OLIVER, JOHN B. AND JAMES C. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(27) LONG, CLARENCE S. JR. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(45) BYRD, LEONARD B. JR. AND ANITA S. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(28) ROBINSON, DENNIS W. AND TERESA M. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(46) UNDERWOOD, CHRISTOPHER B. AND HEATHER L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(29) ROBINSON, DENNIS W. AND TERESA M. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(47) JONES, JENNIFER L. AND LINDA P. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(30) RAIL, PAULLETTE R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(48) JONES, JENNIFER L. AND LINDA P. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(31) MOODY, RICH THOMAS AND RACHELLER L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(49) JONES, JENNIFER L. AND LINDA P. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(32) SHELLEY, JAMES 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(50) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(33) OLIVER, ANDREW JOHN 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(51) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(34) PENNY, ANNE L. AND BRENDA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(52) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(35) BOYER, GARY T. AND WILLIAM J. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(53) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(36) FRAZER, JOE W. JR. FRAZER, JOANN W. FOR JOAN W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(54) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(37) OLIVER, JOHN B. AND JAMES C. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(55) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
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(40) JONES, JENNIFER L. AND LINDA P. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(58) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(41) JONES, JENNIFER L. AND LINDA P. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(59) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
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(43) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(61) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(44) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(62) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
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(46) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(64) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(47) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(65) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(48) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(66) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
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(50) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(68) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(51) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(69) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(52) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(70) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(53) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(71) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(54) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(72) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(55) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(73) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(56) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(74) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(57) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(75) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(58) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(76) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(59) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(77) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(60) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(78) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(61) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(79) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(62) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(80) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(63) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(81) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(64) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(82) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(65) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(83) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(66) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(84) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(67) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(85) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(68) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(86) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(69) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(87) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(70) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(88) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(71) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(89) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(72) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(90) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
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(74) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(92) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(75) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(93) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
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(77) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(95) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
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(80) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(98) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(81) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(99) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(82) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(100) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(83) RECORD, CHARLES L. AND FRIST R. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(101) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(84) SNAPE, ANNE L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(102) BROOKS, EMMETT L. AND BIE W. 17-95-7070-A-100-00-000 DB: 2491, PG: 185
(85) HOLYAK, HOWARD J. AND SANDRA L. 17-95-7070-A-100-00-000 DB: 2491, PG: 185	(103) RECORD, CHARLES L. AND FRIST R. 17-95



ZONING CASE 12-11

Exhibit B



50' Landscaping Buffer Yard
and Lighting Buffer

Planning & Development
Department

City of High Point

Date: May 2, 2013



Scale: 1"=800'

y:/ba-pz/2013/pz/Az12-11exhB.mxd



CITY OF HIGH POINT NORTH CAROLINA



DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION DIVISION

AGENDA ITEM

To: Randy McCaslin, Assistant City Manager
From: Mark McDonald, Transportation Director
Date: November 8, 2013
Subject: Home Furnishings Market Grant Agreement with NCDOT

On October 4, 2012, the North Carolina Board of Transportation approved funds in the amount of \$1,200,000 for the Home Furnishings Market. Attached is a resolution authorizing the City Manager to execute the required agreement with NCDOT to receive reimbursement funds for the project.

If you have any questions or would like to discuss the matter further, please advise.

MVM/aww



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

October 31, 2013

Mr. Stribling Boynton, City Manager
City of High Point
P.O. Box 230
High Point, North Carolina 27261

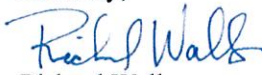
RE: FY14 Demonstration Grant Program
Project No. 14-DG-025
WBS Element No.: 36223.13.6.2
Agreement ID #: TBD

Dear Mr. Boynton:

On October 3 2013 the Board of Transportation approved your organization's request for a Demonstration grant in the amount of \$1,200,000 for the International Home Furnishings Market. The agreement to be executed between City of High Point and NCDOT is enclosed. The individual authorized to enter into this agreement for the financial assistance on behalf of your agency will sign the agreement. Please provide a copy of the agreement to all parties that will be involved in the administration of the grant, and request that the agreement be reviewed carefully. Instructions for completion of the grant agreement process are enclosed.

Please refer to Section 4b of the grant agreement that requires sub-recipients to submit monthly or quarterly requests for reimbursement.

If you have any question related to the grant agreement, please contact Charlie Wright, Financial Manager at 919-707-4674 or your assigned Accounting Specialist. In any correspondence, please be sure to reference your assigned project number, WBS element, Agreement number and period of performance referenced on this letter.

Sincerely,

Richard Walls
Deputy Secretary of Transit

RW\cw

Cc: Angela Wynes, Assistant Transit Manager

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION
1550 MAIL SERVICE CENTER
RALEIGH, NC 27699-1550

TELEPHONE: 919-707-4670
FAX: 919-733-1391
WWW.NCDOT.GOV/NCTRANSIT

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH, NC



RESOLUTION
AUTHORIZING **THE CITY OF HIGH POINT**
TO ENTER INTO AN AGREEMENT WITH
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

A motion was made by _____ and seconded by _____
(name and title)
_____ for adoption of the following resolution, and
(name and title)
upon being put to a vote was duly adopted.

WHEREAS, the **City of High Point** has requested the North Carolina Department of Transportation to assist in the funding of **transportation activities for the bi-annual International Home Furnishings Market**; and

WHEREAS, the **North Carolina Department of Transportation** will provide **100%** of the cost of the above described project up to \$1,200,000;

NOW THEREFORE, BE IT RESOLVED that the **City Manager** is hereby authorized to enter into a contract with the Department of Transportation and execute all agreements and contracts with the North Carolina Department of Transportation, Public Transportation Division.

.....

I, _____ do hereby certify that the above is a true and
(Name and title)
correct copy of an excerpt for the minutes of a meeting of the **City of High Point City Council**
duly held on the _____ day of _____, 20____.

Signature of Certifying Official

Financial Services

Jeffrey A. Moore, CPA
DIRECTOR



MEMORANDUM

November 8, 2013

MEMO TO: Strib Boynton, City Manager

FROM: Jeffrey A. Moore, Financial Services Director *JAM*

SUBJECT: Lease-purchase financing for 2013 fire trucks and front-end loader

The Financial Services Department sent requests for proposals to 23 financial and leasing institutions, and received 10 responses, eight (8) of which were responsive and conforming to the specifications for the proposal. I recommend that City Council accept the bid with the lowest total cost of financing and meeting specifications, and award the financing agreement to Bank of America Public Capital Corp who provided the City with a very favorable 1.20% interest rate for five years. A summary of the bid results is attached for your information.

The bid results were evaluated on the initial proposal which requested an estimated funding not to exceed \$1,500,000. The actual repayment will be \$77,338.62 quarterly for a total repayment of \$1,546,772.40.

City Council is asked to approve the following actions at their meeting of November 18, 2013, in connection with the financing agreement and closing of the related documents:

1. City Council is requested to authorize the City Manager and Financial Services Director to accept the proposal for the lease-purchase agreement with Bank of America Public Capital Corp, to authorize the borrowing as evidenced in the attached resolution, and to prepare and execute the necessary documents in connection with the financing agreement.

If you have any questions, please let me know.

Accounting
336.883.3240

Internal Audit
336.883.3122

Purchasing
336.883.3219

Treasury Services
336.883.3230

City of High Point, P.O. Box 230, 211 South Hamilton Street, High Point, NC 27261 USA
Fax: 336.883.8572 Phone: 336.883.3237 TDD 336.883.8517

City of High Point
Lease-Purchase Bid Tabulation
\$1,500,000
2 Pierce Mfg Fire Trucks & SCBA Truck-2013
Front End Loader Truck-2013

Institution	Rate %	Term	Payment	Total of Payments	Special Notes
Bank of America	1.20000%	5	77,338.62	\$ 1,546,772.40	101% Prepymt
BB&T Governmental Finance	1.45000%	5	77,883.01	\$ 1,557,660.20	101% Prepymt
NewBridge Bank	2.35000%	5	79,632.69	\$ 1,592,653.80	103% Prepymt;\$100 doc fee; \$250 escrow fee
PNC Bank	1.44000%	5	77,862.78	\$ 1,557,255.60	escrow fee
Quail Capital Finance	3.05100%	5	81,151.13	\$ 1,623,022.60	
Santander Capital	1.32000%	5	77,621.73	\$ 1,552,434.60	103% Prepymt;\$100 doc fee; \$250 escrow fee
SunTrust Leasing	1.42500%	5	77,744.96	\$ 1,554,899.20	escrow fee
Wells Fargo Governmental Finance	1.32000%	5	77,621.73	\$ 1,552,434.60	\$250 doc fee
High Point Bank	no bid	5			
Chase Equipment	no bid	5			

Resolution Approving Financing Terms

WHEREAS: The City of High Point ("City") has previously determined to undertake a project for the acquisition of certain fleet equipment needs of the City (the "Project"), and the Financial Services Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through Bank of America Public Capital Corp ("Bank"), in accordance with the proposal dated November 4, 2013. The amount financed shall not exceed \$1,500,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.20%, and the financing term shall not exceed fifty-nine (59) months from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. The City Manager, Strib Boynton and Financial Services Director, Jeffrey A. Moore, of this City (the officer or officers authorized to act pursuant hereto being hereinafter designated as "authorized officers"), be, and they hereby are authorized, directed and empowered, acting jointly or singly, in the name of this City, to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as Bank may request.

3. The Financial Services Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Financial Services Director is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Financial Services Director shall approve, with the Financial Services Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code 265(b)(3).

5. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

BE IT FURTHER RESOLVED: That Bank is authorized to act upon this resolution until written notice of its revocation is delivered to Bank, and that the authority hereby granted shall apply with equal force and effect to the successors in office of the officers herein named.

I, Lisa Vierling, City Clerk of the City of High Point, NC, an instrumentality of the State of North Carolina_ hereby certify that the foregoing is a full, true and correct copy of a resolution of the City Council of said City, duly and regularly passed or adopted by said City Council as required by law and by the by-laws of said City on November 18, 2013, that said resolution is still in full force and effect and has

not been amended or revoked and that set forth below are specimen signatures of the officers authorized to sign for said City by virtue of said resolution.

IN WITNESS WHEREOF, I have signed as such City Clerk and affixed the corporate seal of said City on November ____, 2013.

SPECIMEN SIGNATURES:

(If the certifier is among those authorized to sign,
another authorized officer must also sign this
Certificate)

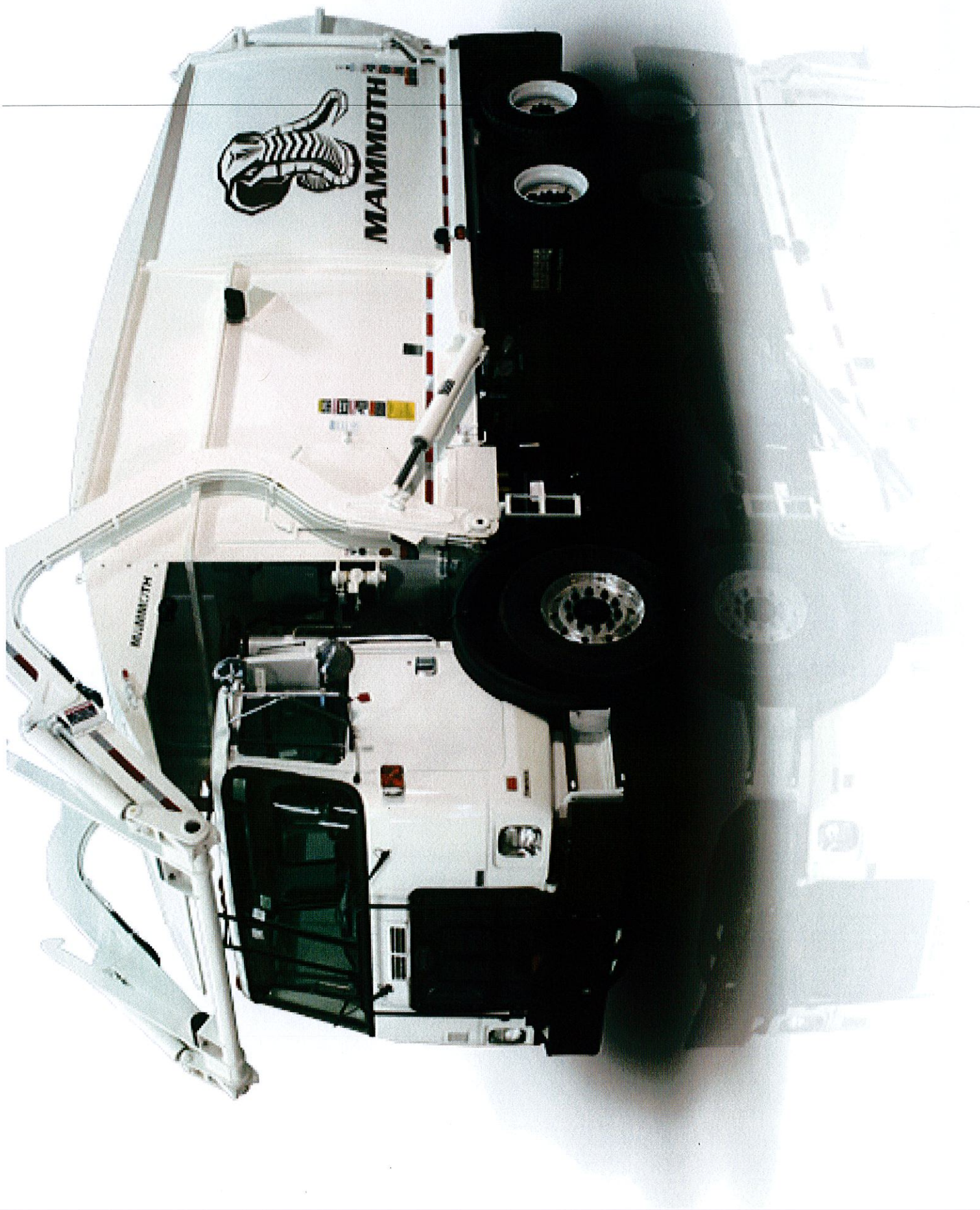
Signature) **Corporate
Seal Here**

_____, **City Clerk**
(Signature of authorized certifier) Title

(Signature)

CITY OF HIGH POINT, NC
An instrumentality of the State of North Carolina





PLANNING AND ZONING COMMISSION RECOMMENDATION

On October 22, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd and Mr. Mark Walsh.

350 South Land Holdings

Amendment to Zoning Case 12-11

A request by 350 South Land Holdings, LLC to amend Conditional Zoning Case 12-11 (CA12-11) to:

- a. Add approximately 1.54 acres, of the former Joe Drive right-of-way, lying approximately 1,750 feet north of Sandy Ridge Road.
- b. Rezone approximately 1.54 acres from the Residential Single Family-40 (RS-40) District, within Guilford County's zoning jurisdiction, to an amended Planned Unit Development-Mixed (PDM District).

Mr. Herbert Shannon presented the Amendment to Zoning Case 12-11 and recommended approval as outlined in the staff report.

Speaking on behalf of the request was the applicant's representative Mr. Thomas E. Terrell, Jr., Smith Moore Leatherwood LLP, 300 North Greene Street, Suite 1400 Greensboro, NC.

No one spoke in opposition.

The Planning & Zoning Commission recommended approval of Amendment to Conditional Zoning Case 12-11, by a vote of 7-0.

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

**STAFF REPORT
ZONING CASE 12-11
October 22, 2013**

Request	
Applicant: 350 South Land Holdings, LLC.	Owner(s): 350 South Land Holding, LLC.
Zoning Proposal: Apply initial City zoning by amending Conditional Zoning 12-11 (CZ12-11) to add approximately 1.54 acres.	From: AG Agricultural District (<i>Guilford Co</i>)
	To: PDM Planned Unit Development- Mixed District (CZ12-11)

Site Information	
Location:	Northern portion of the former Joe Drive right-of-way, lying approximately 1,750 feet north of Sandy Ridge Road
Tax Parcel Numbers:	Portion of Guilford County Tax Parcels 0171055 and 0170876
Site Acreage:	Approximately 1.54 acres
Current Land Use:	Former Joe Drive road right-of-way
Physical Characteristics:	The site has moderately sloping terrains.
Water and Sewer Proximity:	There is an existing 16-inch City water within Sandy Ridge Road and a 16-inch sewer line running along the West Fork of the Deep River. In addition, 8-inch & 6-inch sewer lines are lying adjacent to the northern portions of Sandy Ridge Road.
General Drainage and Watershed:	The site drains in a westerly direction. Development is subject to the Oak Hollow Lake General Watershed Areas (GWA) requirements of the water supply watershed regulations. Engineered stormwater treatment measures are required for non-residential development with an impervious surface area greater than 24% of the site.
Overlay District(s):	Oak Hollow Lake GWA and Airport Overlay - Zone 2

Adjacent Property Zoning and Current Land Use			
North:	PDM	Planned Unit Development-Mixed District	Single family detached dwelling
South:	AG	Agricultural District (<i>Guilford County</i>)	Joe Drive right-of-way
East:	PDM	Planned Unit Development-Mixed District	Single family detached dwelling
West:	PDM	Planned Unit Development-Mixed District	Undeveloped parcels and accessory farm structures

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	<u>GOAL 1:</u> Preserve and enhance High Point's most important natural and cultural resources. Obj. #1C: Protect the city's water supply through compatible use and design innovations, and minimizing the disturbance of land.

	GOAL 6: Keep High Point's economy strong and make it more diversified. Obj. #6F: Prioritize measures to enhance High Point's overall quality of life to retain and expand existing industries and to attract new ones.
Land Use Plan Map Classification:	The site has a Restricted Industrial land use designation. This classification is intended to accommodate office, warehouse, research & development, distribution, and light manufacturing or assembly uses on larger sites in unified developments.
Land Use Plan Goals, Objectives & Policies:	The following goal of the Land Use Plan is relevant to this request: <u>Goal #5:</u> Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.
Relevant Area Plan: <i>Northwest Area Plan</i>	This area is designated as a Business Center Area in the Northwest Area Plan. These areas are intended to accommodate a wide variety of employment uses, such as office, research, corporate park, industrial and related uses.
Zoning History:	The northwestern portion of the City's Planning Area extends northward to I-40 and from Sandy Ridge Road westward just past the Guilford/Forsyth County line. From 1998 to 2013, there have been several annexations and zonings, totaling over 810 acres in this area. The most recent was in May 2013, when City Council approval annexation and initial City zoning of approximately 510 acres (Zoning Case 12-11) for development.

Transportation Information					
Adjacent Streets:	Name		Classification		Approx. Frontage
	Joe Drive		Local Street		59 ft.
Vehicular Access:	The 1.54 acres associated with this application will be added to Phase I of CZ12-11. Vehicular access to this portion of the PUD will from Sandy Ridge Road and Joe Drive.				
Traffic Counts: (Average Daily Trips)	Sandy Ridge Road			10,000 ADT (2011, 24 hour count)	
Estimated Trip Generation:	This request will not significantly increase vehicular trips.				
Traffic Impact Analysis:	Required		Comments		
	☐	<u>Yes</u>	☒	<u>No</u> X	None
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.				

School District Comment
Not applicable to this zoning case, the site is within Airport Overlay - Zone 2, which prohibits any new residential development.

Planned Unit Development (PUD) Overview
Planned Unit Development (PUD) Districts are termed "floating districts" by the Development Ordinance, meaning they may be applied anywhere within the City but only pursuant to a specific zoning map amendment request. All PUD districts are reviewed and approved through the conditional zoning process. The dimensional standards of the Ordinance are waived in a PDM

District, except within 150 feet of the perimeter of the proposed PUD District, where scale and setback of structures shall be in harmony with development on adjacent lands.

A PUD is an optional form of land development designed to permit land uses that are planned for and controlled by a master plan called a PUD Master Plan. Specific development standards pertaining to density, size, location and arrangement of buildings, lot dimensions, and landscaping are set aside by the Ordinance. In their place, the general development standards for PUDs, found in Section 9-4-3(a)(3), and the site-specific development standards approved in the Conditional Zoning Ordinance and the accompanying PUD Master Plan governs the land uses permitted on the site and the manner in which they may develop.

Details of Proposal

In May 2013, City Council approve a request to annex and apply initial City zoning for approximate 510 acres for Conditional Zoning Case 12-11 (CZ12-11). A Planned Unit Development-Mixed (PDM) District zoning was granted for the development of a large scale business/industrial park. The southern portion of the zoning site is bisected by the 59 foot wide by 1,190 foot long northern terminus of the Joe Drive right-of-way. To maximum development potential of this portion of their property they have requested and been granted approval by the NC Department of Transportation and Guilford County to abandon the northern portion of Joe Drive.

Now that this right-of-way is abandoned, it is considered private property and the applicant is requesting the following: 1) that the land area within this former right-of-way be annexed into the City of High Point (Annexation Case 13-04); 2) to add 1.54 acres of the former Joe Drive right-of-way into CZ 12-11 and establish a PDM District zoning for this area; and 3) to amend the PUD Master Plan to add 1.54 acres. This requested amendment to CZ12-11 does not change any of the conditions adopted by Council in May 2013; it adds this area into CZ12-11 and makes this area subject to that ordinance.

Staff Analysis

Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Development Ordinance and shall give consideration to the following specific PUD Findings and Conditional Zoning Review Factors in its review and discussion of any PUD application.

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:

PUD Findings:

Applications for Planned Unit Development Districts shall be approved only if all of the following findings are made:

<u>Finding#1</u>	That application of planned unit development requirements to the property will produce a development of equal or higher quality than otherwise required by the strict application of conventional regulations of districts designated by the adopted Land Use Plan;
	<u>Staff Comments:</u> The proposal as a whole will create an overall development that will be of a higher standard than under conventional zoning due to existing conditions in CZ Ordinance CZ12-11, and the unified review of the site and its uses.

<u>Finding#2</u>	That application of planned unit development requirements to the property will encourage innovative arrangement of buildings and open spaces to provide efficient, attractive, flexible, and environmentally sensitive design; <u>Staff Comments:</u> The assemblage of this large land area for a planned development facilitates the creation of a long-range plan for this area to develop in a cohesive and unified manner. Vehicular & pedestrian traffic can be planned and integrated; overall unified and attractive building design concepts can be coordinated; and it will provide for an overall identification of the proposed business/industrial park as a destination point.
<u>Finding#3</u>	That application of planned unit development requirements to the property will produce a development functioning as a cohesive, unified project and; <u>Staff Comments:</u> CZ12-11 provides for unified cohesive development along with some common building design standards and an interconnected roadway network. The proposed addition of land area does not change these unifying design components of the PUD.
<u>Finding#4</u>	That application of planned unit development requirements to the property will not substantially injure or damage the use, value, and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the City. <u>Staff Comments:</u> The zoning site is surrounded on three sides by existing PDM District associated with CZ12-11. The addition of this 1.54 acre does not change the initial findings.

Consistency with Adopted Plans:

The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

Staff Comments: This request is consistent with the City's Land Use Plan and with City Councils adopted policies for the Northwest Area Plan.

Review Factors:

The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses; <u>Staff Comments:</u> The zoning site is surrounded on three sides by existing PDM District associated with CZ12-11. The addition of this 1.54 acre area does not change the initial findings or the conditions approved for CZ12-11.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; <u>Staff Comments:</u> The large land areas associated with CZ12-11 assist in providing for flexibility in building placement and assists in mitigating potential negative impacts to adjacent properties.

<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; <u>Staff Comments:</u> ❖ Standards of the Development Ordinance along with PUD open space environment standards will ensure minimal impact on environmentally sensitive areas. ❖ The zoning site is within the Oak Hollow Lake General Watershed Area. Engineered stormwater treatment measures are required for non-residential development with an impervious surface area greater than 24% of the site.
<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; <u>Staff Comments:</u> City of High Point water and sewer lines generally surround this portion of the City's Planning Area. However, utility line extensions to individual development sites will be required.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties. <u>Staff Comments:</u> The addition of this 1.54 acres area does not change the initial findings.

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.

Staff Comments:

- ❖ The abandonment of this area as a public right of way has changed the use of this area from a public to a private use.
- ❖ The approval of Conditional Zone Case 12-11 to permit a 510 acre business/industrial park has changed the development potential for this area.

Development Patterns:

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

Staff Comments:

The narrow configuration of the property (59 ft. x 1,190 ft.) severely limits the individual development potential of the zoning site. Based on above noted discussion on changes to area and the fact that the site is surrounded on three sides by PDM District supports this zoning change request.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.

Staff Comments:

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) the request is consistent with the City's Land Use Plan and with City Councils adopted policies for the NW Area Plan; 2) based on condition of CZ12-11, which are not proposed to be changed, the proposed expansion of the PDM District to add the northern terminus

of the former Joe Drive right-of-way will be compatible with surrounding uses and will not negatively affect the value and enjoyment of abutting parcels; 3) the site is surrounding on three sides by CZ12-11.

Recommendation

Staff Recommends Approval

The Planning & Development Department recommends approval to:

1. Add 1.54 acres to CZ12-11 and establish a PDM District for the zoning site.
2. Amend the PUD Master Plan for CZ12-11 to add 1.54 acres.

Required Action

Planning and Zoning Commission:

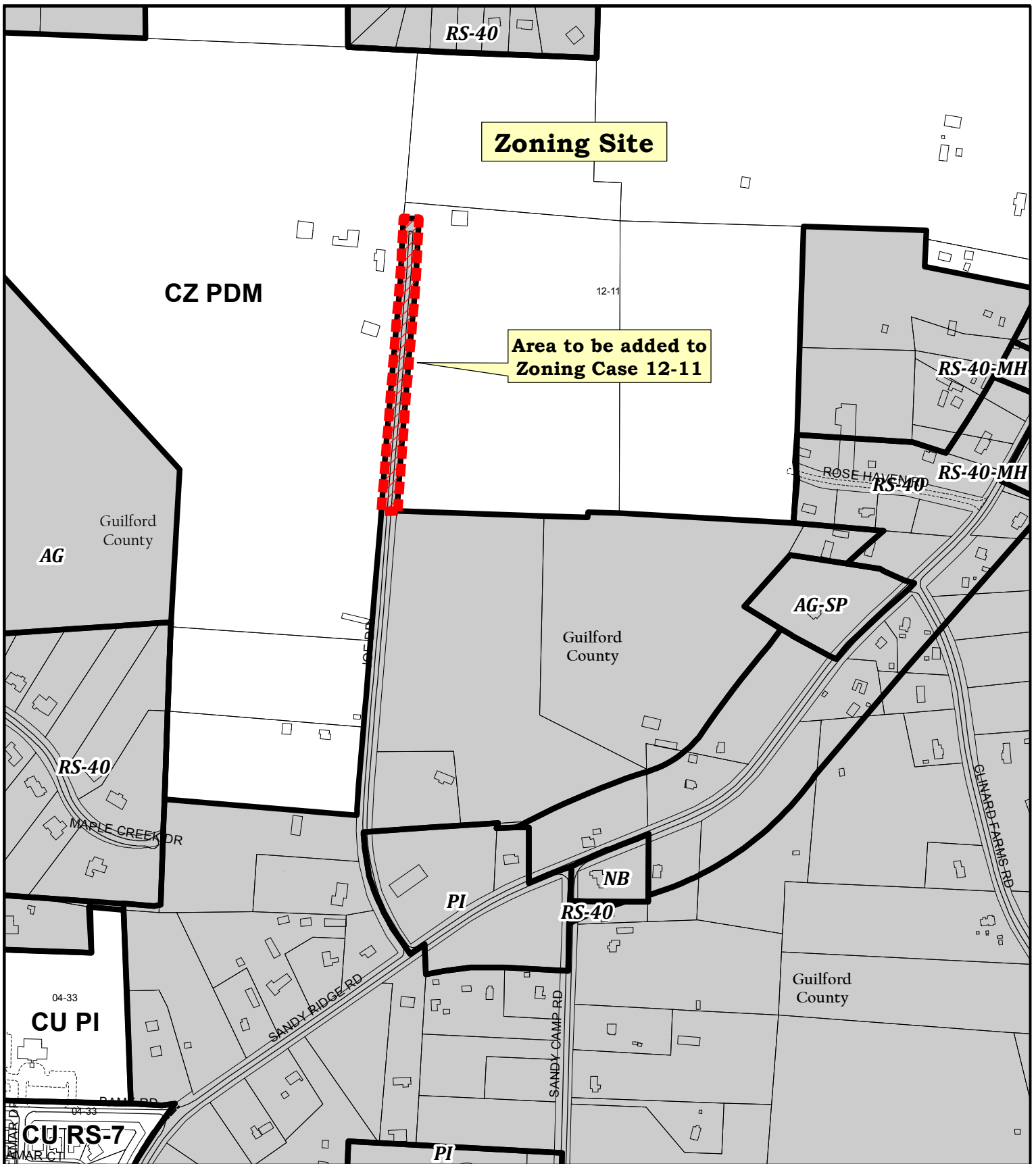
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission must place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point City Council also must place in the official record a statement of consistency with the City's adopted plans, and must explain why the action taken to be reasonable and in the public interest. 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 Lee Burnette AICP, Director.



AMENDMENT TO CZ12-11

From: Agricultural (Guilford County)
To: Conditional Zoning Planned Unit Development-Mixed

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

Planning & Development
Department

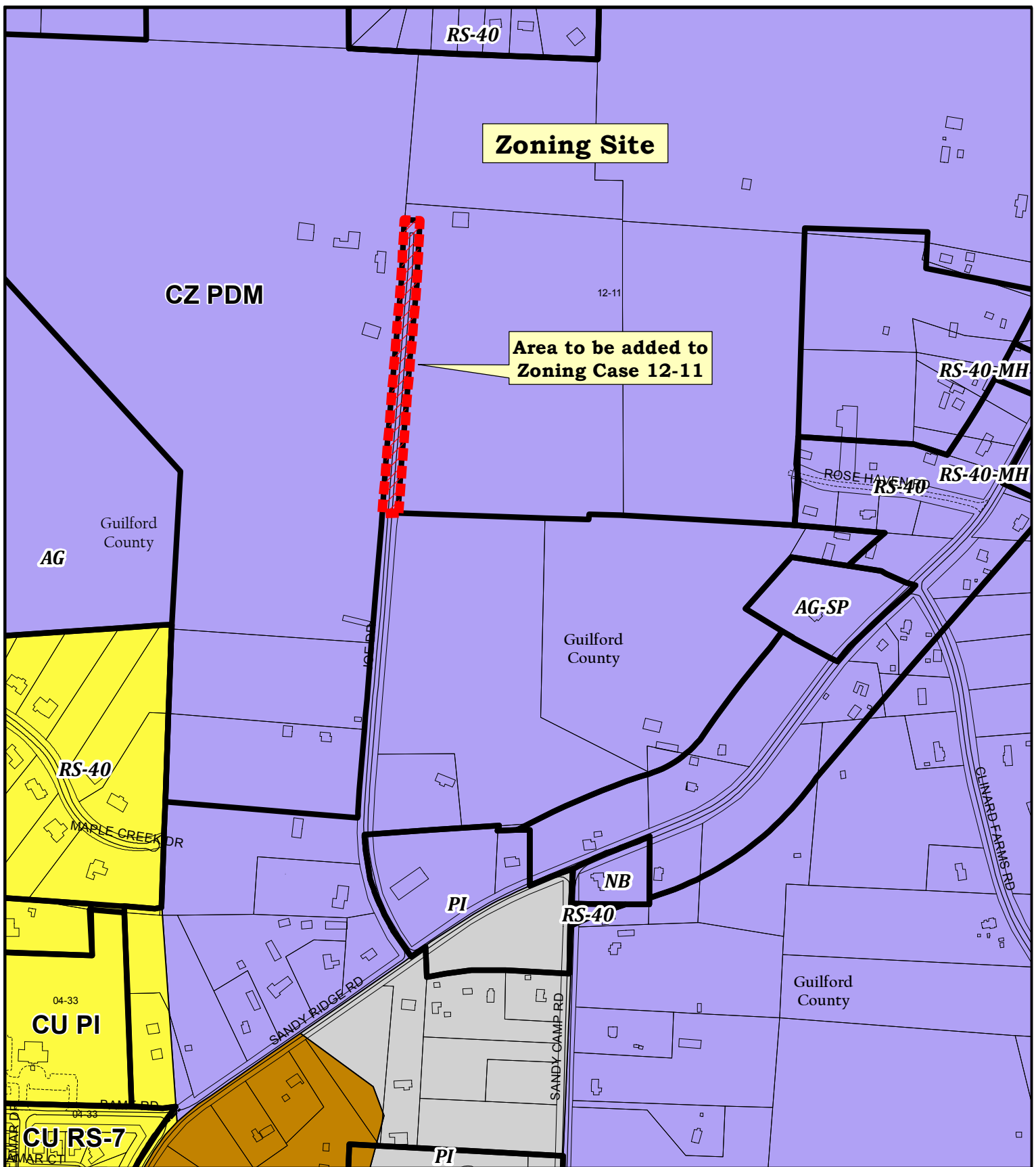
City of High Point

Date: October 1, 2013



Scale: 1"=500'

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AMENDMENT TO CZ12-11

Land Use Plan

- | | |
|--|--|
| Low-Density Residential | Restricted Industrial |
| Medium-Density Residential | Institutional |

Planning & Development
Department

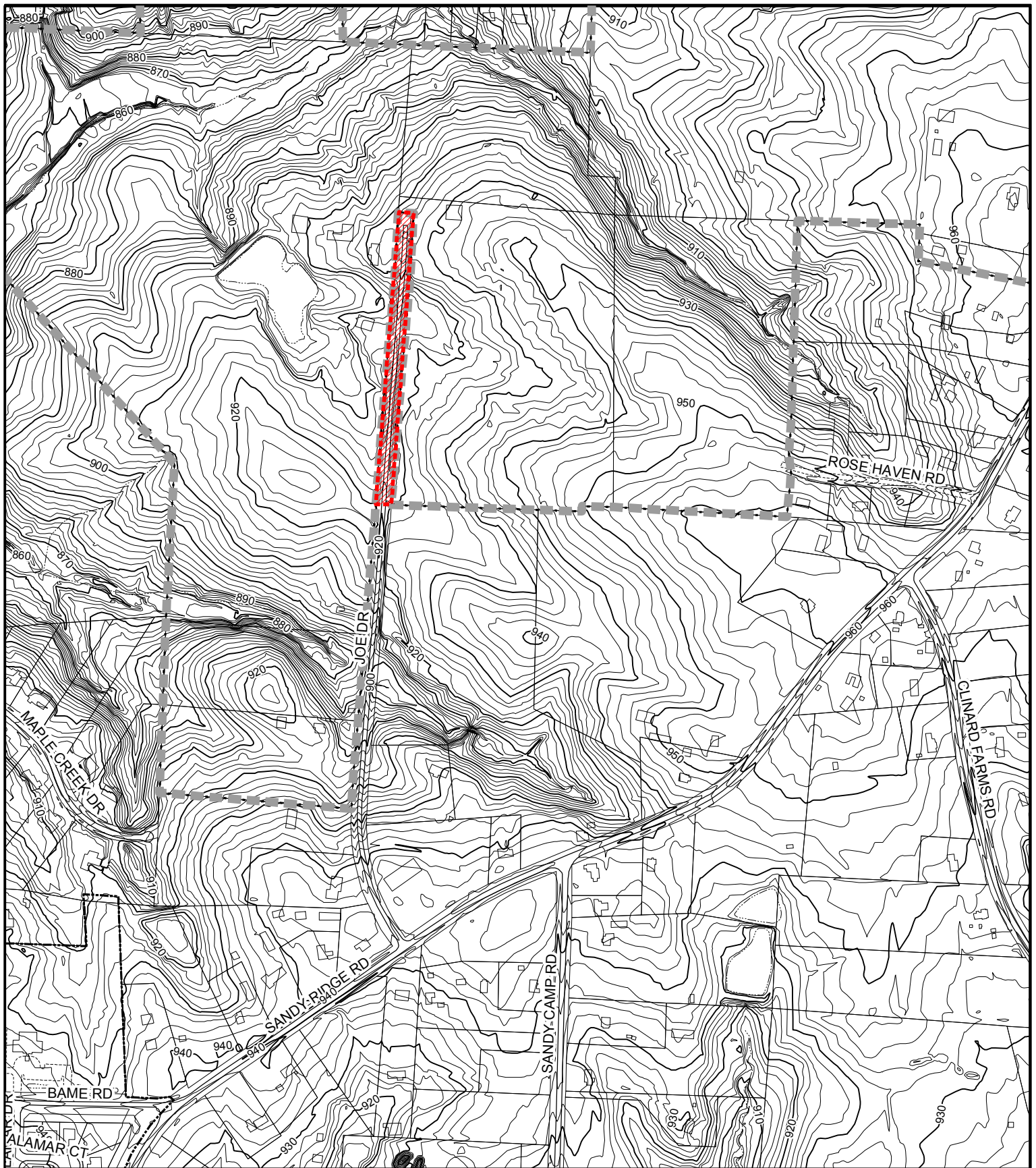
City of High Point

Date: October 7, 2013



Scale: 1"=500'

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Az12-11_2clu.mxd



AMENDMENT TO CZ12-11

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: October 14, 2013



Scale: 1"=500'

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Az12-11topo_2.mxd

AMENDMENT TO CZ12-11



**PROPOSED USES AND CONDITIONS FOR A CONDITIONAL ZONING DISTRICT
CITY OF HIGH POINT, NORTH CAROLINA**

Zoning Case 12-11
**Conditional Zoning Planned Unit Development – Mixed District
(CZ-PDM)**

October 1, 2012
(Submitted)

PUD Statement of Intent

The applicant has assembled approximately 431 acres of land north of the municipal boundaries of the City of High Point for annexation and rezoning to PDM District. Because of its proximity to Interstate 40 and Piedmont Triad International Airport, this land is ideally suited for office parks, corporate headquarters, and light industrial and commercial uses that potentially could create thousands of jobs and significantly enhance the city's tax base. It is the largest single annexation for business development since Piedmont Center.

Because of the tract's size, the long-term build-out, and the unknown end-users of the tracts, the applicant needs flexibility to attract a broad range of uses. This application details those uses, describes the higher quality of development intended, and describes other conditions that would be applied.

It is also applicant's intent that the zoning conditions in the district will be consistent with a Development Agreement for the tract.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 22, 2013 and before the City Council of the City of High Point on November, 18, 2013, regarding **Amendment to Conditional Zoning Case 12-11** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on October 18, 2013, for the Planning and Zoning Commission public hearing and on _____, 2013, 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 **effective on November 18, 2013**.

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: Planned Unit Development – Mixed (PDM) District The property is approximately ~~510~~ **511.54** acres consisting of multiple parcels generally lying south of I-40, west of Sandy Ridge Road, north of Boylston Road and east of Bunker Hill Road. The property is also known as Guilford County Tax Parcels 0168770, 0168791, 0168792, 0168794, 0168949, 0170697, 0170699 thru 0170704, 0170710, 0170731, 0170794, 0170826, 0170831, 0170834, 0170990, 0171055, 0171067, 0171075, 0171077, 0171092 and 0170876 **including the northern 1,190 feet of the former Joe Drive right-of-way abandoned by NCDOT and Guilford County in September/October 2013** (26 Parcels).

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES:

- A. Uses permitted by this Conditional Zoning Ordinance are permitted as allowed by Table 4-7-1 of the Development Ordinance. All uses shall be subject to development standards, Special Use Permit public hearing approval or additional standards as noted in Table 4-7-1. Except as provided for by this Planned Unit Development-

- Mixed (PDM) District, development shall be subject to all of the applicable standards, procedures, and regulation of the City of High Point Development Ordinance (including watershed regulation and airport overlay standards).
- B. Any existing use(s) on the date of adoption of this ordinance which do not conform with the new zoning district, shall be considered a legal nonconforming use and subject to requirements of Section 9-4-17(b) (Nonconforming Situations - Nonconforming Use of Land).
- C. The following land uses shall be permitted subject to the development and dimensional requirements of the Development Ordinance, the approved Master Plan, and the specific conditions listed in this ordinance.
1. Agricultural Uses
 - a. Agricultural Production (crops)
 - b. Agricultural Production (livestock))
 - c. Animal Services (livestock)
 - d. Fish Hatcheries
 - e. Forestry
 - f. Horticultural Specialties
 - g. Veterinary Services (livestock)
 2. Accessory Uses and Structures (See Section 9-4-13 of Development Ordinance for additional requirements for accessory structures)
 - a. Accessory Uses and Structures (customary)
 - b. Bulky Item Outdoor Display (*Phase I only*)
 - c. Communication Towers (exceeding height limits of zoning district)
 - d. Communication Towers (not exceeding height limits of zoning district)
 - e. Livestock (as accessory to residential uses)
 - f. Satellite Dishes/TV and Radio Antennae (Accessory)
 - g. Swimming Pools
 3. Recreational Uses
 - a. Athletic Fields (*Phase I only*)
 - b. Clubs or Lodges (*Phase I only*)
 - c. Physical Fitness Centers ((*Phase I only*)
 - d. Public Parks (*Phase I only*)
 - e. Public Recreation Facilities (*Phase I only*)
 - f. Sports & Recreation Clubs, Indoor (*Phase I only*)
 - g. Swim and Tennis Clubs (*Phase I only*)
 4. Educational & Institutional Uses
 - i. Ambulance Services (*Phase I only*)
 - ii. Auditoriums, Coliseums, or Stadiums (capacity < 100) (*Phase I only*)
 - iii. Auditoriums, Coliseums, or Stadiums (capacity > 100) (*Phase I only*)

- iv. Day Care Centers, Adult (29 or less) *(Phase I only)*
 - v. Day Care Centers, Adult (30 or more) *(Phase I only)*
 - vi. Day Care Centers, Child (29 or less) *(Phase I only)*
 - vii. Day Care Centers, Child (30 or more) *(Phase I only)*
 - viii. Fire Stations *(Phase I only)*
 - ix. Government Offices *(Phase I only)*
 - x. Libraries *(Phase I only)*
 - xi. Museums or Art Galleries *(Phase I only)*
 - xii. Police Stations, Neighborhood *(Phase I only)*
 - xiii. Post Offices *(Phase I only)*
5. Business, Professional & Personal Services
- a. Accounting, Auditing, or Bookkeeping *(Phase I only)*
 - b. Administrative or Management Services *(Phase I only)*
 - c. Advertising Agencies or Representatives *(Phase I only)*
 - d. Advertising Services, Outdoor *(Phase I only)*
 - e. Automobile Rental or Leasing *(Phase I only)*
 - f. Automobile Repair Services, Minor *(Phase I only)*
 - g. Automobile Parking (commercial) *(Phase I only)*
 - h. Banks, Savings & Loans, or Credit Unions *(Phase I only)*
 - i. Barber Shops *(Phase I only)*
 - j. Beauty Shops *(Phase I only)*
 - k. Building Maintenance Services *(Phase I only)*
 - l. Business Incubators *(Phase I only)*
 - m. Computer Maintenance and Repairs *(Phase I only)*
 - n. Computer Rental and Leasing *(Phase I only)*
 - o. Computer Services *(Phase I only)*
 - p. Economic, Socio., or Educational Research *(Phase I only)*
 - q. Employment Agencies, Personnel Agencies *(Phase I only)*
 - r. Engineering, Architect, or Survey Services *(Phase I only)*
 - s. Equipment Rental & Leasing (no outside storage) *((Phase I only)*
 - t. Equipment Repairs, Light *(Phase I only)*
 - u. Finance or Loan Offices *(Phase I only)*
 - v. Funeral Homes or Crematoriums *(Phase I only)*
 - w. Furniture Repair Shops *(Phase I only)*
 - x. Hotels or Motels *(Phase I only)*
 - y. Insurance Agencies (no on-site claims inspections) *(Phase I only)*
 - z. Insurance Agencies (carriers/on-site claims) *(Phase I only)*
 - aa. Landscape and Horticultural Services *(Phase I only)*
 - bb. Laundry or Dry Cleaning Plants *((Phase I only)*
 - cc. Laundry or Dry Cleaning Substations *(Phase I only)*
 - dd. Law Offices *(Phase I only)*
 - ee. Medical, Dental or Related Offices *(Phase I only)*
 - ff. Medical or Dental Laboratories *(Phase I only)*

- gg. Medical Equipment Rental and Leasing *(Phase I only)*
- hh. Motion Picture Productions *(Phase I only)*
- ii. Noncommercial Research Organizations *(Phase I only)*
- jj. Office Uses Not Otherwise Classified *(Phase I only)*
- kk. Pest or Termite Control Services *(Phase I only)*
- ll. Photocopying and Duplicating Services *(Phase I only)*
- mm. Photofinishing Laboratories *(Phase I only)*
- nn. Photography, Commercial *(Phase I only)*
- oo. Photography Studios *(Phase I only)*
- pp. Real Estate Offices *(Phase I only)*
- qq. Refrigerator or Large Appliance Repairs *(Phase I only)*
- rr. Rehabilitation or Counseling Services *(Phase I only)*
- ss. Research, Development or Testing Services *(Phase I only)*
- tt. Shoe Repair or Shoeshine Shops *(Phase I only)*
- uu. Stock, Security or Commodity Brokers *(Phase I only)*
- vv. Tanning Salons *(Phase I only)*
- ww. Television, Radio, or Electronic Repairs *(Phase I only)*
- xx. Travel Agencies *(Phase I only)*
- yy. Truck & Utility Trailer Rental and Leasing, Light *(Phase II only)*
- zz. Truck & Utility Trailer Rental and Leasing, Heavy *(Phase II only)*
- aaa. Veterinary Service (Other) *(Phase I only)*
- bbb. Vocational, Business or Secretarial Schools *(Phase I only)*
- ccc. Watch or Jewelry Repair Shops *(Phase I only)*
- ddd. Wireless Communication Business *(Phase I only)*

6. Retail Trade Uses

- a. Bars *(Phase I only)*
- b. Bars (capacity > 100 persons) *(Phase I only)*
- c. Caterers *(Phase I only)*
- d. Computer Sales *(Phase I only)*
- e. Garden Centers or Retail Nurseries *(Phase I only)*
- f. Newsstands *(Phase I only)*
- g. Office Machine Sales *(Phase I only)*
- h. Restaurants (no drive-thru) & Banquet Hall *(Phase I only)*
- i. Restaurants (serving mixed alcoholic beverage) *(Phase I only)*

7. Wholesale Trade Uses

- a. Agricultural Products, Other
- b. Apparel, Piece Goods and Notions *(Phase I only)*
- c. Beer/Wine/Distilled Alcoholic Beverages *(Phase I only)*
- d. Books, Periodicals and Newspapers *(Phase I only)*
- e. Drugs and Sundries *(Phase I only)*
- f. Durable Goods, Other *(Phase I only)*
- g. Electrical Goods *(Phase I only)*
- h. Farm Supplies, Other

- i. Flowers, Nursery Stock & Florists Supplies
 - j. Forest Products *(Phase I only)*
 - k. Furniture and Home Furnishings *(Phase I only)*
 - l. Groceries and Related Products *(Phase I only)*
 - m. Hardware *(Phase I only)*
 - n. Jewelry, Watches, Precious Stones & Metals *(Phase I only)*
 - o. Lumber and Millwork *(Phase I only)*
 - p. Lumber and Other Construction Materials *(Phase I only)*
 - q. Machinery, Equipment, and Supplies *(Phase I only)*
 - r. Metals *(Phase I only)*
 - s. Motor Vehicle Parts and Supplies *(Phase I only)*
 - t. Motor Vehicle Tires and Tubes *(Phase I only)*
 - u. Nondurable Goods *(Phase I only)*
 - v. Paints and Varnishes *(Phase I only)*
 - w. Paper and Paper Products *(Phase I only)*
 - x. Plastics Materials *(Phase I only)*
 - y. Plumbing and Heating Equipment *(Phase I only)*
 - z. Professional & Comm. Equipment & Supplies *(Phase I only)*
 - aa. Sporting & Recreational Goods & Supplies *(Phase I only)*
 - bb. Tobacco and Tobacco Products *(Phase I only)*
 - cc. Toys and Hobby Goods and Supplies *(Phase I only)*
 - dd. Wallpaper and Paint Brushes *(Phase I only)*
8. Transportation, Warehousing and Utilities Uses
- a. Bulk Mail and Packaging *(Phase I only)*
 - b. Bus Terminals *(Phase I only)*
 - c. Communication or Broadcasting Facilities *(Phase I only)*
 - d. Communication Towers (exceeding height limits of zoning district)
 - e. Communication Towers (not exceeding height limits of zoning district)
 - f. Courier Services, Central Facility *(Phase I only)*
 - g. Courier Service Substations *(Phase I only)*
 - h. Demolition Debris Landfills, Minor *(Phase I only)*
 - i. Heliports *(Phase I only)*
 - j. Moving and Storage Services *(Phase I only)*
 - k. Utility Company Offices *(Phase I only)*
 - l. Utility Lines and Related Appurtenances
 - Distribution Poles, Transmission Poles & Towers
 - Other
 - m. Utility Service Facilities
 - n. Warehouses (general storage/enclosed) and Distribution Centers *(Phase I only)*
9. Manufacturing and Industrial Uses
- a. Apparel and Finished Fabric Products *(Phase I only)*
 - b. Arms and Weapons *(Phase I only)*
 - c. Audio, Video and Communications Equipment *(Phase I only)*

- d. Bakery Products *(Phase I only)*
- e. Beverage Products (nonalcoholic) *(Phase I only)*
- f. Bicycle Assembly *(Phase I only)*
- g. Bicycle Parts and Accessories *(Phase I only)*
- h. Brooms and Brushes *(Phase I only)*
- i. Burial Caskets *(Phase I only)*
- j. Coffee *(Phase I only)*
- k. Computer and Office Equipment *(Phase I only)*
- l. Contractors (no outside storage) *(Phase I only)*
- m. Costume Jewelry and Notions *(Phase I only)*
- n. Dairy Products *(Phase I only)*
- o. Drugs *(Phase I only)*
- p. Electrical Industrial Apparatus, Assembly *(Phase I only)*
- q. Electrical Industrial Apparatus, Manufac. *(Phase I only)*
- r. Electrical Components *(Phase I only)*
- s. Electrical Equipment *(Phase I only)*
- t. Fabricated Valve and Wire Products *(Phase I only)*
- u. Fats and Oils, Plant *((Phase I only)*
- v. Food and Related Products, Miscellaneous *(Phase I only)*
- w. Furniture Framing *(Phase I only)*
- x. Furniture and Fixtures Assembly *(Phase I only)*
- y. Furniture and Fixtures *(Phase I only)*
- z. Glass Products from Purchased Glass *(Phase I only)*
- aa. Grain Mill Products *(Phase I only)*
- bb. Heating Equipment and Plumbing Fixtures *(Phase I only)*
- cc. Household Appliances *(Phase I only)*
- dd. Ice *(Phase I only)*
- ee. Industrial and Commercial Machinery *(Phase I only)*
- ff. Jewelry and Silverware (no plating) *(Phase I only)*
- gg. Leather and Leather Products (no tanning) *(Phase I only)*
- hh. Lighting and Wiring Equipment *(Phase I only)*
- ii. Manufactured Housing and Wood Buildings *(Phase I only)*
- jj. Measurement, Analysis & Control Instruments *(Phase I only)*
- kk. Medical, Dental and Surgical Equipment *(Phase I only)*
- ll. Metal Fasteners (screws, bolts, etc.) *(Phase I only)*
- mm. Metal Processing *(Phase I only)*
- nn. Millwork, Plywood and Veneer *(Phase I only)*
- oo. Musical Instruments *(Phase I only)*
- pp. Paperboard Containers and Boxes *(Phase I only)*
- qq. Pens and Art Supplies *(Phase I only)*
- rr. Pharmaceutical Preparations *(Phase I only)*
- ss. Photographic Equipment *(Phase I only)*
- tt. Photographic Supplies *(Phase I only)*
- uu. Pottery and Related Products *(Phase I only)*

- vv. Preserved Fruits & Vegetables (no can mfg.) (*Phase I only*)
- ww. Printing and Publishing (*Phase I only*)
- xx. Rubber and Plastics, Miscellaneous (*Phase I only*)
- yy. Signs (*Phase I only*)
- zz. Soaps and Cosmetics (*Phase I only*)
- aaa. Sporting Goods and Toys (*Phase I only*)
- bbb. Sugar and Confectionery Products (*Phase I only*)
- ccc. Textile Products (no dyeing & finishing) (*Phase I only*)
- ddd. Textile Products (with dyeing & finishing) (*Phase I only*)
- eee. Wood Containers (*Phase I only*)

10. Other Uses

- a. Automotive Parking (subj. to Sec. 9-5-6)
- b. High Mast Outdoor Lighting > 50' in ht.
- c. Temporary Construction, Storage or Offices; Real Estate Sales or Rental Offices (with concurrent building permit for permanent building)
- d. Storage Containers, Portable (accessory use)
- e. Temporary Events, including but not limited to: (Refer to Section 9-3-3(f))
 - Arts and Crafts Shows
 - Carnivals and Fairs
 - Christmas Tree Sales
 - Concerts, Stage Shows
 - Conventions, Trade Shows
 - Outdoor Religious Events
 - Turkey Shoots

Part II. CONDITIONS:

A. Development and Dimensional Requirements:

1) Building Standards

- a. Facades: The façade(s) of principal buildings, or any addition or alteration to a principal building, shall comply with the following standards:
 - i. Front Façade: Facades fronting or facing a street, or meeting the definition of a front facade, shall incorporate some combination of arcades, arches, blind arches, awnings, columns, medallions, windows, false windows, cornice or decorative roofline trim, decorative entry areas or other architectural features so as to create visual interest and facade relief. Such features shall be incorporated in the total linear distance of the facade, and these features shall be interspersed throughout the length of the facade so as to best achieve a facade design that has visual interest and a high quality of appearance. Decorative painting of the facade or foundation landscaping may be incorporated into facade design to meet

this requirement but shall not be deemed sufficient when used alone to fulfill the entirety of this requirement. Facades shall be constructed of material as provided in section (b) below (Building Materials). Buildings located on a corner lot that face two or more streets shall construct all facades that face those streets to the above standards.

- ii. Interior side walls: The first 20 percent, up to a total of 60 feet, of any interior side wall (wall not facing a street) shall have the same facade treatment (including architectural features) and building material as the front facade,
 - iii. Windows: Windows that are flush to the facade may be used but shall not be counted toward the requirements of this section unless accompanied by further architectural embellishments that enhance the facade appearance, including, but not limited to, facades with recessed windows and visually prominent sills, lintels or other such forms of framing and trim.
- b. Building Materials.
- i. The front facade shall not consist of or have the appearance of metal siding, plain concrete block, or vinyl siding. Materials such as brick, stone, textured concrete block or materials of a similar nature shall be used in front facades,
 - ii. The use of high intensity colors, metallic colors, black or fluorescent colors on any facade is prohibited. All facade colors shall be of low reflectance, subtle, neutral, or earth tone colors. Building trim and accent areas may feature brighter colors or black; however, neon tubing shall not be an acceptable feature for building trim or accent elements. Roof colors shall be low reflectance and non-metallic. This provision includes all building facades, both treated and untreated.
- c. Loading docks.
- i. Loading docks shall not be located on the front facade, or corner side facade of a building, except as provided below.
 - ii. Loading docks located on the side facade of any building shall be located to the rear of the front wall of the building a length equal to 20 percent of the length of the side wall, although this length shall not be required to exceed 60 feet; except as provided in section c. 5 below.
 - iii. A loading dock may be located on a corner side facade of a building provided that the facade does not front a major or minor thoroughfare. Such a loading dock shall be located on the facade that fronts the street of lower classification where applicable. The portion of such a corner facade that is occupied by loading docks shall not be required to provide

architectural features as required in section a.l (Facade Treatment), although shall meet the building material standards of section b (Building Materials)..

- iv. All loading docks shall be screened from view from any street at a height of six (6) feet above ground level, as seen from the centerline of any adjacent street. Existing or newly planted vegetation, opaque or solid fencing, masonry walls, earthen berms or mounds, other structures or any combination thereof may be used to achieve an effective screen. Plantings used as screening material shall be of such variety and size as to obscure at least 50 percent of the desired view at the time of planting, as determined by the Enforcement Officer. The design and content of required screening shall be included with required landscaping plans for review and approval by the Enforcement Officer.
- v. A loading dock may be located within the front 20 percent of a sidewall only if a wing-wall or other architectural or building feature is provided that filters the views of the loading dock. Such a wall or other building feature shall provide visual interest and maintain the visual quality and character of the front façade. While such a wall or other building feature shall not be required to entirely screen the applicable loading dock, it shall screen at least 50 percent of the view of the loading dock as seen from the street, as well as provide architectural elements that attempt to draw the viewers attention to the wall or other building feature instead of the visible portions of the loading dock.

2) Site Layout

a. Greenway/Pedestrian Circulation Plan

- i. A Pedestrian Circulation Plan for the Planned Unit Development shall be submitted and approved prior to preliminary subdivision approval, group development plan approval or site plan approval.
- ii. Sidewalks and marked pedestrian crossings in parking areas shall be provided so as to connect all principal buildings except as approved for modification by the Technical Review Committee. Any such crossing in a parking area shall be exclusive of a parking space. Sidewalks should also link greenway trails, pedestrian amenities and any potential future transit locations.
- iii. It is the intent of this conditional zoning ordinance that open space shall be provided to the extent feasible and reasonable. Each site plan shall depict how open space has been preserved, where feasible. The open space shall be connected where possible, with greenways, greenway trails or other paths. At a minimum, greenways as shown on the 2012 version of the High Point Greenway Plan shall be dedicated.

- b. Screening of equipment (ground or roof mounted) and outdoor storage or use:
 - i. Decorative screening and/or landscaping shall be installed to obscure from view, at a height of six (6) feet above ground level as seen from the centerline of any adjacent street, all trash rooms, trash-holding receptacles, roof mounted equipment or appurtenances, and loading or service areas not addressed in section c. (Loading Docks), mechanical or electrical equipment, or other unsightly building appurtenances. Dumpsters shall be screened in accordance with section 9-5-1(d) (Screening) of the Development Ordinance.
- c. Outdoor storage (i) shall not cover an area greater than 25% of ground floor of principal building(s); (ii) shall be located between the building and rear property line; and (iii) shall be fully screened from ground level view from adjacent properties and public and private streets.
- d. Outside manufacturing, processing, or assembly shall not be permitted.
- e. Building Coverage: Complying with any of the following criteria shall result in an increase in 5% of maximum building coverage per tract for each criterion met.
 - i. The property owner supplies additional plantings by providing canopy and understory trees at double the rate listed in Development Ordinance (Table 5-11-2 Planting Yard Rate Chart) in all required planting yards. While any existing trees that are retained in the planting yards may still reduce the number of trees provided by the developer to meet the initial planting rate, the secondary or additional tree count shall be calculated regardless of existing trees retained in such yards. The species of these trees shall be selected from the preferred species list as provided in the Appendix of the Development Ordinance (Recommended Plant Materials List) or as approved by the Planning and Development Department. Any of the trees provided under this provision that cannot be planted in the peripheral or street yards due to space restrictions may be planted elsewhere on the site. Upon approval from the City of High Point such trees may be donated to the city if it is determined that planting them on the property will not further improve the landscaping of the site.
 - ii. Parking is not located between the front building line of a principal building and the street.
 - iii. The building design of the principal building qualifies for Leadership in Energy & Environmental Design (LEED) certification as administered by the U.S. Green Building Council.

- iv. At least 50 percent of the provided parking within a parking structure is located under the principal building or similar structure, or underground.

f. Dimensional Standards – Phase I

i. Lots standards

Minimum lot size	30,000 sq. ft
Minimum Lot width	150 feet
Minimum street frontage	100 feet

ii. Setbacks:

Sandy Ridge Road	50 feet from property line or 95 feet from the centerline of the right of way, whichever is greater.
All other streets	15 feet
Adjacent to Non-Residential Zoning	20 feet (may be reduced to 10 ft. subject to meeting setback reduction condition)
Adjacent to Residential Zoning	50 feet
<u>Setback Reduction:</u> The minimum interior setback adjacent to non-residential zoning may be reduced to 10 feet, provided that either one of the interior side lot lines or the street yard is planted as at least a C yard.	
Maximum building coverage	50% (may be increased to subject to meeting building coverage condition)

g. Dimensional Standards – Phase II

Permitted Agricultural (AG) Districts land uses, and their customary accessory uses, shall be subject to development and dimensional requirements of the AG District and requirements of the Development Ordinance.

B. Landscaping, Buffers, Screening and Lighting.

1). Planting Yard Width and Rate:

Landscaping (along Sandy Ridge Road frontage of the zoning site)

- a. Foundation plantings shall be included in landscape designs along building facades facing Sandy Ridge Road.
- b. Developments along the Sandy Ridge Road frontage of the zoning site shall install, at minimum, a Type C planting yard.

- 2). Prior to the development of the portion of Phase 1 that lies north and west of Sandy Ridge Road, west of Joe Drive, and that adjoins the Maple Creek subdivision, and beside Guilford County Tax Parcels 17-95-7080-0-1127-00-013 and 17-95-7080-0-1127-0036, 17-95-7080-0-1127-00-008 and 17-95-7080-0-1127-00-042 and 17-95-7080-0-1127-00-005, and 17-95-7080-0-1127-00-004 and

17-95-7080-0-1127-00-034, the developer shall plant a solid row of evergreens within the required Type A fifty (50) foot planting yard. The evergreens shall be of a type that, at maturity, shall be expected to grow at least twenty-five (25) feet in height. Where the buffer and offered plantings encroach upon a protected stream buffers, existing vegetation which is required by law to be protected shall remain (See Exhibit B).

- 3). Parking lot lighting or other external lighting within the portion of Phase 1 that lies adjacent to these properties shall be of a “cut-off” style that is designed not to allow lighting to stray onto adjoining residential properties. This condition shall not apply when parcel(s) listed are no longer zoned or used for residential proposes.

C. Transportation Conditions.

1. General

These conditions apply to the property in the rezoning that lies between Sandy Ridge Road and Adkins Road referred to as Phase 1. Any development on Phase 2 will require an updated Traffic Impact Analysis and additional transportation related conditions must be added to the zoning ordinance for the property.

2. Access

- a. Access to Joe Drive will be allowed per the City of High Point Driveway Ordinance.
- b. Access to Sandy Ridge Road will be allowed through the existing tax parcel 0170831 addressed as 2519 Sandy Ridge Road. To maximize intersection spacing from Dairy Point Drive and Gallimore Dairy Road, this access will be located along the northern property line of this parcel.
- c. No access shall be allowed to Adkins Road with Phase 1 development. Future access to Adkins Road shall be predicated upon the completion of an expanded traffic impact analysis that includes the internal and external roadway network serving the entire 350 South area.

3. Right-of-way

The Developer shall dedicate right-of-way seventy (70) ft as measured from the centerline along Sandy Ridge Road, and thirty (30) ft as measured from the centerline along Joe Drive.

4. Roadway and Intersection Improvements

- a. Sandy Ridge Road @ Joe Drive: The Developer shall construct a northbound left and a southbound right turn lane at this intersection.
- b. Sandy Ridge Road @ Clinard Farms Road: The Developer shall install a northbound right turn lane and a southbound left turn lane at this intersection.
- c. Sandy Ridge Road @ Gallimore Dairy Road: The Developer shall install a northbound right turn lane at this intersection, and shall improve the

southbound left turn lane to provide for a minimum of 300 ft of storage and appropriate bay taper. The Developer shall be responsible for the design and construction of a new traffic signal at this intersection, when warranted. As part of the signal installation, the Developer will be responsible for connecting the signal to the City of High Point Signal System.

- d. Sandy Ridge Road @ Site Access Point: The Developer shall install a southbound right turn lane at this intersection, and a northbound left turn lane with a minimum of 300 ft of storage and appropriate bay taper. The Developer shall be responsible for the design and construction of a new traffic signal at this intersection, when warranted. As part of the signal installation, the Developer will be responsible for connecting the signal to the City of High Point Signal System.
 - e. All roadway and intersection improvements (excluding traffic signals) must be completed prior to the issuance of Certificate of Occupancy for any building in Phase 1.
5. The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all improvements and construction thereof.

D. Signs:

1. The location of signage on the rezoning site shall conform to the approved common signage plan. All other signage issues shall be subject to the requirements of the Development Ordinance.
2. Common signage plan for the Planned Unit Development shall be submitted and approved prior to preliminary subdivision approval, group development plan approval or site plan approval.
3. Specifications of size, type, height, setback, location, design, illumination, and number of signs shall be included in a Common Sign Plan element in accordance with Section 9-4-3(a)(3)g. of the Development Ordinance.

- E. The rezoning site is subject to Section 9-4-3(a)(3) & (5) (*Planned Unit Development Requirements - Development Standards*) of the Development Ordinance as it pertains to dimensional standards, access, commercial areas, alleys, local street design, boundary treatment, signs, parking, environmental sensitive areas, open space and common recreational facilities, phased development, and owners' associations.

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 now 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.
18th day of November, 2013.

Lisa B. Vierling, City Clerk

HIGH POINT NORTH INDUSTRIAL CENTER

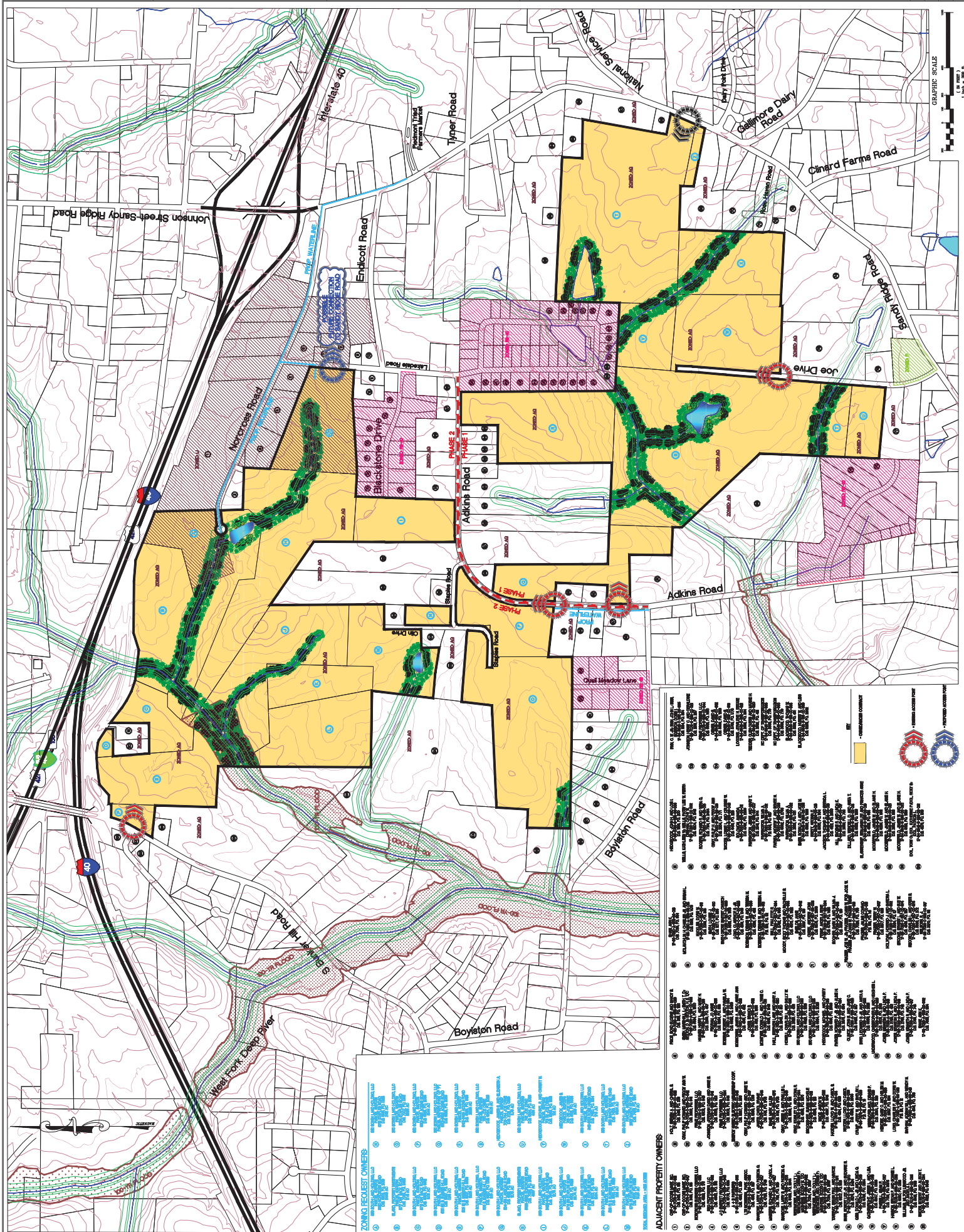
GUILFORD COUNTY, NORTH CAROLINA

MASTER PLAN

Scale: 1" = 300'
Sheet No. 1 OF 1
Date: 2-20-13



350 SOUTH LAND HOLDING, LLC
4716 Hilltop Road
Greensboro, NC 27407
Contact Jeff Mott
Phone: 336-855-7030 Fax: 336-855-7438
Engineering, Inc.

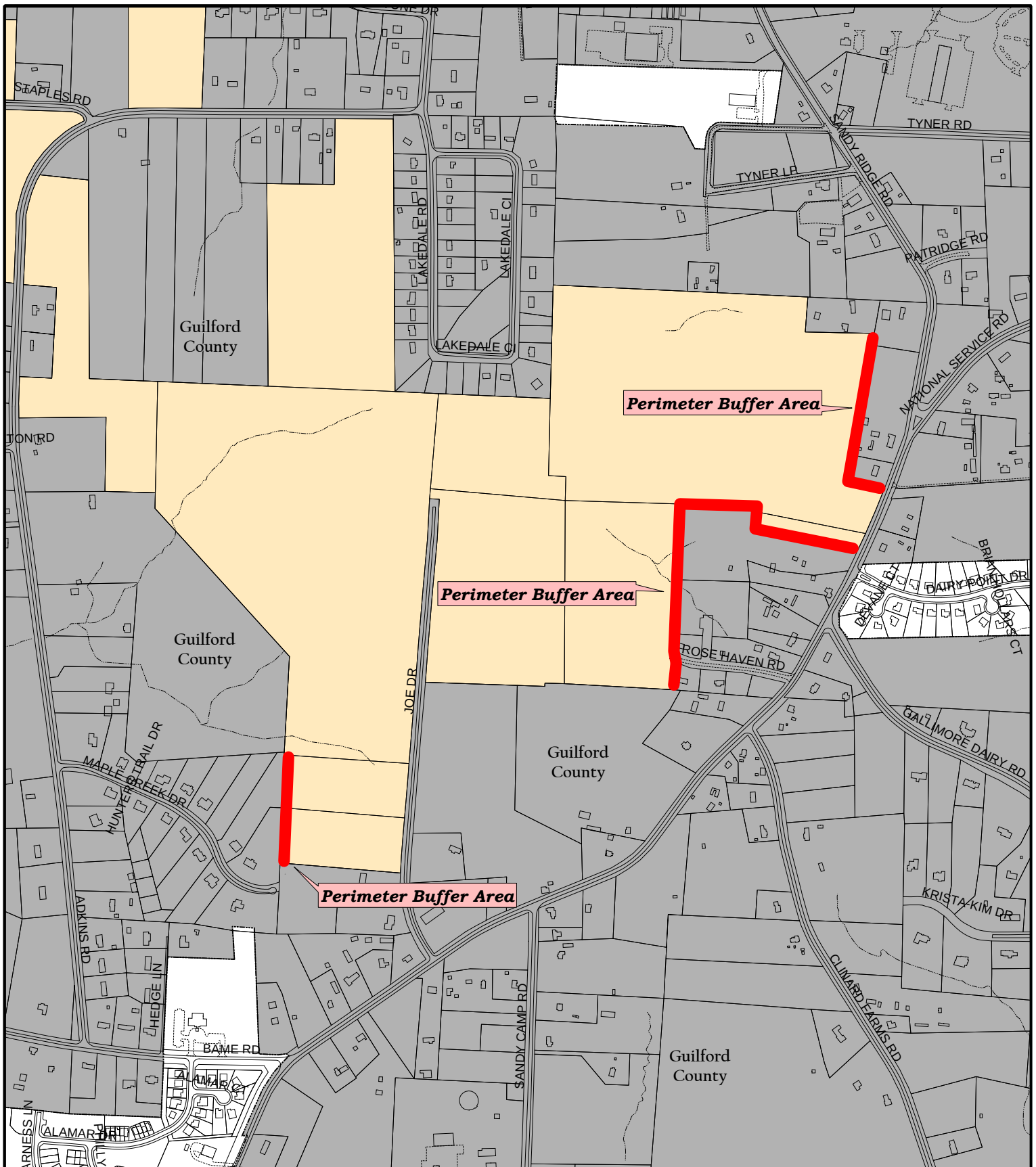


ADJACENT PROPERTY OWNERS

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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ZONING REGULATORY OWNERS

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ZONING CASE 12-11

Exhibit B

**50' Landscaping Buffer Yard
and Lighting Buffer**

**Planning & Development
Department**

City of High Point

Date: May 2, 2013



Scale: 1"=800'

y:/ba-pz/2013/pz/Az12-11exhB.mxd

**Citizens Information Meeting Report
Amendment to Zoning Case 12-11
(Nov. 2013)**

Submitted by: Tom Terrell on behalf of 350
South Land Holding, LLC.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

September, 11, 2013

GUILFORD COUNTY

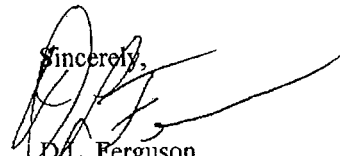
Mr. David H. Griffin, Sr.
350 South Land Holding, LLC
4716 Hilltop Road
Greensboro, NC 27407

Subject: SR 1877 (Joe Drive) - .17 miles

Dear Mr. Griffin:

Please be advised that SR 1877(Joe Drive) .17 miles has been approved for abandonment from the State Highway System. This abandonment was approved by the North Carolina Board of Transportation at their meeting on September 09, 2013.

Division of Highways' field forces will cease maintenance of this road effective immediately.

Sincerely,

D.L. Ferguson.
DISTRICT ENGINEER

DLF/rbg
cc: J. M. Mills, P.E.
Mr. Bob Dischinger, P.E.

File Copy



SMITH MOORE LEATHERWOOD

September 27, 2013

Herb Shannon
City of High Point
211 S. Hamilton St.
High Point, NC 27261

Re: Report of Neighborhood Meeting for Joe Road Annexation and Rezoning

Dear Herb:

There are only four adjoining properties for the Joe Road annexation and rezoning. Three of them are 350 South itself or 350 and a related entity, leaving only one homeowner (Julius and Shirley Frazier) who is not affiliated with the company.

On September 27 I called Ms. Frazier and introduced myself. She had been informed of the actions to close Joe Road and asked me why it was being done. I explained the practical problems created if it were not. I also explained that the property was being considered for annexation and rezoning and the types of uses that 350 South was attempting to bring to the site. She also mentioned the problems created on Sandy Ridge because of the residential traffic at 5:00.

Ms. Frazier informed me that she would prefer that nothing developed but realized that non-development is not an alternative. The Fraziers did not attend previous neighborhood meetings or hearings, and she informed me that she accepts this rezoning.

A copy of my letter to Ms. Frazier is attached. You will note that I have given her all of my numbers to call me directly if she has questions.

With kind regards, I am

Sincerely,

SMITH MOORE LEATHERWOOD LLP

Thomas E. Terrell, Jr.

TET/kwc
Enclosure



SMITH MOORE LEATHERWOOD

September 27, 2013

Ms. Shirley Frazier
747 Joe Drive
High Point, N.C. 26265

Dear Ms. Frazier:

I greatly appreciate the time you took to speak with me about the proposed annexation and rezoning of the upper section of Joe Road. I'm also pleased that you don't have any issues with the rezoning.

If you haven't received them already you will soon receive notice that the High Point Planning and Zoning Commission will consider this on October 22nd at 6:00 p.m. at High Point's City Hall at 211 S. Hamilton Street, 3rd Floor. You are more than welcome to attend and even to speak if you so desired.

Until the city announces it, it is not known when the City Council will consider it, but it is likely that the date is November 19. You will receive formal notification at that time.

In the meantime, if you have any questions, please consider me a resource. My direct number at work is 336-378-5412 and my cell phone is 336-847-2000. I will copy Mr. Herbert Shannon at the City of High Point so that he knows that I have spoken with you.

With kind regards, I am

Sincerely,

SMITH MOORE LEATHERWOOD LLP



Thomas E. Terrell, Jr.

TET/kwc
Enclosure
cc: Mr. Herb Shannon

PLANNING AND ZONING COMMISSION RECOMMENDATION

On November 12, 2013, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except for Ms. Martha Shepherd, Mr. Andrew Putnam and Mr. Ed Spivey.

High Point University

Land Use Plan Amendment Case 13-01

A request by High Point University to change the land use plan map for approximately 8.3 acres from Low Density Residential to an Institutional land use designation. The Planning and Development Department has amended the request to include an additional 0.5 acres. The site consists of a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street (private street).

AND

High Point University

Zoning Case 13-08

A request by High Point University to rezone approximately 8.3 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site consists primarily of a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street (private street).

Mr. Andy Piper and Mr. Herbert Shannon presented these applications. It was stated that if the City Council determines this is an appropriate expansion of the University campus, then the Land Use Plan Amendment Case 13-01 should be approved. Once that request is approved, then it is reasonable for the City Council to approve Zoning Case 13-08 with the conditions offered by the applicant.

Speaking on behalf of the request was the applicant's representative, Mr. Ron Guerra, Director of Construction, High Point University and Mr. Chris Dudley, Vice President for Administration at High Point University. They provided a general overview of this proposal and noted that the University is land locked and requires additional area for expansion.

Speaking in opposition to this request were Mr. Willis McCoy, 323 Foley Drive, Garner NC, (former realtor and property appraiser) representing family members who live off Barbee Avenue; Mr. Scott Massey, 912 Forrest Street, High Point, and Ms. Adrienne Middlebrooks, 803 E. Farriss Avenue, High Point. Their comments were focused on growth of the University into the neighborhoods. They stated that growth plans for the University should be shared with the City and with neighbors to help guide decisions on both public and private investments in these areas. Residents wanted to be a part of the discussion on growth, and felt the University should develop a master plan.

Speaking neither in favor nor in opposition to the request was Ms. Al Higgins, Human Relations Director for the City of High Point. She offered her departments services, if needed, in facilitating community outreach between the University and surrounding residential neighborhoods.

After the public hearing was closed, the Commission members had several comments:

- That this request is outside of growth area established by the *University Area Plan*.
- That the University was purchasing property and razing homes outside the growth area for the past two years and it had not developed a master plan.

- That the University commit to approaching Council to update their growth plans. On this last concern, the Chair asked Mr. Dudley would the University commit to approaching the City Council concerning their growth plans. He responded that the University would do so.

The Planning & Zoning Commission recommended approval of Land Use Plan Amendment Case 13-01, as recommended by staff, by a vote of 6-0.

The Planning & Zoning Commission recommended approval of Zoning Case 13-08 as submitted by the applicant, by a vote of 6-0.

Since this site is outside of growth areas identified in the *University Area Plan*, the Planning & Zoning Commission desired that the City Council specifically note for emphasis a statement from page 5 of 8 in the staff report under Consistency with Adopted Plans. *“If additional expansion of the campus outside these growth areas are anticipated by the University, then the City Council’s policies, established in the University Area Plan, to protect the surrounding established neighborhoods will become irrelevant. Such action will lead to the further decline of these neighborhoods and its housing.”*

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

**STAFF REPORT
LAND USE PLAN AMENDMENT CASE 13-01
ZONING CASE 13-08
November 12, 2013**

Requests		
Applicant: High Point University	Owner: High Point University and Juan & Linda Gomez	
LUPA Proposal: To change the future land use designation for approximately 8.8 acres to an Institutional land use designation	From:	Low Density Residential
	To:	Institutional
Zoning Proposal: To rezone approximately 8.3 acres	From:	RS-7 Residential Single Family-7 District
	To:	CZ PI Conditional Zoning Public & Institutional District

Site Information		
Location:	The site consists primarily of a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street (private street).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	Guilford County Tax Parcels 0190022 thru 0190059	Same, except tax parcels 0190031 and 0190053 are not part of zoning application
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 8.8 acres.	Approximately 8.3 acres
Current Land Use:	Plan Amendment	Zoning Request
	Single family dwellings and undeveloped parcels	Same
Physical Characteristics:	The site has a gently sloping terrain.	
Water and Sewer Proximity:	Lying adjacent to the site, within the abutting public streets and private drives, are 6-inch and 8-inch City water lines and City sewer lines.	
General Drainage and Watershed:	The site drains in a southerly direction towards Barbee Avenue. Development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily developments with an impervious surface area that is greater than 24% or more of the site.	
Overlay District:	City Lake General Watershed Area (GWA)	

Adjacent Property Zoning and Current Land Use			
North:	CU-PI	Conditional Use Public & Institutional District	High Point University campus (<i>across Montlieu Avenue</i>)
	CZ-PI	Conditional Zoning Public & Institutional District	
South:	RS-7	Residential Single Family-7 District	Single family residential dwellings
East:	RS-7	Residential Single Family-7 District	Undeveloped parcels (<i>across Fifth Street</i>)
West:	RS-7	Residential Single Family-7 District	Former private school (<i>across N. Centennial Street</i>)

Adjacent Land Use Designations	
North:	Institutional
South:	Low Density Residential
East:	Low Density Residential
West:	Low Density Residential

Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Proposed Designation:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	Goal 1: Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Goals, Objectives & Policies:	The following goal and objectives of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods.
Relevant Area Plan(s):	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. Employ design measures to accentuate their boundaries through features such as gateway treatments and street tree plantings. University Area Plan <u>Goal 1:</u> Ensure residents in the University area have information about future University expansion plans, so they can make informed decisions about investing in their properties. <u>Policy 2.1:</u> Create a University document that provides locations and future uses with a timetable for expansions so that future infrastructure needs can be accommodated.

	<u>Goal 3:</u> Ensure compatibility between the edge of campus and the surrounding neighborhood. <u>Policy 3.5:</u> Transition the intensity of uses along the campus edge adjacent to existing residences. ii. Prevent the spillover of light and glare from outdoor lighting onto adjacent properties by limiting the height, illumination, and direction of outdoor lighting. iii. Locate parking areas internal to campus, where possible, to minimize visual impacts on adjacent residential properties. They should be screened from view, and access to the parking areas should be from internal campus driveways and not directly from local residential streets to minimize cut-through traffic in the residential neighborhood. iv. A combination of fencing and landscaping can be used to soften the edges, however solid fencing is typically discouraged along public streets. vi. Consider reusing structures along the campus edges for housing, administrative offices, or other University uses. <u>Policy 3.6:</u> New campus development should be contiguous to the existing campus and consist of an entire sub-area. However, if a partial rezoning of a sub-area is requested, then a site plan must be submitted along with the rezoning request that demonstrates how the impacts on adjacent properties will be mitigated. <u>Policy 3.7:</u> Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests. <u>Policy 4.4:</u> Demolition of viable single-family homes is discouraged if the University does not have an immediate need for new development. The University should not proceed with demolitions prior to receiving approval of a zoning action, unless conditions of the structure are deemed unsafe and warrant earlier removal. When demolition is deemed necessary, an effort should be made to salvage the architectural components of the structure prior to demolition.
Zoning History and LUPA History:	Since 1998, High Point University has received five (5) Land Use Plan Amendments and 16 zoning approvals for the area lying north of Montlieu Avenue and west of Panther Drive (former W. College Drive to accommodate the westward expansion of the University.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Montlieu Avenue	Major Thoroughfare	1,125 ft.
	N. Centennial Street	Major Thoroughfare	325 ft.
	Barbee Avenue	Local Street	1,020 ft.
	Fifth Street	Private Street	350 ft.
Vehicular Access:	Access is proposed to be taken from Montlieu Avenue, via Willoubar Terrance and Fifth Street (private street).		

Traffic Counts: <i>(Average Daily Trips)</i>	Montlieu Avenue	4,400 ADT	
	N. Centennial Street	7,500 ADT	
Estimated Trip Generation:	N/A		
Traffic Impact Analysis:	Required		Comment
	<u>Yes</u>	<u>No</u> X	
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.		

School District Comment

Not applicable to this zoning case.

Details of Proposal

High Point University desires to expand their campus to add a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street to use for parking. The site currently has a residential classification on the City's Land Use Plan Map and a single family residential zoning designation. In order to add this area to the campus, the University has submitted both a Land Use Map Amendment and Zoning Map Amendment application. The Land Use Map Amendment proposes to change the Land Use Plan classification of this area from Low Density Residential to Institutional. The Zoning Map Amendment proposes to rezone this area from its current RS-7 District to a CZ-PI District.

There are two properties within these blocks that are not owned by the University. The Land Use Plan Amendment submitted by the applicant requests the Institutional land use classification for property owned by the University. The Planning & Development Department added the two remaining properties (711 & 911 Barbee Avenue) to the amendment request. Amending the Land Use Plan classification of these parcels will not change its residential zoning or the property owners' right to continue to use them as single-family dwellings; however, it will provide consistent Land Use policy for these two blocks, if approved. Included with the zoning application is a conditional zoning ordinance that list conditions for development of the site and restrict use of the site to surface parking only. The two properties on Barbee Avenue (711 & 911 Barbee Avenue) will remain in RS-7 Districts.

This requested expansion of the campus is not consistent with all policies of the *University Area Plan*. This plan was adopted by the High Point City Council in December 2009 and it provides policies to help protect adjacent residential neighborhoods by guiding the orderly growth of the University. It is important to state that the *University Area Plan* is not a master plan for the University but rather a neighborhood plan. The purpose of the plan is to balance the goal of encouraging the University's growth and expansion with the goal of protecting the established neighborhoods surrounding the University and maintaining their stability.

In regards to the University's submittal, it is inconsistent with a principal policy of the *University Area Plan*. The rezoning site is outside the Growth Areas outlined by the plan for University expansion. These Growth Areas were established to increase predictability about future campus expansion so as to help maintain the stability of adjacent neighborhoods.

Staff Analysis

Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

Staff Comments:

The City's *Community Growth Vision Statement* encourages support for the continued growth of the City's educational institutions, including High Point University. The *University Area Plan* calls for the University to establish a more specific timeframe, location, and identification of needs to help with advance planning; and it identifies Growth Areas to increase predictability about future campus expansion to help maintain the stability of adjacent neighborhoods.

This submittal is the first expansion of the University outside the growth area defined in the *University Area Plan*. While the proposed expansion may be logical from the University's perspective, it does create uncertainty from the neighborhood perspective. If additional expansion of the campus outside these growth areas are anticipated by the University, then the City Council's policies, established in the *University Area Plan*, to protect the surrounding established neighborhoods will become irrelevant. Such action will lead to the further decline of these neighborhoods and its housing.

It is a policy goal of the City to support continued growth of the University for its many educational, cultural and economic benefits. However, additional goals set forth in City policy support protecting the established neighborhoods that surround the University. Expansion of the University onto this site is likely warranted to support the University's many programs. However, such additional unplanned expansions of the University campus will continue to chip away at these neighborhoods and accelerate their instability.

Review Factors:

The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<u>Staff Comments:</u> By its nature, the rezoning site becomes a new campus edge and should therefore be considered a Transition Area as defined in the <i>University Area Plan</i>. The intent of Transition Areas is to maintain the existing setting, if possible, to ensure compatibility with abutting residential areas. Because most of the houses in the subject area have already been demolished, the character of the area along the Montlieu Avenue frontage has already changed. The applicant has offered to

	restrict use of the zoning site to surface parking and had included conditions that 1) restricts vehicular access only from Montlieu Avenue, 2) provides for higher landscaping standards along Barbee Avenue and 3) conditions the placement of fencing and lighting along Barbee Avenue.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; <u>Staff Comments:</u> The <i>University Area Plan</i> states that parking areas should be located internal to campus to help prevent negative impacts on adjacent neighborhoods. The applicant has offered to provide a wider planting yard and higher planting rate for landscaping along Barbee Avenue to diffuse the impact of headlights from vehicles. Additionally, they have offered to limit the height of lighting next to abutting single family dwellings.
<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; <u>Staff Comments:</u> Staff has not identified any environmental impacts based upon the proposed district; the site is within the City Lake General Watershed Area and development will be subject to 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; <u>Staff Comments:</u> The site is within an area currently served by City of High Point utilities and municipal services and the submittal has no known impacts on municipal services. Conditions offered by the applicant to dedicate right-of-way at the intersection of N. Centennial Street and Montlieu Avenue will ensure future improvements to that street can be accomplished without impacting other perimeter improvements on the site (i.e. fencing & landscaping).
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties. <u>Staff Comments:</u> As outlined in Factor #1 the applicant has offered conditions to offset impacts adjacent residential property owners.

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.

Staff Comments:

The applicant has purchased, or has under contract most of the property within this two-block area. Most of the 40 single family dwellings built in these two blocks were razed and the previous residential neighborhood is now a green space across the street from campus. Removal of the homes has changed the character of this area and although this cannot be prevented by the City, it is becoming a pattern that is being repeated along other edges of the campus.

Development Patterns:

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

Staff Comments:

Expansion of the University campus into this area is not supported by the *University Area Plan*. However, the rezoning site is contiguous to the existing campus and almost all housing has been razed. The viability of residential development on this site is a very unlikely possibility given that the University has acquired these properties.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.

In this case, staff suggests that the approval of the applicant's request can be considered to be reasonable and in the public interest because: 1) the site is adjacent to the High Point University Campus, 2) it is subject to the approval of Land Use Plan Amendment Case 13-01, and 3) conditions offered by the applicant to limit use of the site to parking only, restrict location of vehicular access to Montlieu Avenue, and provide for higher landscaping and screening of parking spaces near Barbee Avenue helps minimize impacts to the adjacent residential neighborhood.

Recommendation

The Planning and Development Department's comments in this report are based on policies contained in the City Council adopted Land Use Plan, Community Growth Vision Statement, *University Area Plan* (neighborhood area plan), Core City Plan, and from previous City Council zoning decisions (both approval and denials). These actions by City Council establish land use policy in guiding future development and zoning actions.

The University's request is consistent with the City's Community Growth Vision Statement that supports the continued growth of the City educational institutions. Furthermore, given that the University acquired the properties within the rezoning site and razed the houses, the City Council has limited alternatives to the proposal.

The *University Area Plan*, adopted in 2009, encouraged the University to establish a more specific timeframe, location and identification of their growth needs. Identifying those needs in advance allows the City time for advance planning for infrastructure (water, sewer, electric, stormwater, transportation) and avoid unnecessary delays in construction. It also allows for the City to establish relevant land use policies for the protection of the surrounding neighborhoods that are not in the path of campus expansion. These actions assist in creating stability in the neighborhoods that surround the University, which is in the interest of both the City and the University.

In regards to the requests, if the City Council determines this is an appropriate expansion of the University campus, then the Land Use Plan Amendment Case 13-01 should be approved. Once that request is approved, then it is reasonable for the City Council to approve the Zoning Case 13-08 with the conditions offered by the applicant.

Required Action

Planning and Zoning Commission:

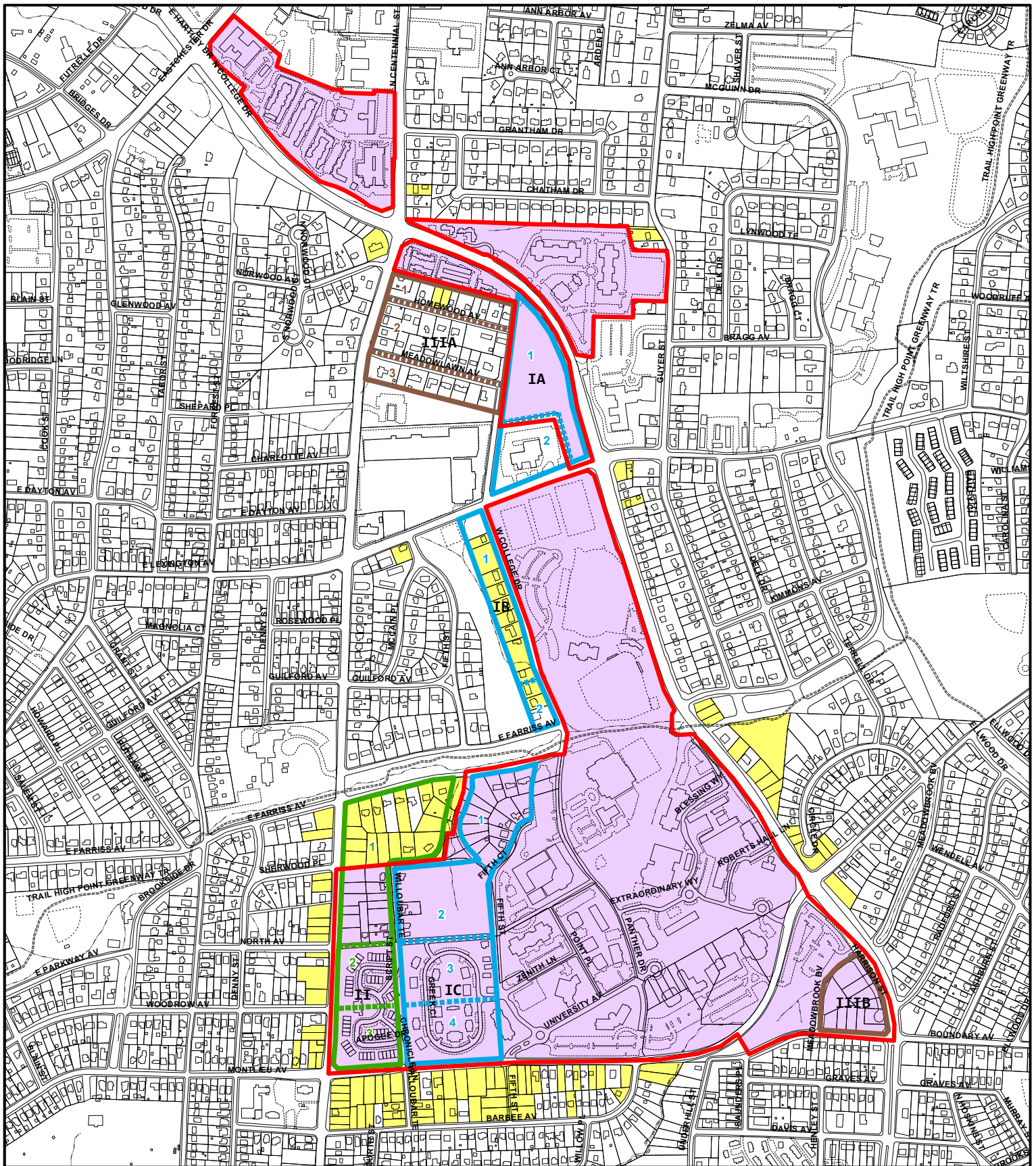
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point 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. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

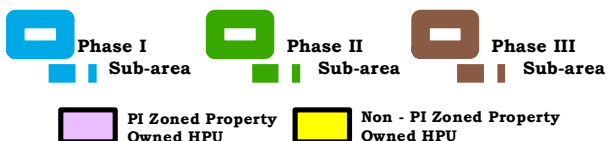
Report Preparation

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



UNIVERSITY AREA PLAN

Growth Area Map Exhibit



Planning & Development
Department

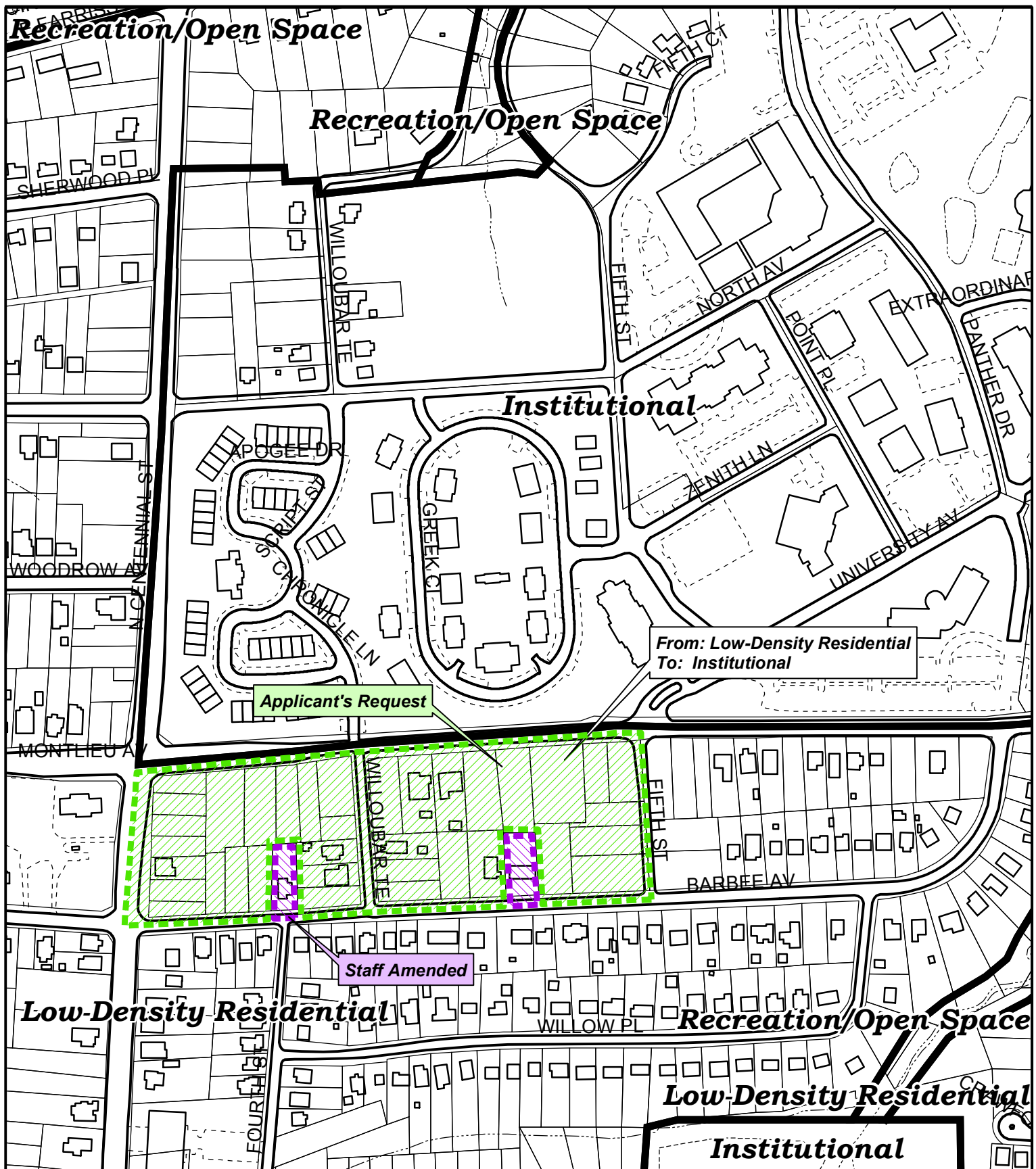
City of High Point

Date: November 12, 2013



Scale: 1"=800'

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UniversityAreaPlan.mxd



LAND USE PLAN AMENDMENT 13-01

**Request: From: Low Density Residential
To: Institutional**

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
Department**

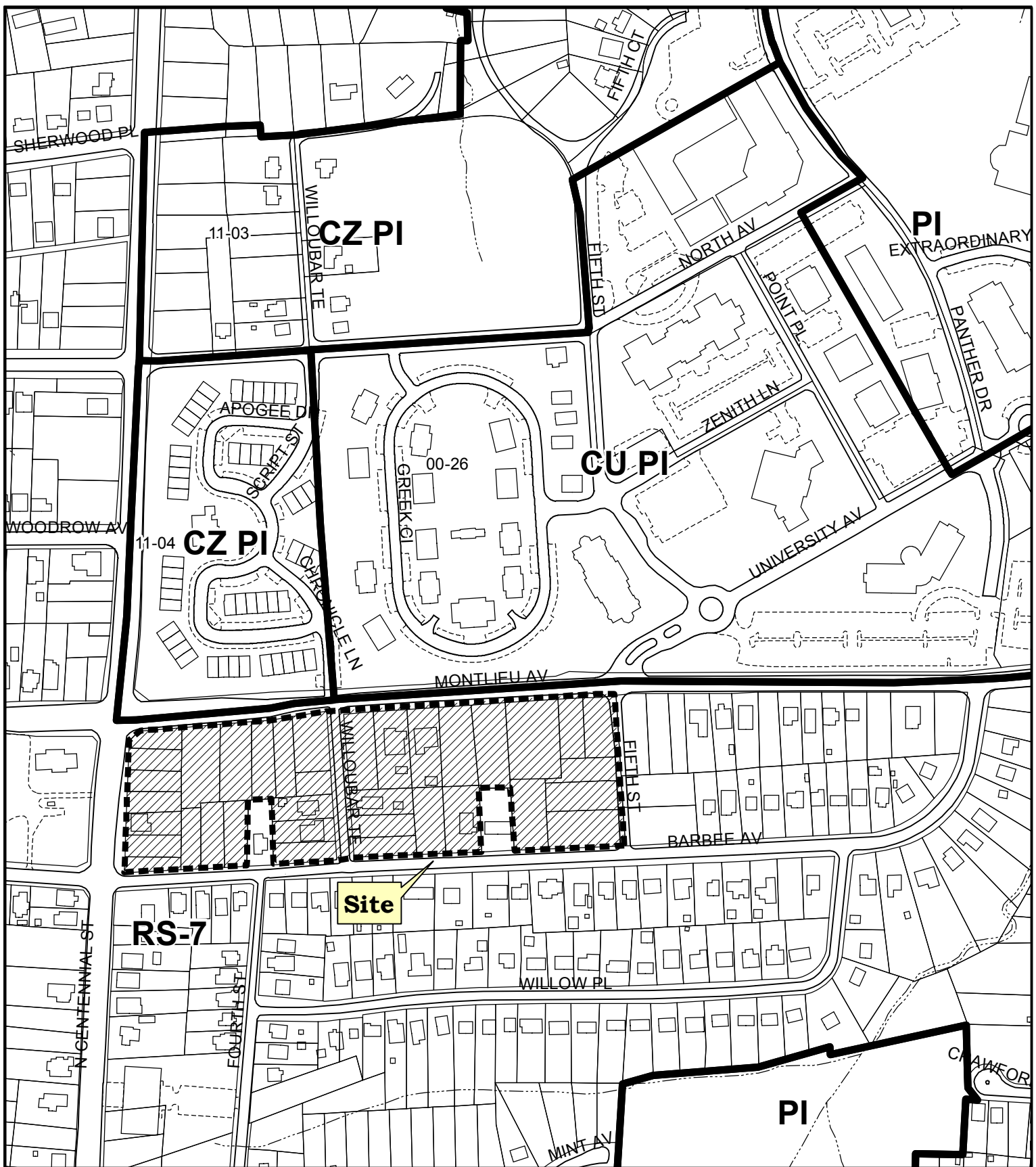
City of High Point

Date: November 13, 2013



Scale: 1"=300'

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ZONING CASE 13-08

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

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

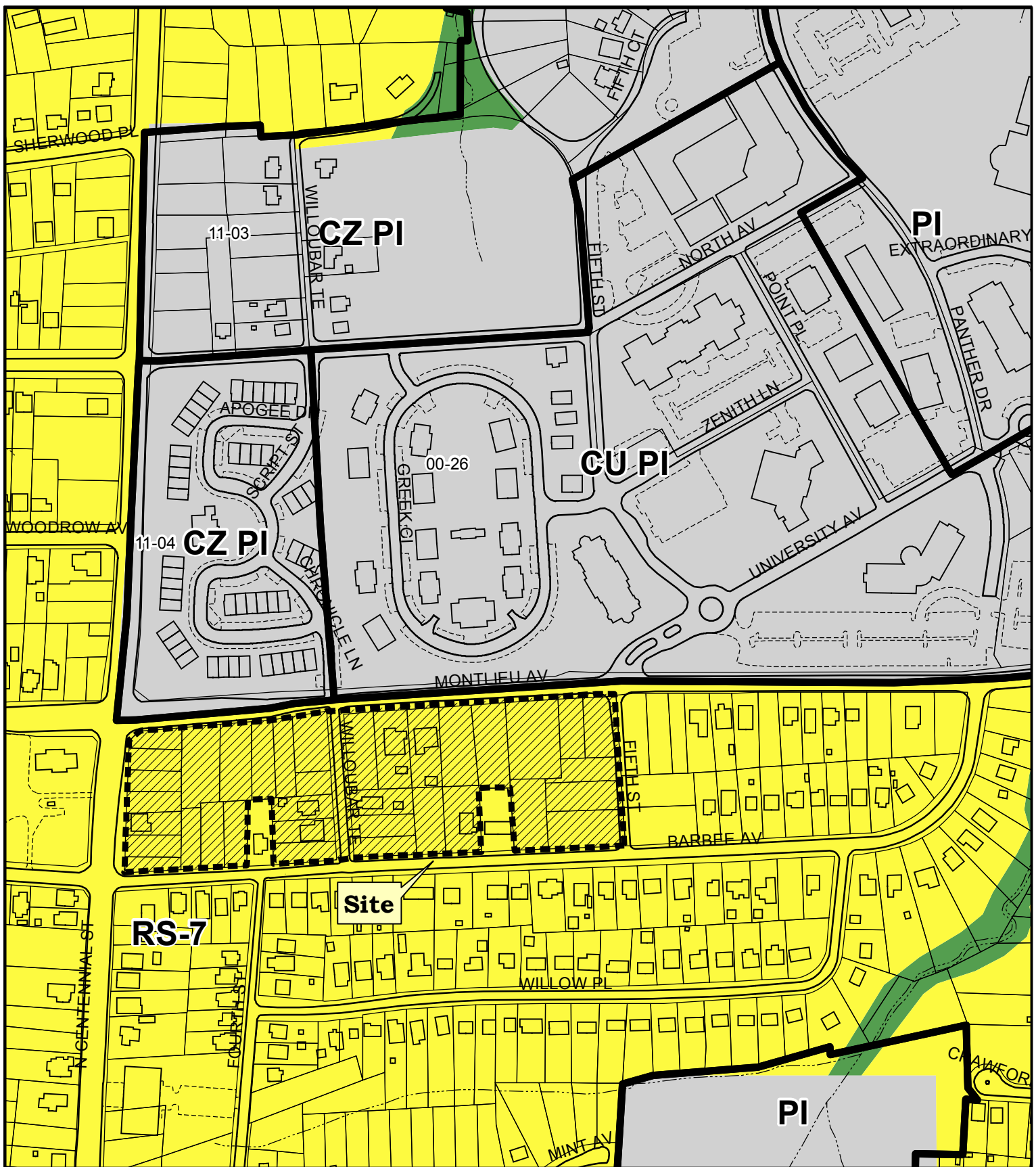
**Planning & Development
 Department**

City of High Point

Date: October 24, 2013



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ZONING CASE 13-08

Land Use Plan

- Low-Density Residential
- Institutional
- Recreation/Open Space

Planning & Development
Department

City of High Point

Date: October 29, 2013



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ZONING CASE 13-08

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

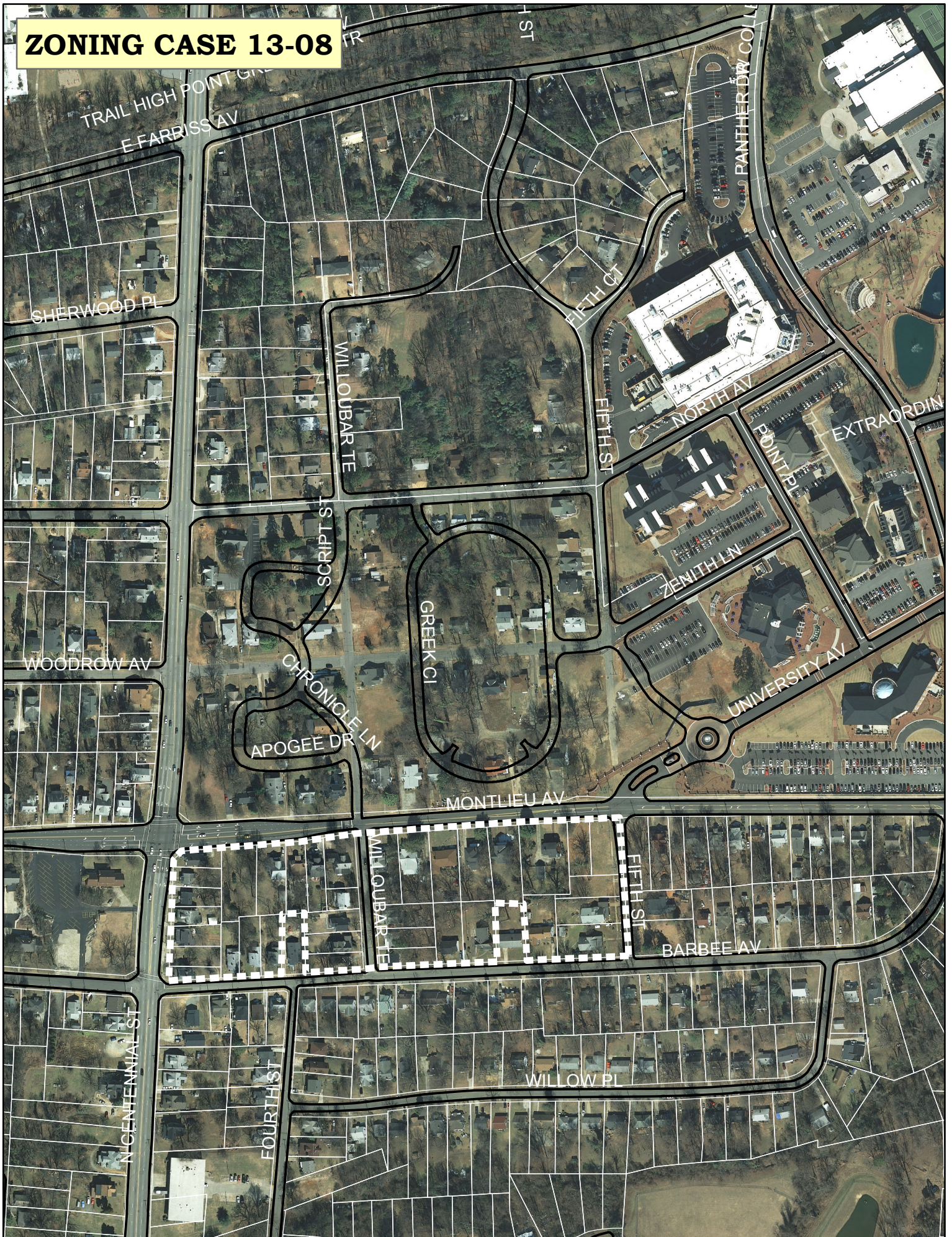
Date: October 29, 2013



Scale: 1"=300'

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ZONING CASE 13-08





October 10, 2013

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: Zoning Case 13-08, High Point University. Property is bounded by Montlieu Ave, N Centennial St, Barbee Ave and Fifth St.

My staff and I have reviewed the rezoning request and have the following comments:

A traffic impact analysis was not required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. In order to mitigate the development's impact on the surrounding roadway network the following improvements will be required:

Right of Way

Dedicate a 30'x30' right of way chord at the intersection of N Centennial St and Montlieu Ave for the installation of a traffic signal mast arm.

Access

No access will be allowed to N. Centennial St and Barbee Ave. Any access to Montlieu Ave will either be provided at the existing Willoubar Terrace or Fifth Street existing access points.

The City of High Point Transportation Director and the North Carolina Department of Transportation shall approve all construction and improvements.

If you have any questions or would like to further discuss this case, please advise.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 9-3-12, ZONING MAP AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of The City of High Point adopted “The City of High Point Development Ordinance” on January 7, 1992 with an effective date of March 1, 1992, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on November 12, 2013 and before the City Council of the City of High Point on November 18, 2013 regarding Zoning Case 13-08 a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on November 3, 2013, for the Planning and Zoning Commission public hearing and on November 6, 2013 and November 13, 2013, 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 _____.

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 Public & Institutional (CZ-PI) District**. The site consist of approximately 8.3 acres bounded and by Montlieu Avenue, Fifth Street Barbee Avenue and N. Centennial Street (604, 608, 610, 612, 700, 702, 704, 706, 708, 712, 714, & 716 *Montlieu Avenue*; 601, 603 & 605 *Fifth Street*; 705, 707, 709, 907, 909 & 913 *Barbee Avenue*; 600 thru 607 *Willoubar Terrace* and 60, 602, 604, 608, & 610 *N. Centennial Street*). The property is also known as Guilford County Tax Parcels 0190022 thru 0190030; 0190032 thru 0190052; 0190054 thru 0190059.

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES:

- A. The zoning site shall be limited to surface off-street parking use only.
- B. The zoning site shall be subject to the development and dimensional requirements of the Public & Institutional (PI) District, and the specific conditions listed in this Conditional Zoning Ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Lot Combination: As requested by the Technical Review Committee, parcels associated with the zoning site shall be combined prior to development or subdivision.
2. Lighting:
 - a. Within fifty (50) feet of the Barbee Avenue right-of-way, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height. All lighting shall be directed inwards towards the interior of the zoning site and include the use of shields to direct lighting and glare away from adjacent residential uses.
 - b. Where the zoning site abuts residentially zoned parcel(s) along the north side of Barbee Avenue, lighting shall be setback a minimum of twenty (20) feet from the abutting residential parcel(s) property line.
3. Landscaping, Buffers, and Screening:
 - a. Landscaping:
 - i. Centennial Street frontage and Montlieu Avenue frontage: A minimum twenty (20) foot wide Street Yard, planted at Type C rate, shall be installed along the N. Centennial Street and Montlieu Avenue frontage of the zoning site.
 - ii. Barbee Avenue frontage: The intent is to provide a low-level screening of off-street parking areas near Barbee Avenue through the use of an assortment of understory trees, canopy trees, shrubs, berms and other topography treatments.
 - a) Along the Barbee Avenue frontage 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 along the Barbee Avenue frontage 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 Barbee Avenue right-of way, landscaping shall be arranged in such a manner as provide low-level screening from vehicle headlights that my face towards Barbee Avenue.

b. Fencing:

- i. If fencing is installed along the Barbee Avenue frontage of the zoning site, said fencing shall be located behind the Barbee Avenue street planting yard.
- ii. Where the zoning site abuts residentially zoned parcel(s) along the north side of Barbee Avenue, an opaque fence shall be installed, in the required planting yard, around the residential parcel.

B. Transportation Conditions.

1. Right-of-way dedication: The property owner shall dedicate a thirty (30) foot by thirty (30) foot right of way chord at the intersection of N Centennial Street and Montlieu Avenue for the installation of a traffic signal mast arm.
2. Vehicular Access:
 - a. No access will be allowed to N. Centennial Street.
 - b. No access will be allowed to Barbee Avenue.
 - c. Any access to Montlieu Avenue will either be provided at the existing Willoubar Terrace or Fifth Street (private drive) existing access points.
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 now 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.

2013.

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report

Zoning Case 13-08

Submitted by: Ron Guerra on behalf of
High Point University



October 23, 2013

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

From: Ron Guerra, MBA
Director of Construction and Renovation

Re: Zoning Case CZ-13-08
Community Meeting Report, October 17, 2013, 7:00 P.M.

High Point University conducted a Citizens' Information Meeting in support of Zoning Case CZ-13-08. The meeting was held at High Point University in Norton Hall Room 202. Letters of invitation were mailed to 79 residents on October 8, 2013 (letter is attached). The application is for Rezoning Case CZ-13-08, which includes the rezoning of 36 parcels fronting Montlieu Avenue, Centennial Street, Barbee Avenue, Fifth Street, and Willoubar Terrace from RS7 to CZ PI. Mr. Ron Guerra, Director of Construction, Renovation and Campus Development, Mr. Jason Sweet, Assistant Director of Construction and Renovation, and Mr. Ravindra Bissram, of Jamestown Engineering Group, Inc., represented the University.

Mr. Guerra reviewed maps illustrating the properties included in the Rezoning. Potential uses for the property within the rezoning area were discussed. Mr. Guerra also explained that alternatives for the site's development are currently being assessed by the University, so final plans are not available at this time.

It was a very positive meeting with specific discussion focused on the following:

- The more immediate use for the properties as surface parking. In the future, use may entail dormitories, but probably not classrooms.
- The effect of site development on storm water flows, which will be required to meet the applicable storm water requirements of the City's Development Ordinance.
- Zoning conditions applicable to site lighting and increased planting buffers along public streets. Discussions of the "Signature Wall" that is installed around the university properties.
- Property owners questioned if Barbee Avenue was to be closed, and were assured that Barbee Avenue would remain open as a public street.
- Overhead utilities are being installed underground in the area.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Ron Guerra', written over the printed name 'HIGH POINT UNIVERSITY'.

Ron Guerra
Director of Construction, Renovation and Campus Development



October 8, 2013

Ladies and Gentlemen:

**Subject: Citizen Information Meeting, Thursday, October 17, 2013,
Centennial Street/Barbee Avenue/
Fifth Street(private)/Montlieu Avenue**

A Citizen Information Meeting will be held on Thursday, October 17, 2013, at 7:00 p.m. in Norton Hall, Room 202, (corner of University Avenue and Panther Drive) for the purpose of allowing us to inform you about our development plan and zoning proposal.

High Point University has filed an application with the City of High Point for the rezoning and land use plan map amendment (from RS 7 to CZ PI) of two blocks bordered by Centennial Street, Barbee Avenue, Fifth Street (private), and Montlieu Avenue. The zoning change requested is from RS 7 to CZ PI. The property consists of approximately 36 lots and approximately 8.0 acres. A Street Closing Petition for Willoubar Terrace between Barbee Avenue and Montlieu Avenue has also been filed by the University.

We have enclosed for your review a Conditional Use District Zoning Citizen Information Meeting Statement made available by the City of High Point, which may help clarify the rezoning process and requirements.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal is scheduled to take place at City Hall on November 12, 2013, at 6:00 p.m.

Questions, comments, or concerns should be directed to Ron Guerra, Director of Construction and Renovation at 336-841-9363.

We look forward to answering your questions and receiving your input.

Sincerely yours,

A handwritten signature in blue ink that reads 'R Guerra'.

Ron Guerra, Director of Construction and Renovation
High Point University

HIGH POINT UNIVERSITY
833 MONTLIEU AVENUE, HIGH POINT, NORTH CAROLINA 27262 (336) 841-9000
WWW.HIGHPOINT.EDU

Sign-In Sheet

Citizens Information Meeting
Thursday, October 17, 2013
High Point University
RS-7 to CZ-PI

Rezoning Case No. 13-08
Rezoning Location: Montlieu Avenue/Centennial Street/Barbee Avenue/
Fifth Street/Willoubar Terrace

<u>Name</u>	<u>Address</u>	<u>Phone No./E-Mail Address</u>
Nai Tina Tottolengandy	3006 Liberty Rd 27406	336 255 6381 / farmaceynat@yahoo.ca
DEBRA LEONARD-ROGERS	922 Barbee Ave. 313 MONTLIEU AVE.	336-884-8049 - missutreg8@northstate.net
Mr & Mrs. Clarence Nelson	1004 Barbee Ave.	(336) 885 6542
Roy H Smith	610 Barbee Ave	886-5950
Debra Smith	610 Barbee Ave	886-5950
Rebecca Jones	730 Montlieu Ave	336 887 8708
Satira R. Russell	835 Welton Place	336-885-8383 Satira.russell@yahoo.com
Edlin Lozynski		
Patricia Baker	414 Fourth St	336 772-4793
Nina Nicholson	501 Fourth St.	336-841-0424
Mary Ellen Dorey	1005 Barbee Ave.	336-883-4762



MEMORANDUM

Date: November 11, 2013

To: Allen Oliver, Assistant City Manager

From: Terry Houk, Interim Director of Public Services (T.H.)

Re: Agenda Item

I respectfully request that the following be included for consideration on the next Council Agenda:

Acceptance of the low bid submitted by Caldwell Tanks, Inc. for Upgrades and Restoration of the Lexington Ave. Elevated Tank

This project is required to clean and paint the interior and exterior of the tank, repair concrete foundations, improve electrical control systems and upgrade structure to meet current OSHA requirements. The contractor will also install mounting devices for the Cellular Carriers that will be needed to re-install their equipment. The Cellular Carriers will reimburse the City for these mounting devices upon completion of the project.

Public Services is recommending the bid be accepted for:

Upgrades and Restoration (Lexington Tank)	\$623,300.00
---	--------------

Funding for this project will come from: 421779-533701-421001015805-40202.

Cc: W. Chris Thompson
Jeff Moore
Tarinda Chappell
Tracey Adams
Richard McMillian
Wendell Pickett
Chip Vanderzee
File

November 7, 2013

Re: City of High Point, N.C.
Lexington Ave. Elevated Tank
Upgrades and Restoration
Bid No. 02-110613
DMP Project 100215 (AL)

Mr. Terry Houk
Public Services
City of High Point
PO Box 230
High Point, NC 27261

Dear Terry:

Bids were received by the Purchasing Department on November 6th for the above referenced project. A total of three bids were submitted and read, as summarized below.

Bidder	Part A – Base Bid
Caldwell Tanks, Inc. Harrodsburg, KY	\$539,800
D & M painting Corp. Washington, PA	\$574,200
Utility Services Co., Inc. Perry, GA	\$602,500

A detailed tabulation of all bids received is attached.

The bid pricing for the Base Bid - Part A includes the complete cleaning and painting of the interior and the exterior of the tank, concrete foundation restorations, electrical, control, and access and safety improvements broken down into 13 separate lump sum bid items. The low bidding contractor is determined by the lowest Base Bid submitted.

The Part C Alternate Bid Items include pricing includes three (3) lump sum bid items relating to safety items (ladder access and balcony handrail modifications) and overflow piping modifications. Part C also includes unit price items relating to mounting devices for the Cellular Carriers use in reinstalling their equipment. The unit price items related to the Cellular Carrier equipment installation will be financed by the City with reimbursement by the Cellular Carriers upon completion of the work.

Part C Alternate Bid items total \$118,500, based upon the low bidders cost for these items. Since We would recommend that Part C, Item 2 (Exterior Overflow Pipe) be eliminated from the Contract since this is not a safety related item, the existing overflow is operating properly and the pricing appears excessive. The Alternate Bid item cost would be reduced to \$83,500, resulting in a total recommended construction cost of \$623,300.

Part D is also included to provide other unit prices for potential work that cannot be quantitatively estimated and per gallon, per LF, per hour, and pit welding per pit to minimize the need for potential change order items as work progresses. As work progresses, the use of these unit price items will be considered, but we do not expect a significant quantity of this unit cost work will be necessary.

Caldwell Tanks, Inc. is a properly licensed specialty tank design, manufacturer, erector, and restoration contractor and is very well qualified to perform the work required by this Contract. **Based upon the information presented above, DMP recommends the City Council consider awarding this contract to Caldwell Tanks, Inc. in the amount of \$623,300 as outlined above.**

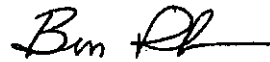
For budgeting considerations Part C items 4.1, 4.2 and 5 are all associated with the installation of supports for the Cellular Carriers that utilize this tank for their cellular service equipment. This cost, totaling \$61,500, will be reimbursed to the City by the Cellular Carriers resulting in a net Contract price to the City of \$561,800.

Upon City Council's approval, we will prepare the Construction Contracts and schedule a pre-construction conference. We have also enclosed the original bid documents from all bidders. We greatly appreciate the opportunity to provide this design service for the City and look forward to the project's construction.

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

Sincerely,

DAVIS-MARTIN-POWELL & ASSOCIATES

A handwritten signature in black ink, appearing to read "Ben Palmer", with a stylized flourish at the end.

Ben Palmer, PE

c: Ms. Tarinda Chappell (enc)
File (enc)

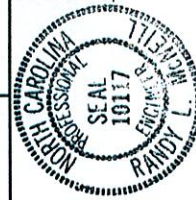
BID TABULATION

ITEM	DESCRIPTION	Caldwell Tanks, Inc. 4000 Tower Road Louisville, KY 40219	D & M Painting Corporation 1500 Amity Ridge Road Washington, PA 15301	Utility Service Co., Inc. 535 Courtney Hodges Blvd. Perry, GA 31069
PART A - BASE BID				
Item 1	Exterior Painting	\$310,100.00	\$280,000.00	\$297,000.00
Item 2	Interior Painting	\$118,800.00	\$167,400.00	\$200,000.00
Item 3	Exterior Concrete Restoration	\$8,500.00	\$8,400.00	\$5,500.00
Item 4	Electrical, Control, and Mechanical Construction	\$49,350.00	\$52,000.00	\$60,000.00
Item 5	Exterior Ladder	\$12,700.00	\$31,000.00	\$7,000.00
Item 6	Exterior Balcony chains	\$750.00	\$400.00	\$2,000.00
Item 7	Exterior Roof Ladder	\$6,050.00	\$7,000.00	\$3,000.00
Item 8	Exterior Roof CP Plates	\$1,800.00	\$1,900.00	\$1,000.00
Item 9	Replace Roof Vent	\$6,000.00	\$4,800.00	\$5,000.00
Item 10	Replace Access Manway	\$4,000.00	\$6,000.00	\$4,000.00
Item 11	Remove Cables	\$2,500.00	\$4,000.00	\$4,000.00
Item 12	Interior Ladders	\$15,150.00	\$7,500.00	\$10,000.00
Item 13	Remove CP Wiring, etc.	\$4,100.00	\$3,800.00	\$4,000.00
Sub-Total, Part A - Base Bid Items (Items 1-13)		\$539,800.00	\$574,200.00	\$602,500.00
PART B - BASE BID EQUIPMENT & MATERIAL MANUFACTURERS				
SECTION	EQUIPMENT/MATERIALS	Manufacturer	Manufacturer	Manufacturer
16200	Instrumentation Systems Integrator			
16200	Level Indicating Transducer			
PART C - ALTERNATE BID ITEMS				
Item 1	Ladder Shield	\$1,250.00	\$1,400.00	\$1,500.00
Item 2	Exterior Overflow Pipe	\$35,000.00	\$34,000.00	\$38,000.00
Item 3	Balcony Handrail Modifications	\$20,750.00	\$11,800.00	\$9,000.00
		Unit Cost	Total Cost	Unit Cost
Item 4	Cellular Antennae Mounts	\$1,100.00	\$13,200.00	\$2,000.00
	Remove Radio Head (RRH) Mount	\$1,100.00	\$3,300.00	\$2,000.00
		Unit Cost	Total Cost	Unit Cost
Item 5	Coaxial Cable Mount	\$250.00	\$45,000.00	\$225.00
Sub-Total, Part C			\$118,500.00	\$119,000.00
PART D - UNIT PRICES FOR UNSCHEDULED WORK				
		Unit Prices	Unit Prices	Unit Prices
Item 1	Pit Filler (per gallon)	\$950.00	\$900.00	\$300.00
Item 2	Pit Welding (each)	\$15.00	\$14.00	\$30.00
Item 3	Seam Welding (per LF)	\$35.00	\$35.00	\$50.00
Item 4	Chipping and Grinding (per hour)	\$100.00	\$75.00	\$100.00

THIS IS TO CERTIFY THAT THIS TABULATION IS CORRECT AND A TRUE AND
ACCURATE COPY OF THE BIDS SUBMITTED, THIS THE 6th DAY OF NOVEMBER,
2013.

DAVIS • MARTIN • POWELL & ASSOCIATES

Randy L. McNeill, PE





**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Public Services**

COUNCIL AGENDA DATE: **November**

BID NO.: **02-110613**

CONTRACT NO.:

DATE OPENED: **Nov 6, 2013**

DESCRIPTION:

This project is required to clean and paint the interior and exterior of the tank, repair concrete foundations, improve electrical control systems and upgrade structure to meet current OSHA requirements.

PURPOSE:

Upgrades and Restoration (Lexington Tank)

COMMENTS:

Acceptance of the low bid for Upgrades and Restoration of the Lexington Ave. Elevated Tank

RECOMMEND AWARD TO: **Caldwell Tanks, Inc**

AMOUNT: **\$623,300.00**

JUSTIFICATION:

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
421779	533701	421001015805	40202	\$804,013.00
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD:

Terry L. Houk

Digitally signed by Terry L. Houk
DN: cn=Terry L. Houk, o=Public Services, ou=City of
High Point, email=terry.houk@highpointnc.gov, c=US
Date: 2013.11.13 08:22:12 -0500

DATE: **Nov 13, 2013**

The Purchasing Division concurs with recommendation submitted by the **Public Services** and recommends award to the lowest responsible, responsive bidder **Caldwell Tanks** in the amount of \$ **804,013.00**.

PURCHASING MANAGER:

Tarinda Chappell

Digitally signed by Tarinda Chappell
DN: cn= Tarinda Chappell, o=City of High Point, ou=Purchasing,
email=tarinda.chappell@highpoint.gov, c=US
Date: 2013.11.13 08:31:03 -0500

DATE: **Nov 13, 2013**

Approved for Submission to Council

FINANCIAL SERVICES DIRECTOR: **Jeffrey Moore**
20130620-173418

Digitally signed by Jeffrey Moore
DN: cn=Jeffrey Moore, o=City of High Point, ou=Administration, email=jeff.moore@highpointnc.gov, c=US
Date: 2013.11.13 09:21:30 -0500

DATE: **Nov 13, 2013**

CITY MANAGER: **Strib Boynton**

Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=Administration, ou=City of High Point,
email=cindy.amth@highpointnc.gov, c=US
Date: 2013.11.13 09:21:30 -0500

DATE: **Nov 13, 2013**