

City of High Point

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



Meeting Agenda

Monday, September 16, 2019

5:30 PM

Council Chambers

City Council

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

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

- [2019-384](#) Proclamation - Elks Lodge 110th Anniversary
Members of the High Point Elks Lodge will be in attendance to accept a Proclamation from Mayor Wagner recognizing the 110th anniversary, along with their service and contribution to the community.

Attachments: [Signed Elks Lodge Proclamation](#)

- [2019-385](#) Recognition - Planning & Zoning Commission / Historic Preservation Commission
Lee Burnette, Planning and Development Director, will recognize Ozzie Hough, John McKenzie and Andrew Putnam from the Planning & Zoning Commission and Jerry Mingo and Dories Patrick from the Historic Preservation Commission for the volunteer service to the City.

STRATEGIC PLAN UPDATE

- [2019-386](#) Strategic Plan Update
Council will receive an update on the Strategic Plan from Council Member Jeff Golden, Chair of the Community Housing, Neighborhood Development and Public Safety Committee.

PUBLIC COMMENT PERIOD

- [2019-387](#) Public Comment Period
A Public Comment Period will be held on the first Monday of the regular City Council meeting schedule at 5:30 p.m. or as soon thereafter as reasonably possible following recognitions, awards and presentations. Our policy states persons may speak on any item not on the agenda.
- * Persons who have signed the register to speak shall be taken in the order in which they are listed. Others who wish to speak and have not signed in will be taken after those who have registered.
 - * Persons addressing City Council are asked to limit their comments to 3 minutes.
 - * Citizens will be asked to come to the podium, state their name and address and the subject(s) on which they will comment.
 - * If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group while a designated speaker covers the various points. This helps to avoid repetition while giving an opportunity for people present with the same concerns to be recognized.

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

actions that distract the meeting.

CONSENT AGENDA ITEMS

FINANCE COMMITTEE - Council Member Moore, Chair

- [2019-388](#) Contract - Burton Substation Equipment & Transformers
Council is requested to award the following contracts to upgrade existing substations and increase the electric system's capacity.
- | | |
|---------------------------------------|----------------------------|
| Schedule I - Substation Structure | Distran Packaged Systems |
| \$390,510.00 | |
| Schedule II - Circuit Switchers | R.W. Chapman & Co. |
| \$100,144.00 | |
| Schedule III - 15 kV Circuit Breakers | Siemens Industry, Inc. |
| \$230,761.00 | |
| Schedule IV - Relay & Control Panels | Birmingham Control Systems |
| \$99,995.00 | |
| Schedule V - Power Transformers | Virginia Transformer Corp. |
| \$2,030,067.00 | |
- Attachments:** [1. Contract- Burton Street Substation Equipment](#)
- [2019-389](#) Contract - Hammer Street Substation - Transmission Poles
City Council is requested to award a contract to ROHN Products, LLC in the amount of \$181,100.00 for the purchase of ten (10) steel transmission poles for the 100Kv connection serving the new Hammer Street substation.
- Attachments:** [2. Contract - Hammer Street Substation - Steel Poles](#)
- [2019-418](#) Contract - Electric Distribution Crews - Pike Electric
City Council is requested to award a contract to Pike Electric in the amount of \$2,269,204.52 for contract labor and equipment to be utilized by the City Electric Department to level out the changing workloads and supplement increased project labor caused by changes in the economy and increased capital expenditures.
- Attachments:** [3. Contract - Electric Distribution Crews - Pike Electric](#)
- [2019-390](#) Contract - May Heavy Equipment Company - Motor Grader
Council is requested to award a contract to May Heavy Equipment Company for the purchase of a 2014 John Deere 672G motor grader in the amount of \$176,280.00 for the Landfill Division of Public Services. Recommendation also includes declaring the old equipment as surplus and disposing through the online auction process.
- Attachments:** [3. Contract - Purchase of Motor Grader \(9-16-19\)](#)
- [2019-391](#) Sole Source Contract - Just Imports/Motorcycles of Charlotte - HPPD
Council is requested to award a sole source contract to Just Imports/Motorcycles of Charlotte for the purchase of two (2) BMW Police R1250RT-P motorcycles in the amount of \$55,441.00 for use by the High

Point Police Department.

Attachments: [4. Sole Source Contract - Police Department Motorcycles](#)

[2019-392](#)

Sole Source Contract - Siemens Industry, Inc - City Lake Raw Water Pump Upgrade

City Council is requested to award a sole source contract to Siemens Industry Inc. to perform the total cell refurbishment and panel upgrade on VFD # 3 at the City Lake Raw Water Pump Station in the amount of \$116,875.00.

Attachments: [5. Sole Source Contract - City Lake Raw Water Pump Refurbishment](#)

[2019-393](#)

Agreement - Backflow Prevention Compliance - Brycer, LLC

City Council is requested to approve a three-year agreement with Brycer, LLC to assist the City in complying with Federal and State backflow prevention regulations and authorize the appropriate City Official to execute all necessary documentation.

Attachments: [6. Agreement - Backflow Prevention Compliance - Brycer, LLC](#)

[2019-394](#)

Agreement for Services - TLC Solutions Corporation/The Library Corporation (Sole Source)

City Council is requested to approve an Agreement for Service (sole source) to TLC Solutions Corporation/The Library Corporation for services to include the Library's integrated system (LS2) in the amount of \$209,890.00.

Attachments: [7. Agreement for Services -LS2 Contract](#)

[2019-396](#)

Contract Renewal - CIGNA - Employee Health/Dental Care

City Council is requested to authorize the City Manager to execute a twelve-month (12) contract with CIGNA Healthcare for health and dental care coverage for city employees effective January 1, 2020 - December 31, 2020.

Attachments: [9. Cigna Contract Renewal 2020](#)

[2019-397](#)

Resolution - Guilford County School Administration/Fairview Elementary School - Furniture Donation

Council is requested to adopt a resolution to approve the donation of surplus office furniture to the Guilford County School Administration for use at Fairview Elementary School and authorize the appropriate city official to execute all necessary documents.

Attachments: [10. Donation of Office Furniture to Fairview Elementary School](#)

REGULAR AGENDA ITEMS

FINANCE COMMITTEE - Council Member Moore, Chair

[2019-398](#)

Public Hearing - Resolution - 2018 Edward Byrne Memorial Justice

Assistance Grant (JAG) Interlocal Agreement
Monday, September 16, 2019 at 5:30 p.m. is the date and time established to receive public comments on the adoption of a Resolution authorizing the execution of an Interlocal Agreement between the City of Greensboro, City of High Point and County of Guilford for shared use of the 2018 Edward Byrne Memorial Justice Assistance Grant Funds. The City of High Point will receive a total of \$46,236.80. The High Point Police Department will use the funding to purchase twenty-two (22) tactical vests with Level III rifles plates at a total cost of \$46,236.80.

Attachments: [11. PD 2018 JAG Public Hearing Resolution](#)

[2019-395](#)

SprintCom, Inc. - Second Amendment to License Agreement
The City Attorney's Office is recommending that City Council approve the Second Amendment to License Agreement with SprintCom, Inc. and to authorize the City Manager to execute the agreement.

Attachments: [8. SprintCom Second License Agreement](#)

PENDING ITEMS

[2018-169](#)

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

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

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

[2019-399](#)

Resolution - Conveyance of Property to Habitat for Humanity
Council is requested to adopt a resolution conveying property located at 221 N. Hoskins Street to Habitat for Humanity to facilitate affordable housing in accordance with HUD regulations and serve a public purpose.

Attachments: [Conveyance of 221 N Hoskins to Habitat](#)

[2019-400](#)

Ordinance - Demolition of Dwelling - 1213 Leonard Avenue
Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 1213 Leonard Avenue belonging to TCC Holdings LLC.

Attachments: [1213 Leonard Ave Council Packet 1](#)

[2019-401](#)

Ordinance - Demolition of Dwelling - 819 Circle Drive
Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 819 Circle Drive belonging to Felix Luna Mendez.

Attachments: [819 Circle Dr Council Final](#)

[2019-402](#) Ordinance - Demolition of Dwelling - 1717 Brooks Avenue
Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 819 Circle Drive belonging to Mammie Evette Gayto Brown.

Attachments: [1717 Brooks Ave Council Packet](#)

[2019-403](#) Ordinance - Demolition of Dwelling - 129 Underhill Street
Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 129 Underhill Street belonging to Tomas Rodriguez.

Attachments: [129 Underhill Council Packet](#)

PLANNING & DEVELOPMENT COMMITTEE - Council Member Williams, **Chair**

[2019-404](#) Resolution of Intent - Annexation 19-09
Approval of a Resolution of Intent to establish a public hearing date of Monday, November 18, 2019 at 5:30 p.m., to consider a voluntary continuous annexation of an approximate 22.86-acre parcel located along the south side of Bame Road, approximately 3,800 feet west of Sandy Ridge Road. The property is also known as Guilford County Tax Parcel 169038.

Attachments: [1. Resolution of Intent AN-19-09](#)

[2019-406](#) Verizon Wireless - Right of Way Encroachment RE-19-0012
A request by Verizon Wireless to allow the installation of thirteen (13) small cell concealed poles with a City of High Point street light within the Piedmont Parkway, Beechwood Drive, Regency Drive, Tudor Lane, Federal Drive, Green Point Drive, and Waterleaf Court rights-of-way (ROW).

Attachments: [3. FINAL Staff Report \(RE-19-0012\)](#)

[2019-407](#) Verizon Wireless - Right of Way Encroachment RE-19-0013
A request by Verizon Wireless to allow the installation of nine (9) small cell concealed poles with a City of High Point street light within the Whites Mill Road, Sutton Way, Samet Drive, Tinsley Drive, and Gisbourne Drive rights-of-way (ROW). Eight (8) of the proposed poles are concealed with one (1) pole proposed to be wood.

Attachments: [4. FINAL Staff Report \(RE-19-0013\)](#)

PUBLIC HEARINGS

[2019-408](#) Ordinance - Larry Wright - Zoning Map Amendment 19-14
A request by Larry Wright to rezone approximately 1.5 acres from the Office Institutional (OI) District and the Transitional Office (TO) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is located

west of Westchester Drive, approximately 600 feet south of Coventry Road (1720 and 1726 Westchester Drive).

Attachments: [5. Staff Report ZA-19-14](#)

2019-409

Ordinance - High Point University - Zoning Map Amendment 19-15

A request by High Point University to rezone approximate 9.8 acres from the Residential Single Family-5 (R-5) District and the Institutional (I) District to a Conditional Zoning Institutional (CZ-I) District. The site is located north of E. Lexington Avenue, between N. University Parkway and Guyer Street (1300 N. University Parkway, 1513 E. Lexington Avenue and 1307, 1401 & 1405 Guyer Street).

Attachments: [6. Staff Report ZA-19-15](#)

2019-410

Ordinance - City of High Point - Zoning Map Amendment 19-16.

A request by the City of High Point to rezone 18 properties, totaling approximately 9.6 acres, to the General Business (GB) District as part of the Comprehensive Zoning Map Amendment project. The properties are located west of N. Main Street, south of W. Parris Avenue, east of Idol Street and along both sides of Westchester Drive between N. Main Street and Idol Street.

Attachments: [7. Staff Report ZA-19-16](#)

2019-411

Ordinance - City of High Point - Annexation 19-07

A request by the City of High Point to consider a voluntary contiguous annexation of approximately 28.17 acres located west of Dillon Road, approximately 350 feet north of Bales Chapel Road. The property is addressed as 3411 and 3411-R Dillon Road and also known as Guilford County Tax Parcel 160602 and 228590.

Attachments: [8. Staff Report AN-19-07](#)

2019-412

Ordinance - City of High Point - Annexation 19-08

A request by the City of High Point to consider a voluntary contiguous annexation of an approximate 1.28-acre parcel located south of E. Martin Luther King Jr. Drive, approximately 725 feet east of Dillon Road. The property is addressed as 3314 E. Martin Luther King Jr. Drive and also known as Guilford County Tax Parcel 161162.

Attachments: [9. Staff Report AN-19-08](#)

GENERAL BUSINESS AGENDA

2019-413

Reappointment - Library Board of Trustees - Forrest Littleton

Council Member Williams is recommending the reappointment of Forrest Littleton to the Library Board of Trustees. This reappointment is to be effective immediately and will expire on October 31, 2022.

Attachments: [Reappointment to Library Board of Trustees](#)

- [2019-414](#) Reappointment - Piedmont Triad Regional Water Authority (PTRWA) - John Thomas, III and John Bencini
Mayor Wagner is recommending the reappointment of John Thomas, III and John Bencini to the Piedmont Triad Regional Water Authority (PTRWA). Appointments will be effective immediately and will expire September 30, 2022.
Attachments: [Reappointments to PTRWA](#)
- [2019-415](#) Reappointment - Parks & Recreation Commission
Council Member Jeff Golden is recommending the reappointment of Bryon Stricklin as his Ward 1 appointee on the Parks & Recreation Commission. Reappointment is to be effective immediately and will expire on July 1, 2022.
Attachments: [Reappointment to Parks & Recreation Commission \(Bryon Stricklin\)](#)
- [2019-416](#) Reappointment - ABC Board - David Wall
Mayor Wagner is recommending the reappointment of David Wall as chairman of the Alcoholic Beverage Control Board. Appointment will be effective November 15, 2019 and will expire on November 15, 2022.
Attachments: [Reappointment to ABC Board](#)
- [2019-417](#) Minutes To Be Approved
Finance Committee Meeting; Thursday, August 15th @ 4:00 p.m.
Special Meeting; Monday, August 19th @ 4:00 p.m.
Regular Council Meeting; Monday, August 19th @ 5:30 p.m.
Attachments: [1. August 15 2019 Finance Committee Meeting.pdf](#)
[2. August 19 2019 Special Meeting Minutes.pdf](#)
[3. August 19 2019 High Point City Council Meeting Minutes.pdf](#)

ADJOURNMENT

Ordinance # 7559/19-76
Annexation Case 19-08

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-31, as amended, to annex the area described herein; and,

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

WHEREAS, The City of High Point has adopted a resolution under G.S. 160A-31, stating its intent to annex the area described herein; and,

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 211 S. Hamilton Street, High Point North Carolina at 6:15 p.m. on the 16th day of September, 2019, after due notice; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

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

SECTION 1. That by virtue of the authority granted by G.S. 160A-31 as amended, the following described contiguous property owned by the City of High Point is hereby annexed, and made a part of the City of High Point as of September 16, 2019.

Description:

Annexation Case AN-19-08

Property Owner: City of High Point

Guilford County Tax Parcel 161162 (Deed Book 8163 Page 2659)

Jamestown Township, Guilford County, North Carolina

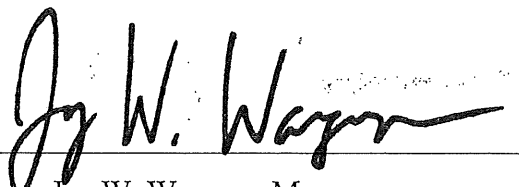
Beginning at a point on the southerly line of E. Martin Luther King Jr Drive – NCSR # 1113 (formerly Kivett Drive) (variable width), said point being the northwesterly corner of the lands of Clifton H. Lamb (Deed Book 3494, Page 295); thence departing said southerly line of E. Martin Luther King Jr Drive and with the westerly line of said lands of Lamb South 02° 34' 59" West 255.07 feet to a 1" pin found the southwesterly corner of said lands of Lamb; thence with the southerly line of said lands of Lamb South 85° 31' 03" East 105.58 feet to a 1" iron pipe found marking the southeast corner of said lands of Lamb and the southwesterly corner of the lands of Dennis W. Morgan, Sr (Deed Book

6501, Page 855); thence with said southerly line of Morgan and with other lands of Dennis W. Morgan Sr. (Deed Book 6576, Page 992) South 84° 36' 54" East 107.81 feet to a 1" pin marking the northwesterly corner of the lands of Key Consulting, Inc. (Deed Book 7606, Page 1938); thence departing the southerly line of said lands of Morgan, Sr and with the westerly line of said lands of Key Consulting South 04° 06' 26" West 100.19 feet and South 03° 59' 39" West 100.11 feet to an axle found marking a corner to other lands of the City of High Point (Deed Book 7368, Page 2883); Page 2 3314 Martin Luther King Jr. Dr. thence departing said westerly line of Key Consulting, Inc. and with the northerly and easterly lines of said other lands of the City of High Point North 84° 59' 17" West 234.18 feet to a 1" pin found and North 01° 36' 16" East 176.02 feet to a 1" iron pipe found marking the southeasterly corner of the lands of Darrell W. Kersey (Deed Book 4450, Page 867); thence departing said easterly line of the lands of the City of High Point and with the easterly line of said lands of Kersey North 01° 24' 15" East 284.55 feet to a point on the aforementioned southerly line of E. Martin Luther King, Jr Drive (formerly Kivett Drive) (variable width); thence with said southerly line of E. Martin Luther King Jr Drive (variable width) South 77° 06' 08" East 35.33 feet to the Point of Beginning and containing 1.28691 acres of land more or less for Annexation purposes.

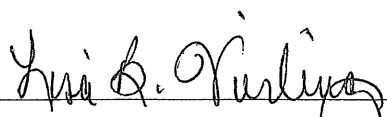
SECTION 2. That upon and after the effective date of the annexation the foregoing property and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

SECTION 3. That 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 the City Council
City of High Point, North Carolina
The 16th day of September, 2019.

By: 
Jay W. Wagner, Mayor

ATTEST:


Lisa B. Vierling, City Clerk



City Clerk's Office

Mary Brooks

DEPUTY CITY CLERK



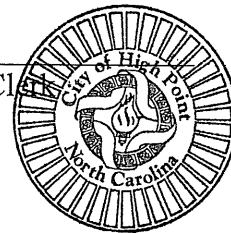
City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

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 September 16, 2019 and upon approval by City Council will be recorded in Book 94 of the Official Minute Books and Ordinance Book XX, Ordinance No. 7559/19-76, page 188, Legislative File No. 2019-412 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 25th day of September 2019.

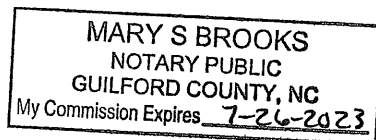
Lisa B. Vierling
Lisa B. Vierling, City Clerk



ACKNOWLEDGEMENT

I, Mary S. Brooks, 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 25th day of September 2019.



Mary S. Brooks
Mary S. Brooks, Notary Public

Commission Expires: 7/26/2023

New Motorcycle/Driving Laws for the state of North Carolina

Author: Austin Maxwell Soares

Date Made: 9/7/19 at 1:25pm Eastern Standard Time

The point of these new legislation reforms is to fix the driving/motorcycle laws in the state of North Carolina and hopefully the country soon after they are hopefully established here in North Carolina. Furthermore hopefully with these new laws, it will make it easier to acquire the skills and resources to not only learn how to operate motorized vehicles but acquire them as well. If this is implemented more and more families can prosper and the dreams of many may finally come true as well as open many new job opportunities and hopefully start us down the path on the road to recovery to fix our nation's economy.

Law #1: It will no longer be necessary to require a standard issue driver's license or a driver's license of any kind to acquire a motorcycle permit or license.

Law #2: A motorcycle license or permit can be issued at a regular Department of Motor Vehicles or at a motorcycle safety foundation course.

Law #3: Vehicles such as bicycles/tricycles, (Street Legal) ATV's, (Street Legal) Golf Carts, motorized bicycles/tricycles and of mopeds can be ridden on the streets/roads without a license. The same goes for certain types of motorcycles see Law #5 below.

Law #4: Certain types of motorcycles will be able to be ridden without a license or permit on the road, the only deciding factor will be the type of motorcycle, stock engine size (more on that at Law #6).

Austin Maxwell Soares
336-870-9302
1505 Delk Dr.
amsphantom15@outlook.com

Type of motorcycles includes:

1. Standard: 125cc to 1200cc
2. Sport: 250cc to 500cc
3. Cruiser/Touring/Feet-Forward/Motorcycle Trikes and any motorcycle with a sidecar : 250cc to 1600cc
4. Sports-Touring: 900cc to 1200cc
5. ADV: 900cc to 1100cc
6. Dual-Sport/Street Legal Dirt bike: 150cc to 650cc
7. Mopeds: 50cc to 400cc

Law #5: Any motorized vehicle below the list of minimums listed above such as certain bikes and mopeds can also be ridden without a license or permit on the road as well.

Law #6: Mods to increase power or speed output such as new batteries, clutch kits, exhaust, and big bore kits, etc. are fair game, if any of the type of bikes listed above at Law #4 have a bigger engine and it is because of a big bore kit than it will still count as one of those bikes that can be ridden without a license on an open road.

Law #7: Any bike that exceeds the stock engine limitation of the bikes set above on Law #4 must be required to have a license to operate on the open road. These are bikes where the engine is bigger than maximum engine size of the bike because it was stock and not made that way via a big bore kit.

Law #6: All riders under the age of 16 must be accompanied with an adult or someone at least 16 and up, upon riding on the open road.

Law #7: All DMV offices must have at least 5 manual cars and 5 automatic cars to be used by those who passed the written portion of the NC driving test to both practice and take the driving portion of the test.

Law #8: Those who pass the written exam of the NC state driving test will have one year to take the driving portion until they must redo the entire test and up to additional six months may also be issued if requested, nothing more.

Law #9: People can sell their vehicles to that state of North Carolina ranging from bikes, cars, motorcycles/mopeds, boats; prices the state will range from condition, year, etc.

1. Bikes: 100\$ to 500\$
2. Scooters/Mopeds: 900\$ to \$2,000\$
3. Motorcycles: 1,000\$ to 6,500\$
4. Cars: 10,000\$ to 16,500\$

Law #10: People can also buy said vehicles listed above from the state, with prices ranging from depending on condition and year:

1. Bikes: 50\$ to 100\$
2. Scooter/Mopeds: 400\$ to 800\$
3. Motorcycles: 1,000\$ to 6,000\$
4. Cars: 2,000\$ to 7,500\$

Law #11: All riders **19** and younger will be required to wear a helmet

**HIGH POINT CITY COUNCIL
REGULAR MEETING
AUGUST 19, 2019 – 5:30 P.M.
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING**

ROLL CALL, PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mayor Wagner called the meeting to order at 5:30 p.m. The Pledge of Allegiance followed Moment of Silence. The Pledge of Allegiance was led by Boy Scout Ian Scott.

*Upon call of the roll, the following Council Members were **Present (8):***

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

*The following Council Members were **Absent (1):***

Council Member Britt W. Moore (At Large),

RECOGNITIONS AND PRESENTATIONS

2019-355 Proclamation - National Recovery Month

Mayor Wagner will present a proclamation to Caring Services, Inc. recognizing the 30th anniversary of the Recovery Month observance and designating the month of September as “National Recovery Month”

Mayor Wagner read the Proclamation into the record recognizing the 30th anniversary of the "Recovery Month" observance and designating the month of September as "National Recovery Month."

Brian Brown, a clinician with Caring Services in High Point was present to accept the Proclamation on behalf of all the recovering addicts. He acknowledged the recovering addicts present in the audience and thanked the City Council for bearing witness as proof that they do recover.

[applause, photo op]

CONSENT AGENDA ITEMS

Mayor Pro Tem Jason Ewing chaired the Finance Committee portion of the meeting due to the absence of Council Member Britt Moore, Chairman of the Finance Committee.

Acting Chairman Ewing reported that the Finance Committee did meet as scheduled on Thursday, August 15, 2019 and placed all the Finance-related matters on the Consent Agenda with a favorable recommendation with the exception of the matters for the Bond Orders, which require a public hearing and separate actions.

Mayor Pro Tem Ewing moved to approve all finance-related items on the Consent Agenda. Council Member Jones made a second to the motion, which carried by an 8-0 unanimous vote. [Council Member Britt Moore was absent]

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

FINANCE COMMITTEE - Council Member Moore, Chair
Committee Members: Moore, Ewing, Hudson, and Jones.

2019-356 Agreement - Kimley Horn - Transportation Study - High Point (MPO) City of Lexington

Council is requested to approve a supplemental agreement with Kimley-Horn and the High Point Metropolitan Planning Organization (MPO) on behalf of the City of Lexington in the amount of \$105,000 for a transportation study for the area generally located at the Interstate 85/NC 8 interchange. A City of Lexington match of 20% is required and will be reimbursed to the MPO.

Approved a supplemental agreement with Kimley-Horn and the High Point Metropolitan Planning Organization (MPO) on behalf of the city of Lexington in the amount of \$105,000 for a transportation study for the area generally located at the Interstate 85/NC 8 interchange.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

2019-357 Contract - Core + Main LP - Fire Hydrant

Council is requested to award a contract to Core + Main LP for the purchase of fire hydrants in the annual amount of \$56,014.05 for a total contract award of \$168,042.15. The fire hydrant contract will run from September 1, 2019 through August 30, 2022 (3-year contract) with the option to renew for two (2) additional one (1) year periods if terms and pricing are agreeable to both parties.

Approved award of a contract to Core + Main LP for the purchase of fire hydrants in the annual amount of \$56,014.05 for a total contract award of \$168,042.15 (from September 1, 2019 through August 30, 2022 for a three-year contract with an option of renewal for two (2) additional one-year periods if terms and pricing are agreeable to both parties.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

2019-358 Contract - Garney (CMAR) - Appling Way - Change Order #4

Council is requested to approve a change order with Garney Companies, Inc. in the amount of \$2,584,160.20 for the construction of Appling Way. The project will include the construction of a new public road that will connect N. Elm Street and Pine Street and include the construction of sidewalk, streetscaping, curb and gutter, water/sewer utility lines, and storm drainage system.

Approved Change Order #4 to the Garney Companies, Inc. in the amount of \$2,584,160.20 for the construction of Appling Way to include the construction of a new public road that will connect N. Elm Street and Pine Street and include the construction of sidewalk, streetscaping, curb and gutter, water/sewer utility lines, and storm drainage system.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

2019-359 Contract - Sink Farm Equipment - Slope Mower

Council is requested to award a contract to Sink Farm Equipment in the amount of \$99,580.45 for the purchase of a Kubota M5-111HDC12 tractor with Terrain King mower and declare the old tractor with mower as surplus and disposing through the online auction process.

Approved award of a contract to Sink Farm Equipment in the amount of \$99,580.45 for the purchase of a Kubota M5-111HDC12 tractor with Terrain King mower and declared the old tractor with mower as surplus to be disposed of through the online auction process.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

2019-360 Contract - Piedmont Truck Center - Tactical Equipment Vehicle

Council is requested to award a contract to Piedmont Truck Center in the amount of \$121,143.00 for the purchase of a Ford F550 with enclosed body to replace a 1997 Ford Econoline E350 equipment van and also declare the old van as surplus and disposing through the online auction process.

Approved award of a contract to Piedmont Truck Center in the amount of \$121,143.00 for the purchase of a Ford F550 with enclosed body to replace a 1997 Ford Econoline E350 equipment van and declared the old van as surplus to be disposed of through the online auction process.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

2019-379 2018 Edward Byrne Memorial Justice Assistance Grant Funding - JAG

Council is requested to establish a public hearing date of Monday, September 16, 2019 at 5:30 p.m. for the purpose of receiving public comments on the funding for the 2018 Edward Byrne memorial Justice Assistance Grant Funding (JAG).

Established a public hearing date of Monday, September 16, 2019 at 5:30 p.m. to receive public comments on the funding for the 2018 Edward Byrne Memorial Justice Grant Funding (JAG).

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Jones, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

REGULAR AGENDA ITEMS**FINANCE COMMITTEE - Council Member Moore, Chair****2019-361 Public Hearings & Adoptions of Bond Orders**

Council is requested to hold three individual public hearings on the following three bond orders and adopt the bond orders as introduced at the meeting of the City Council held on July 15, 2019 meeting.

1. *"Bond Order authorizing the issuance of \$22,000,000 General Obligation Streets and Sidewalk Bonds of the City of High Point, North Carolina;" and*
2. *"Bond Order authorizing the issuance of \$21,500,000 General Obligation Parks and Recreation Bonds of the City of High Point, North Carolina;" and*
3. *"Bond Order authorizing the issuance of \$6,500,000 General Obligation Housing Bonds of the City of High Point, North Carolina."*

Acting Chairman of the Finance Committee, Mayor Pro Tem Ewing announced that the next set of items involve public hearings on the bond orders and advised three separate public hearings would be conducted with a vote on the Resolution for the referendum at the conclusion of the public hearings.

At 5:30 p.m., Mayor Pro Tem Ewing announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General Obligation Streets and Sidewalk Bond Order (\$22,000,000) and the advisability of issuing the General Obligation Streets and Sidewalk Bonds. No one was present who requested to be heard in connection with the foregoing bond questions.

Mayor Pro Tem Ewing then moved that the public hearing be closed on the \$22,000,000 General Obligation Streets and Sidewalks Bonds. Council Member Williams made a second, which carried by a unanimous 8-0 vote. [Council Member Moore was absent]

At 5:30 p.m., Mayor Pro Tem Ewing then announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General Obligation Parks and Recreation Bond Order (\$21,500,000) and the advisability of issuing the General Obligation Parks and Recreation Bonds. No one was present who requested to be heard in connection with the foregoing bond questions.

Mayor Pro Tem Ewing then moved that the public hearing be closed on the \$21,500,000 General Obligation Parks and Recreation Bonds. Council Member Williams made a second, which carried by a unanimous 8-0 vote. [Council Member Moore was absent]

At 5:31 p.m., Mayor Pro Tem Ewing then announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General Obligation Housing Bond Order (\$6,500,000) and the advisability of issuing the General Obligation Housing Bonds. No one was present who requested to be heard in connection with the foregoing bond questions.

Mayor Pro Tem Ewing then moved that the public hearing be closed on the \$6,500,000 General Obligation Housing Bonds. Council Member Williams made a second, which carried by a unanimous 8-0 vote. [Council Member Moore was absent]

Following the conclusion of the public hearings, Mayor Pro Tem Ewing moved that the City Council adopt without change or amendment, and direct the City Clerk to publish Notices of Adoption as prescribed in the Local Government Bond Act of the Bond Orders entitled:

1. *"Bond Order authorizing the issuance of \$22,000,000 General Obligation Streets and Sidewalk Bonds of the City of High Point, North Carolina;" and*

2. "Bond Order authorizing the issuance of \$21,500,000 General Obligation Parks and Recreation Bonds of the City of High Point, North Carolina;" and
3. "Bond Order authorizing the issuance of \$6,500,000 General Obligation Housing Bonds of the City of High Point, North Carolina."

Council Member Williams made a second to the motion, which carried by an 8-0 unanimous vote as follows:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

2019-362 Resolution - Setting Special Bond Referendum

Council is requested to approve a RESOLUTION SETTING A SPECIAL BOND REFERENDUM AND DIRECTING THE PUBLICATION OF NOTICE OF A SPECIAL BOND REFERENDUM AND NOTIFICATION OF THE BOARDS OF ELECTIONS for the following Bond Orders:

1. "Bond Order authorizing the issuance of \$22,000,000 General Obligation Streets and Sidewalk Bonds of the City of High Point, North Carolina;" and
2. "Bond Order authorizing the issuance of \$21,500,000 General Obligation Parks and Recreation Bonds of the City of High Point, North Carolina;" and
3. "Bond Order authorizing the issuance of \$6,500,000 General Obligation Housing Bonds of the City of High Point, North Carolina."

Adopted a Resolution setting a Special Bond Referendum for November 5, 2019 and directing the publication of Notice of a Special Bond Referendum, and notification of the Special Bond Referendum to the Davidson County Board of Elections, Forsyth County Board of Elections, Guilford County Board of Elections, and Randolph County Board of Elections.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Williams, that this Resolution be adopted. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

**Resolution No. 1897/19-53
Resolution Book Volume XX, Page 126**

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

Committee Members: Golden, Peters, Scarborough, and Williams

2019-363 2019-2020 Affordable Housing Program Procedures HUD

Council is requested to approve the Affordable Housing Procedures required by HUD and authorize the appropriate City official to execute all necessary documents.

Council Member Golden, Chairman of the Community Housing, Neighborhood Development and Public Safety Committee, reported that this matter was briefly discussed in committee and the committee recommended it be forwarded to the City Council with a favorable recommendation to include some minor changes to the language.

Approved the Affordable Housing Procedures as required by HUD and authorized the appropriate City official to execute all necessary documents.

A motion was made by Council Member Golden, seconded by Council Member Williams, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

PLANNING & DEVELOPMENT COMMITTEE - Council Member Williams, Chair

Committee Members: Williams, Jones, Moore, and Scarborough

2019-364 Resolution of Intent - Annexation 19-07

Approval of a Resolution of Intent to establish a public hearing date of September 16, 2019 at 5:30 p.m., to consider a voluntary contiguous annexation of approximately 28 acres located west of Dillon Road, approximately 350 feet north of Bales Chapel Road. The property is addressed as 3411 and 3411-R Dillon Road and also known as Guilford County Tax Parcel 160602 and 228590.

Adopted a Resolution of Intent establishing a public hearing date of September 16, 2019 at 5:30 p.m. to consider a voluntary contiguous annexation of approximately 28 acres located west of Dillon Road, approximately 350 feet north of Bales Chapel Road, specifically located at 3411 and 3411-R Dillon Road, and more specifically known as Guilford County Tax Parcel 160602 and 228590.

A motion was made by Council Member Williams, seconded by Mayor Pro Tem Ewing, that this Resolution of Intent be adopted. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

Resolution No. 1893/19-49
Resolution Book Volume XX, Page 122

2019-365 Resolution of Intent - Annexation 19-08

Approval of a Resolution of Intent to establish a public hearing date of September 16, 2019 at 5:30 p.m., to consider a voluntary contiguous annexation of an approximate 1.23-acre parcel located south of E. Martin Luther King Jr. Drive, approximately 725 feet east of Dillon Road. The property is addressed as 3314 E. Martin Luther King Jr. Drive and also known as Guilford County Tax Parcel 161162.

Adopted a Resolution of Intent establishing a public hearing date of September 16, 2019 at 5:30 p.m. to consider a voluntary contiguous annexation of an approximate 1.23-acre parcel located south of E. Martin Luther King, Jr. Drive, approximately 725 feet east of Dillon Road, specifically addressed as 3314 E. Martin Luther King, Jr. Drive, and known as Guilford County Tax Parcel 161162.

A motion was made by Council Member Williams, seconded by Mayor Pro Tem Ewing, that this matter be adopted. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

Resolution No. 1894/19-50
Resolution Book Volume XX, Page 123

2019-366 Authorization to extend water services to the new Guilford County Animal Shelter

A request to authorize the extension of water service to the new Guilford County Animal Shelter located at 980 Guilford College Road. The site is located on the northwest side of Guilford College Road, southwest of Interstate 73 and north of W. Wendover Avenue.

Chris Andrews, Planner with the Planning and Development Department, advised this is a request for authorization from Guilford County to authorize and provide water to the proposed Guilford County Animal Shelter located at 980 Guilford College Road. The site of the proposed animal shelter is outside the city of High Point's corporate limits, but within the city's planning area. As part of the agreement that was reached between High Point, Greensboro, and Guilford County, the property is proposed to remain within Guilford County's zoning jurisdiction with the city of High Point providing water service and the city of Greensboro providing sewer service to the proposed facility. Section 6 of the city of High Point's Water and Sewer Extension Policy allows the City Council to approve the extension of such services to serve governmental properties in lieu of annexation.

Mayor Pro Tem Ewing inquired about the water rates for this property. Mr. Andrews explained that outside water rates would apply.

Authorized the extension of water service to the new proposed Guilford County Animal Shelter located at 980 Guilford College Road.

A motion was made by Council Member Williams, seconded by Mayor Pro Tem Ewing, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

PUBLIC HEARINGS

2019-367 Soulin and Som Put Pasit - Annexation 19-06

A request by Soulin and Som Put Pasit to consider a voluntary contiguous annexation of an approximate 1.6-acre parcel lying along the east side of Penny Road, approximately 650 feet south of Eagle Glen Road. The property is also known as Guilford County Tax Parcel 227820.

*The joint public hearing for this matter and related matter **2019-368 Zoning Map Amendment 19-12** was held on Monday, August 19, 2019 at 5:30 p.m.*

Herb Shannon, Senior Planner with the Planning and Development Department, provided an overview of the staff report which is hereby attached in Legistar as a permanent part of these proceedings. Staff provided a combined presentation of both matters, but separate votes on each individual matter is required.

*In regards to **Annexation 19-06**, the applicant is requesting a voluntary contiguous annexation of an approximate 1.6-acre parcel lying along the east side of Penny Road, approximately 650 feet south of Eagle Glen Road, more specifically known as Guilford County Tax Parcel 227820, in order to have access to city utilities to facilitate the building of a single-family dwelling. The city of High Point's corporate limits currently cross Penny Road and the site is basically surrounded by the city where it abuts the city limits to the north, west, and south; thus, the request is consistent with the city's annexation policies. City service vehicles are already in the area and the annexation of this site will not negatively impact the city's ability to provide services.*

*In regards to **Zoning Map Amendment 19-12**, the applicant is requesting to establish an R-3 zoning on the property. The proposed R-3 zoning is consistent with the zoning pattern in this area. The Planning & Zoning Commission reviewed this request at their July 23, 2019 meeting and recommended approval. Staff is also recommending approval.*

At this time, Chairman Williams opened the public hearing and asked if there was anyone present who would like to speak regarding this matter. There being no one present to comment, the public hearing was closed.

Annexation 19-06

Council Member Williams moved adoption of an Ordinance approving Annexation 19-06. Mayor Pro Tem Ewing made a second to the motion which carried by the following 8-0 unanimous vote.

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

Ordinance No. 7545/19-62

Ordinance Book Volume XX, Page 174

Zoning Map Amendment 19-12

Council Member Williams moved adoption of an Ordinance providing for the rezoning of this property from the Residential Single Family-40 (RS-40) District within Guilford County's jurisdiction to the Residential Single Family-3 (R-3) District. Mayor Pro Tem Ewing made a second to the motion, which carried by the following 8-0 unanimous vote.

Ordinance No. 7546/19-63

Ordinance Book Volume XX, Page 175

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

2019-368 Soulin and Som Put Pasit - Zoning Map Amendment 19-12

A request by Soulin Pasit and Som Put Pasit to rezone an approximate 1.6-acre parcel from the Residential Single Family-40 (RS-40) District, within Guilford County's jurisdiction, to the Residential Single Family-3 (R-3) District. The site is east of Penny Road, approximately 650 feet south of Eagle Glen Road. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

The joint public hearing for this matter and related matter 2019-367 Annexation 19-06 was held on Monday, August 19, 2019 at 5:30 p.m.

For specific comments made during the public hearing for 2019-368 Zoning Map Amendment 19-12, please refer to 2019-367 Annexation 19-06 above.

Adopted an Ordinance approving Zoning Map Amendment 19-12 based on the city's adopted policy guidance because the R-3 District is consistent with Low-Density Residential designation of the Land Use Plan, and the request is reasonable and in the public interest because the other properties in the city on the east side of this segment of Penny Road are also zoned R-3.

A motion was made by Council Member Williams, seconded by Mayor Pro Tem Ewing, that this matter be adopted. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

Ordinance No. 7546/19-63

Ordinance Book Volume XX, Page 175

2019-369 Cathy Jean Hedgecock - Annexation 19-04

A request by Cathy Jean Hedgecock to consider a voluntary contiguous annexation of approximately 15.3 acres lying approximately 350 feet west of Skeet Club Road and surrounded on three sides by the Joyce Circle right-of-way. The property is also known as Forsyth County Tax Parcels 6892-19-2761.00 and 6892-19-5337, and a portion of Guilford County Tax Parcel 1990147.

*The joint public hearing for this matter and related matter **2019-370 Zoning Map Amendment 19-09** was held on Monday, August 19, 2019 at 5:30 p.m.*

Herb Shannon, Senior Planner with the Planning and Development Department, provided an overview of the staff report for Annexation 19-04 and Zoning Map Amendment 19-09, both of which are hereby attached in Legistar as a permanent part of these proceedings.

*In regards to **2019-369 Annexation 19-04**, the applicant is requesting a voluntary contiguous annexation of approximately 15.3 acres lying approximately 350 feet west of Skeet Club Road and surrounded on three sides by the Joyce Circle right-of-way. Mr. Shannon explained the difference in the acreage between the annexation and the zoning was because a good portion of this property is already in the city. The site abuts the city limits and staff determined it would not negatively impact the city to provide services. This portion of the city's planning area has experienced steady growth from the approval of numerous annexations, since the early 1980s along both sides of the Skeet Club Road corridor. The site is within an area currently served by the city of High Point utilities and municipal services, including a new sanitary sewer outfall that is to be installed approximately 450 feet west of the site and city vehicles currently travel Skeet Club Road in conjunction with the city providing services to the various residential developments.*

This annexation petition represents a logical progression of the city's annexation policy for this area as the proposed annexation site abuts the city's corporate limits and city services are already present in this area.

*In regards to **2019-370 Zoning Map Amendment 19-09**, the applicant is requesting Council to rezone approximately 22.2 acres from the Residential Single Family-3 (R-3) District and the Residential Single Family-20 (RS-20) District within Forsyth County's jurisdiction to a Conditional Zoning Residential Multifamily-16 (CZ RM-16) District.*

Mr. Shannon reported one of the key items that staff looked at when reviewing this request was that the Land Use Plan does support higher densities in this area as the Land Use Map has this area designated as Medium Density Residential. This also corresponds with the Northwest Area Plan which also supports higher densities in this portion of the city's planning area.

Mr. Shannon referenced the Transportation Table included in the staff report that was submitted by the High Point Department of Transportation and noted based upon the number of units that the applicant is proposing to develop, this request did not trigger the requirement for a Transportation Impact Analysis (TIA). Also included in the staff report was information received from the local school district.

Key points as identified in the Staff Analysis section of the staff report were as follows:

Compatibility: As conditioned, the request will allow for development that is consistent with the Land Use Plan. The Joyce Circle right-of-way will separate the site from adjacent properties and the RM-16 District standards of the Development Ordinance will also ensure compatibility and would include building height requirements. In keeping with other requirements for the proposed townhomes, open space and recreation areas would be required to be installed.

Mitigation of Adverse Impacts: The applicant has offered the condition to prohibit access to Skeet Club Road, so there will be no direct access to Skeet Club Road. Access for this site is proposed for the northern and southern portion of Joyce Circle and the applicant has also included conditions to improve that access point.

Should any proposed future development trigger a Transportation Impact Analysis (TIA), the applicant has also offered a condition that they would have to do a TIA and any improvements identified from the TIA will have to be installed.

Consistency and Reasonableness: The request is supported by Land Use policies of the Land Use Plan and the Northwest Area Plan and the proposed CZ RM-16 District is consistent with the development pattern and the vision for this area from adopted city policies.

Staff recommends approval of the request. The request was reviewed by the Planning & Zoning Commission at their meeting on July 23, 2019 and they also recommended approval of the request.

Following his presentation of the staff report, Mr. Shannon entertained any questions.

Council Member Golden inquired about the difference between an RM-16 and R-3 District and Mr. Shannon explained that the RM-16 District allows for a wider variety of residential uses.

At this time, Chairman Williams opened the public hearing and invited the applicant to come forward.

Judy Stalder, Zoning Consultant representing the applicant, 665 N. Main Street, provided an overview of the applicant's proposal. She acknowledged the following people that were present in the audience: The applicant, Ms. Hedgecock and her daughter; the applicant's realtor, Marshall Morgan; and Rich Glover with Jamestown Engineering. She advised that although this request is for RM-16, the density of the proposed development is much less. She further explained that the Land Use Plan supports up to 16 units per acre, but the proposed development would end up with nearly 6 units per acre.

Ms. Stalder noted that development has not occurred in this area of Skeet Club Road due to the lack of public sewer service in the area; however, now that sewer has been extended in this area, it will support development of this property and the surrounding properties. She also pointed out that their property will serve as a transition between the existing development on Skeet Club Road of townhomes and the single-family homes on Tanglebrook Drive. She reported that all their development will be separated from non-developed property and the existing development by the Joyce Circle right-of-way and Skeet Club Road, as well as the perimeter street yard plantings that will be required by the Development Ordinance.

The applicant held the required neighborhood meeting and it was sparsely attended; no opposition was voiced.

Ms. Stalder expounded on two matters that generally come up during rezonings: schools and traffic. Regarding the traffic, she pointed out the proposed development does not trigger a TIA, but they have offered to do a TIA if the density and if any future development triggers it. She noted that both NCDOT and HPDOT have reviewed their plan with the access points to Joyce Circle and they are okay with the conditions in place for improvements to Joyce Circle. All lots will have internal access with two points of access on Joyce Circle and there would be no direct access to Skeet Club Road.

Regarding the schools, Ms. Stalder advised that because the development is split and in parts of both Guilford and Forsyth County, so the students will be split between the two districts. She reiterated that the schools have already been notified of this proposed development although it has not yet been approved. She explained that the houses would not be ready for occupancy at the same time, so students would not be entering schools at the same time.

In summary, she advised that the public sewer extension opens this area up for development, the Land Use Plan indicates a higher density than what is currently on Skeet Club Road, and they want to serve as the transition between the existing development and the new development that will occur later.

Council Member Williams asked if there was anyone else who would like to speak regarding this request. There being no one present to offer further comments, he declared the public hearing closed.

As a point of reference, Mayor Pro Tem Ewing advised that the Forsyth County portion of High Point is in an Opportunity Zone, so the combined effort of running infrastructure towards this area a few years ago to spur development and all the development that is now

taking place increases opportunity for attracting outside investment in that zone for other developments in the future.

Annexation 19-04

Council Member Williams moved to adopt an Ordinance approving Annexation 19-04. Mayor Pro Tem Ewing made a second to the motion, which carried by the following unanimous 8-0 vote.

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

Ordinance No. 7547/19-64

Ordinance Book Volume XX, Page 176

Zoning Map Amendment 19-09:

Council Member Williams moved adoption of the Ordinance approving Zoning Map Amendment 19-09 based on consistency with the city's adopted policy guidance because, as conditioned, the proposed CZ RM-16 District zoning is consistent with the Medium Density Residential classification and the policies of the Land Use Plan and Northwest Area Plan; AND that the request is reasonable and in the public interest because the rezoning site abuts a thoroughfare planned for improvement, is immediately west of a residential multifamily district and can be adequately served by municipal services to support the proposed development. Mayor Pro Tem Ewing made a second to the motion, which carried by the following unanimous 8-0 vote.

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

Ordinance No. 7548/19-65

Ordinance Book Volume XX, Page 177

2019-370 RIMAR LLC- Zoning Map Amendment 19-09

A request by RIMAR LLC to rezone approximately 22.2 acres from the Residential Single Family-3 (R-3) District and the Residential Single Family-20 (RS-20) District, within Forsyth County's jurisdiction, to a Conditional Zoning Residential Multifamily-16 (CZ RM-16) District. The site lies along the west side of Skeet Club Road and surrounded on three sides by the Joyce Circle right-of-way. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

The joint public hearing for this matter and related matter 2019-369 Annexation 19-04 was held on Monday, August 19, 2019 at 5:30 p.m.

*Note: For specific comments made during the public hearing, please refer to **2019-369 Annexation 19-04**.*

A motion was made by Council Member Williams, seconded by Mayor Pro Tem Ewing, that this Ordinance be adopted approving Zoning Map Amendment 19-09 based on consistency with the city's adopted policy guidance because, as conditioned, the proposed CZ RM-16 District zoning is consistent with the Medium Density Residential classification and the policies of the Land Use Plan and Northwest Area Plan; AND that the request is reasonable and in the public interest because the rezoning site abuts a thoroughfare planned for improvement, is immediately west of a residential multifamily district and can be adequately served by municipal services to support the proposed development. Mayor Pro Tem Ewing made a second to the motion, which carried by the following unanimous 8-0 vote.

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

**Ordinance No. 7548/19-65
Ordinance Book Volume XX, Page 177**

2019-371 High Point University - Plan Amendment 19-01

A request by High Point University to change the Land Use Map classification for approximately 33 acres from Low Density Residential, Local/Convenience Commercial and Recreation/Open Space to an Institutional classification. The site lies approximately 150 feet west of Panther Drive and is bounded by N. Centennial Street, E. Lexington Avenue and E. Farriss Avenue.

*The joint public hearing for this matter and related matter **2019-372 Zoning Map Amendment 19-11** was held on Monday, August 19, 2019 at 5:30 p.m.*

*Heidi Galanti, Planning Administrator with the Planning and Development Department, advised she would be providing an overview of **Plan Amendment 19-01** while Herb Shannon, Senior Planner, would be providing an overview of **Zoning Map Amendment 19-11**. She noted although a joint presentation would be made by staff, separate votes would be required for each individual matter.*

The Plan Amendment area consists of approximately 33 acres and is slightly smaller than the associated zoning case because the area along Panther Drive is already designated as Institutional. Ms. Galanti then provided a summary of the surrounding land uses. The applicant has requested a Plan Amendment from Local/Convenience Commercial, Low Density Residential, and Recreation.Open Space to an Institutional classification.

Ms. Galanti explained that over the past decade, High Point University has purchased properties within this area and maintained them for their use as housing for students and office space and have demolished some of the buildings they had no use for. These actions have changed the character of the area from predominantly Residential to Institutional which supports the requested Plan Amendment. There have been numerous Land Use Plan

amendment cases that have been approved by the City Council which established policy as to the manner in which the university expansion should occur. Expansion should abut the existing campus and consist of an entire block being incorporated into the campus and limit piece-meal and intrusion into adjacent residential neighborhoods. The requested expansion supports this policy as it incorporates the entire bounded area of Farriss, Centennial, Lexington, and Panther Drive.

Staff recommends approval of the request to change the future Land Use designation for approximately 33 acres to an Institutional Land Use classification. Ms. Galanti reported that the request meets the goals and objectives of the Land Use Plan and will be in harmony with the Land Use Plan pattern of the surrounding area. The Planning & Zoning Commission met on July 23, 2019 and also recommended approval by a 5-0 vote.

*Ms. Galanti entertained questions regarding the Land Use Plan Amendment. There being none, she turned the floor over to Herb Shannon, who provided an overview of the staff report for **Zoning Map Amendment 19-11**. The applicant, High Point University (HPU), is requesting that this block be rezoned to a Conditional Zoning Institutional District to facilitate expansion of the HPU campus. He reported that the university has purchased or has pending contracts to purchase all the properties in this block except for two parcels (one parcel off Centennial is not included because it is now under contract).*

Mr. Shannon explained that included with this application is a Conditional Zoning Ordinance in which the applicant has proposed similar zoning that the university has done to the south to ensure compatibility and they have included conditions pertaining to decorative fencing, landscaping, and character of the development.

*In regards to **compatibility**, staff reported that this request will be compatible with the surrounding area as the amendment basically contains the entire neighborhood and the property is separated from the abutting residential neighborhood to the west by the N. Centennial right-of-way.*

Zoning conditions offered by the applicant include:

- ✓ Higher development standards*
- ✓ Decorative fencing*
- ✓ Limiting the size and architectural design of the footprint of townhome type dormitories, and*
- ✓ Limiting vehicle access as they propose to use the existing public street access point of E. Farriss Avenue, Guilford Avenue, and the Fifth Street connection to E. Lexington Avenue.*

Subject to approval of the Plan Amendment, staff is recommending approval of the requested rezoning to the Conditional Zoning Institutional District. The Planning & Zoning Commission reviewed this request at their July 23, 2019 meeting and also recommended approval.

At the conclusion of Mr. Shannon's presentation of the staff report, he entertained any questions.

Mayor Wagner asked for clarification regarding the lot on Centennial Street and if an amendment to the motion would be required to add it. Mr. Shannon replied it would not because the request was already advertised which will require them to come back for changes to that lot in the future.

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

Barry Kitley, 4114 Ponce de Leon Drive, representing High Point University, spoke in favor of the request. He acknowledged Dan Pritchett with Jamestown Engineering who was in the audience and available for any questions. Mr. Kitley reported they did have the required neighborhood meeting and six people were in attendance, and that he also received eight phone calls from individuals. All questions were addressed and he reported they received no negative response about the proposal.

Regarding the houses, he confirmed that the university does now own the one off N. Centennial and it is being closed on. He explained the other house on McCain Place has an absent owner and is vacant; however, he has been in contact with a third party representing the property owner and they have received all documentation relative to the request that was sent out by the Planning and Development Department. Mr. Kitley reported that he has not received any kind of response from the property owner yet, but he continues to work with the owners.

Mayor Pro Tem Ewing asked if the property owner for the property on McCain Place is aware of the conditions that are tied to it with the planting yard, fencing, etc..... that will offer some protection of the perimeter of their property. Mr. Kitley replied that he is working through a third party and has not spoken directly to the property owner. Council Member Peters shared that she actually lived on McCain Place for a short while and she felt this property fits perfectly with HPU.

Chairman Williams asked if there was anyone else who would like to speak in support of or in opposition to this matter. There being none, he declared the public hearing closed.

Plan Amendment 19-01:

Council Member Williams moved adoption of the Resolution approving Plan Amendment 19-01 to change the future land use designation for approximately 33 acres to an Institutional Land Use classification as the request meets the goals and objectives of the Land Use Plan and will be in harmony with the Land Use pattern of the surrounding area. Mayor Pro Tem Ewing made a second to the motion.

After the motion was made, Council Member Scarborough asked for permission to abstain from voting on the matter due to his involvement with the purchase of the properties by HPU. It was determined that there was no direct financial interest in the outcome of the sale by Council Member Scarborough, so there was no need for him to abstain.

Mayor Wagner then called for a vote on the motion to adopt the Resolution approving Plan Amendment 19-01, which carried by the following unanimous 8-0 vote.

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

Resolution No. 1895/19-51

Resolution Book Volume XX, Page 124

Zoning Map Amendment 19-11:

Council Member Williams moved adoption of the Ordinance approving Zoning Map Amendment 19-11 to rezone approximately 37 acres from the Residential Single Family-5 (R-5) District, the Residential Multifamily-16 (RM-16) District, the Limited Business (LB) District, a Conditional Zoning Limited Business (CZ-LB) District, and a Conditional Zoning Institutional (CZ-I) District to a Conditional Zoning Institutional (CZ-I) District based on consistency with the city's adopted policy guidance because subject to approval of Plan Amendment 19-01, the proposed CZ-I District is consistent with policy and Land Use Plan of the Core City Plan; AND the request is reasonable and in the public interest given that the university acquired all but two parcels within the area bounded by North Centennial Street, East Lexington Avenue, Panther Drive, and East Farriss Avenue, the rezoning to a CZ-I District is consistent in the manner of previous university-related rezonings. The motion was seconded by Mayor Pro Tem Ewing and carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

Ordinance No. 7550/19-67

Ordinance Book Volume XX, Page 179

2019-372 High Point University - Zoning Map Amendment 19-11

A request by High Point University to rezone approximately 37 acres from the Residential Single Family-5 (R-5) District, the Residential Multifamily-16 (RM-16) District, the Limited Business District (LB) District, a Conditional Zoning Limited Business (CZ-LB) District and a Conditional Zoning Institutional (CZ-I) District to a Conditional Zoning Institutional (CZ-I) District. The site is bounded by N. Centennial Street, E. Lexington Avenue, Panther Drive and E. Farriss Avenue.

The joint public hearing for this matter and related matter **2019-371 Plan Amendment 19-01** was held on Monday, August 19, 2019 at 5:30 p.m.

Note: For specific comments made during the public hearing on 2019-372 Zoning Map Amendment 19-11, please refer to 2019-371 Plan Amendment 19-01.

Adopted an Ordinance approving Zoning Map Amendment 19-11 to rezone approximately 37 acres from the Residential Single Family-5 (R-5) District, the Residential Multifamily-16 (RM-16) District, the Limited Business (LB) District, a Conditional Zoning Limited Business (CZ-LB) District, and a Conditional Zoning Institutional (CZ-I) District to a Conditional Zoning Institutional (CZ-I) District based on consistency with the city's adopted policy guidance because subject to approval of Plan Amendment 19-01, the proposed CZ-I District is consistent with policy and Land Use Plan of the Core City Plan; AND the request is reasonable and in the public interest given that the university acquired all but two parcels within the area bounded by North Centennial Street, East Lexington Avenue, Panther Drive, and East Farriss Avenue, the rezoning to a CZ-I District is consistent in the manner of previous university-related rezonings.

Council Member Williams moved adoption of the Ordinance approving Zoning Map Amendment 19-11 to rezone approximately 37 acres from the Residential Single Family-5 (R-5) District, the Residential Multifamily-16 (RM-16) District, the Limited Business (LB) District, a Conditional Zoning Limited Business (CZ-LB) District, and a Conditional Zoning Institutional (CZ-I) District . Mayor Pro Tem Ewing made a second to the motion. The motion carried by the following unanimous 8-0 vote.

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

**Ordinance No. 7550/19-67
Ordinance Book Volume XX, Page 179**

2019-373 City of High Point - Zoning Map Amendment 19-13.

A request by the Planning and Development Department to rezone 31 properties, totaling approximately 47 acres, as part of the Comprehensive Zoning Map Amendment project. The properties are located at various locations along the N. Main Street corridor (north Eastchester/Westchester Drive), along the E. Parris Avenue corridor, and along the Old Winston Road corridor. The request proposes to rezone these parcels to the Transitional Office (TO) District, the Limited Business (LB) District and the General Business (GB) District.

The public hearing for this matter was held on Monday, August 19, 2019 at 5:30 p.m.

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

This is a request by the Planning and Development Department to rezone 31 properties along the N. Main Street corridor, north of the intersection of Eastchester/Westchester Drive (properties along East Parris Avenue, North Main Street, and Old Winston Road). This request is part of the city's comprehensive zoning map amendment project, a multi-year project in which the city Planning and Development Department is reviewing and evaluating zoning throughout the entire city and identifying areas where zoning is out of sync with

current Land Use policy with a goal of removing improper or obsolete zoning that may act as a barrier to development.

Mr. Shannon provided an overview on each of the areas. The individual properties are detailed in the staff report which is attached in Legistar as a permanent part of these proceedings. The properties are proposed for rezoning as follows:

Map 1 (Area A): 3021, 3031 and 3035 N. Main Street and 3021 Ingleside Drive. Currently zoned Conditional Use General Business (CU-GB); staff is proposing this property be rezoned to General Business (GB) District.

Map 1 (Area B): 3000 & 3010 N. Main Street and 1003 Northside Court. Currently zoned Limited Business (LB) and Conditional Use Limited Business (CU LB); staff is proposing this property be rezoned to General Business (GB) District.

Map 1 (Area C): 106, 108, 110-116 Westover Drive, 121 Westover Drive, and 2801 N. Main Street. Currently zoned Conditional Use General Business (CU-GB) District; staff is proposing this property be rezoned to General Business (GB) District.

Map 2 (Area A): 303, 305, 311, 401, 405 and 409 Old Winston Road, and 2506 N. Main Street. Currently Zoned Conditional Use Limited Business (CU-LB), Conditional Use Office Institution (CU-OI), and Conditional Use General Business (CU-GB); staff is proposing this property be rezoned to Limited Business (LB).

Map 2 (Area B): 200, 202, and 402 Old Winston Road. Currently zoned Conditional Use Transitional Office (CU-TO); staff is proposing this property be rezoned to Transitional Office (TO).

Map 2 (Area C): 2440, 2444, 2446 & 2448 N. Main Street. Currently zoned Conditional Use General Business (CU-GB); staff is proposing this property be rezoned to General Business (GB).

Map 2 (Area D): 107 & 109 Peachtree Drive and 808 Greenwood Drive. Currently zoned Conditional Use Limited Business (CU-LB); staff is proposing it be rezoned to Limited Business (LB).

Map 3: 2300 & 2310 N. Main Street; 133, 242, 256 & 260 E. Parris Avenue; 2209 & 2205 Kirkwood Street; and 136 Northpoint Avenue. Currently zoned Retail Center (RC), Limited Business (LB), and Conditional Use General Business (CU-GB); staff is proposing this property be rezoned to General Business (GB).

Following the conclusion of Mr. Shannon's overview of the staff report, Chairman Williams opened the public hearing and asked if there was anyone present who would like to speak in support of or in opposition to any of these rezoning requests. There being no one present to comment, the public hearing was closed.

Motion by Council Member Williams to adopt the Ordinance approving Zoning Map Amendment 19-13 incorporating the following statement into the record as part of the action:

"The Zoning Map Amendments are necessary to remove unintended barriers to development and to more accurately represent the current use of the land".

Mayor Pro Tem Ewing made a second to the motion which carried by a unanimous 8-0 vote as follows:

**Ordinance No. 7549/19-66
Ordinance Book Volume XX, Page 178**

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

GENERAL BUSINESS AGENDA

2019-374 Agreement - Easement Dedication to NCDOT - Deep River Road Bridge Replacement

Council is requested to approve the dedication of the two drainage Utility Easements located at 1800-1898 Deep River Road and 1854 Deep River Road for the Deep River Road Bridge Replacement project.

At 6:23 p.m., Council Member Peters asked to be excused from the remainder of the meeting.

Mayor Wagner moved that Council Member Peters be excused from the remainder of the meeting. Mayor Pro Tem Ewing made a second to the meeting, which carried by an 8-0 unanimous vote.

Kim Thore, Right-of-Way Agent with the Legal Department, advised that the city has been requested to dedicate some easements for the bridge replacement on Deep River Road and asked if there were any questions. There were none.

Approved the dedication of two drainage Utility Easements at 1800-1898 Deep River road and 1854 Deep River Road for the Deep River Road Bridge Replacement project.

A motion was made by Mayor Wagner, seconded by Council Member Hudson, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

2019-375 Reappointment - Parks & Recreation Commission - Marshall Newsome

Mayor Wagner is recommending the reappointment of Marshall Newsome to the Parks & Recreation Commission. This appointment will be effective immediately and will expire July 1, 2022.

Approved the reappointment of Marshall Newsome as the Mayor's appointee to the Parks & Recreation Commission. Reappointment to be effective immediately and will expire on July 1, 2022.

A motion was made by Mayor Wagner, seconded by Mayor Pro Tem Ewing, that this matter be approved. The motion carried by the following vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

2019-380 Appointment - Planning & Zoning Commission - Terry Venable

Council Member Jones is recommending the appointment of Terry Venable to the Planning & Zoning Commission. This appointment will be effective immediately and will expire July 1, 2020.

Approved the appointment of Terry Venable as the Ward 5 appointee on the Planning & Zoning Commission. Appointment to be effective immediately and will expire July 1, 2020.

A motion was made by Mayor Wagner, seconded by Council Member Jones, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

2019-376 Minutes To Be Approved

1. Finance Committee Meeting; Thursday, August 1st @ 4:00 p.m.
2. Special Meeting; Monday, August 5th @ 4:00 p.m.
3. Regular Meeting; Monday, August 5th @ 5:30 p.m.
4. Community Housing, Neighborhood Dev. & Public Safety Committee; Tuesday, August 6th @ 10:00 a.m.
5. Prosperity & Livability Committee; Wednesday, August 7th @ 9:00 a.m.

The minutes for the preceding meetings were unanimously approved as submitted.

A motion was made by Mayor Pro Tem Ewing, seconded by Council Member Hudson, that this matter be approved. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Council Member Williams, Council Member Scarborough, Council Member Golden, Council Member Peters, Council Member Hudson, Council Member Jones, and Mayor Pro Tem Ewing

Absent (1): Council Member Moore

Comments from Julius Clark

Mayor Wagner advised that he was approached by Mr. Julius Clark prior to the meeting about addressing the City Council on several issues. As this was not the time for Public Comment, the Mayor asked if there were any objections from Council to allow Mr. Clark to speak. Barring none, he asked Mr. Clark to come forward to the podium to address Council..

He addressed Council regarding the following concerns:

- *On behalf of the Historic Preservation Commission, Mr. Clark asked Council for assistance in strengthening the city's code enforcement so that the police power will be effective in reference to Historical Preservation. He advised that many times property owners are coming before the Historic Preservation Commission and taking it upon themselves to act prior to obtaining a Certificate of Appropriateness. He noted the HPC does not have any leverage to penalize them because the penalty in place is not sufficient and is taken lightly. He felt stronger penalties for violations are needed.*
- *Mr. Clark recognized the first responders that risk their lives for our safety daily. As a veteran of the US Navy, he specifically addressed the ultimate responders--military veterans. He addressed Council regarding the unkempt conditions at Greenhill Cemetery and the veterans that are buried at Oakwood Cemetery. He felt High Point should be very proud of these graves and if properly cared for, old graves are a tourist attraction to some people because they have emotional connections.*
- *He expressed concerns about the maintenance that is being performed in the cemeteries by city staff and how it is adversely affecting the tombstones and the aesthetics of the entire cemetery. He advised that the wide spread mowers are damaging the tombstones beyond repair and the chemical being used to control the weeds are also damaging and eating away at many of the tombstones.*
- *Mr. Clark requested reimbursement to the veterans who paid to have lights installed at the Greenhill Cemetery to illuminate the graves because the lights were damaged as the maintenance was being performed. They personally raised over \$2000 to install solar lights on the veteran's graves at Greenhill Cemetery.*

He also shared the following on-going activities that occur throughout the year to "remember, honor, and keep" the veterans.

- ✓ *Veteran's Day Service (created almost 17 years ago). The next service will be held on November 11th @ 11:00 a.m. at the Rosetta Baldwin Educational Center.*
- ✓ *Race Across America held at the Greenhill Cemetery.*

- ✓ *Placement of flags at Greenhill Cemetery and Oakwood Cemetery on Veteran's Day, Memorial Day, and Independence Day (July 4th).*

Mr. Clark thanked Lee Burnette, Director of Planning and Development, for consistency in trying to help get upgrades to the cemetery in the budget and thanked the City Council for approving it and including it in the budget because it provides an opportunity to get started with improvements to the cemetery.

In closing, Mr. Clark shared that he stands proud as a veteran and asked the City Council to work with them to make better use of services to the veterans because without them, we would not have the free liberty that we enjoy today.

Council Member Jones asked if there would be anything to prohibit organizing groups of veterans to volunteer and provide extra care for the veteran's graves at the cemetery. He felt they could put together volunteers on a regular basis to do this. Assistant City Attorney Meghan Maguire advised that the Legal Department would have to do some research on the suggestion.

Mayor Wagner asked the city manager to look into the standard of care at the cemeteries and asked the legal staff to look into the concerns regarding enforcement of Certificates of Appropriateness to explore additional options for enforcement and stronger penalties.

Prior to adjournment, Council mentioned the following upcoming activities and encouraged participation:

- ✓ *High Point Community Against Violence Offender Call-In August 20th @ 6:00*
- ✓ *Groundbreaking ceremony for the Tiny House Community on Hay Street*
- ✓ *Hospice- "Taste of the Town"*
- ✓ *Furniture City Grid Iron Classic*

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:40 p.m. upon motion duly made by Mayor Pro Tem Ewing and second by Council Member Jones.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Lisa B. Vierling, City Clerk

**CITY OF HIGH POINT
NOTICE PROPERTY
CONVEYANCE**

Affidavit of Publication

STATE OF NORTH SS
CAROLINA }
COUNTY OF GUILFORD }

Kimberly Cook, being duly sworn, says:

That she is the billing clerk of the The High Point Enterprise, a daily newspaper of general circulation, printed and published in High Point, Guilford County, North Carolina; that the publication, a copy of which is attached hereto, was published in the said newspaper on September 19, 2019

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

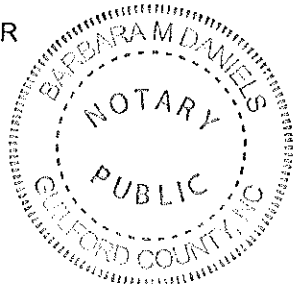
Kimberly Cook
the billing clerk

Subscribed to and sworn to me this 19th day of September 2019.

Barbara M Daniels
Barbara M Daniels, Notary, Guilford County, North Carolina
My commission expires: February 01, 2022

30145612 30880019

GREG DEMKO
CITY OF HP CITY MANAGER
PO BOX 230
HIGH POINT, NC 27261



Please take notice that on the 16th day of September, 2019, the High Point City Council authorized the conveyance to Habitat for Humanity of High Point, Archdale & Trinity, Inc., of the property located at 221 N. Hoskins Street, High Point, NC, recorded in Deed Book 7976, Page 2465 of the Guilford County Register of Deeds and more particularly described as follows:

Being all of Lots 67 and 68 of Washington Terrace, a plat of which is duly recorded in the Office of the Register of Deeds of Guilford County, NC, in Plat Book 6, Page 181, and being the property shown on a survey prepared by Wm. F. Freeman, Engineers, dated February 20, 1953, job B-276, entitled "Property of Edwin C. McGill" to which reference is hereby made.

This conveyance is made pursuant to the authority of G.S. 160A-279 for the public purpose of providing lower and moderate income housing. The conveyance shall not be consummated until ten (10) days after the publication of this notice.

Lisa B. Vierling, City Clerk
City of High Point
Sept. 19, 2019

CITY OF HIGH POINT

AGENDA ITEM



Title: Right-Of-Way Encroachment RE-19-0012 (Verizon Wireless)

From: Lee Burnette, Planning & Development Director

Meeting Date: September 16, 2019

Public Hearing: No

Advertising Date: Not Applicable

Attachments: A. Staff Report
B. Site Plan & Pole Rendering

Advertised By: Not Applicable

PURPOSE:

A request by Verizon Wireless to allow the installation of thirteen (13) small cell concealed poles with a City of High Point street light within the Piedmont Parkway, Beechwood Drive, Regency Drive, Tudor Lane, Federal Drive, Green Point Drive, and Waterleaf Court rights-of-way (ROW). All thirteen (13) poles are replacing existing City of High Point street light poles. Due to the request consisting of an above-ground encroachment, City Council approval is required.

BACKGROUND:

Staff report and recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends **approval** of Right-Of-Way Encroachment RE-19-0012.

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

RIGHT-OF-WAY ENCROACHMENT

RE-19-0012

September 16, 2019

Request	
Applicant: Verizon Wireless	Proposal: To allow the installation of thirteen (13) small cell concealed poles with a City of High Point street light within the Piedmont Parkway, Beechwood Drive, Regency Drive, Tudor Lane, Federal Drive, Green Point Drive, and Waterleaf Court rights-of-way (ROW).

Adjacent Streets		
Name:	Classification:	R/W Width:
Piedmont Parkway	Major Thoroughfare	115 feet
Beechwood Drive	Local	60 feet
Regency Drive	Local	70 feet
Tudor Lane	Local	60 feet
Federal Drive	Local	70 feet
Green Point Drive	Local	70 feet
Waterleaf Court	Local	60 feet

Analysis

The applicant is requesting permission to allow the installation of thirteen (13) small cell concealed poles with a City of High Point street light within the Piedmont Parkway, Beechwood Drive, Regency Drive, Tudor Lane, Federal Drive, Green Point Drive, and Waterleaf Court ROW. All of the small cell poles are replacing existing City of High Point street light poles.

Each of the thirteen (13) locations in this ROW encroachment request will have a 35-foot tall pole, consisting of a small cell antenna mounted on the top of the pole, and various other related equipment attached or internal to the pole itself. The applicant has stated that the need for this equipment in the right-of-way is to assist in constructing a fiber optic network within the City.

The Technical Review Committee reviewed this request and determined that the proposed encroachment would not affect public safety or interfere with maintenance needs. The proposed pole location is in an area where the City has placed existing utility lines underground, and thus will be a concealed pole which is to resemble the existing street light poles used by the City in that area.

The concealed pole renderings are attached, as well as a site plan depicting the location of the proposed poles. The right of way encroachment agreement includes RE-19-0011, RE-19-0012, and RE-19-0013.

Recommendation

The proposed location of the poles would not affect public safety or interfere with street or utility maintenance. Staff recommends approval of this requested right-of-way encroachment contingent upon the applicant installing concealed poles as depicted on the attached drawings.

Report Preparation

This report was prepared by Planning and Development Department staff member Samuel G. Hinnant, CZO, CFM and was reviewed by Christopher Andrews, AICP and G. Lee Burnette, AICP.

SMC_THATCHER_5G SITES



SITE LOCATION PLAN

SITE INDEX									
SITE	POLE TYPE	SITE NAME	LATITUDE		LONGITUDE		GROUND ELEVATION	ADDRESS	SHEET
A	TYPE 1	SMC_THATCHER_5G_002	36.053830	36°03'13.79"(N)	-79.940860	79°56'27.10" (W)	876.7'	STATE ROAD 1552, HIGH POINT, NC 27265	CD-9
B	TYPE 1	SMC_THATCHER_5G_003	36.056090	36°03'21.92" (N)	-79.944920	79°56'41.71" (W)	856.5'	PIEDMONT PARKWAY, HIGH POINT, NC 27265	CD-10
C	TYPE 1	SMC_THATCHER_5G_004	36.053910	36°03'14.08" (N)	-79.945880	79°56'45.17" (W)	873.7'	BEECHWOOD DRIVE, HIGH POINT, NC 27265	CD-11
D	TYPE 1	SMC_THATCHER_5G_005	36.056380	36°03'22.97" (N)	-79.948900	79°56'56.04" (W)	865.2'	REGENCY DRIVE, HIGH POINT, NC 27265	CD-12
E	TYPE 1	SMC_THATCHER_5G_006	36.054430	36°03'15.95" (N)	-79.952200	79°57'07.92" (W)	865.8'	PIEDMONT PARKWAY, HIGH POINT, NC 27265	CD-13
F	TYPE 1	SMC_THATCHER_5G_007	36.058940	36°03'32.18" (N)	-79.948450	79°56'54.42" (W)	889.4'	TUDOR LANE, HIGH POINT, NC 27265	CD-14
G	TYPE 1	SMC_THATCHER_5G_008	36.058990	36°03'32.36" (N)	-79.951900	79°57'06.84" (W)	832.4'	REGENCY DRIVE, HIGH POINT, NC 27265	CD-15
H	TYPE 1	SMC_THATCHER_5G_009	36.062350	36°03'44.46" (N)	-79.953070	79°57'11.05" (W)	886.2"	GREEN POINT DRIVE, HIGH POINT, NC 27265	CD-16
I	TYPE 1	SMC_THATCHER_5G_010	36.063260	36°03'47.74" (N)	-79.950600	79°57'02.16" (W)	843.2'	FEDERAL DRIVE, HIGH POINT, NC 27265	CD-17
J	TYPE 1	SMC_THATCHER_5G_011	36.065120	36°03'54.43" (N)	-79.946790	79°56'48.44" (W)	847.4'	FEDERAL DRIVE, HIGH POINT, NC 27265	CD-18
K	TYPE 2	SMC_THATCHER_5G_012	36.066140	36°03'58.10" (N)	-79.948910	79°56'56.08" (W)	878.3'	759 S CHIMNEY ROCK ROAD, HIGH POINT, NC 27265 (NCDOT ROW)	CD-19
L	TYPE 1	SMC_THATCHER_5G_013	36.065680	36°03'56.45" (N)	-79.954230	79°57'15.23" (W)	878.3'	BICENTENNIAL GREENWAY, HIGH POINT, NC 27265	CD-20
M	TYPE 1	SMC_THATCHER_5G_014	36.059230	36°03'33.23" (N)	-79.943830	79°56.37.79" (W)	878.3'	WATERLEAF COURT, HIGH POINT, NC 27265	CD-21
N	TYPE 1	SMC_THATCHER_5G_015	36.058560	36°03'30.82" (N)	-79.942030	79°56'31.31" (W)	878.3'	BEECHWOOD DRIVE, HIGH POINT, NC 27265	CD-22

CONSTRUCTION DRAWING

PREPARED FOR:
verizon

SUBMITTALS

REV	DATE	ISSUED FOR	DRAFTER
1	06/13/19	INITIAL ISSUE	NMM

STAMP

THIS DOCUMENT IS
PRELIMINARY IN NATURE
AND IS NOT A FINAL,
SIGNED AND SEALED
DOCUMENT

TEMSCO, P.C.

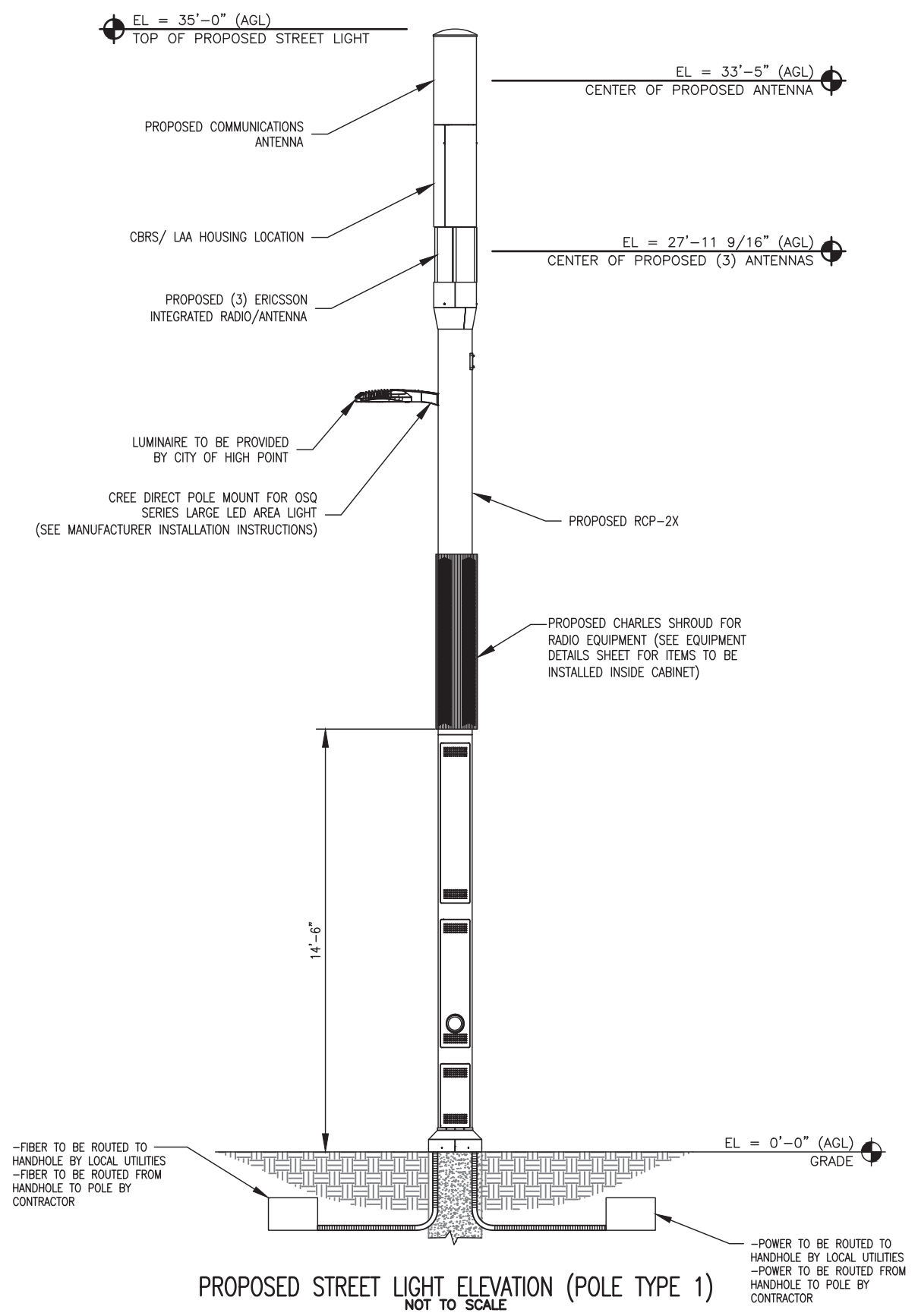

301 McCullough Drive, Charlotte, NC 28262
T: (207) 591-6427
info@tilsontech.com tilsontech.com

(14) SMC_THATCHER_5G SITES

HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE
TITLE SHEET

DRAFTED BY: NMM	APPROVED BY: ETA	SHEET: CD-1	REV 0
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CONSTRUCTION DRAWING

PREPARED FOR:
verizon

SUBMITTALS

REV	DATE	ISSUED FOR	DRAFTER
A	06/13/19	INITIAL ISSUE	NMM

STAMP

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

TEMSCO, P.C.

301 McCullough Drive, Charlotte, NC 28262
T: (207) 591-6427
info@tilsontech.com tilson-tech.com

(14) SMC_THATCHER_5G SITES

HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE
POLE ELEVATION TYPE 1

DRAFTED BY: NMM	APPROVED BY: ETA	SHEET: CD-23	REV 0
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CITY OF HIGH POINT

AGENDA ITEM



Title: Annexation 19-07
(City of High Point)

From: Lee Burnette, Planning & Development
Director

Meeting Date: September 16, 2019

Public Hearing: Yes

Advertising Date: August 16, 2019

Advertised By: Planning & Development

Attachments: A. Staff Report
B. Map
C. Annexation Ordinance Adoption

PURPOSE:

A request by the City of High Point to consider a voluntary contiguous annexation of approximately 28.17 acres located west of Dillon Road, approximately 350 feet north of Bales Chapel Road. The property is addressed as 3411 and 3411-R Dillon Road and also known as Guilford County Tax Parcel 160602 and 228590.

BACKGROUND:

The staff report and recommendation is enclosed.

BUDGET IMPACT:

With the exception of water and sewer, municipal services will be available upon the effective date of annexation. Water and sewer will be available in accordance with City policy.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends *approval* of Annexation 19-07.

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

**STAFF REPORT
ANNEXATION 19-07
September 16, 2019**

Request	
Applicant: City of High Point	Owner: City of High Point
Proposal: Voluntary non-contiguous annexation.	Effective Date: Upon adoption
	Associated Zoning Case: Not applicable

Site Information	
Location:	The site is located west of Dillon Road, approximately 350 feet north of Bales Chapel Road (3411 and 3411-R Dillon Road).
Tax Parcel Numbers:	Guilford County Tax Parcel 160602 and 228590
Site Acreage:	Approximately 28.17 acres
Current Land Use:	Undeveloped
Current Zoning:	The site is within the City's ETJ Area, and subject to the City's zoning requirements. The current Light Industrial (LI) and Residential Single Family – 3 (R-3) District will remain.
Current Fire District:	Pinecroft-Sedgefield District
Proposed Development:	A future City of High Point park is being considered for the site.
Proposed Unit Type, Number and Average Value:	Not applicable
Proposed Build-out Schedule:	Not applicable
Proposed City of High Point Council Ward:	The proposed annexation site is adjacent to Ward 2. If approved, the annexation area will be part of Ward 2.
Physical Characteristics:	The eastern portion of the site, fronting along Dillon Road, has a gently sloping terrain and consist of open pasture lands. The western portion of the site has a severely sloping terrain and is heavily wooded. A perennial stream, running in a south to north direction runs along the western boundary of the site.
Water and Sewer Proximity:	A 12 inch City water line and a 12-inch City sewer line lies adjacent to the site along Dillon Road. A 21-inch City sewer line also lies along the western boundary of the site adjacent to the stream corridor.
General Drainage and Watershed:	The site drains in a westerly direction and development is subject to the Oakdale Reservoir General Watershed Area (GWA) requirements. Engineered stormwater treatment measures are required for development with a total impervious surface area greater than 24% of

	the site, and for single family developments with a gross density of 2 units per acre or more.
Overlay District:	Oakdale Reservoir GWA

Adjacent Property Zoning and Current Land Use			
North:	LI	Light Industrial District	Undeveloped parcels
	R-3	Residential Single Family – 3 District (City of High Point ETJ Area)	Single family dwellings
South:	R-3	Residential Single Family – 3 District	Single family dwellings.
East:	RS-30	Residential Single Family – 30 District (Guilford County)	Single family dwellings
	RS-40	Residential Single Family – 3 District (Guilford County)	Undeveloped parcel
West:	LI	Light Industrial District	Undeveloped parcels

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Dillon Road	Minor Thoroughfare	437 ft.
Vehicular Access:	Future access will be from Dillon Road.		

City Department Comment Summary

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

Details of Proposal

The proposed 28.17 acre annexation site consists of two parcels owned by the City of High Point and proposed to be developed as a public recreation facility. This annexation represents a logical progression of the City's annexation policy for this area as the property is within the City's ETJ Area, it abuts the City's corporate limits to the south and west and City services and service vehicles are already present in this area. The annexation of this parcel will not negatively impact the City's ability to provide services in this area.

Report Preparation

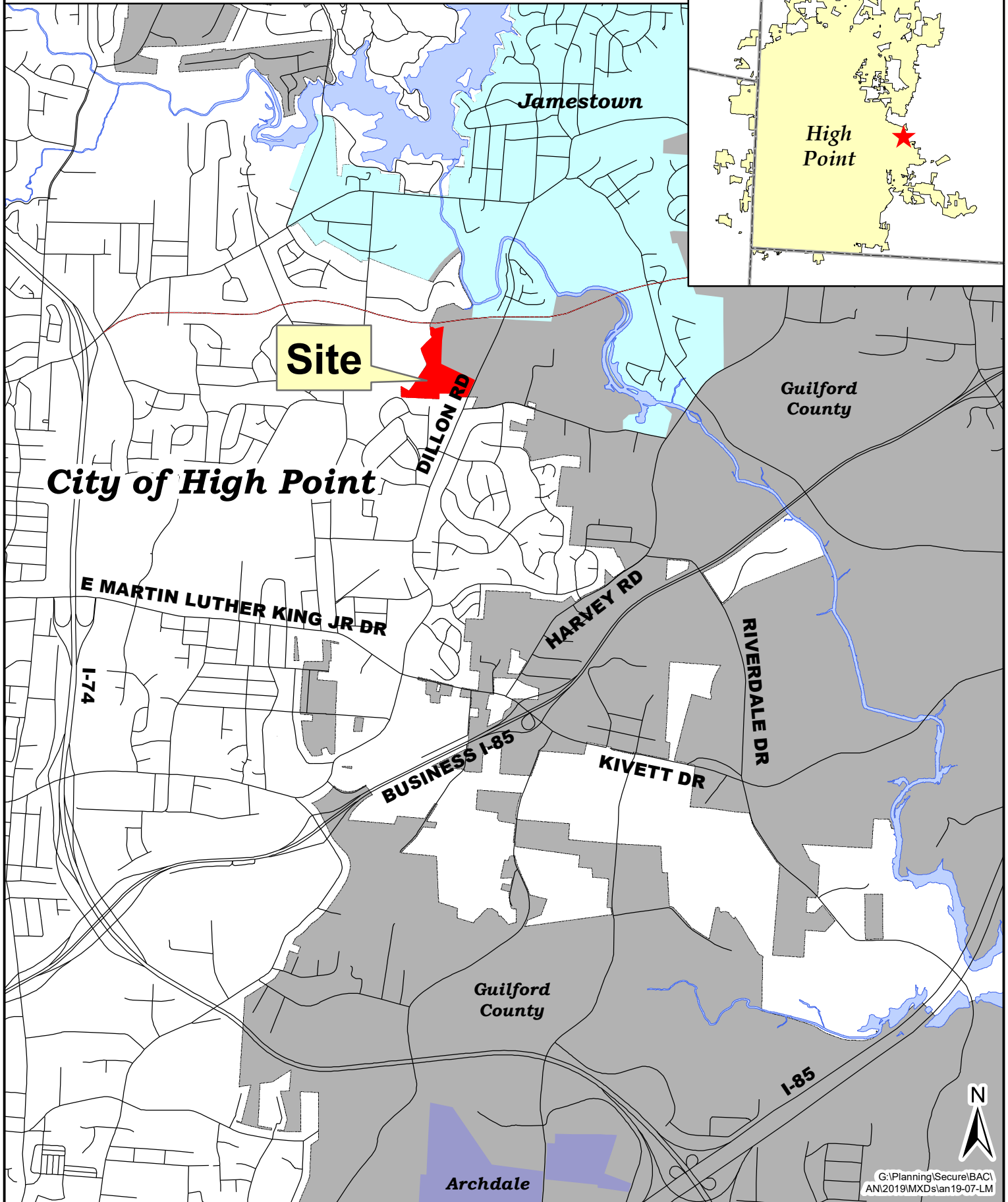
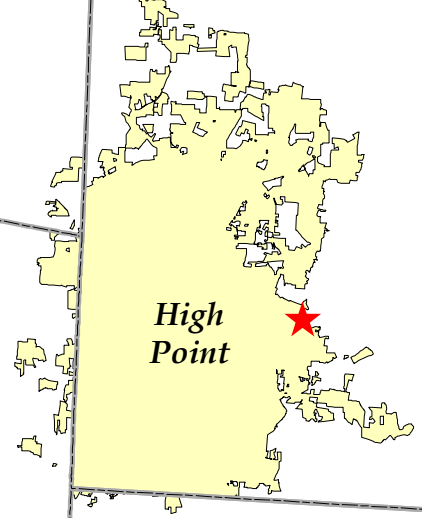
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Development Administrator and Lee Burnette AICP, Director.

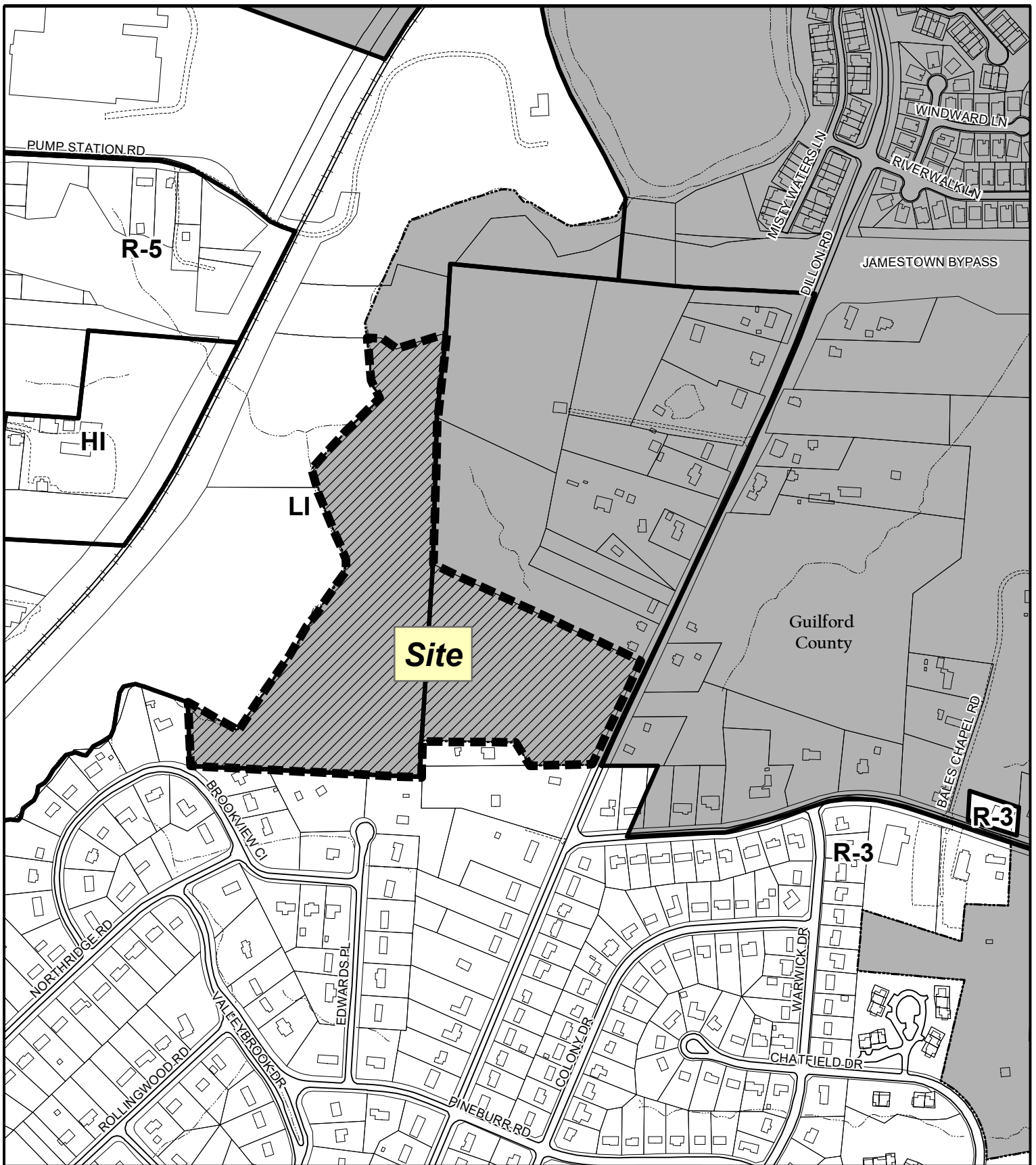
LOCATION MAP

ANNEXATION CASE: AN-19-07

Applicant: City of High Point

Vicinity Map





ANNEXATION REQUEST AN-19-07

Applicant: City of High Point

Area: 28.17 acres (approximate)

Existing Zoning Boundary

Subject Property Boundary



**Planning & Development
Department**

City of High Point



Scale: 1"=500'

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Ordinance # xxxx / xx-xx
Annexation Case 19-07

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-31, as amended, to annex the area described herein; and,

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

WHEREAS, The City of High Point has adopted a resolution under G.S. 160A-31, stating its intent to annex the area described herein; and,

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 211 S. Hamilton Street, High Point North Carolina at 6:15 p.m. on the 16th day of September, 2019, after due notice; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

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

SECTION 1. That by virtue of the authority granted by G.S. 160A-31 as amended, the following described contiguous property owned by the City of High Point is hereby annexed, and made a part of the City of High Point as of September 16, 2019.

Description:

Annexation Case AN-19-07

Property Owner: City of High Point

Guilford County Tax Parcel 160602 (Deed Book 4158, Page 232)

Jamestown Township, Guilford County, North Carolina

Beginning at a 7/8" iron pipe found on the westerly line of Dillon Road – NCSR # 1334 (60 feet wide) marking the northeasterly corner of the lands of Debre Mehret Medhane Alem Ethiopian Orthodox Tewahedo (DB 7444, Page 2932); thence departing said westerly line of Dillon Road and with the northerly line of said lands of Debre Mehret Medhane Alem Ethiopian Orthodox Tewahedo South 89° 42' 10" West 242.20 feet to a 1" iron pipe found marking the southeasterly corner of the lands of North Carolina Remodel Masters, Inc. (Deed Book 7651, Page

566; thence departing said northerly line of the lands of Debre Mehret Medhane Alem Ethiopian Orthodox Tewahedo and with the easterly and northerly line of said lands of North Carolina Remodel Masters, Inc. North 32° 13' 29" West 105.15 feet to a 7/8" rebar found and North 88° 43' 35" West 357.88 feet to a 2-1/2" iron pipe found on the easterly line of other lands of the City of High Point (DB 220, Pg 28); thence with the easterly line of said other lands of the City of High Point North 04° 40' 02" East 414.83 feet to a 1" rebar found and North 02° 29' 00" East 272.76 feet to a 7/8" iron pipe found marking the southwesterly corner of the lands of Terry R. Nall (DB 5672, Pg 1212); thence with the southerly line of said lands of Nall South 64° 06' 39" East 882.24 feet to a 7/8" iron pipe found on the aforementioned westerly line of Dillon Road – NCSR # 1334 (60 ft wide); thence with said westerly line of Dillon Road South 24° 48' 24" West 436.69 feet to the Point of Beginning and containing 9.50278 Acres of land to be annexed.

AND

Guilford County Tax Parcel 22890 (Deed Book 220, Page 28)
High Point Township, Guilford County, North Carolina

Beginning at a 1" iron pipe found marking the southeasterly corner of Lot 1 Section 4 of Ridgecrest Subdivision (PB 28, Page 51); thence with the easterly line of said Lot 1 Section 4 of Ridgecrest Subdivision North 06° 01' 32" West (passing over a 1-1/4" iron pipe found at 221.81 feet) a total of 232.64 feet to a point in the centerline of Glover's Branch; thence departing said easterly line of Ridgecrest Subdivision and with the centerline of Glover's Branch and the easterly line of the lands of Bobby Ray Glover (Deed Book 1469, Page 584) the following twenty-two (22) courses and distances: 1) South 63° 37' 10" East 41.82 feet, thence

- 2) South 50° 53' 26" East 53.12 feet, thence
- 3) South 74° 56' 38" East 58.57 feet, thence
- 4) South 59° 38' 24" East 54.61 feet, thence
- 5) South 77° 49' 59" East 22.76 feet, thence
- 6) North 72° 04' 10" East 14.00 feet, thence
- 7) North 44° 58' 41" East 12.90 feet, thence
- 8) North 28° 17' 59" East 54.35 feet, thence
- 9) North 39° 22' 10" East 32.52 feet, thence
- 10) North 18° 36' 25" East 60.16 feet, thence
- 11) North 50° 16' 13" East 57.52 feet, thence
- 12) North 30° 22' 34" East 86.51 feet, thence
- 13) North 59° 13' 20" East 27.24 feet, thence
- 14) North 35° 30' 10" East 97.60 feet, thence
- 15) North 24° 53' 07" East 86.29 feet, thence
- 16) North 18° 56' 28" East 61.57 feet, thence
- 17) North 53° 26' 36" East 72.27 feet, thence
- 18) North 02° 48' 20" East 20.25 feet, thence
- 19) North 37° 34' 22" East 63.44 feet, thence
- 20) North 12° 56' 04" East 51.58 feet, thence
- 21) North 19° 11' 26" West 84.47 feet, and thence

22) North 22° 28' 34" West 102.70 feet to the northeast corner of said lands of Glover; thence departing the easterly line of said lands of Glover and continuing with Glover's Branch thru the lands of the City of High Point the following thirteen (13) courses and distances:

- 1) North 22° 28' 34" West 155.54 feet, thence
- 2) North 01° 56' 25" East 44.63 feet, thence
- 3) North 11° 47' 57" West 130.91 feet, thence
- 4) North 21° 58' 11" East 20.08 feet, thence
- 5) North 53° 09' 47" East 27.46 feet, thence
- 6) North 86° 55' 32" East 116.37 feet, thence
- 7) North 74° 55' 07" East 38.26 feet, thence
- 8) North 47° 50' 21" East 31.46 feet, thence
- 9) North 57° 21' 50" East 77.84 feet, thence
- 10) North 22° 24' 23" East 36.42 feet, thence
- 11) North 30° 09' 25" West 58.99 feet, thence
- 12) North 13° 42' 00" West 84.01 feet, and thence
- 13) North 01° 10' 56" East 102.62 feet to a point on the southerly line of the lands of the North Carolina Department of Transportation (Deed Book 8087, Page 694), purchased for the Jamestown Bypass; thence with said southerly line of the lands of the North Carolina Department of Transportation 58.75 feet along the arc to the left having a radius of 3,099.83 feet, a central angle of 01° 05' 09", and a chord bearing and chord of North 89° 22' 59" East and 58.75 feet, respectively, to a point; thence continuing with southerly line of said lands of the North Carolina Department of Transportation the following three (3) courses and distances:
 - 1) South 53° 30' 56" East 72.81 feet, thence
 - 2) North 71° 54' 03" East 182.54 feet, and thence
 - 3) South 81° 51' 30" East 18.20 feet to a point on the westerly line of the lands of Nancy T. Guiton (Deed Book 3324, Page 182);thence with said westerly line of the lands of Guiton South 03° 49' 39" West 300.07 feet to a 7/8" iron pipe found marking the northwesterly corner of the lands of Terry R. Nall (Deed Book 5672, Page 1212); thence with the westerly line of said lands of Nall South 03° 49' 38" West 589.37 feet to a 7/8" iron pipe found marking the northwesterly corner of other lands of the City of High Point (Deed Book 4158, Page 232); thence with the westerly line of said other lands of the City of High Point South 02° 29' 00" West 272.76 feet to a 1" rebar and South 04° 40' 02" West 414.83 feet to a 2-1/2" iron pipe found marking the southwesterly corner of said other lands of the City of High Point and the northwesterly corner of the lands of North Carolina Remodel Masters, Inc (Deed Book 7651, Page 566); thence with said westerly line of the lands of North Carolina Remodel Masters South 05° 02' 05" West 99.09 feet to a 1" iron pipe found marking the northwesterly corner of the lands of Debre Mehret Medhane Alem (Deed Book 7444, Page 2932); thence with the westerly line of said lands of Alem South 0° 56' 12" East 40.94 feet to a point on the northerly line of the lands of Robert L. Austin Jr (Deed Book 3231, Page 678), being Lot 7 Section 2 of Meadowview Acres (PB 32, Pg 80), said point lying North 86° 57' 38" West 5.55 feet from the northeast corner of said Lot 7; thence with the northerly line of said lands of Austin and continuing with the northerly line of the lands of Russell Anthony Greeson et ux (Deed Book 4324, Page 2116), being Lot 6 Section 2 of Meadowview Acres (PB 32, Pg 80) and the lands of Ronald D. Russell et ux (Deed Book 2366, Page 649), being Lot 1 Section 1 of Meadow-View Acres (PB 28, Pg 52) North 86° 57' 38" West 885.15 feet to the Point of Beginning and containing 18.67414 Acres of land to be annexed.

Total Annexation area 28.17692

SECTION 2. That upon and after the effective date of the annexation 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-31.

SECTION 3. That 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 the City Council
City of High Point, North Carolina
The **16th** day of **September, 2019.**

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 19-14
(Larry Wright)

From: Lee Burnette, Planning & Development
Director

Meeting Date: September 16, 2019

Public Hearing: Yes

Advertising Date: September 5, 2019, and
September 11, 2019

Advertised By: Planning & Development

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

PURPOSE:

A request by Larry Wright to rezone approximately 1.5 acres from the Office Institutional (OI) District and the Transitional Office (TO) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is located west of Westchester Drive, approximately 600 feet south of Coventry Road (1720 and 1726 Westchester Drive).

BACKGROUND:

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

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended **approval** of this request as outlined in the attached staff report.
- B. On August 27, 2019, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 19-14. The Planning & Zoning Commission recommended **approval** of this request, as outlined in the staff report and recommended by staff, by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Larry Wright

Zoning Map Amendment 19-14

At its August 27, 2019 public hearing, the Planning and Zoning Commission reviewed a request to rezone approximately 1.5 acres to a Conditional Zoning Limited Business (CZ-LB) District. All members of the Commission were present, except for Mr. Ray Wheatley. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

Speaking on behalf of the request was Mr. Bradley Wright, Manager, Wright Cremation & Funeral Services, 1726 Westchester Drive, High Point.

No one spoke in opposition.

Planning & Zoning Commission Action

Zoning Map Amendment

The Commission recommended **approval** of Zoning Map Amendment 19-14, as recommended by staff, by a vote of 6-0.

Consistency & Reasonableness Statements

The Commission voted 6-0 to approve the following statement: That the Zoning Map Amendment is consistent with the City's adopted policy guidance because, the Land Use Plan classifies the property for Office uses, which includes professional, personal and business uses. Furthermore, the request is reasonable because approval of this zoning request only allows an increase in size for personal service uses and enables reuse of an existing building.

STAFF REPORT
ZONING MAP AMENDMENT ZA-19-14
August 27, 2019

Request		
Applicant: Larry C. Wright	Owners: Larry C. Wright and Jill Paris Wright 1 st Medcentral Properties, LLC	
Zoning Proposal: To rezone approximately 1.5 acres	From:	OI Office Institutional District TO Transitional Office District
	To:	CZ-LB Conditional Zoning Limited Business District

Site Information	
Location:	The site is located west of Westchester Drive, approximately 600 feet south of Coventry Road (1720 and 1726 Westchester Drive).
Tax Parcel Numbers:	Guilford County Tax Parcels 185856 and 185857
Site Acreage:	Approximately 1.5 acres
Current Land Use:	The site is developed with a 4,300 square-foot structure (funeral home) and a two-story 12,100 square-foot structure (vacant office building).
Physical Characteristics:	The site has a gentle to severely sloping terrain. The steeper terrain lies at the rear or western portion of the property.
Water and Sewer Proximity:	A 12-inch City water and an 8-inch City sanitary sewer line lie directly across from the site in the Westchester Drive right-of-way.
General Drainage and Watershed:	The site drains in an easterly direction, toward Westchester Drive, and is within the Yadkin Pee-Dee (non-water supply) watershed.
Overlay Districts:	None

Adjacent Property Zoning and Current Land Use			
North:	TO	Transitional Office District	Undeveloped parcel
South:	OI	Office Institutional District	Vacant office building
East:	PDM	Planned Unit Development Mixed District	Office use and nursing home/congregate care facility
West:	R-3	Residential Single Family-3 District	Single family dwellings

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	This request is neither consistent nor inconsistent with the goals and objectives of the Community Growth Vision Statement.
Land Use Plan Map Classification:	The site has an Office land use designation. This classification includes professional, personal and business service uses.
Land Use Plan Goals, Objectives & Policies:	The following objective of the Land Use Plan is relevant to this request: Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.

	The Land Use Plan also contains a policy about evaluating conditional zoning requests for office and commercial developments bordering residential neighborhoods that also front thoroughfare streets. The intent is to minimize to the extent feasible the intrusive impact of non-residential uses on adjacent neighborhoods.
Relevant Area Plan:	Not applicable
Zoning History:	<u>Zoning Map Amendment 15-06:</u> This 2015 application rezoned the southern portion of the site to the OI District to support the current funeral home use.

Transportation Information			
Adjacent Streets:	Name		Classification
	Westchester Drive		Major Thoroughfare
	Approx. Frontage		
	350 ft.		
Vehicular Access:	Via the existing driveway access points from Westchester Drive		
Traffic Counts: (Average Daily Trips)	Westchester Drive	23,000 ADT (NCDOT 2017 trip count)	
Estimated Trip Generation:	Not applicable		
Traffic Impact Analysis (TIA):	Required		TIA Comments
	<u>Yes</u>	<u>No</u> X	Not applicable

School District Comment
Not applicable to this zoning case.

Details of Proposal

This zoning site is currently developed with a 4,300 square-foot funeral home and a vacant two-story 12,100 square-foot medical office building. The funeral home is owned by the applicant and he is requesting rezoning to facilitate expansion of his facility to include the abutting office building.

The Development Ordinance classifies a funeral home as a personal service use type. Some examples of personal services include day spas, banks, photography studios, funeral homes, mailing or packaging services, and barber & beauty shops. The ordinance divides personal services into two use types:

- 1) Major personal service establishment, a facility with more than 4,000 square feet of gross floor area; and
- 2) Minor personal service establishment, a facility with less than 4,000 square feet of gross floor area.

The current OI and TO zoning districts permits Minor personal service establishments but prohibits Major personal service establishments. The applicant has requested rezoning to the CZ-LB District to permit a Major personal service establishment (facility over 4,000 square feet) to permit a larger funeral home. The requested LB District is the least intensive zoning district that permits this use type. In conjunction with this request, the applicant has submitted a conditional zoning ordinance, in which he has offered to restrict allowable uses to OI District uses and Major personal service uses. Therefore, the only new use allowed is the Major Personal Service.

Staff Analysis

Section 2.4.5.(C) of the Development Ordinance states that the advisability of a conditional zoning is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to approve or deny a conditional zoning, the City Council shall weigh the relevance of and consider the following issues outlined below.

Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Policy Guidance

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

The Land Use Plan classifies the property for Office uses, which includes professional, personal and business service uses.

Reasonableness/Public Interest:

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

Approval of this zoning request only allows an increase in size for personal service uses and enables reuse of an existing building.

Compatibility with Surrounding Areas

- Whether the proposed conditional zoning district will result in a development that is compatible with the character of surrounding existing or proposed development and land uses.
- Where there are issues of compatibility, the proposed conditional zoning district shall provide for appropriate transition areas that address incompatibility through increased buffering, landscaping, fencing, building height, mass and scale or other means designed to promote a complimentary character of development.
- Determination of complimentary character may be based on densities/intensities, use types, lot sizes and dimensions, building height, mass and scale, exterior lighting, siting of service areas, or other aspects that may be identified by the City Council.

The Land Use Plan has development guidelines for evaluating zoning proposals for office and commercial development bordering residential neighborhoods. These guidelines include the evaluation of the mass, scale and height of proposed uses; topography; neighborhood compatibility; impact on the neighborhood, and the sufficiency of buffering, setback and landscaping.

- 1) As conditioned, the proposed CZ-LB District will only permit uses allowed in the OI District and Major personal services uses.
- 2) The zoning site contains 1.5 acres and has a lot depth of 190 feet. There is sufficient land area to meet required building setbacks and perimeter planting yard standards to provide separation from adjacent residential uses.
- 3) The district has a maximum building height of 50 feet; however, it can be increased up to 80 feet provided additional setback is met.
- 4) The site fronts a 4-lane major thoroughfare and is within 450 feet of a signalized intersection. All access will be from Westchester Drive.

Mitigation of Impacts

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

Mitigation #1	Minimize or effectively mitigate any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc. ❖ A Minor personal service use is currently operating on the site, all vehicular access will be from Westchester Drive and both parcels have existing paved parking areas. ❖ The proposal will allow for a larger personal service use then currently permitted. ❖ Standards in the Development Ordinance pertaining to exterior lighting, screening of mechanical equipment/dumpsters and parking lot landscaping will also assist in mitigating impacts to nearby lands.
Mitigation #2	Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat. The site is within the Yadkin Pee-Dee (non-water supply) watershed. If development, grading and site improvements exceeds one acre in area, the stormwater watershed regulations may require stormwater controls to be provided to mitigate runoff.
Mitigation #3	Minimize or effectively mitigate any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire. The site is developed and currently served by City of High Point municipal services. The zoning request will not adversely impact the City's ability to continue to provide services.
Mitigation #4	Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands. ❖ The only new use allowed by this zoning request will be the Major personal services use type (establishment over 4,000 square feet). The vacant office building currently has a footprint exceeding 4,000 square feet. ❖ In the event of new construction or building expansion, the Development Ordinance will require the installation of a landscaping where the site abuts a residential zoning district, perimeter parking lot landscaping and free-standing lighting standards to minimize adverse effects on adjacent properties due to excessive light intensity and glare.

Supportive Changes in the Area

Whether and the extent to which there have been changes in the type or nature of development in the area of the proposed conditional zoning district that support the application.

There have been no significant changes in the type or intensity of land development in this area. Adjacent office and medical structures to the north and south of the zoning site were constructed in the 1980s and 1990s and range in size from 2,800 to 58,000 square feet.

Promotes a Preferred Development Pattern

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

As conditioned, allowable uses will consist of office and personal service uses, which is consistent with the existing development pattern established along this western segment of the Westchester Drive corridor. Furthermore, the applicant is proposing to renovate the existing vacant office structure which has a gross floor area of approximately 12,100 square feet.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone this 1.5-acre area to the CZ-LB District. As conditioned, the requested CZ-LB District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

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

City Council:

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

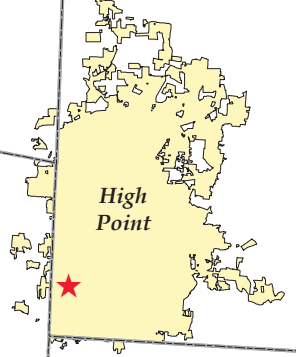
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Development Administrator and Lee Burnette AICP, Director.

LOCATION MAP

ZONING MAP AMENDMENT ZA-19-14

Applicant: Larry Wright

Vicinity Map



Site

City of High Point

WESTCHESTER DR

N MAIN ST

BRENTWOOD ST

BUSINESS I-85

I-74

Guilford County

BAKER RD

S MAIN ST

E FAIRFIELD RD

NC 62

Guilford County

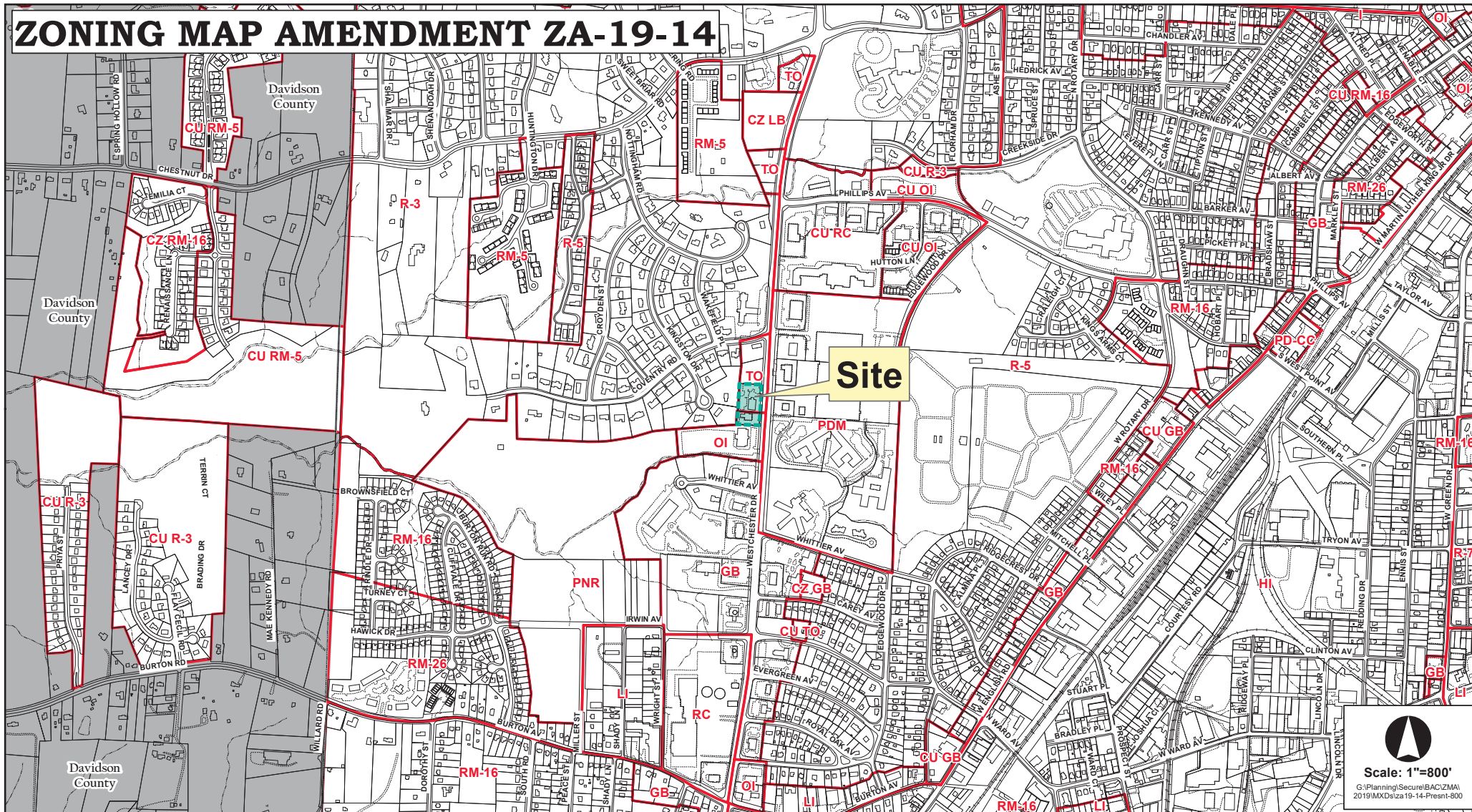
Randolph County

City of Archdale



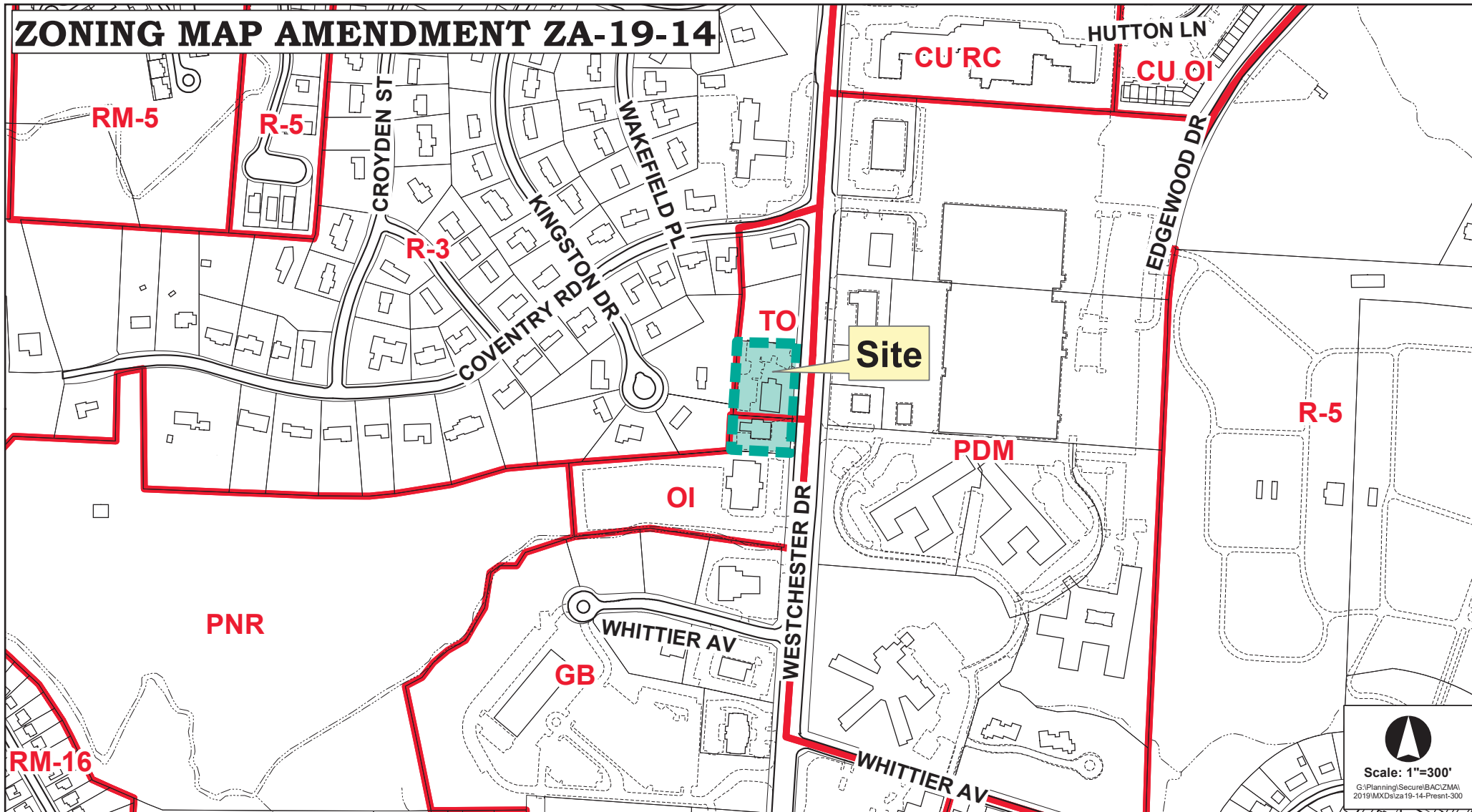
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ZONING MAP AMENDMENT ZA-19-14



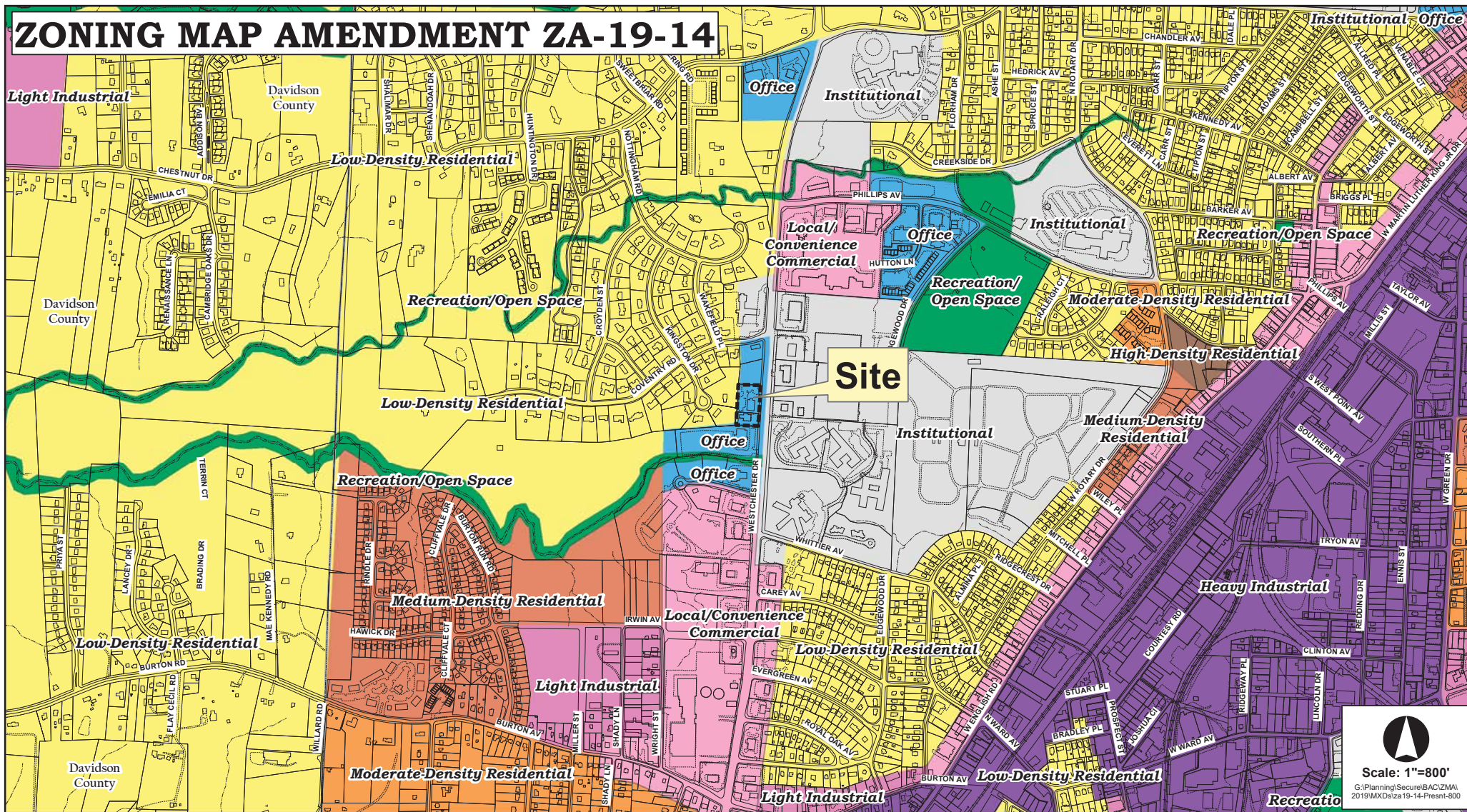
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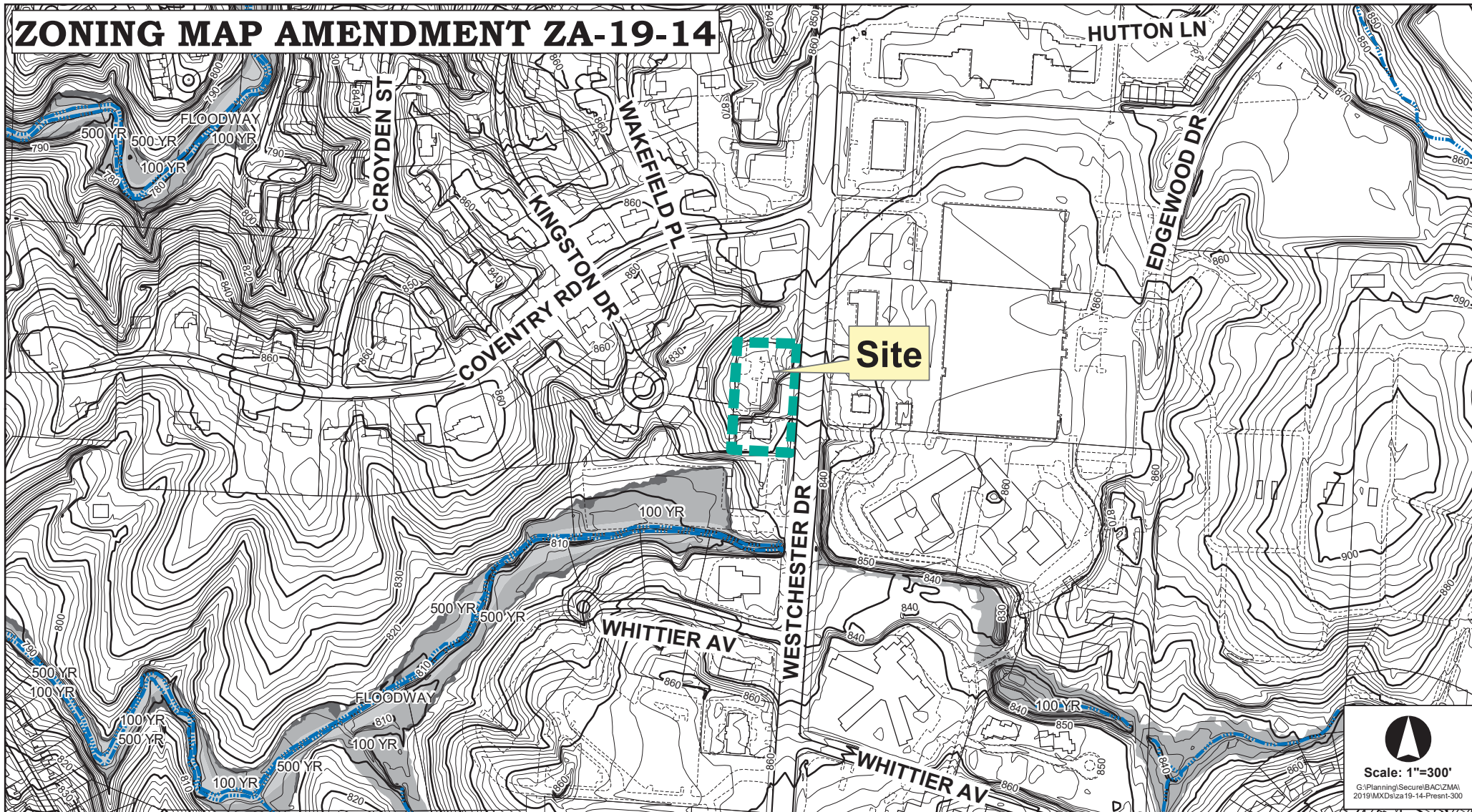
ZONING MAP AMENDMENT ZA-19-14



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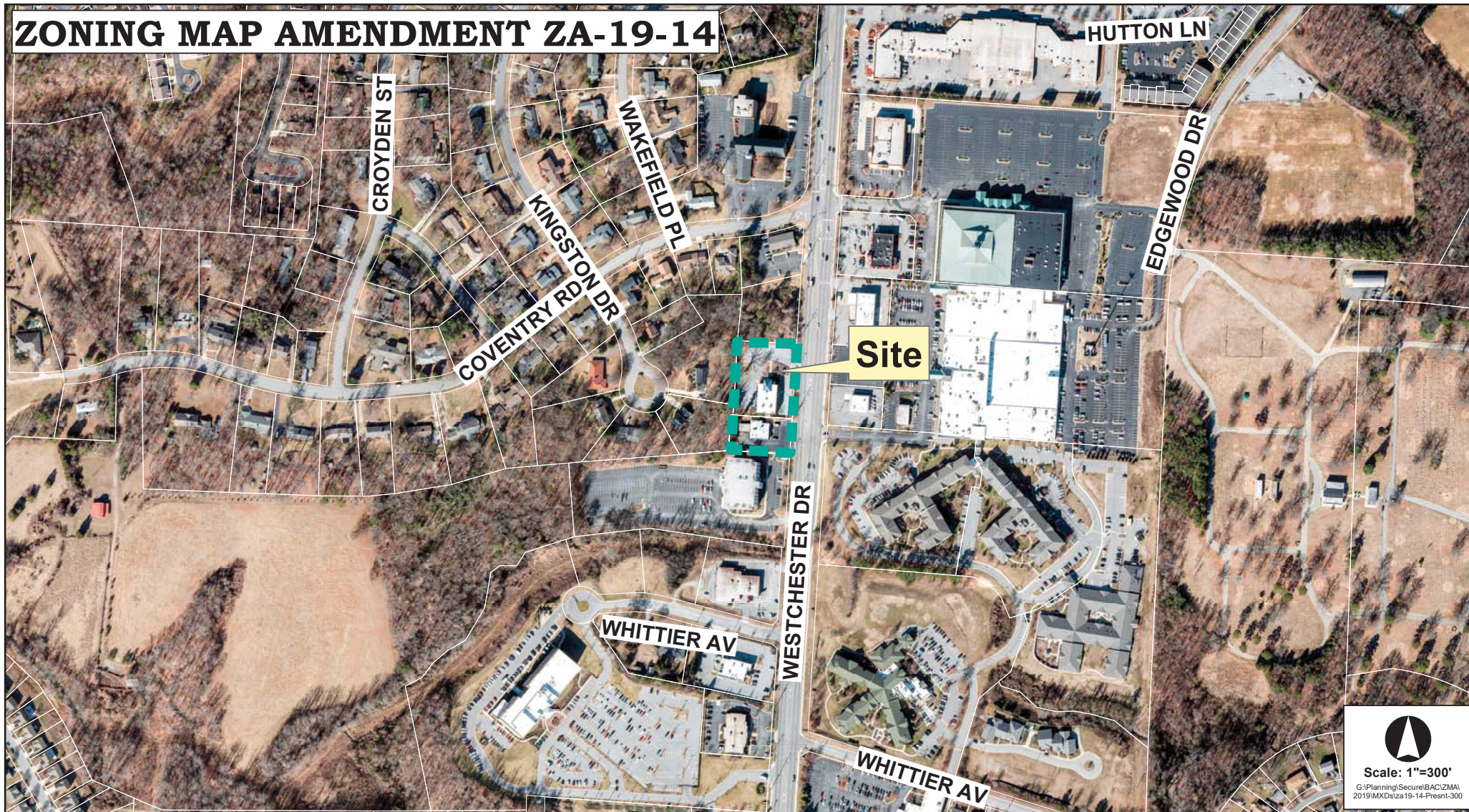
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ZONING MAP AMENDMENT ZA-19-14




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ZONING MAP AMENDMENT ZA-19-14



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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on August 27, 2019 and before the City Council of the City of High Point on September 16, 2019 regarding **Zoning Map Amendment Case 19-14 (ZA-19-14)** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on August 18, 2019, for the Planning and Zoning Commission public hearing and on September 2, 2019 and September 11, 2019, 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 **September 16, 2019**.

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 Limited Business (CZ-LB) District**. The property is approximately 1.51 acres, lying along the west side of Westchester Drive, approximately 600 feet south of Coventry Road (1720 and 1726 Westchester Drive). The property is also known as Guilford County Tax Parcel 185856 & 185857).

SECTION 2

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

Part I. **USES:**

- a) Any principal use of the Limited Business (LB) District, as listed in the Principal Use Table 4.1.9 of the Development Ordinance, that is also a principal use in the Office Institutional (OI) District (use must be principal use in both districts).
- b) All principal uses authorized under the “Personal Service, Major & Minor” Use Type (Commercial Use Category) as listed in Principal Use Table 4.1.9 of the Development Ordinance.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

SECTION 4

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

SECTION 5

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

SECTION 6.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 16th day of September, 2019

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report Zoning Map Amendment 19-14

Submitted by: Larry C. Wright



WRIGHT

Cremation & Funeral Service

Larry C. Wright
Owner/Funeral Director

Bradley E. Wright, CFSP
Manager/Funeral Director

1726 Westchester Drive, High Point, NC 27262 336-882-0022 www.wrightcremationandfuneral.com

High Point City Planning and Zoning

This is to inform the committee that Bradley E. Wright (manager) will be my representative at the committee meeting on August 27, 2019. He will be there to answer questions you may have.

Larry C. Wright
Owner



Bradley E. Wright

WRIGHT

Funerals ♦ Cremations

1726 Westchester Dr.
High Point, NC 27262

336-882-0022

Locally Family Owned



"Locally Family Owned"



WRIGHT

Cremation & Funeral Service

Larry C. Wright
Owner/Funeral Director

Bradley E. Wright, CFSP
Manager/Funeral Director

1726 Westchester Drive, High Point, NC 27262 336-882-0022 www.wrightcremationandfuneral.com

Meeting Recap

July 23, 2019

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

From: Larry C. Wright
Owner of Wright Funerals-Cremations

Re: Rezoning Case ZA 19-14
Citizens Information Meeting, July 17, 2019, 5:00 PM - 6:00 PM

Larry C. Wright and Bradley E. Wright conducted a Citizens' Information Meeting in support of Rezoning Case ZA 19-14. The meeting was held at Wright Funerals-Cremations, 1726 Westchester Drive, High Point, NC. Letters of invitation were mailed to twenty residents on July 11, 2019 (letter attached). The application is for Rezone Case ZA 19-14 which includes the rezoning from office institution and transitional office TO conditional zoning limited business, at 1720 and 1726 Westchester Drive, which will be additional existing funeral home.

No one attended the meeting. The only response was from Nick Vakakis owner of Rainbow Restaurant, he said he was happy for us and was glad to see new business on this side of Westchester.

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

Larry C. Wright
Owner Wright Funerals-Cremations

"Locally Family Owned"



WRIGHT

Cremation & Funeral Service

Larry C. Wright
Owner/Funeral Director

Bradley E. Wright, CFSP
Manager/Funeral Director

1726 Westchester Drive, High Point, NC 27262 336-882-0022 www.wrightcremationandfuneral.com

July 11, 2019

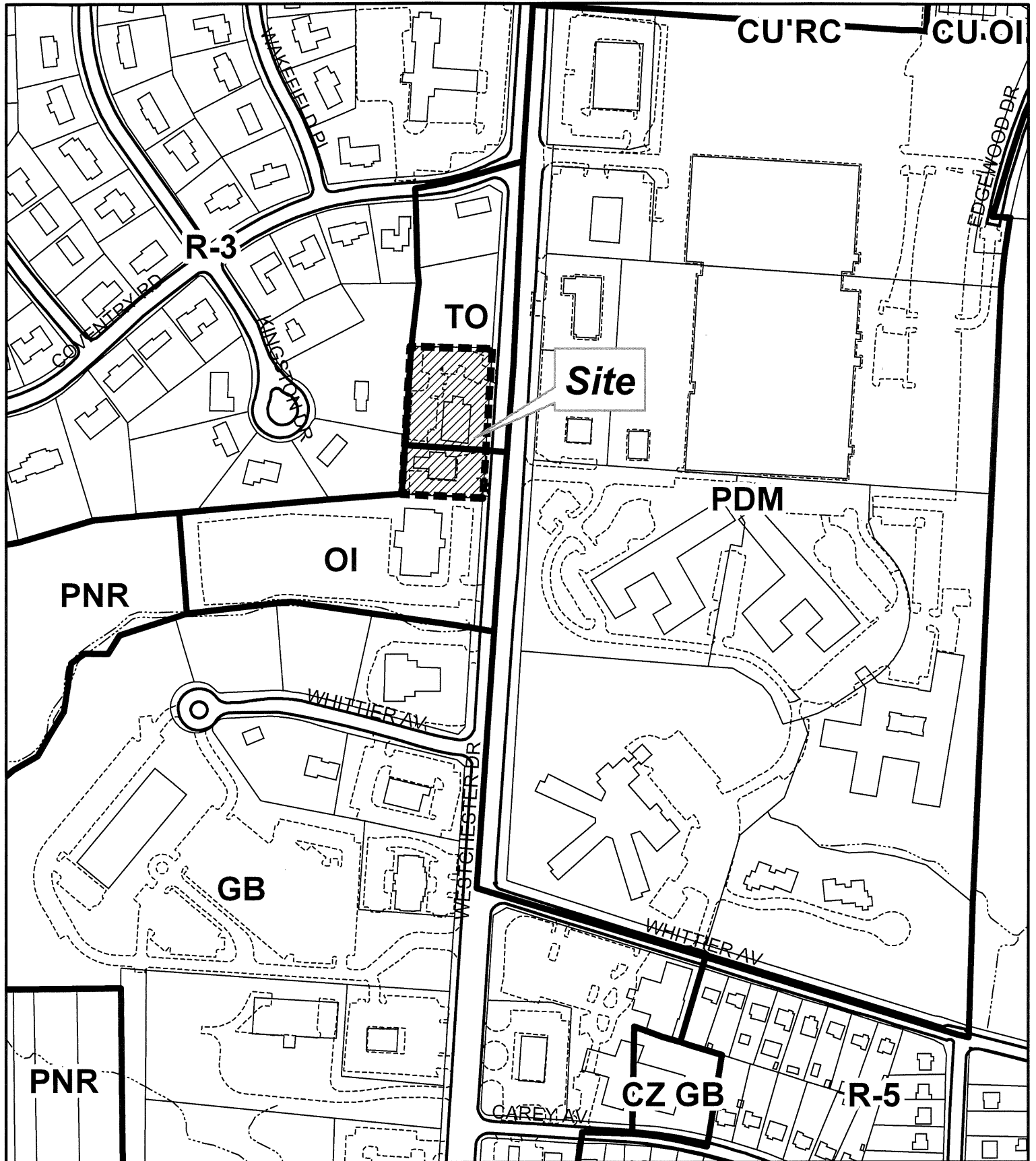
Dear Neighbor,

I have submitted a request to rezone property at 1720 & 1726 Westchester Drive from office institutional (OI) and transitional office (TO) to conditional zoning limited business (CZ-LB), in order to allow a personal service use and office use plan, expanding existing funeral business with a chapel at this location. Per requirements of the city of High Point Development Ordinance, I am sending you this letter to invite you to a Citizen Information Meeting to provide an overview of my application, to gain your input and address any questions you may have. The Citizens Information Meeting will take place from 5:00 PM until 6:00 PM Wednesday, July 17, 2019, at 1726 Westchester Drive. If you have any questions, please feel free to give me a call at 336-689-1595.

Sincerely,

Larry C. Wright

"Locally Family Owned"



ZONING MAP AMENDMENT ZA-19-

From:
To:

Existing Zoning Boundary
Subject Property Boundary

**Planning & Development
 Department**

City of High Point



Scale: 1"=300'
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Sign-in Sheet

Citizens Information Meeting

July 17, 2019

Wright Funerals-Cremations

1720 & 1726 Westchester Drive

Rezoning

Name

Address

No one Attended



CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish – 129 Underhill St.

From: Michael E. McNair, Director
Community Development & Housing

Meeting Date: 9/16/19

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

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

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 129 Underhill St.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 4/17/19. No action occurred by the compliance date of 5/22/19. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

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

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling and all outbuildings on the property.

PENDING ACTION:

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

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

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

129 Underhill St.

OWNER:

Tomas Rodriguez

**REASON FOR
INSPECTION:**

Old case from previous software

**FIRST
INSPECTION:
2/21/18**

Summary of Major Violations

1. Repair or replace roof sheathing & covering
2. Repair or replace damaged framing throughout house
3. Repair or replace damaged ceiling joists & damaged rafters
4. Repair or replace damaged/missing wall & ceiling material
5. Repair or replace back porch

**HEARING
RESULTS:
4/16/19**

The owner, Mr. Rodriguez appeared for the Hearing. He stated that he planned to keep the property secure and work on it slowly as he had the money. It was determined there are several violations of the Minimum Housing Code. There are multiple violations of the minimum housing code in the house that make it unsafe. In its present state, necessary repairs to the dwelling exceed 65% of the value of the structure.

**ORDER(S)
ISSUED:
4/17/19**

Order to Repair or Demolish
Date of Compliance 5/22/19

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

The owner did apply and obtain a permit to remove the chimney, RC-19-0177, issued 4/16/19. No inspections have been made.

129 Underhill Street

MINT AV

CEDAR ST

CEDAR ST

DAY PL

UNDERHILL ST

Site

ECCLES PL

WEST AV

N DOWNING ST

EAST AV

HENLEY ST

N UNIVERSITY PW

WASHINGTON ST

E MARTIN LUTHER KING JR DR



Scale: 1"=200'

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DRAWN BY: JoAnne Carlyle, City Attorney, City of High Point
City Attorney, P. O. Box 230, High Point, NC 27261
P/U:CHP/ROW

NORTH CAROLINA

INSTRUMENT OF COMBINATION

GUILFORD COUNTY

Combined Address: 3411 Dillon Rd.
Combined Tax Parcel: 160602

THIS INSTRUMENT OF COMBINATION, made and entered into this _____ day of _____, 2019 by the **CITY OF HIGH POINT**, a North Carolina municipal corporation, (P. O. Box 230, High Point, NC 27261)

WITNESSETH:

THAT WHEREAS, the Owner owns certain properties which were acquired by Deed(s) recorded in the Office of the Register of Deeds of Guilford County, North Carolina in Book 220 Page 28 (a portion of) and Book 4158 Page 232 said properties having Guilford County Tax Parcel Numbers: 228590 and 160602.

WHEREAS, the Owner wishes to combine the above-mentioned properties into a single tract of land which is hereinafter described by encompassing the boundary lines pursuant to attached descriptions hereinafter described for the purpose of complying with all applicable provisions of all local and state ordinances and governmental regulations; and

WHEREAS, this is a limited special purpose instrument for the purposes specified above and is not a conveyance and does not change or modify in any manner the ownership interest in the above referenced properties; and

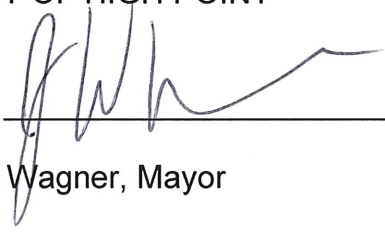
NOW THEREFORE, upon execution and recording of this instrument of Combination, the above-referenced properties are hereby combined into one tract

described as all that property lying and being in High Point Township, Guilford County, North Carolina, more particularly described as follows:

FOR A COMPLETE DESCRIPTION SEE EXHIBIT "A" ATTACHED
HERETO AND INCORPORATED HEREIN BY REFERENCE

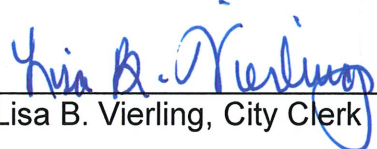
IN WITNESS WHEREOF, the owner has caused this instrument to be executed in its corporate name by its Mayor, attested by its City Clerk, and its corporate seal to be hereunto affixed, the day and year first above written.

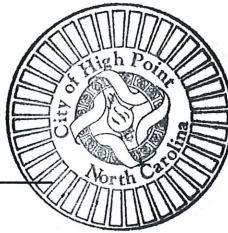
CITY OF HIGH POINT

By: 

Jay Wagner, Mayor

ATTEST:


Lisa B. Vierling, City Clerk

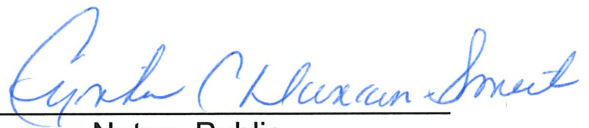


NORTH CAROLINA
GUILFORD COUNTY

I, Cynthia C. Duncan-Smith, a Notary Public of the County and State aforesaid, do hereby certify that Lisa B. Vierling personally appeared before me this day and acknowledged that she is City Clerk of the City of High Point, and that by authority duly given and as an act of the said City, the foregoing instrument was signed in its name by its Mayor, and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the 21 day of October, 2019.

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


Notary Public

My commission expires:

11/18/2020

Exhibit A
Description of two parcels of land for combination

Parcel 1 of 2
A portion of the lands of
City of High Point
Address: 3411 rear Dillon Road Tax parcel # 228590
(Deed Book 220, Page 28)
High Point Township
Guilford County, North Carolina

Beginning at a 1" iron pipe found marking the southeasterly corner of Lot 1 Section 4 of Ridgecrest Subdivision (PB 28, Page 51);

thence with the easterly line of said Lot 1 Section 4 of Ridgecrest Subdivision North 06° 01' 32" West (passing over a 1-1/4" iron pipe found at 221.81 feet) a total of 232.64 feet to a point in the centerline of Glover's Branch;

thence departing said easterly line of Ridgecrest Subdivision and with the centerline of Glover's Branch and the westerly line of the lands of Bobby Ray Glover (Deed Book 1469, Page 584) the following forty five (45) courses and distances:

- 1) South 65° 32' 03" East 19.64 feet, thence
- 2) South 61° 55' 31" East 22.20 feet, thence
- 3) South 52° 35' 20" East 24.28 feet, thence
- 4) South 49° 27' 42" East 28.86 feet, thence
- 5) South 77° 28' 11" East 18.93 feet, thence
- 6) South 66° 28' 08" East 19.83 feet, thence
- 7) South 80° 53' 15" East 20.16 feet, thence
- 8) South 57° 46' 25" East 27.50 feet, thence
- 9) South 61° 31' 51" East 27.14 feet, thence
- 10) South 77° 49' 59" East 22.76 feet, thence
- 11) North 72° 04' 10" East 14.00 feet, thence
- 12) North 44° 58' 41" East 12.90 feet, thence
- 13) North 25° 32' 13" East 24.45 feet, thence
- 14) North 30° 33' 16" East 29.95 feet, thence
- 15) North 39° 22' 10" East 32.52 feet, thence
- 16) North 15° 47' 14" East 32.21 feet, thence
- 17) North 21° 50' 49" East 28.03 feet, thence
- 18) North 56° 50' 15" East 12.70 feet, thence
- 19) North 51° 02' 11" East 22.62 feet, thence
- 20) North 45° 46' 13" East 22.36 feet, thence
- 21) North 35° 39' 34" East 28.17 feet, thence
- 22) North 26° 39' 48" East 27.51 feet, thence

- 23) North 28° 52' 36" East 31.02 feet, thence
- 24) North 59° 13' 20" East 27.24 feet, thence
- 25) North 35° 45' 47" East 35.18 feet, thence
- 26) North 39° 17' 32" East 28.89 feet, thence
- 27) North 31° 58' 45" East 33.66 feet, thence
- 28) North 26° 40' 33" East 27.83 feet, thence
- 29) North 24° 24' 29" East 30.30 feet, thence
- 30) North 23° 37' 52" East 28.19 feet, thence
- 31) North 17° 45' 30" East 32.70 feet, thence
- 32) North 20° 16' 47" East 28.88 feet, thence
- 33) North 55° 34' 43" East 40.14 feet, thence
- 34) North 50° 46' 52" East 32.20 feet, thence
- 35) North 02° 48' 20" East 20.25 feet, thence
- 36) North 37° 50' 15" East 11.14 feet, thence
- 37) North 37° 30' 58" East 52.29 feet, thence
- 38) North 12° 56' 04" East 51.58 feet, thence
- 39) North 14° 34' 44" West 27.06 feet, thence
- 40) North 20° 56' 13" West 28.38 feet, thence
- 41) North 21° 46' 05" West 29.16 feet, thence
- 42) North 35° 09' 18" West 27.34 feet, thence
- 43) North 23° 47' 02" West 27.53 feet, thence
- 44) North 18° 20' 20" West 26.24 feet, and thence
- 45) North 22° 52' 59" West 25.61 feet, to a point;

thence departing said centerline of Glover's Branch and with the northerly line of the aforementioned Bobby Ray Glover North 78° 40' 54" West (passing over a 2-1/2" iron pipe found at 9.33 feet) a total of 513.85 feet to a point on the eastern right of way of the lands of North Carolina Railroad, said point lying South 78° 40' 54" East 2.18 feet from a 3/4" iron pipe found;

thence departing the lands of said Glover and with said eastern right of way of the lands of the North Carolina Railroad and 100 feet east of the northbound tracks 182.21 feet along the arc of a curve to the left having a radius of 2,744.58 feet, a central angle of 03° 48' 13", and a chord bearing and chord of North 28° 31' 32" East and 182.17 feet, respectively, to a point of tangency;

thence North 26° 37' 26" East 510.88 feet to the southwesterly corner of lands of the North Carolina Department of Transportation (Deed Book 8087, Page 694), purchased for the Jamestown Bypass;

thence departing the easterly line of said lands of the North Carolina Railroad and with the southerly line of said lands of the North Carolina Department of Transportation 406.43 feet along the arc to the left having a radius of 3,099.83 feet, a central angle of 07° 30' 44", and a chord bearing and chord of South 87° 24' 13" East and 406.14 feet, respectively, to a point;

thence continuing with southerly line of said lands of the North Carolina Department of Transportation the following three (3) courses and distances:

- 1) South 53° 30' 56" East 72.81 feet, thence
- 2) North 71° 54' 03" East 182.54 feet, and thence

3) South 81° 51' 30" East 18.19 feet to a point on the westerly line of the lands of Nancy T. Guiton (Deed Book 3324, Page 182);
thence with said westerly line of the lands of Guiton South 03° 49' 39" West 300.07 feet to a 7/8" iron pipe found marking the northwesterly corner of the lands of Terry R. Nall (Deed Book 5672, Page 1212);
thence with the westerly line of said lands of Nall South 03° 49' 38" West 589.37 feet to a 7/8" iron pipe found marking the northwesterly corner of other lands of the City of High Point (Deed Book 4158, Page 232);
thence with the westerly line of said other lands of the City of High Point South 02° 29' 00" West 272.76 feet to a 1" rebar and South 04° 40' 02" West 414.83 feet to a 2-1/2" iron pipe found marking the southwesterly corner of said other lands of the City of High Point and the northwesterly corner of the lands of North Carolina Remodel Masters, Inc (Deed Book 7651, Page 566);
thence with said westerly line of the lands of North Carolina Remodel Masters South 05° 02' 05" West 99.09 feet to a 1" iron pipe found marking the northwesterly corner of the lands of Debre Mehret Medhane Alem (Deed Book 7444, Page 2932);
thence with the westerly line of said lands of Alem South 0° 56' 12" East 40.94 feet to a point on the northerly line of the lands of Robert L. Austin Jr (Deed Book 3231, Page 678), being Lot 7 Section 2 of Meadowview Acres (PB 32, Pg 80), said point lying North 86° 57' 38" West 5.55 feet from the northeast corner of said Lot 7;
thence with the northerly line of said lands of Austin and continuing with the northerly line of the lands of Russell Anthony Greeson et ux (Deed Book 4324, Page 2116), being Lot 6 Section 2 of Meadowview Acres (PB 32, Pg 80) and the lands of Ronald D. Russell et ux (Deed Book 2366, Page 649), being Lot 1 Section 1 of Meadow-View Acres (PB 28, Pg 52) North 86° 57' 38" West 885.15 feet to the Point of Beginning and containing 25.00020 Acres of land.

Parcel 2 of 2
Lands of City of High Point
Address: 3411 Dillon Road Tax parcel # 160602
(Deed Book 4158, Page 232)
(Plat Book 12, Page 31)
High Point Township
Guilford County, North Carolina

BEING all of lots nos. 6, 7 and 8 of Mary Dillon Estates, a map of which is recorded in Plat Book 12 at Page 31 in the Office of the Register of Deeds of Guilford County, North Carolina.

Subject to an 8 feet easement along the southern property line of said property for ingress, egress and regress from Dillon Road to property. (See Book 555 Page 660)

CITY OF HIGH POINT

AGENDA ITEM



Title: Conveyance of Property to Habitat for Humanity – 221 North Hoskins Street

From: Michael E. McNair
Director Community Development & Housing
Department

Meeting Date: Monday, September 16, 2019

Public Hearing: Not Required

Advertising Date:

Advertised By:

Attachments: Area Map
Resolution 221 N. Hoskins St.

PURPOSE:

In order to continue infill housing development efforts in the Core-City, Community Development & Housing seeks Council approval to convey the following lots to Habitat for Humanity:

221 North Hoskins Street

The conveyance will facilitate affordable housing in accordance with HUD regulations and serve a public purpose.

BACKGROUND:

This will be the 39th property conveyed to Habitat in the Graves Avenue area. To date, 36 houses have been constructed and 2 additional units are underway.

Budget Impact:

There is no budget impact on the conveyance but the existing contract with Habitat to construct affordable housing in the Washington Terrace area will be amended to accommodate the additional house.

Recommendation:

The Community Development and Housing Department recommends approval of the resolution conveying the property to Habitat and that the appropriate City official and/or employee be authorized to execute all necessary documents.

The map displays a residential area with the following streets and house numbers:

- Graves Av:** 1609, 1607, 1605, 1603, 1701, 1703, 1705, 1707, 1709, 1711
- Davis Av:** 1501, 1620, 1505, 1507, 1509, 1511, 213, 217, 219, 221 (highlighted), 223, 1622, 1624
- Brooks Av:** 1500, 1506, 1508, 1510, 1512, 1514, 1516, 205, 203, 1717, 1715, 1713, 1711, 1709, 1707, 1705, 1703, 312, 314
- Murray St:** 220, 218, 216, 214, 212, 208, 206, 204, 1801, 317, 315, 313, 311, 309, 307, 305, 303, 301
- N Hoskins St:** 1728, 1730, 1724, 1722, 1720, 1718, 1716, 1714, 1712, 1710, 1708, 1706, 1704, 1702, 1700, 1709, 1707, 1705
- Edmondson Pl:** 1700, 1704, 1708, 1706
- Other addresses:** 1531, 102, 101, 105, 107, 109, 111, 113, 117, 115, 112, 114, 116, 118, 120, 209, 207, 205, 203, 201

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns the property located at 221 North Hoskins in the City of High Point and more particularly described in Deed Book 7976, Page 2465 of the Guilford County Registry (“Property”); and

WHEREAS, North Carolina General Statute § 160A-457 authorizes a city’s acquisition and disposition of property for redevelopment as part of a community development program, or independently thereof, and without the necessity of compliance with the Urban Redevelopment Law; and

WHEREAS, North Carolina General Statute § 160A-20.1 authorizes a city to appropriate money to private organizations to carry out any public purpose that a city is authorized by law to engage in; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has approved a contract with Habitat for Humanity of High Point, Archdale & Trinity, Inc. to construct affordable housing in the Washington Terrace area respectively to convey the above-described Property to Habitat for Humanity of High Point, Archdale & Trinity, Inc.;

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to the Property located at 221 North Hoskins Street in the City of High Point, and is more particularly described in Deed Book 7976, Page 2465 of the Guilford County Registry.

2. The consideration of the conveyance is Habitat for Humanity of High Point, Archdale and Trinity, Inc.’s agreement to use this property only for the “public” purpose of furthering the mission of the City of High Point in providing owner-occupied housing. If for any reason the property ceases to be used for a “public” purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the 16th day of September, 2019.

CITY OF HIGH POINT

By

Jay W. Wagner, Mayor

Attested to:

Lisa Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM

**Title: Reappointment- Parks & Recreation Commission****From:** City Clerk's Office**Meeting Date:** September 16, 2019**Public Hearing:** N/A**Advertising Date /****Advertised By:** N/A**Attachments:** N/A

PURPOSE:

To confirm reappointment of Bryon Stricklin to the Parks & Recreation Commission as Council Member Jeff Golden's Ward 1 appointee. Appointment to be effective immediately and will expire July 1, 2022.

BACKGROUND:

Council Member Jeff Golden is recommending the reappointment of Bryon Stricklin as his Ward 1 appointee on the Parks & Recreation Commission. Reappointment to be effective immediately and will expire on July 1, 2022.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the reappointment of Bryon Stricklin to the Parks & Recreation Commission.

BK: R 8199

PG: 2849-2866

RECORDED:

09-27-2019

10:12:58 AM

BY: SHEIKA WASHINGTON

ASSISTANT-HP



2019052351

GUILFORD COUNTY, NC

JEFF L. THIGPEN

REGISTER OF DEEDS

NC FEE \$38.00

DRAWN BY: JoAnne L. Carlyle, City Attorney
RETURN TO: City Attorney, P.O. Box 230, High Point, NC 27261
Plu - City

NORTH CAROLINA

**RIGHT OF WAY
ENCROACHMENT AGREEMENT**

GUILFORD COUNTY

1890
THIS AGREEMENT ("Agreement") made this 27 day of Sept. 2019, between **THE CITY OF HIGH POINT**, a North Carolina municipal corporation, located at 211 South Hamilton Street, High Point, North Carolina, 27260, ("City") and **ALLTEL COMMUNICATIONS OF NORTH CAROLINA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS**, a foreign Limited Liability Company located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, NJ 07920-1097, hereinafter known as the "Company".

WITNESSETH

WHEREAS, the City owns the public right of way within its municipal boundaries.

WHEREAS, the Company desires to use the public right of way of the City to conduct business as a communications services provider; and

WHEREAS, the Company desires, for its interest and convenience, to construct, maintain and operate a small cell wireless communications facilities within the City of High Point in and along certain rights-of-way outlined in Exhibit "A" attached hereto ("System"); and

WHEREAS, the City under the terms and conditions herein set forth, is willing to allow the above described improvements to be made, and allow the Company to encroach upon the above-referenced City-owned right of way; and

WHEREAS, the Company has paid to the City the sum of \$150.00, which partially defrays the administrative costs of the City.

NOW, THEREFORE, in consideration of the premises and \$150.00 in hand paid, receipt of which is hereby acknowledged, and other consideration, the Company hereby covenants and agrees that:

1. The Company is responsible for any and all expenditure of labor or materials required in the installation, erection, repair, maintenance or location of the above-referenced System.

2. The Company is responsible for any and all labor or expense which results from any and all future maintenance, repair, removal or dismantling of the System if and when required by the City, in its sole discretion.

3. The Company is to be fully responsible for any and all property damage or injury to or death of any person which results from any and all negligence, omission, defect in design, maintenance or workmanship created by the Company, its agents, employees, contractors or subcontractors in connection with the System, or any cause of action arising out of the installation, maintenance, or location of said System or any other cause of action arising out of the planting, installation, maintenance, or location of said System, except to the extent such claims and causes of action are caused by the gross negligence or willful misconduct of the City. (collectively, "Claims and Causes of Action").

4. The Company agrees:

- (a) to hold the City, its elected or appointed officials, representatives, officers, counselors, agents and employees harmless from any and all liability arising out of any such Claims and Causes of Action; and
- (b) to defend the City, its elected or appointed officials, representatives, officers, counselors, agents and employees and pay all attorney fees in any and all actions brought as a result of such Claims and Causes of Action; and
- (c) indemnify the City, its elected or appointed officials, representatives, officers, counselors, agents and employees against any and all loss sustained by reason of such Claims and Causes of Action.

The Company's indemnification obligations under this subsection shall not apply to any liability resulting from the gross negligence or willful misconduct of the City.

5. The Company, during the life of this Agreement, agrees to procure from a responsible insurance carrier or carriers, authorized under the laws of the State of North Carolina, insurance in the amount of One Million Dollars (\$1,000,000.00) per occurrence for bodily injury (including death) and property damage and \$1,000,000 general aggregate including personal and advertising injury caused by construction, maintenance, location, repair or visual obstruction of said encroachment with the City of High Point being included as additional insured as their interest may appear as respects work under this Agreement. Company shall furnish the City upon

the City's request, but no more than once in any 12 month period, a certificate of insurance evidencing such insurance to be in full force and effect (or proof of self-insurance as referenced below). Upon receipt of notice from its insurer Company shall give the City at least 30 days advanced written notice of any cancellation of any required coverage that is not immediately replaced with coverage meeting the requirements of this Agreement. Should Company fail to pay premiums upon said insurance, or should Company fail to obtain said insurance, or to perform any of the agreements, terms, or conditions herein contained; the City at its option, by written notice may declare this agreement cancelled and terminated and all rights acquired hereunder by Company shall thereupon terminate, except Owner shall still be responsible for removing the System from the right of way. In lieu of the foregoing, Company may self-insure for any or all of the coverages set forth above.

6. Exhibit A is the proposed location of the System that the Company intends to submit to the City permitting department. The Company shall provide proposed locations of additions or changes to the System or maintenance, repair, replacement, or construction to System while this Agreement, or any extension of the Agreement, is in force.

7. The Company, upon completion of the installation of the System, shall submit to the City revised drawings in the form of an AutoCad (.dwg) file for retention by the City if the actual installation differs from the installation shown on the Exhibit A (Site Plan) (in such event, the Company shall secure approval of the City prior to the differing installation).

8. The Company agrees to abide by all applicable statutes and ordinances governing the System.

9. This Agreement shall not divest the City of any rights or interest in said right of way. This Agreement is not a grant by the City of any property interest but is made subject and subordinate to the prior and continuing right of City and its assigns to lawfully use any or all of the right of way for public facilities, including, but not limited to, public use as a street and for the purpose of laying, installing, maintaining, repairing, protecting, replacing and removing sanitary sewers, water mains, storm drains, gas mains, poles, overhead and underground electric and telephone wires, television and other utility and municipal uses together with appurtenances thereof and with right of ingress and egress along, over, across and in the right of way. No use of any right of way or other interest under this Agreement shall create or vest in Company any ownership interest in the right of way.

10. The Company shall contact "NC One Call Center" prior to excavation where and in the manner required by the NC One Call law.

11. This Agreement shall be binding upon and inure to the benefit of all of the parties hereto and their heirs, personal representatives, grantees, successors, and assigns.

12. All matters relating to this Agreement shall be governed by laws of the State of North Carolina without regard to its choice of law provisions, and venue for any action related to the Agreement shall be Guilford County Superior Court or the United States District Court for the Middle District of North Carolina.

13. All notices required herein shall be deemed given by depositing such in the United States Mail, first class, and addressed as follows:

If to City:

City of High Point
Planning & Development Department
P.O. Box 230
High Point, NC 27261
ATTN: Planning Director

If to Company:

Alltel Communications of North Carolina Limited Partnership
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, NJ 07921
Attention: Network Real Estate

14. This Agreement shall be revocable at will by the City.

15. The Company shall restore all areas disturbed during the installation and maintenance related to the System to the satisfaction of the City Manager or his designee, and shall reimburse the City for the cost incurred by the City for any repairs or maintenance to roadways, sidewalks, structures, ornamental vegetation, landscaping, and all existing utilities, whether owned by the City or another agency, necessary due to the installation, maintenance, and/or existence of the System; and if at any time the City shall determine, in its reasonable judgment, that changes in the location of the System are necessary for public use for the purposes of construction, modification, or maintenance of infrastructure, including roads, water, wastewater, and electric facilities, the Company binds itself, its successors and assigns, to promptly alter the System at its sole cost, in order to conform to the City's requirements and without any cost to the City.

16. The Company, its employees, contractors, successors in interest, and assignees shall install and maintain the System in safe and proper condition such that it will not interfere with or endanger travel upon streets and/or sidewalks; will not obstruct or interfere with proper maintenance of such streets and/or sidewalks; and will not endanger existing facilities. The Company shall provide during installation, construction, and any subsequent maintenance, proper signage, signal lights, flagmen and other warning devices for the protection of traffic and pedestrians.

17. The Company agrees to exercise every reasonable precaution during construction and maintenance to prevent eroding of soil; silting or pollution of rivers, streams, lakes, reservoirs, other water impoundments, ground surfaces or other property; or pollution of the air.

[Signature pages to follow]

IN WITNESS WHEREOF, the parties hereto caused this Agreement to be executed and to be effective the day and year first above written.

**ALLTEL COMMUNICATIONS OF
NORTH CAROLINA LIMITED
PARTNERSHIP d/b/a VERIZON
WIRELESS**

By: Alltel Corporation, Its General Partner

By: [Signature]

Print Name: Reston Drawdy

Title: Engineer II Specialist - RE

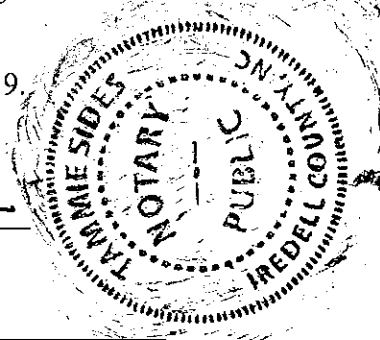
STATE OF NC
Iredell COUNTY

I, Tammie Sides, a Notary Public of the State of NC
County of Iredell, do hereby certify that Reston Drawdy personally
came before me this day and acknowledged that he/she is RE Specialist, and that
he/she, as RE Specialist being authorized to do so, executed the foregoing on behalf of
the company.

Witness my hand and official stamp or seal, this the 9/24, 2019.

My commission Expires: 10/17/2021

Tammie Sides
Notary Public



CITY OF HIGH POINT

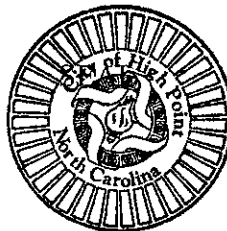
By:

Randy E. McCaslin

Randy McCaslin, Deputy City Manager

ATTEST:

Lisa B. Vierling
Lisa B. Vierling, City Clerk



NORTH CAROLINA

GUILFORD COUNTY

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 she personally appeared before me this date; and, that by authority duly given, and as the act of the said City of High Point, the foregoing instrument was signed in its name by its City Manager, sealed with its corporate seal, and attested by herself as its clerk.

Witness my hand and official stamp or seal, this the 27 day of September, 2019.

My commission Expires: 1/18/2020

Cynthia C. Duncan-Smith

Notary Public

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

EXHIBIT "A"
SYSTEM: SMALL WIRELESS FACILITIES (SITE PLAN AND LOCATIONS)

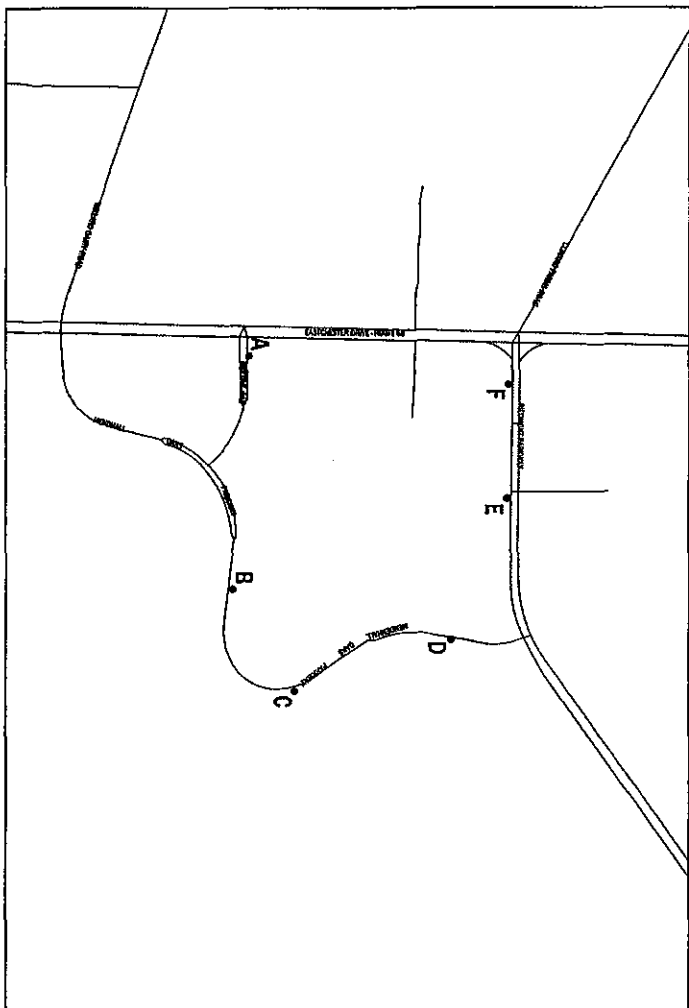
1. Small wireless facilities and related equipment, as more particularly described in the attached plans, entitled "Deepnorth Sites" for 6 nodes sites, which are incorporated herein and made part of this agreement by reference and attached as Exhibit A-1 Deepnorth Sites.
2. Small wireless facilities and related equipment, as more particularly described in the attached plans for the following areas and node sites, incorporated herein and attached hereto as Exhibits A-2 and A-3:
 - a. Exhibit A-2: SMC Deepriver Sites (11 node sites)
 - b. Exhibit A-3: SMC Thatcher Sites (14 node sites)

3. Node Site IDs:

SMC_DEEPNORTH_5G_001	512612
SMC_DEEPNORTH_5G_003	512614
SMC_DEEPNORTH_5G_004	512615
SMC_DEEPNORTH_5G_005	512616
SMC_DEEPNORTH_5G_006	512617
SMC_DEEPNORTH_5G_007	512618
SMC_DEEPRIVER_5G_002	512619
SMC_DEEPRIVER_5G_003	512620
SMC_DEEPRIVER_5G_005	512622
SMC_DEEPRIVER_5G_006	512623
SMC_DEEPRIVER_5G_007	512624
SMC_DEEPRIVER_5G_008	512625
SMC_DEEPRIVER_5G_009	512626
SMC_DEEPRIVER_5G_010	512627
SMC_DEEPRIVER_5G_011	512629
SMC_DEEPRIVER_5G_013	512632
SMC_DEEPRIVER_5G_014	512635
SMC_DEEPRIVER_5G_016	512636
SMC_THATCHER_5G_001	513277
SMC_THATCHER_5G_002	513278
SMC_THATCHER_5G_003	513279
SMC_THATCHER_5G_004	513280
SMC_THATCHER_5G_005	513282
SMC_THATCHER_5G_006	513283
SMC_THATCHER_5G_007	513284
SMC_THATCHER_5G_009	513286
SMC_THATCHER_5G_010	513287
SMC_THATCHER_5G_011	513288
SMC_THATCHER_5G_012	513289
SMC_THATCHER_5G_014	513291
SMC_THATCHER_5G_015	513292
SMC_THATCHER_5G_013	513290
SMC_THATCHER_5G_008	513285

EXHIBIT A-1
SMC Deepnorth Sites

SMC_DEEPNORTH_5G SITES



SITE LOCATION PLAN

POLE INDEX

POLE	POLE TYPE	SITE NAME	UTM	LOCATION	GROUND ELEV.	ADDRESS	SHEET
A	TYPE 1	SMC_DEEPNORTH_5G_001	360473	397235.54° -78.55154°	823.5'	WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-6
B	TYPE 1	SMC_DEEPNORTH_5G_003	3604718	397235.54° -78.55154°	811.4'	WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-7
C	TYPE 2	SMC_DEEPNORTH_5G_004	3604629	397235.54° -78.55154°	812.7'	4179 WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-8
D	TYPE 1	SMC_DEEPNORTH_5G_005	3604602	397235.54° -78.55154°	812.2'	WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-9
E	TYPE 1	SMC_DEEPNORTH_5G_006	3604601	397235.54° -78.55154°	813.4'	4050 WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-10
F	TYPE 1	SMC_DEEPNORTH_5G_007	3604600	397235.54° -78.55154°	814.4'	4050 WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-11

CONSTRUCTION DRAWING

PREPARED FOR:

verizon

SUBMITTALS

NO.	DATE	REVISION	REMARKS
1	09/13/19	INITIAL ISSUE	ISS

STAMP

TEMISCO, P.C.

TILSON

2011 Lockwood Drive, Durham, NC 27603
T: (919) 591-4477
info@tilson.com tilson.com

HIGHPOINT SMALL CELL
LOCATIONS

HIGH POINT, NC 27285
GUILFORD COUNTY

SHEET TITLE

SMC_DEEPNORTH_5G POLYGON

DESIGNED BY	APPROVED BY	SHEET	REV
TJSS	ETA	CD-1	0

EXHIBIT A-2
SMC Deepriver Sites

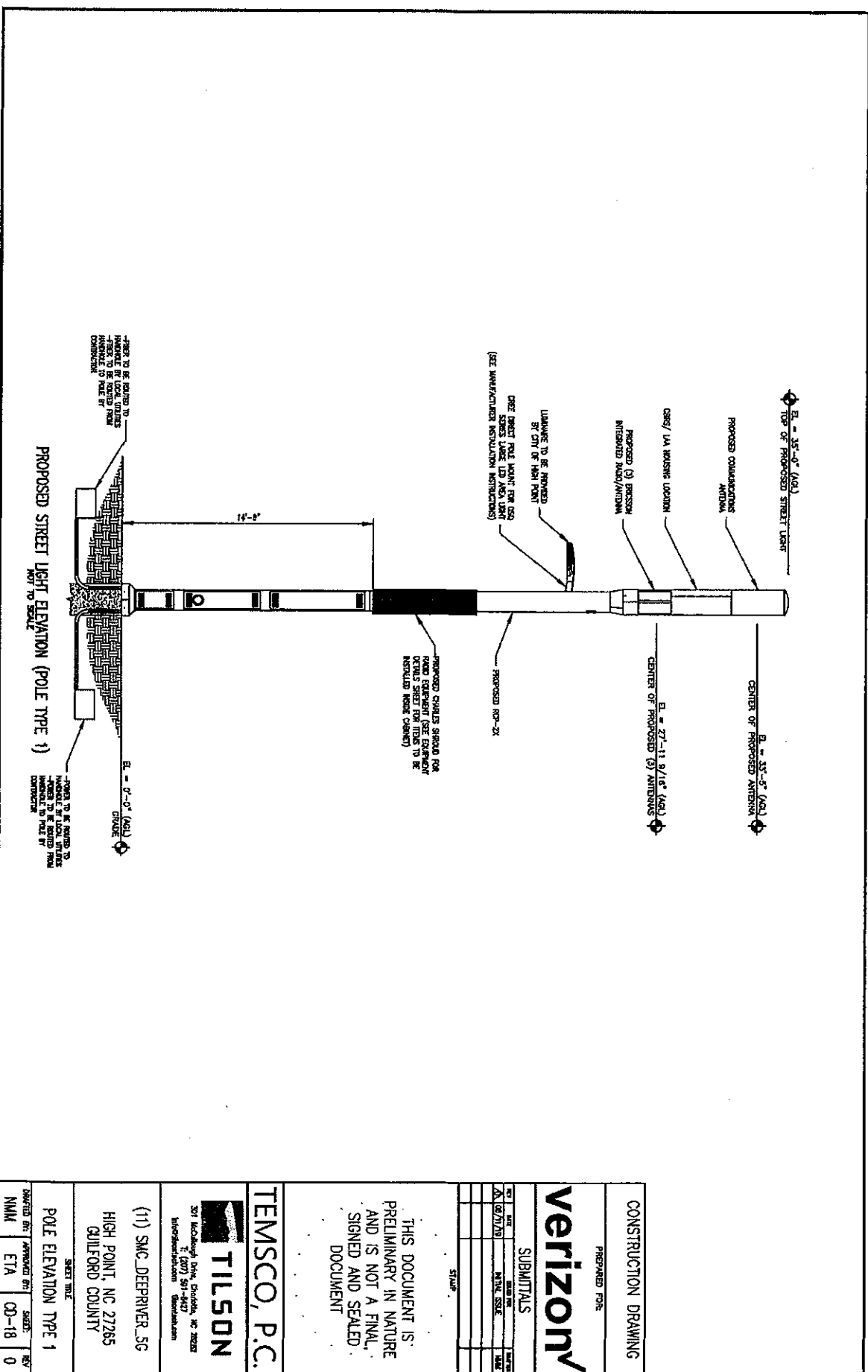
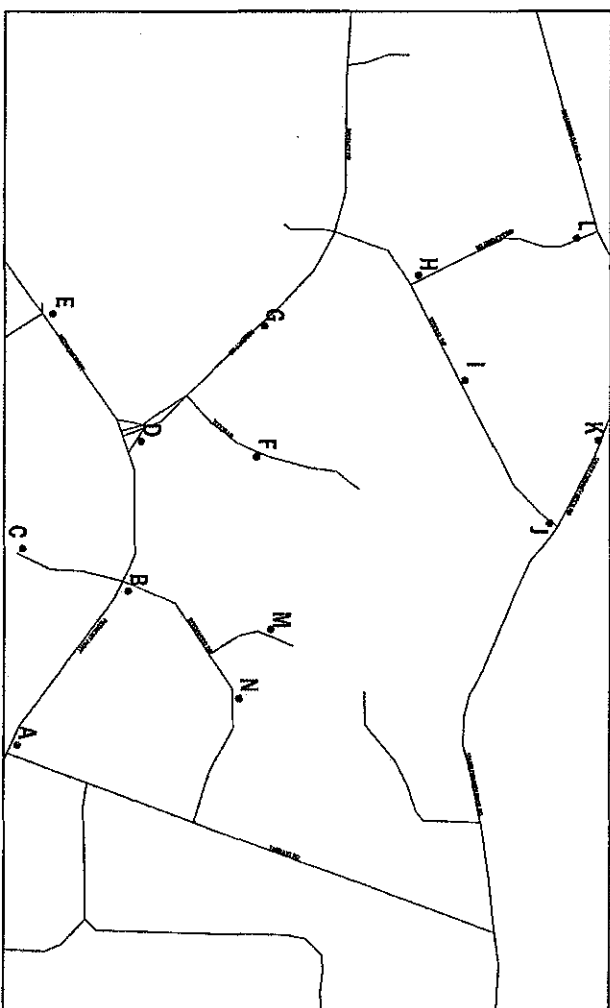


EXHIBIT A-3
SMC Thatcher Sites

SMC_THATCHER_5G SITES



SITE INDEX

SITE	POLE TYPE	SITE NAME	LATITUDE	LONGITUDE	GRID COORDINATE	ADDRESS	SHEET
A	TYPE 1	SMC_THATCHER_5G_002	36.055330	78.071327 (N)	78.071327 (N)	STATE ROAD 1652, HIGH POINT, NC 27265	CD-9
B	TYPE 1	SMC_THATCHER_5G_003	36.055000	78.072197 (N)	78.072197 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-10
C	TYPE 1	SMC_THATCHER_5G_004	36.055310	78.071408 (N)	78.071408 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-11
D	TYPE 1	SMC_THATCHER_5G_005	36.055000	78.072287 (N)	78.072287 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-12
E	TYPE 1	SMC_THATCHER_5G_006	36.054430	78.071535 (N)	78.071535 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-13
F	TYPE 1	SMC_THATCHER_5G_007	36.055000	78.072197 (N)	78.072197 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-14
G	TYPE 1	SMC_THATCHER_5G_008	36.055000	78.072197 (N)	78.072197 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-15
H	TYPE 1	SMC_THATCHER_5G_009	36.055000	78.072197 (N)	78.072197 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-16
I	TYPE 1	SMC_THATCHER_5G_010	36.055000	78.072197 (N)	78.072197 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-17
J	TYPE 1	SMC_THATCHER_5G_011	36.055000	78.072197 (N)	78.072197 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-18
K	TYPE 2	SMC_THATCHER_5G_012	36.055000	78.072197 (N)	78.072197 (N)	79 S CHURCH STREET, HIGH POINT, NC 27265 (ACROSS FROM)	CD-19
L	TYPE 1	SMC_THATCHER_5G_013	36.055000	78.072197 (N)	78.072197 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-20
M	TYPE 1	SMC_THATCHER_5G_014	36.055000	78.072197 (N)	78.072197 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-21
N	TYPE 1	SMC_THATCHER_5G_015	36.055000	78.072197 (N)	78.072197 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-22

CONSTRUCTION DRAWING

PREPARED FOR:



SUBMITTALS

CD-1	DATE	CD-2	DATE	CD-3	DATE
20/09/2019		20/09/2019		20/09/2019	

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TEMSCO, P.C.



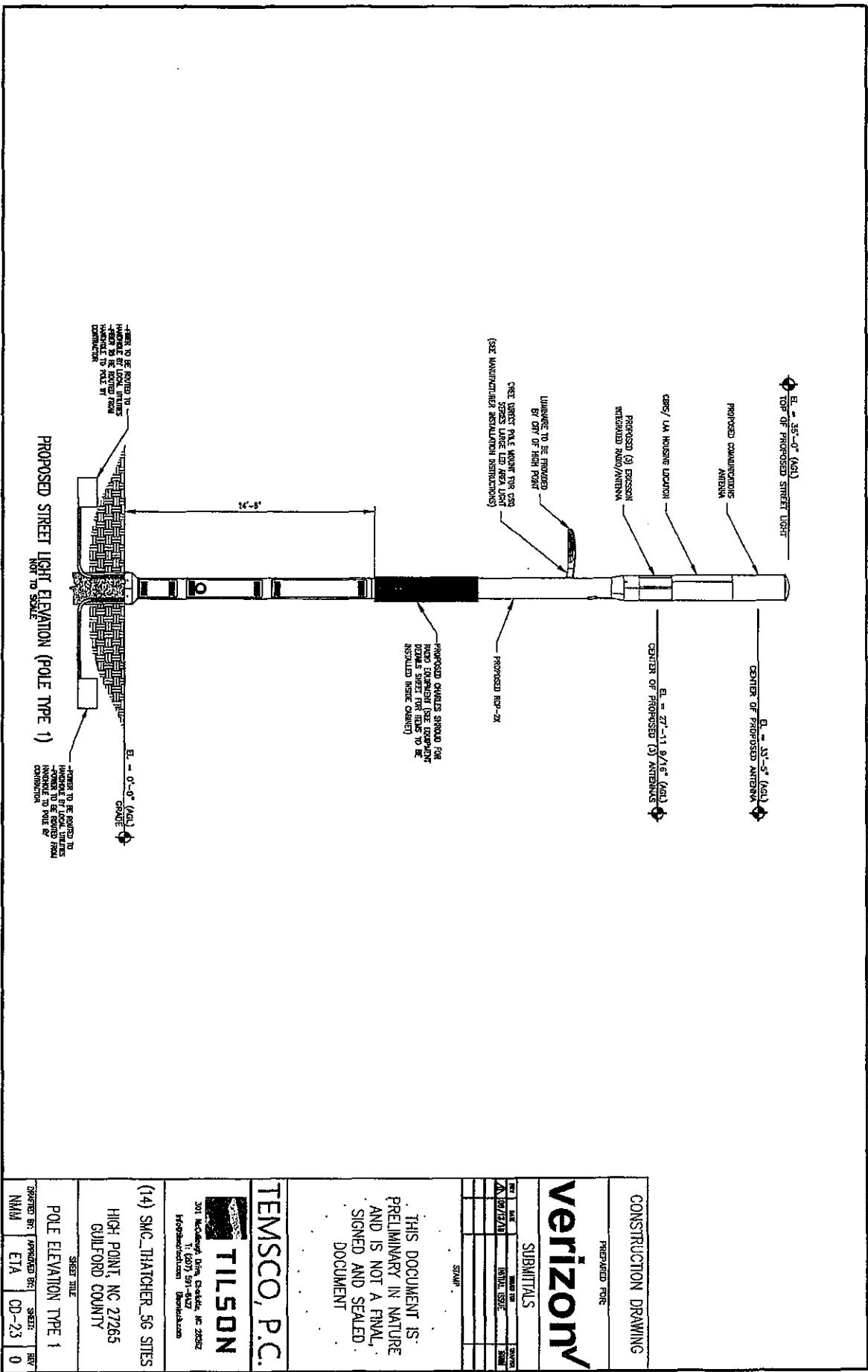
301 W. 10th Street, Suite 200, High Point, NC 27265
Tel: (703) 591-4147
info@tilson.com tilson.com

HIGHPOINT SMALL CELL
LOCATIONS

HIGH POINT, NC 27265
GUILFORD COUNTY

SMC_THATCHER_5G POLYGON

DATE: 07/11/2019	APPROVED BY:	SHEET	OF
1/55	EIA	CD-3	0



CONSTRUCTION DRAWING

PREPARED FOR

verizon

SUBMITTALS

NO.	DATE	REVISION	BY
1	07/27/18	INITIAL ISSUE	MM

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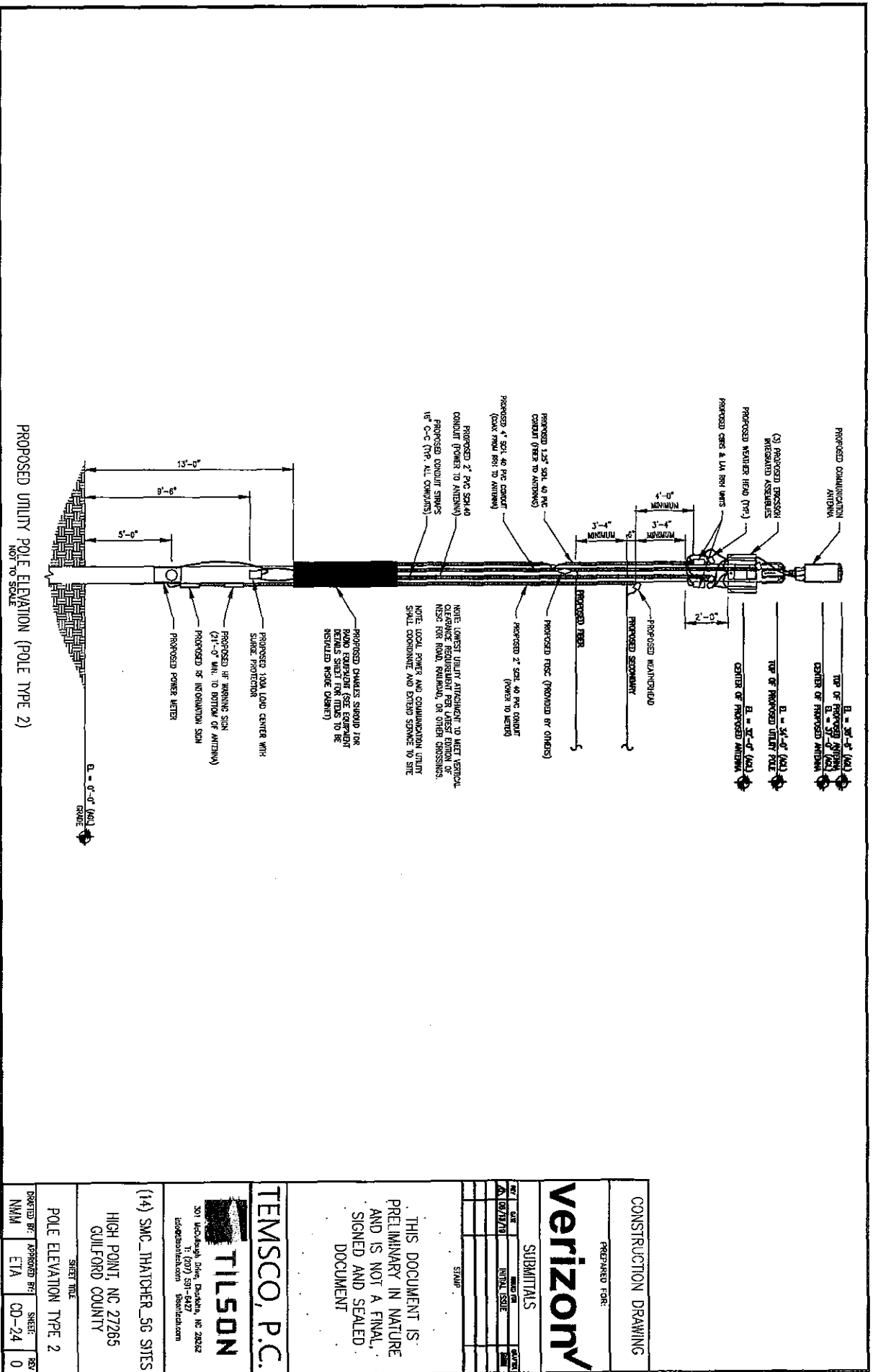
TEMSCO, P.C.

TILSON
201 McDowell Drive, Charlotte, NC 28202
704.207.5914
info@tilson.com tilson.com

(14) SMC THATCHER_36 SITES
HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE
POLE ELEVATION TYPE 1

DATE	APPROVED BY	SHEET	REV
MM	ETA	CD-23	0



PROPOSED UTILITY POLE ELEVATION (POLE TYPE 2)
NOT TO SCALE

CONSTRUCTION DRAWING

PREPARED FOR:



SUBMITTALS

REV	DATE	DESCRIPTION	BY	CHK
1	08/17/10	INITIAL ISSUE		

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TEMSCO, P.C.



301 Lockland Drive, Durham, NC 27602
1 (919) 591-6427
info@temsko.com temsko.com

(14) SMC THATCHER_5G SITES

HIGH POINT, NC 27265
GUILFORD COUNTY

POLE ELEVATION TYPE 2

DRAWN BY: NMM	APPROVED BY: ETJ	SHEET: CD-24	REV: 0
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CITY OF HIGH POINT

AGENDA ITEM



Title: Right-Of-Way Encroachment RE-19-0013 (Verizon Wireless)

From: Lee Burnette, Planning & Development
Director

Meeting Date: September 16, 2019

Public Hearing: No

Advertising Date: Not Applicable

Attachments: A. Staff Report
B. Site Plan & Pole Rendering

Advertised By: Not Applicable

PURPOSE:

A request by Verizon Wireless to allow the installation of nine (9) small cell concealed poles with a City of High Point street light within the Whites Mill Road, Sutton Way, Samet Drive, Tinsley Drive, and Gisbourne Drive rights-of-way (ROW). All of the small cell poles are replacing existing City of High Point street light poles. Eight (8) of the proposed poles are concealed with one (1) pole proposed to be wood. Due to the request consisting of an above-ground encroachment, City Council approval is required.

BACKGROUND:

Staff report and recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends **approval** of Right-Of-Way Encroachment RE-19-0013.

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

RIGHT-OF-WAY ENCROACHMENT

RE-19-0013

September 16, 2019

Request	
Applicant: Verizon Wireless	Proposal: To allow the installation of nine (9) small cell concealed poles with a City of High Point street light within the Whites Mill Road, Sutton Way, Samet Drive, Tinsley Drive, and Gisbourne Drive rights-of-way (ROW).

Adjacent Streets		
Name:	Classification:	R/W Width:
Whites Mill Road	Collector	80 feet
Sutton Way	Local	80 feet
Samet Drive	Collector	60 feet
Tinsley Drive	Local	60 feet
Gisbourne Drive	Local	70 feet

Analysis

The applicant is requesting permission to allow the installation of nine (9) small cell poles with a City of High Point street light within the Whites Mill Road, Sutton Way, Samet Drive, Tinsley Drive, and Gisbourne Drive ROW. All of the small cell poles are replacing existing City of High Point street light poles. Eight (8) of the proposed poles are concealed with one (1) pole proposed to be wood. The one (1) proposed wooden pole is labeled as Site A and is located near the intersection of Whites Mill Road and Skeet Club Road.

Each of the eight (8) concealed pole locations in this ROW encroachment request will have a 35-foot tall pole, consisting of a small cell antenna mounted on the top of the pole, and various other related equipment attached or internal to the pole itself. The one (1) wooden pole is proposed to be a 38-foot tall pole. The applicant has stated that the need for this equipment in the right-of-way is to assist in constructing a fiber optic network within the City.

The Technical Review Committee reviewed this request and determined that the proposed encroachment would not affect public safety or interfere with maintenance needs. The proposed pole location is in an area where the City has placed existing utility lines underground, and thus will be a concealed pole which is to resemble the existing street light poles used by the City in that area.

The concealed pole renderings are attached, as well as a site plan depicting the location of the proposed poles. The right of way encroachment agreement includes RE-19-0011, RE-19-0012, and RE-19-0013.

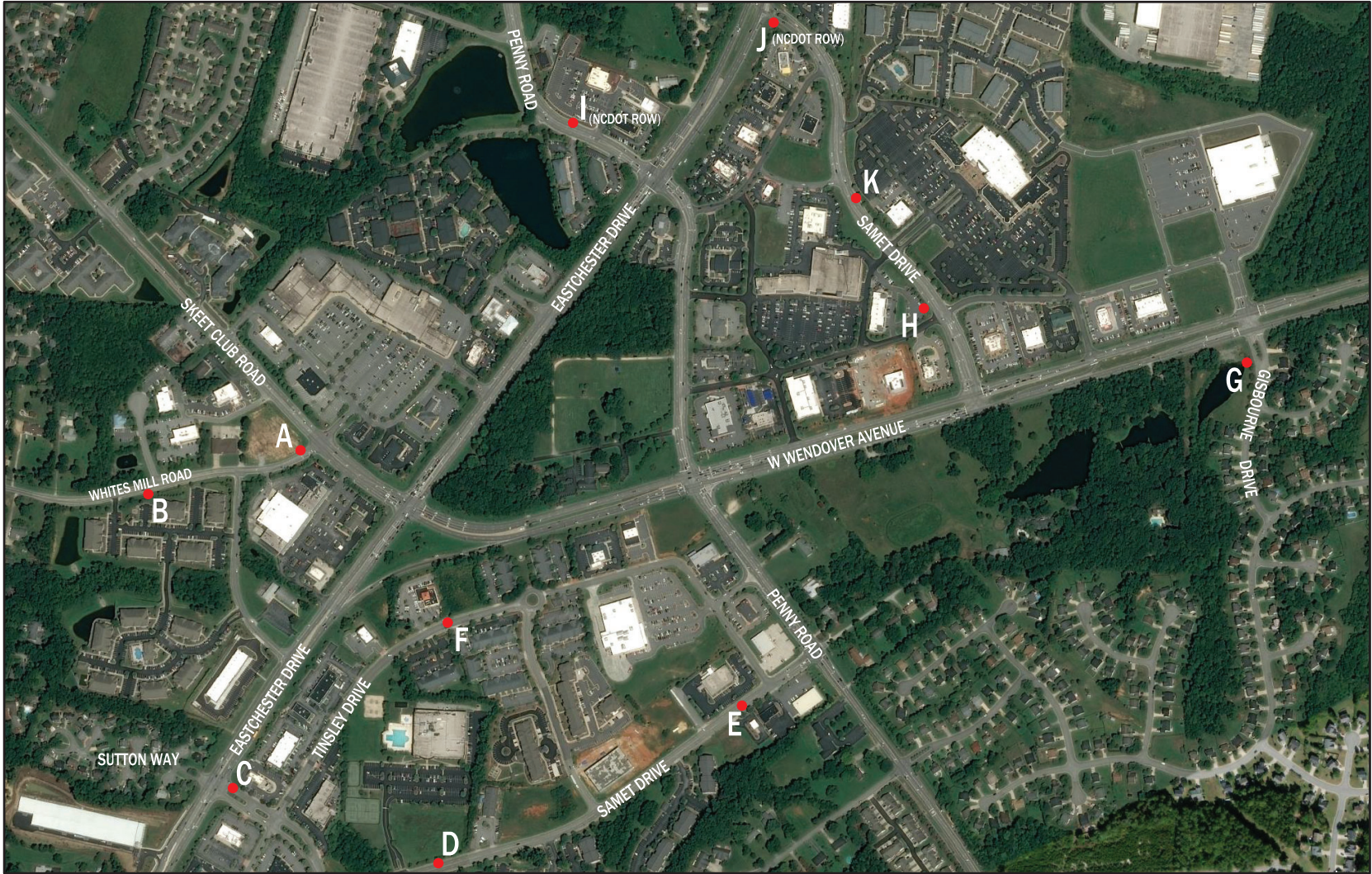
Recommendation

The proposed location of the poles would not affect public safety or interfere with street or utility maintenance. Staff recommends approval of this requested right-of-way encroachment contingent upon the applicant installing concealed poles as depicted on the attached drawings.

Report Preparation

This report was prepared by Planning and Development Department staff member Samuel G. Hinnant, CZO, CFM and was reviewed by Christopher Andrews, AICP and G. Lee Burnette, AICP.

SMC_DEEPRIVER_5G SITES



SITE LOCATION PLAN

SITE INDEX									
SITE	POLE TYPE	SITE NAME	LATITUDE		LONGITUDE		GROUND ELEVATION	ADDRESS	SHEET
A	TYPE 2	SMC_DEEPRIVER_5G_002	36.031112	36°01'52.00"(N)	-79.970031	79°58'12.11"(W)	876.7'	1586 SKEET CLUB ROAD, HIGH POINT, NC 27265	CD-7
B	TYPE 1	SMC_DEEPRIVER_5G_003	36.030521	36°01'49.88"(N)	-79.972462	79°58'20.86"(W)	856.5'	3567 WHITES MILL ROAD, HIGH POINT, NC 27265	CD-8
C	TYPE 1	SMC_DEEPRIVER_5G_005	36.026710	36°01'36.16"(N)	-79.971060	79°58'15.82"(W)	873.7'	3801 SUTTON WAY, HIGH POINT, NC 27265	CD-9
D	TYPE 1	SMC_DEEPRIVER_5G_006	36.025760	36°01'32.74"(N)	-79.967760	79°58'03.94"(W)	865.2'	3811 SAMET DRIVE, HIGH POINT, NC 27265	CD-10
E	TYPE 1	SMC_DEEPRIVER_5G_007	36.027850	36°01'40.26"(N)	-79.962930	79°57'46.55"(W)	865.8'	5301 SAMET DRIVE, HIGH POINT, NC 27265	CD-11
F	TYPE 1	SMC_DEEPRIVER_5G_008	36.028890	36°01'44.00"(N)	-79.967650	79°58'03.54"(W)	889.4'	3911 TINSLEY DRIVE, HIGH POINT, NC 27265	CD-12
G	TYPE 1	SMC_DEEPRIVER_5G_010	36.032370	36°01'56.53"(N)	-79.954900	79°57'17.64"(W)	832.4'	3919 GISBOURNE DRIVE, HIGH POINT, NC 27265	CD-13
H	TYPE 1	SMC_DEEPRIVER_5G_011	36.033230	36°01'59.63"(N)	-79.960080	79°57'36.29"(W)	886.2''	5815 SAMET DRIVE, HIGH POINT, NC 27265	CD-14
I	TYPE 1	SMC_DEEPRIVER_5G_013	36.035400	36°02'07.44"(N)	-79.965720	79°57'56.59"(W)	843.2'	2410 PENNY ROAD, HIGH POINT, NC 27265 (NCDOT ROW)	CD-15
J	TYPE 1	SMC_DEEPRIVER_5G_014	36.036560	36°02'11.62"(N)	-79.962150	79°57'43.74"(W)	847.4'	5870 SAMET DRIVE, HIGH POINT, NC 27265 (NCDOT ROW)	CD-16
K	TYPE 1	SMC_DEEPRIVER_5G_016	36.034460	36°02'04.06"(N)	-79.961180	79°57'40.25"(W)	878.3'	5840 SAMET DRIVE, HIGH POINT, NC 27265	CD-17

CONSTRUCTION DRAWING

PREPARED FOR:
verizon

SUBMITTALS

REV	DATE	ISSUED FOR	DRAFTER
1	06/11/19	INITIAL ISSUE	NMM

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THIS DOCUMENT IS
PRELIMINARY IN NATURE
AND IS NOT A FINAL,
SIGNED AND SEALED
DOCUMENT

TEMSCO, P.C.

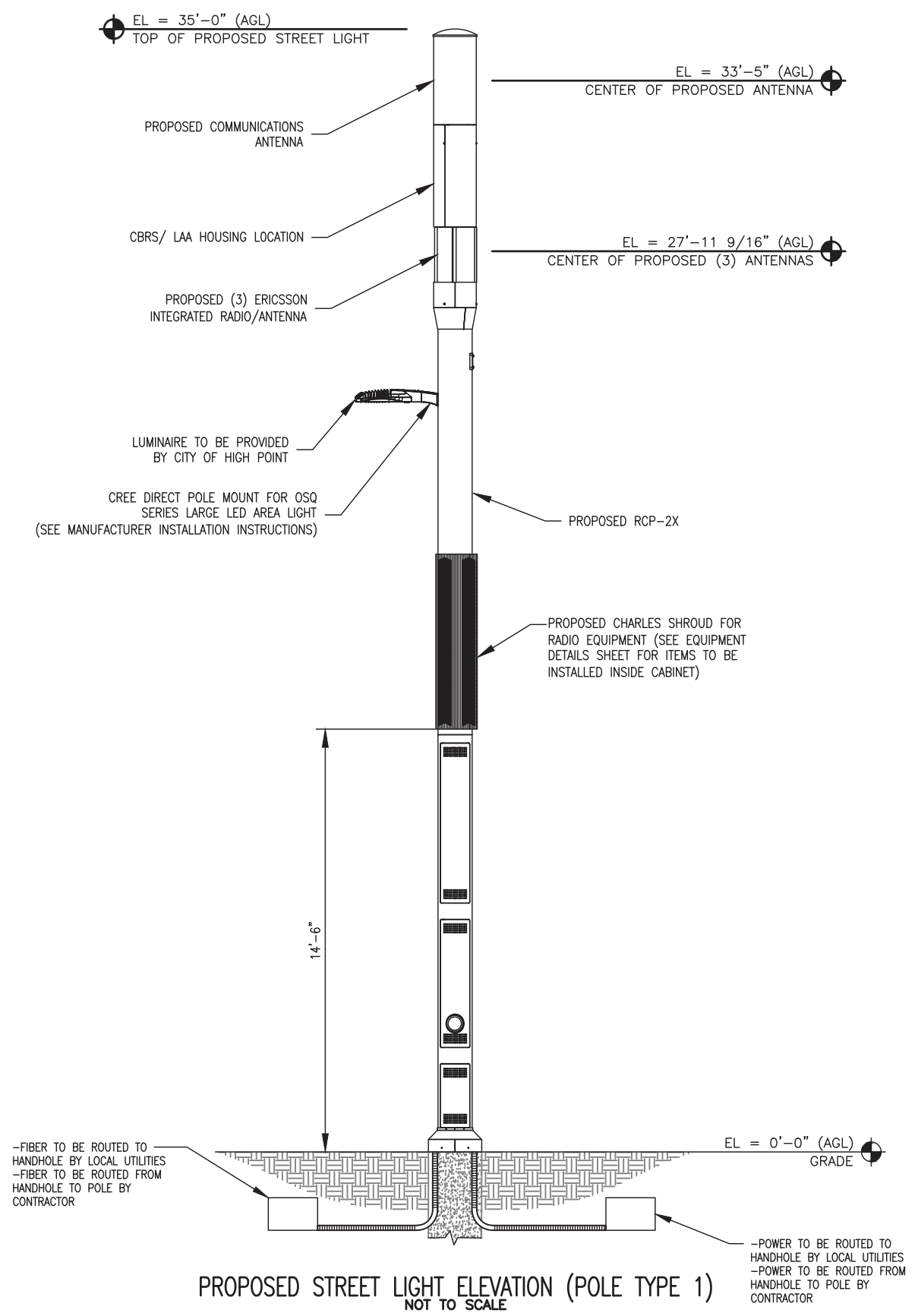
**TILSON**
301 McCullough Drive, Charlotte, NC 28262
T: (207) 591-6427
info@tilsontech.com tilsontech.com

(11) SMC_DEEPRIVER_5G

HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE
TITLE SHEET

DRAFTED BY: NMM	APPROVED BY: ETA	SHEET: CD-1	REV 0
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CONSTRUCTION DRAWING

PREPARED FOR:
verizon

SUBMITTALS

REV	DATE	ISSUED FOR	DRAFTER
1	06/11/19	INITIAL ISSUE	NMM

STAMP

THIS DOCUMENT IS
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AND IS NOT A FINAL,
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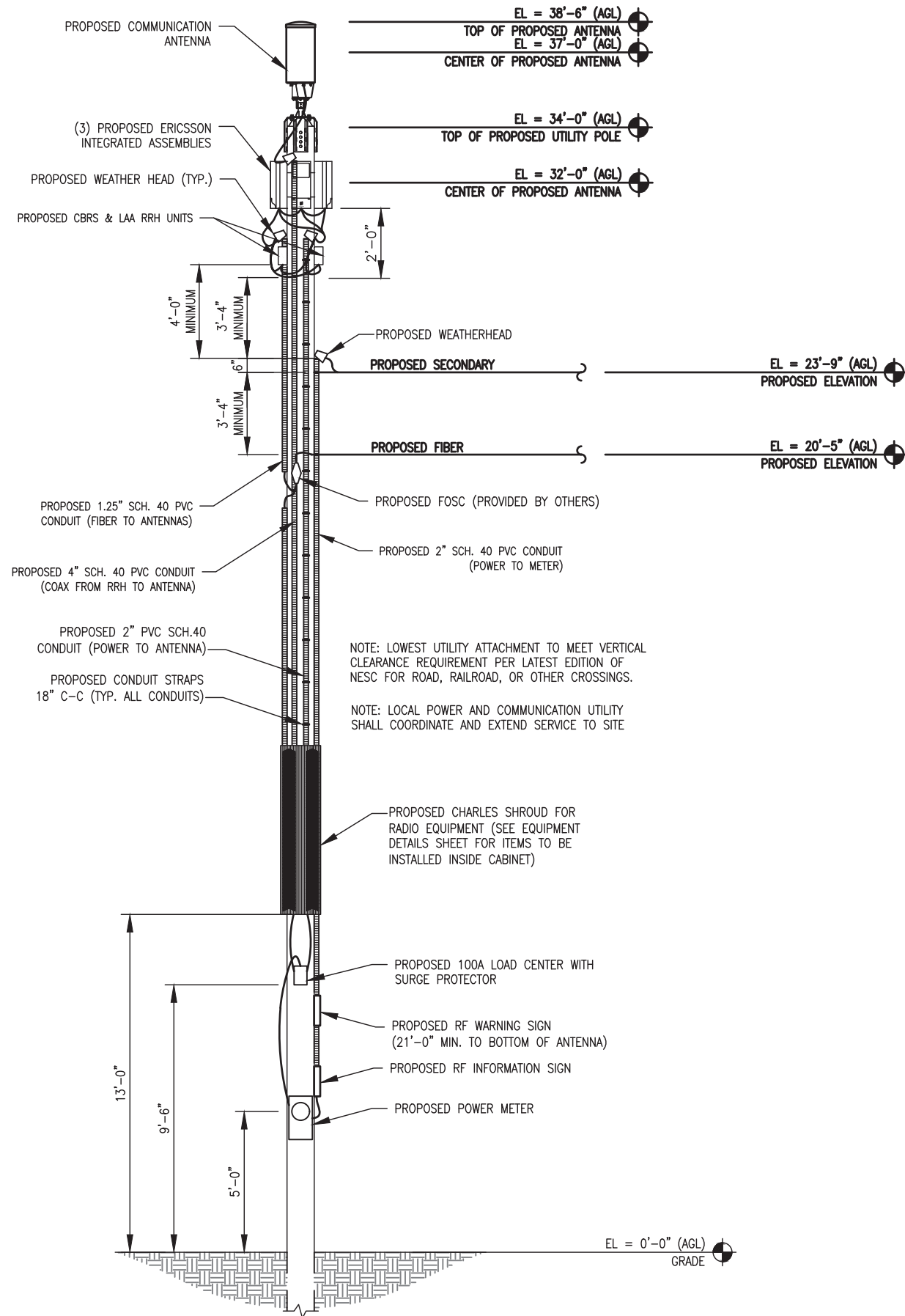
TEMSCO, P.C.


301 McCullough Drive, Charlotte, NC 28262
T: (207) 591-6427
info@tilsontech.com tilsontech.com

(11) SMC_DEEPRIVER_5G
HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE
POLE ELEVATION TYPE 1

DRAFTED BY:	APPROVED BY:	SHEET:	REV
NMM	ETA	CD-18	0



PROPOSED UTILITY POLE ELEVATION (POLE TYPE 2)
NOT TO SCALE

CONSTRUCTION DRAWING

PREPARED FOR:

verizon

SUBMITTALS

REV	DATE	ISSUED FOR	DRAFTER
1	06/11/19	INITIAL ISSUE	NMM

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T: (207) 591-6427
info@tilsontech.com tilsontech.com

(11) SMC_DEEPRIVER_5G

HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE

POLE ELEVATION TYPE 2

DRAFTED BY:	APPROVED BY:	SHEET:	REV
NMM	ETA	CD-19	0

Ordinance # 7557/19-74
Zoning Map Amendment 19-16

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on July 23, 2019 and before the City Council of the City of High Point on August 19, 2019 regarding Zoning Map Amendment Case 19-16 (ZA-19-16) a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on August 18, 2019, for the Planning and Zoning Commission public hearing and on September 5, 2019 and September 11, 2019, 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 September 16, 2019.

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 areas as: **General Business (GB) District**.

Acres	Location	Guilford County Tax Parcel Numbers
0.40	111 Westchester Drive	188707
0.36	115 Westchester Drive	188706
0.20	119 Westchester Drive	188705
0.52	123 Westchester Drive	188704
0.34	127 Westchester Drive	188703
0.71	112 Westchester Drive	188686
0.96	120 Westchester Drive	188696
1.28	130 Westchester Drive	188687
0.78	144 Westchester Drive	188688
0.40	129 Scott Avenue	188689
0.29	127 Scott Avenue	188690 and 0188691
0.20	105 Scott Avenue	188697
0.60	110 Scott Avenue	194674
1.26	131 W. Parris Avenue	194662
0.51	124 Scott Avenue	194669
0.12	145 W. Parris Avenue	194678
0.65	117 W. Parris	194673

SECTION 2

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

SECTION 3

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

SECTION 4.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 16th day of September, 2019

By: _____

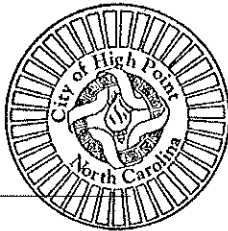
Jay W. Wagner

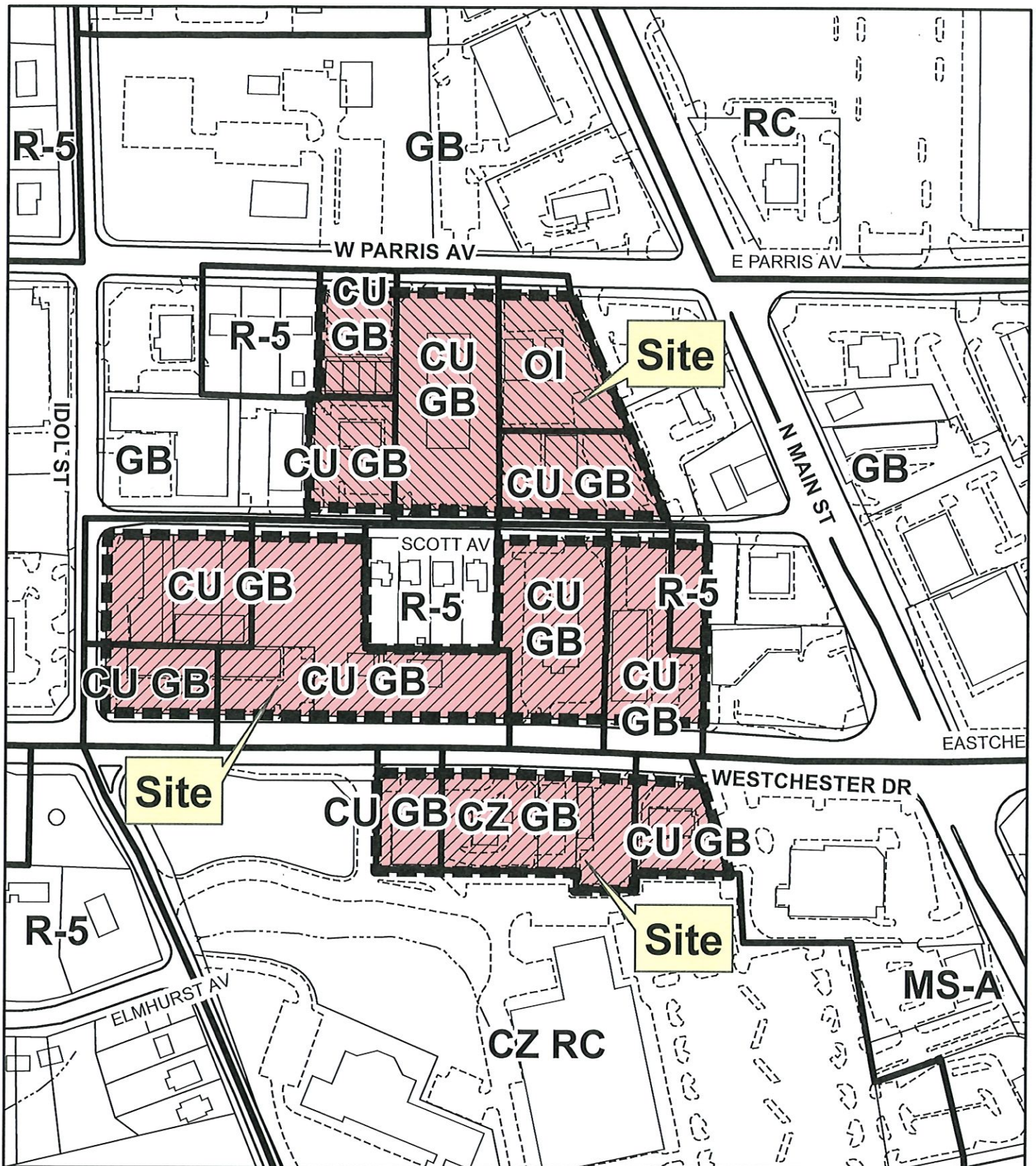
Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling

Lisa B. Vierling, City Clerk





ZONING MAP AMENDMENT: ZA-19-16

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

To: General Business

Existing Zoning Boundary

Subject Property Boundary



Planning & Development
Department

City of High Point



Scale: 1"=200'

G:\Planning\Secure\BAC\ZMA\2019\MXDs\za19-16

DRAWN BY: JoAnne Carlyle, City Attorney, City of High Point
RETURN TO: City Attorney, P. O. Box 230, High Point, NC 27261

Property Address: 221 North Hoskins Street

Excise Tax:\$ NTC

NORTH CAROLINA

QUIT CLAIM DEED

GUILFORD COUNTY

THIS QUIT CLAIM DEED, made and entered into this 7th day of October, 2019, by and between the **CITY OF HIGH POINT**, a municipal corporation existing under the laws of the State of North Carolina, (P. O. Box 230, High Point, NC, 27261), hereinafter referred to as GRANTOR, and **HABITAT FOR HUMANITY OF HIGH POINT, ARCHDALE AND TRINITY, INC.**, a non-profit corporation existing under the laws of North Carolina, (300 North Main Street, Suite 300, High Point, NC 27260) hereinafter referred to as GRANTEE;

WITNESSETH:

WHEREAS, the City of High Point, subject to and in consideration of the conditions set forth and the further sum of One Dollar (\$1.00) to it paid by the Grantee, the receipt of which is hereby acknowledged, has quitclaimed and by these presents, does quitclaim unto the said Grantee, its successors and assigns, all right, title and interest which it has in and to the tract or parcel of land in the County of Guilford, State of North Carolina, High Point Township, and more particularly bounded and described as follows:

BEING all of Lots 67 and 68 of Washington Terrace, a plat of which is duly recorded in the Office of the Register of Deeds of Guilford County, NC, in Plat Book 6, Page 181, and being the property shown on a survey prepared by Wm. F. Freeman, Engineers, dated February 20, 1953, job B-276, entitled "Property of Edwin C. McGill" to which reference is hereby made.

For back reference, see deed recorded in Book 7976, Page 2465 of the Guilford County Registry.

SPECIAL PROVISIONS:

The consideration of this conveyance is Habitat for Humanity of High Point, Archdale & Trinity, Inc.'s agreement to use this property only for the "public" purpose of furthering the mission of providing low to moderate, owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point.

TO HAVE AND TO HOLD, the said Property and all privileges and appurtenances thereunto belonging to Grantee, its successors ad/or assigns, in the fee simply subject to any easements, restrictions, and right-of-way, if any, and ad valorem taxes for current and subsequent years.

GRANTOR makes no warranty, express or implied, as to the title of the Property.

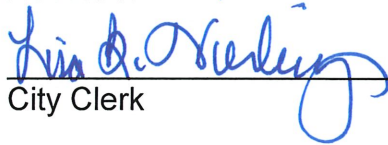
The designation of Grantor or Grantee as used herein shall include said parties, their heirs, successors, and/or assigns, and shall include singular, plural, masculine feminine or neuter as required by context.

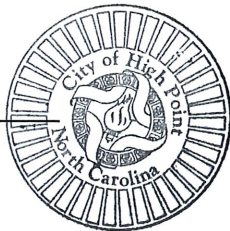
IN WITNESS WHEREOF, the said Grantor has caused this Deed to be executed in its corporate name by its Mayor, attested by its City Clerk, the day and year first above written.

CITY OF HIGH POINT

By: 
Jay W. Wagner, Mayor

ATTEST:


City Clerk



NORTH CAROLINA

GUILFORD COUNTY

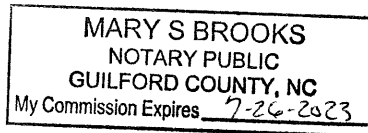
I, Mary S Brooks, a Notary Public of the County and State aforesaid, do hereby certify that Lisa B. Vierling personally appeared before me this day and acknowledged that she is City Clerk of the City of High Point, and that by authority duly given and as an act of the said City, the foregoing instrument was signed in its name by its Mayor, and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the 8 day of October, 2019.

Mary S Brooks
Notary Public

My commission expires:

7-26-2023



DRAWN BY: JoAnne L. Carlyle, City Attorney
RETURN TO: City Attorney, P.O. Box 230, High Point, NC 27261

NORTH CAROLINA

**RIGHT OF WAY
ENCROACHMENT AGREEMENT**

GUILFORD COUNTY

THIS AGREEMENT ("Agreement") made this ___ day of _____ 2019, between **THE CITY OF HIGH POINT**, a North Carolina municipal corporation, located at 211 South Hamilton Street, High Point, North Carolina, 27260, ("City") and **ALLTEL COMMUNICATIONS OF NORTH CAROLINA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS**, a foreign Limited Liability Company located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, NJ 07920-1097, hereinafter known as the "Company".

W I T N E S S E T H

WHEREAS, the City owns the public right of way within its municipal boundaries.

WHEREAS, the Company desires to use the public right of way of the City to conduct business as a communications services provider; and

WHEREAS, the Company desires, for its interest and convenience, to construct, maintain and operate a small cell wireless communications facilities within the City of High Point in and along certain rights-of-way outlined in Exhibit "A" attached hereto ("System"); and

WHEREAS, the City under the terms and conditions herein set forth, is willing to allow the above described improvements to be made, and allow the Company to encroach upon the above-referenced City-owned right of way; and

WHEREAS, the Company has paid to the City the sum of \$150.00, which partially defrays the administrative costs of the City.

NOW, THEREFORE, in consideration of the premises and \$150.00 in hand paid, receipt of which is hereby acknowledged, and other consideration, the Company hereby covenants and agrees that:

1. The Company is responsible for any and all expenditure of labor or materials required in the installation, erection, repair, maintenance or location of the above-referenced System.

2. The Company is responsible for any and all labor or expense which results from any and all future maintenance, repair, removal or dismantling of the System if and when required by the City, in its sole discretion.

3. The Company is to be fully responsible for any and all property damage or injury to or death of any person which results from any and all negligence, omission, defect in design, maintenance or workmanship created by the Company, its agents, employees, contractors or subcontractors in connection with the System, or any cause of action arising out of the installation, maintenance, or location of said System or any other cause of action arising out of the planting, installation, maintenance, or location of said System, except to the extent such claims and causes of action are caused by the gross negligence or willful misconduct of the City. (collectively, "Claims and Causes of Action").

4. The Company agrees:

- (a) to hold the City, its elected or appointed officials, representatives, officers, counselors, agents and employees harmless from any and all liability arising out of any such Claims and Causes of Action; and
- (b) to defend the City, its elected or appointed officials, representatives, officers, counselors, agents and employees and pay all attorney fees in any and all actions brought as a result of such Claims and Causes of Action; and
- (c) indemnify the City, its elected or appointed officials, representatives, officers, counselors, agents and employees against any and all loss sustained by reason of such Claims and Causes of Action.

The Company's indemnification obligations under this subsection shall not apply to any liability resulting from the gross negligence or willful misconduct of the City.

5. The Company, during the life of this Agreement, agrees to procure from a responsible insurance carrier or carriers, authorized under the laws of the State of North Carolina, insurance in the amount of One Million Dollars (\$1,000,000.00) per occurrence for bodily injury (including death) and property damage and \$1,000,000 general aggregate including personal and advertising injury caused by construction, maintenance, location, repair or visual obstruction of said encroachment with the City of High Point being included as additional insured as their interest may appear as respects work under this Agreement. Company shall furnish the City upon

the City's request, but no more than once in any 12 month period, a certificate of insurance evidencing such insurance to be in full force and effect (or proof of self-insurance as referenced below). Upon receipt of notice from its insurer Company shall give the City at least 30 days advanced written notice of any cancellation of any required coverage that is not immediately replaced with coverage meeting the requirements of this Agreement. Should Company fail to pay premiums upon said insurance, or should Company fail to obtain said insurance, or to perform any of the agreements, terms, or conditions herein contained; the City at its option, by written notice may declare this agreement cancelled and terminated and all rights acquired hereunder by Company shall thereupon terminate, except Owner shall still be responsible for removing the System from the right of way. In lieu of the foregoing, Company may self-insure for any or all of the coverages set forth above.

6. Exhibit A is the proposed location of the System that the Company intends to submit to the City permitting department. The Company shall provide proposed locations of additions or changes to the System or maintenance, repair, replacement, or construction to System while this Agreement, or any extension of the Agreement, is in force.

7. The Company, upon completion of the installation of the System, shall submit to the City revised drawings in the form of an AutoCad (.dwg) file for retention by the City if the actual installation differs from the installation shown on the Exhibit A (Site Plan) (in such event, the Company shall secure approval of the City prior to the differing installation).

8. The Company agrees to abide by all applicable statutes and ordinances governing the System.

9. This Agreement shall not divest the City of any rights or interest in said right of way. This Agreement is not a grant by the City of any property interest but is made subject and subordinate to the prior and continuing right of City and its assigns to lawfully use any or all of the right of way for public facilities, including, but not limited to, public use as a street and for the purpose of laying, installing, maintaining, repairing, protecting, replacing and removing sanitary sewers, water mains, storm drains, gas mains, poles, overhead and underground electric and telephone wires, television and other utility and municipal uses together with appurtenances thereof and with right of ingress and egress along, over, across and in the right of way. No use of any right of way or other interest under this Agreement shall create or vest in Company any ownership interest in the right of way.

10. The Company shall contact "NC One Call Center" prior to excavation where and in the manner required by the NC One Call law.

11. This Agreement shall be binding upon and inure to the benefit of all of the parties hereto and their heirs, personal representatives, grantees, successors, and assigns.

12. All matters relating to this Agreement shall be governed by laws of the State of North Carolina without regard to its choice of law provisions, and venue for any action related to the Agreement shall be Guilford County Superior Court or the United States District Court for the Middle District of North Carolina.

13. All notices required herein shall be deemed given by depositing such in the United States Mail, first class, and addressed as follows:

If to City:

City of High Point
Planning & Development Department
P.O. Box 230
High Point, NC 27261
ATTN: Planning Director

If to Company:

Alltel Communications of North Carolina Limited Partnership
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, NJ 07921
Attention: Network Real Estate

14. This Agreement shall be revocable at will by the City.

15. The Company shall restore all areas disturbed during the installation and maintenance related to the System to the satisfaction of the City Manager or his designee, and shall reimburse the City for the cost incurred by the City for any repairs or maintenance to roadways, sidewalks, structures, ornamental vegetation, landscaping, and all existing utilities, whether owned by the City or another agency, necessary due to the installation, maintenance, and/or existence of the System; and if at any time the City shall determine, in its reasonable judgment, that changes in the location of the System are necessary for public use for the purposes of construction, modification, or maintenance of infrastructure, including roads, water, wastewater, and electric facilities, the Company binds itself, its successors and assigns, to promptly alter the System at its sole cost, in order to conform to the City's requirements and without any cost to the City.

16. The Company, its employees, contractors, successors in interest, and assignees shall install and maintain the System in safe and proper condition such that it will not interfere with or endanger travel upon streets and/or sidewalks; will not obstruct or interfere with proper maintenance of such streets and/or sidewalks; and will not endanger existing facilities. The Company shall provide during installation, construction, and any subsequent maintenance, proper signage, signal lights, flagmen and other warning devices for the protection of traffic and pedestrians.

17. The Company agrees to exercise every reasonable precaution during construction and maintenance to prevent eroding of soil; silting or pollution of rivers, streams, lakes, reservoirs, other water impoundments, ground surfaces or other property; or pollution of the air.

[Signature pages to follow]

IN WITNESS WHEREOF, the parties hereto caused this Agreement to be executed and to be effective the day and year first above written.

ALLTEL COMMUNICATIONS OF
NORTH CAROLINA LIMITED
PARTNERSHIP d/b/a VERIZON
WIRELESS

By: Alltel Corporation, Its General Partner

By: [Signature]

Print Name: Restin Drawdy

Title: Engineer II Specialist - RE

STATE OF NC

Iredell COUNTY

I, Tammie Sides, a Notary Public of the State of NC
County of Iredell, do hereby certify that Restin Drawdy personally
came before me this day and acknowledged that he/she is RE Specialist, and that
he/she, as RE Specialist being authorized to do so, executed the foregoing on behalf of
the company.

Witness my hand and official stamp or seal, this the 9/24, 2019.

My commission Expires: 10/17/2021

Tammie Sides
Notary Public

CITY OF HIGH POINT

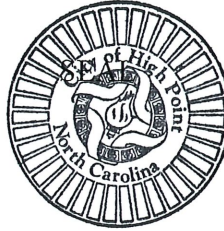
By:

Randy E. McCaslin

Randy McCaslin, Deputy City Manager

ATTEST:

Lisa B. Vierling
Lisa B. Vierling, City Clerk



NORTH CAROLINA

GUILFORD COUNTY

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 she personally appeared before me this date; and, that by authority duly given, and as the act of the said City of High Point, the foregoing instrument was signed in its name by its City Manager, sealed with its corporate seal, and attested by herself as its clerk.

Witness my hand and official stamp or seal, this the 27 day of September, 2019.

My commission Expires: 1/18/2020

Cynthia C. Duncan-Smith
Notary Public

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

EXHIBIT "A"
SYSTEM: SMALL WIRELESS FACILITIES (SITE PLAN AND LOCATIONS)

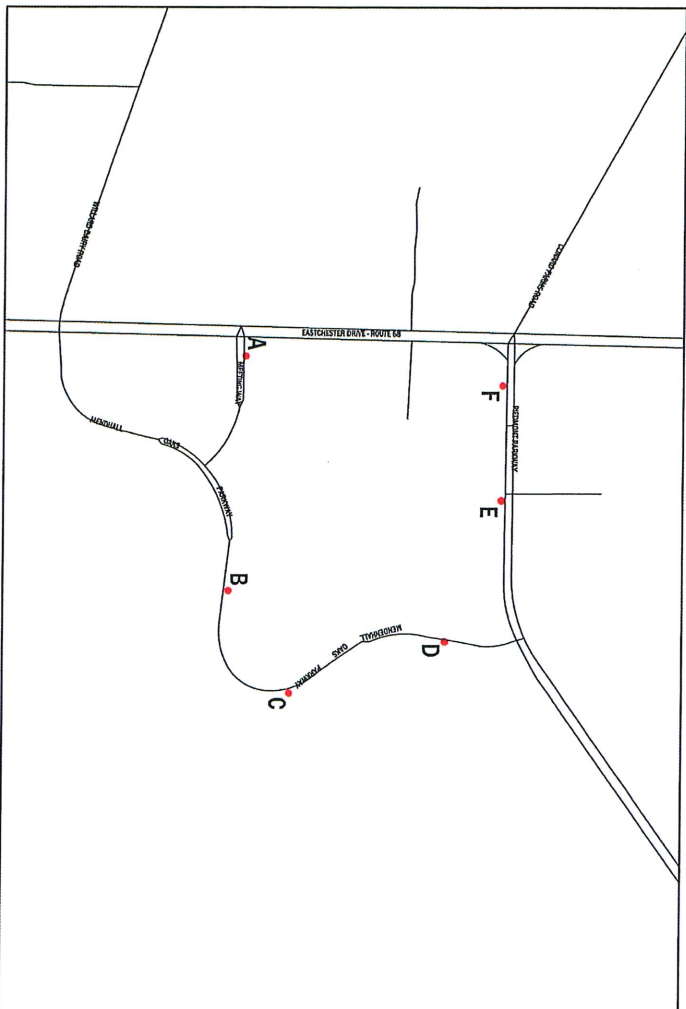
1. Small wireless facilities and related equipment, as more particularly described in the attached plans, entitled "Deepnorth Sites" for 6 nodes sites, which are incorporated herein and made part of this agreement by reference and attached as Exhibit A-1 Deepnorth Sites.
2. Small wireless facilities and related equipment, as more particularly described in the attached plans for the following areas and node sites, incorporated herein and attached hereto as Exhibits A-2 and A-3:
 - a. Exhibit A-2: SMC Deepriver Sites (11 node sites)
 - b. Exhibit A-3: SMC Thatcher Sites (14 node sites)

3. Node Site IDs:

SMC_DEEPNORTH_5G_001	512612
SMC_DEEPNORTH_5G_003	512614
SMC_DEEPNORTH_5G_004	512615
SMC_DEEPNORTH_5G_005	512616
SMC_DEEPNORTH_5G_006	512617
SMC_DEEPNORTH_5G_007	512618
SMC_DEEPRIVER_5G_002	512619
SMC_DEEPRIVER_5G_003	512620
SMC_DEEPRIVER_5G_005	512622
SMC_DEEPRIVER_5G_006	512623
SMC_DEEPRIVER_5G_007	512624
SMC_DEEPRIVER_5G_008	512625
SMC_DEEPRIVER_5G_009	512626
SMC_DEEPRIVER_5G_010	512627
SMC_DEEPRIVER_5G_011	512629
SMC_DEEPRIVER_5G_013	512632
SMC_DEEPRIVER_5G_014	512635
SMC_DEEPRIVER_5G_016	512636
SMC_THATCHER_5G_001	513277
SMC_THATCHER_5G_002	513278
SMC_THATCHER_5G_003	513279
SMC_THATCHER_5G_004	513280
SMC_THATCHER_5G_005	513282
SMC_THATCHER_5G_006	513283
SMC_THATCHER_5G_007	513284
SMC_THATCHER_5G_009	513286
SMC_THATCHER_5G_010	513287
SMC_THATCHER_5G_011	513288
SMC_THATCHER_5G_012	513289
SMC_THATCHER_5G_014	513291
SMC_THATCHER_5G_015	513292
SMC_THATCHER_5G_013	513290
SMC_THATCHER_5G_008	513285

EXHIBIT A-1
SMC Deepnorth Sites

SMC_DEEPNORTH_5G SITES



SITE LOCATION PLAN

POLE INDEX					
POLE	POLE TYPE	SITE NAME	LATITUDE	LONGITUDE	GROUND ELEV.
A	TYPE 1	SMC_DEEPNORTH_5G_001	36.04726	-79.8154	823.5'
B	TYPE 1	SMC_DEEPNORTH_5G_003	36.04716	-79.85648	811.4'
C	TYPE 2	SMC_DEEPNORTH_5G_004	36.04829	-79.85433	812.7'
D	TYPE 1	SMC_DEEPNORTH_5G_005	36.05102	-79.85433	801.2'
E	TYPE 1	SMC_DEEPNORTH_5G_006	36.05201	-79.85433	818.9'
F	TYPE 1	SMC_DEEPNORTH_5G_007	36.05200	-79.85433	854.5'

CONSTRUCTION DRAWING
PREPARED FOR:



SUBMITTALS

REV	DATE	ISSUED FOR	DATE
1	09/13/19	INITIAL ISSUE	TJSS

STAMP

TEMSCO, P.C.



301 McClellan Blvd., Durham, NC 27602
Tel: (919) 561-4427
info@tilson.com tilson.com

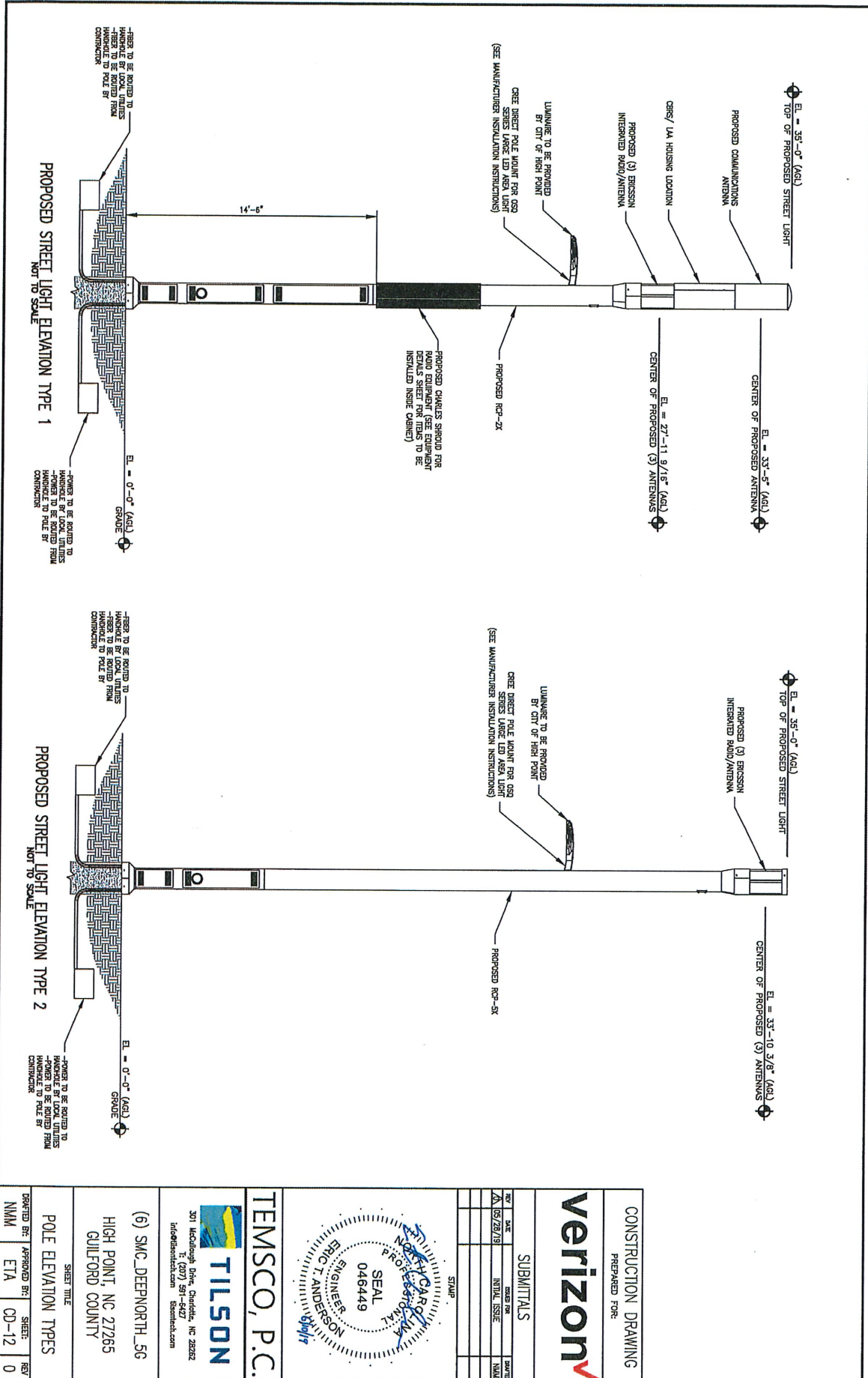
HIGHPOINT SMALL CELL
LOCATIONS

HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE

SMC_DEEPNORTH_5G POLYGON

DRAWN BY: TJSS	APPROVED BY: ETIA	SHEET: CD-1	REV: 0
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CONSTRUCTION DRAWING

PREPARED FOR:

SUBMITTALS

REV	DATE	CHANGED BY	DATE
1	05/28/18	INITIAL ISSUE	N/A

STAMP

ERIC T. ANDERSON

ENGINEER

046449

SEAL

TEMSCO, P.C.

301 McDougall Drive, Charlotte, NC 28202

704.375.1000

info@tilson.com

(6) SMC, DEEPNORTH_56

HIGH POINT, NC 27265

GUILFORD COUNTY

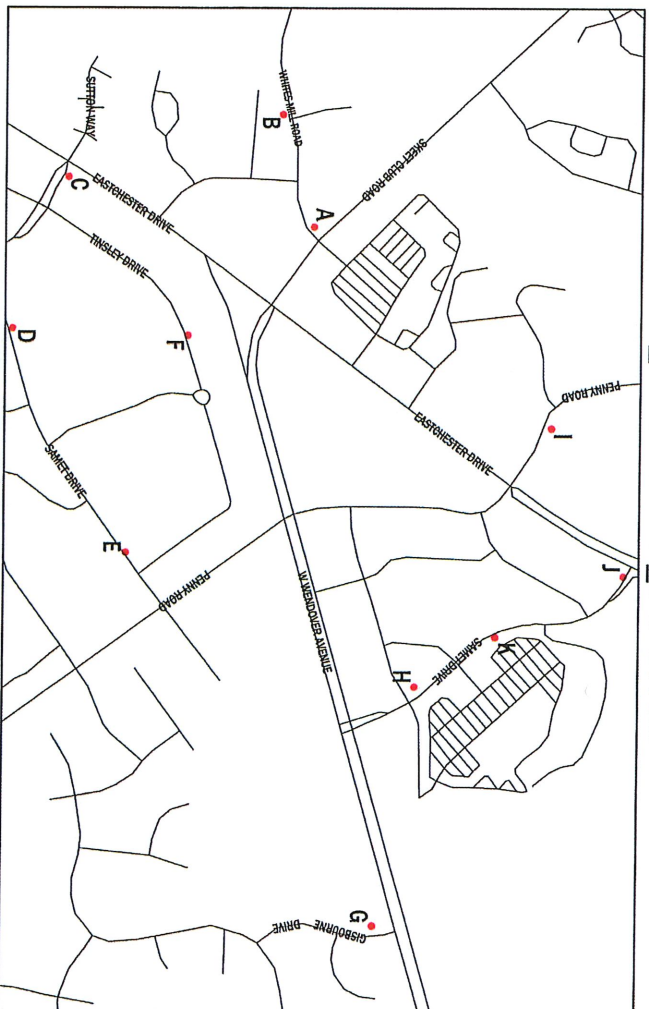
SHEET TITLE

POLE ELEVATION TYPES

DRAWN BY	APPROVED BY	SHEET	REV
NMM	ETA	CD-12	0

EXHIBIT A-2
SMC Deepriver Sites

SMC_DEEPRIVER_5G SITES



SITE LOCATION PLAN

SITE INDEX

SITE	POLE TYPE	SITE NAME	LATITUDE	LONGITUDE	GROUND ELEVATION	ADDRESS	SHEET
A	TRE 2	SMC_DEEPRIVER_5G_002	36.031112	-79.013240 (N)	-79.970331	1586 SHEET CLUB ROAD, HIGH POINT, NC 27265	CD-7
B	TRE 1	SMC_DEEPRIVER_5G_003	36.030551	-79.014987 (N)	-79.972462	3567 WHITES MILL ROAD, HIGH POINT, NC 27265	CD-8
C	TRE 1	SMC_DEEPRIVER_5G_005	36.026710	-79.013616 (N)	-79.971060	3901 SUTTON WAY, HIGH POINT, NC 27265	CD-9
D	TRE 1	SMC_DEEPRIVER_5G_006	36.026700	-79.013234 (N)	-79.967700	3811 SWEET DRIVE, HIGH POINT, NC 27265	CD-10
E	TRE 1	SMC_DEEPRIVER_5G_007	36.027830	-79.014026 (N)	-79.962330	5301 SWEET DRIVE, HIGH POINT, NC 27265	CD-11
F	TRE 1	SMC_DEEPRIVER_5G_008	36.028890	-79.014407 (N)	-79.967530	3911 THOSLEY DRIVE, HIGH POINT, NC 27265	CD-12
G	TRE 1	SMC_DEEPRIVER_5G_010	36.032370	-79.015635 (N)	-79.964900	3919 GIBBORNE DRIVE, HIGH POINT, NC 27265	CD-13
H	TRE 1	SMC_DEEPRIVER_5G_011	36.032320	-79.015935 (N)	-79.960800	5815 SWEET DRIVE, HIGH POINT, NC 27265	CD-14
I	TRE 1	SMC_DEEPRIVER_5G_013	36.035400	-79.027074 (N)	-79.973637 (N)	2410 PENNY ROAD, HIGH POINT, NC 27265	CD-15
J	TRE 1	SMC_DEEPRIVER_5G_014	36.036600	-79.027116 (N)	-79.982150	5870 SWEET DRIVE, HIGH POINT, NC 27265	CD-16
K	TRE 1	SMC_DEEPRIVER_5G_016	36.034480	-79.027048 (N)	-79.981180	5840 SWEET DRIVE, HIGH POINT, NC 27265	CD-17

CONSTRUCTION DRAWING
PREPARED FOR:



SUBMITTALS

REV	DATE	REASON FOR	BY	DATE
1	09/13/19	INITIAL ISSUE	TJSS	

STAMP

TEMSCO, P.C.



301 Macdough Blvd, Charlotte, NC 28202
Tel: (707) 581-4827
info@tilson.com tilson.com

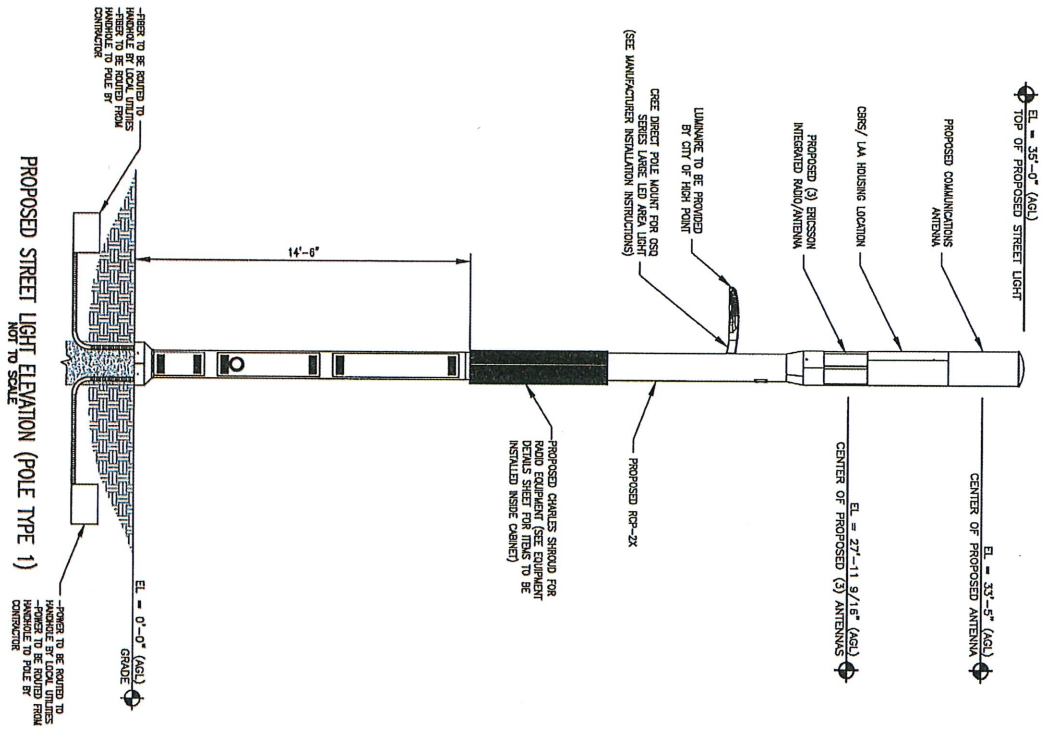
HIGHPOINT SMALL CELL
LOCATIONS

HIGH POINT, NC 27265
GUILFORD COUNTY

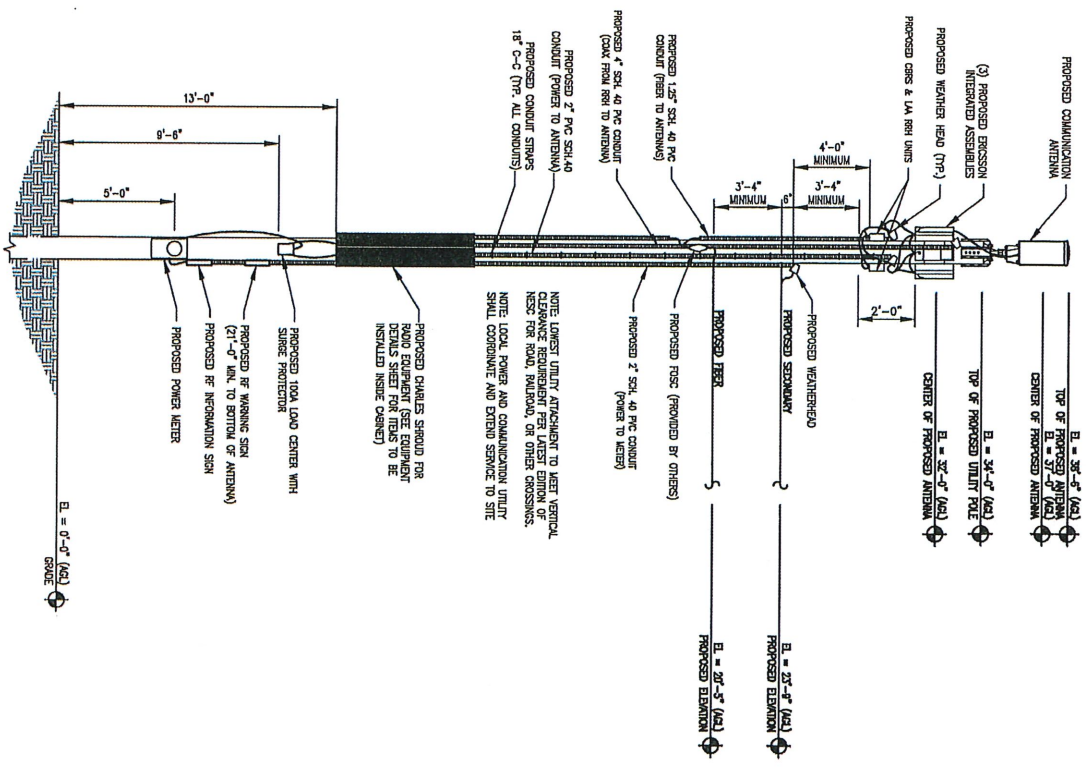
SHEET TITLE

SMC_DEEPRIVER_5G POLYGON

DESIGNED BY:	APPROVED BY:	SHEET	REV
TJSS	ETA	CD-2	0



CONSTRUCTION DRAWING			
PREPARED FOR:			
SUBMITTALS			
REV	DATE	ISSUED FOR	DRAWN
1	06/17/19	INITIAL ISSUE	NMM
STAMP			
THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL SIGNED AND SEALED DOCUMENT			
TEMSCO, P.C.			
TILSON			
301 McMillan's Place, Charlotte, NC 28202 P. (707) 91-6427 info@temtsch.com temtsch.com			
(11) SMC DEEPRIVER_5G HIGH POINT, NC 27265 GULFORD COUNTY			
SHEET TITLE			
POLE ELEVATION TYPE 1			
DRAWN BY:	APPROVED BY:	SHEET	REV
NMM	ETA	CD-18	0

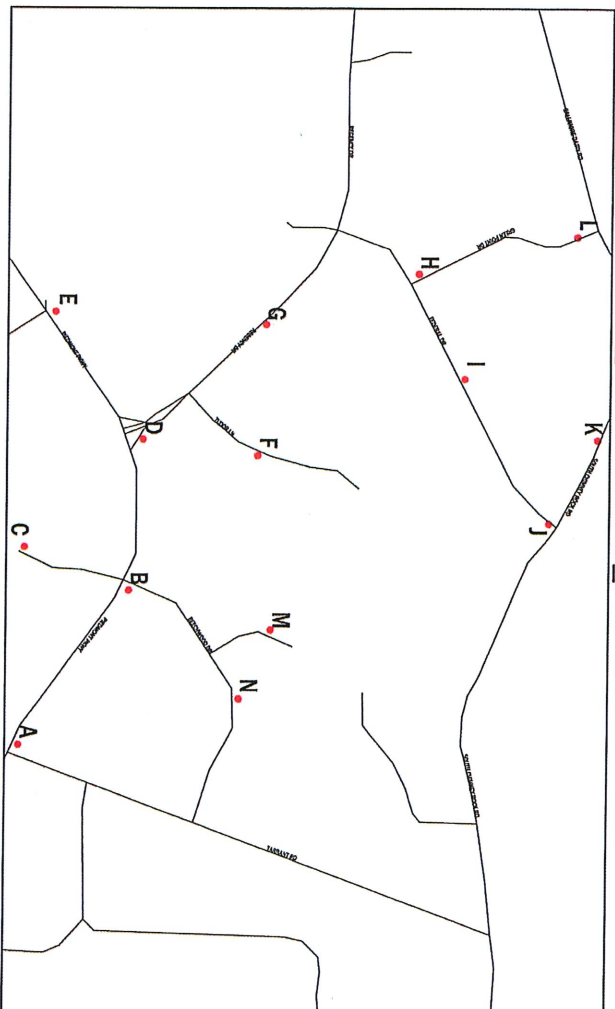


PROPOSED UTILITY POLE ELEVATION (POLE TYPE 2)
NOT TO SCALE

CONSTRUCTION DRAWING			
PREPARED FOR			
SUBMITTALS			
REV	DATE	CHG BY	DATE
1	06/17/19	INITIAL ISSUE	NMM
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301 McAllister Drive, Charlotte, NC 28202 info@tilson.com tilson.com			
(11) SMC DEEPRIVER_5G HIGH POINT, NC 27265 GUILFORD COUNTY			
SHEET TITLE			
POLE ELEVATION TYPE 2			
DRAFTED BY	APPROVED BY	SHEET	REV
NMM	ETA	CD-19	0

EXHIBIT A-3
SMC Thatcher Sites

SMC_THATCHER_5G SITES



SITE INDEX

SITE	POLE TYPE	SITE NAME	LATITUDE	LONGITUDE	GROUND ELEVATION	ADDRESS	SHEET
A	TRE 1	SMC_THATCHER_5G_002	36.063830	-79.0313.79° W	876.7'	STATE ROAD 1552, HIGH POINT, NC 27265	CD-9
B	TRE 1	SMC_THATCHER_5G_003	36.060690	-79.0321.92° W	864.5'	PEDMONT PARKWAY, HIGH POINT, NC 27265	CD-10
C	TRE 1	SMC_THATCHER_5G_004	36.063910	-79.0314.08° W	873.7'	BEECHWOOD DRIVE, HIGH POINT, NC 27265	CD-11
D	TRE 1	SMC_THATCHER_5G_005	36.063800	-79.0322.97° W	863.2'	REGENCY DRIVE, HIGH POINT, NC 27265	CD-12
E	TRE 1	SMC_THATCHER_5G_006	36.064430	-79.0315.95° W	865.8'	PEDMONT PARKWAY, HIGH POINT, NC 27265	CD-13
F	TRE 1	SMC_THATCHER_5G_007	36.063940	-79.0312.18° W	869.4'	TUDOR LANE, HIGH POINT, NC 27265	CD-14
G	TRE 1	SMC_THATCHER_5G_008	36.063890	-79.0312.35° W	862.4'	REGENCY DRIVE, HIGH POINT, NC 27265	CD-15
H	TRE 1	SMC_THATCHER_5G_009	36.062330	-79.0314.45° W	868.2'	GREEN POINT DRIVE, HIGH POINT, NC 27265	CD-16
I	TRE 1	SMC_THATCHER_5G_010	36.063630	-79.0314.74° W	843.2'	FEDERAL DRIVE, HIGH POINT, NC 27265	CD-17
J	TRE 1	SMC_THATCHER_5G_011	36.063100	-79.0315.43° W	874.4'	FEDERAL DRIVE, HIGH POINT, NC 27265	CD-18
K	TRE 2	SMC_THATCHER_5G_012	36.065140	-79.0318.10° W	878.3'	759 S CHAMBER ROCK ROAD, HIGH POINT, NC 27265 (WOOD RD)	CD-19
L	TRE 1	SMC_THATCHER_5G_013	36.065690	-79.0313.23° W	878.3'	BENTONVILLE GREENWAY, HIGH POINT, NC 27265	CD-20
M	TRE 1	SMC_THATCHER_5G_014	36.065920	-79.0313.23° W	878.3'	WATERLIFE COURT, HIGH POINT, NC 27265	CD-21
N	TRE 1	SMC_THATCHER_5G_015	36.065950	-79.0313.23° W	878.3'	BEECHWOOD DRIVE, HIGH POINT, NC 27265	CD-22

CONSTRUCTION DRAWING

PREPARED FOR:



SUBMITTALS

REV	DATE	CHANGED FOR	REASON
01	09/13/19	INITIAL ISSUE	ISS

STAMP

TEMSCO, P.C.



301 McCullough Drive, Charlotte, NC 28262
info@tilson.com tilson.com

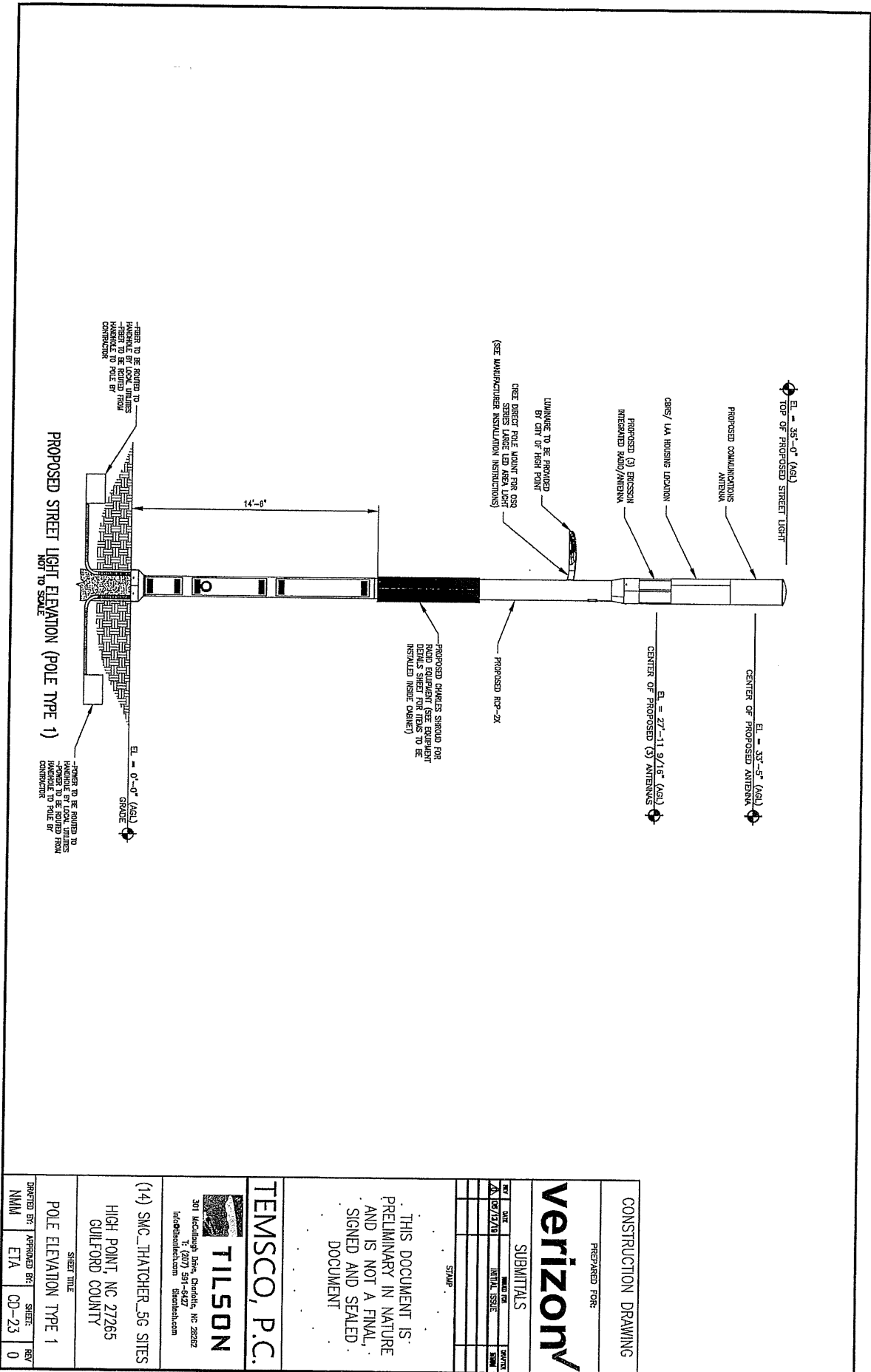
HIGHPOINT SMALL CELL
LOCATIONS

HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE

SMC_THATCHER_5G POLYGON

DRAWN BY: TILSON	APPROVED BY: TILSON	SHEET: CD-3	REV: 0
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CONSTRUCTION DRAWING

PREPARED FOR:



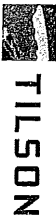
SUBMITTALS

NO.	DATE	DESCRIPTION	DATE
1	06/12/18	IN THE ISSUE	1806

STAMP

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DOCUMENT

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301 McCallough Drive, Charlotte, NC 28202
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info@tilson.com tilson.com

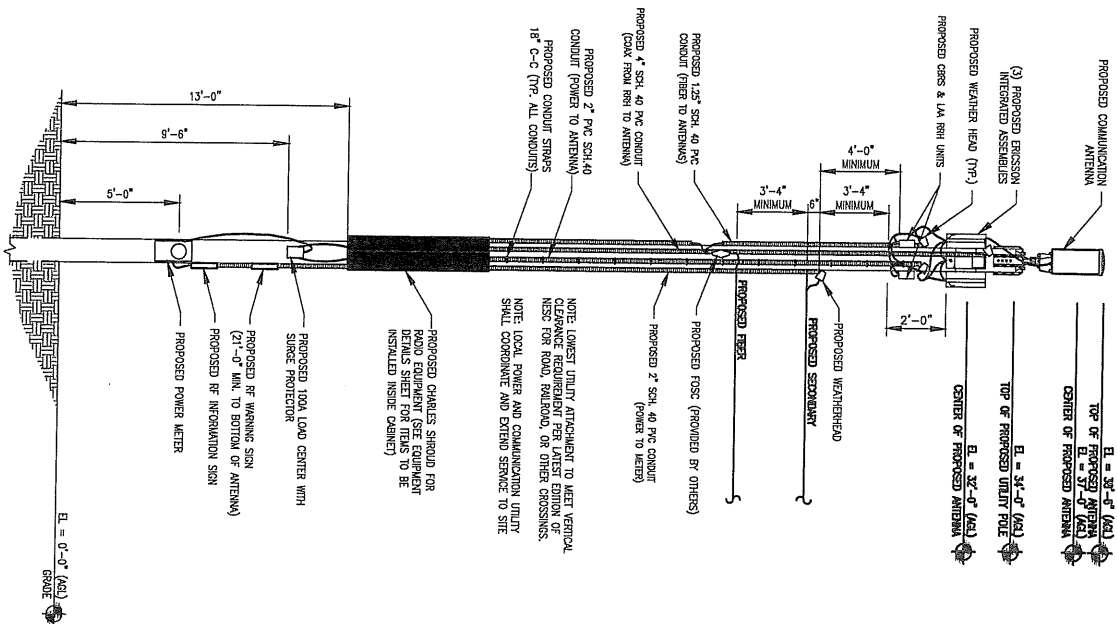
(14) SMC_HATCHER_56 SITES
HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE

POLE ELEVATION TYPE 1

DRAWN BY:	APPROVED BY:	SHEET	REV
NMM	ETA	CD-23	0

PROPOSED UTILITY POLE ELEVATION (POLE TYPE 2) NOT TO SCALE



NOTE: LOWEST UTILITY ATTACHMENT TO MEET VERTICAL CLEARANCE REQUIREMENT PER LATEST EDITION OF AASHTO ROAD, RAILROAD, OR OTHER CROSSINGS. NOTE: LOCAL POWER AND COMMUNICATION UTILITY SHALL COORDINATE AND EXTEND SERVICE TO SITE.

CONSTRUCTION DRAWING			
PREPARED FOR:			
SUBMITTALS			
NO.	DATE	REVISION	DATE
1	05/13/19	INITIAL ISSUE	05/13/19
STAMP			
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TEMSCO, P.C.			
301 McDougall Drive, Charlotte, NC 28262 Tel: (707) 591-6427 info@tilson.com tilson.com			
(14) SMC_THATCHER_5G_SITES			
HIGH POINT, NC 27265			
GUILFORD COUNTY			
SHEET TITLE			
POLE ELEVATION TYPE 2			
DESIGNED BY: NMM	APPROVED BY: ETA	SHEET: CD-24	REV: 0

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish – 1717 Brooks Ave.

From: Michael E. McNair, Director
Community Development & Housing

Meeting Date: 9/16/19

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

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

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 1717 Brooks Ave.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 1/31/19. No action occurred by the compliance date of 3/4/19. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

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

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling and all outbuildings on the property.

PENDING ACTION:

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

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

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

1717 Brooks Ave.

OWNER:

Mammie Evette Gayto Brown

**REASON FOR
INSPECTION:**

Received complaint from neighbor of broken windows

**FIRST
INSPECTION:
5/18/18**

Summary of Major Violations

1. Repair or replace damaged roof covering
2. Repair or replace damaged floor joists
3. Repair or replace floor covering throughout house
4. Repair or replace damaged subfloor in bathroom
5. Install heating system

**HEARING
RESULTS
8/14/18**

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

**ORDER(S)
ISSUED:
1/31/19**

Order to Repair or Demolish
Date of Compliance 3/4/19

APPEALS:

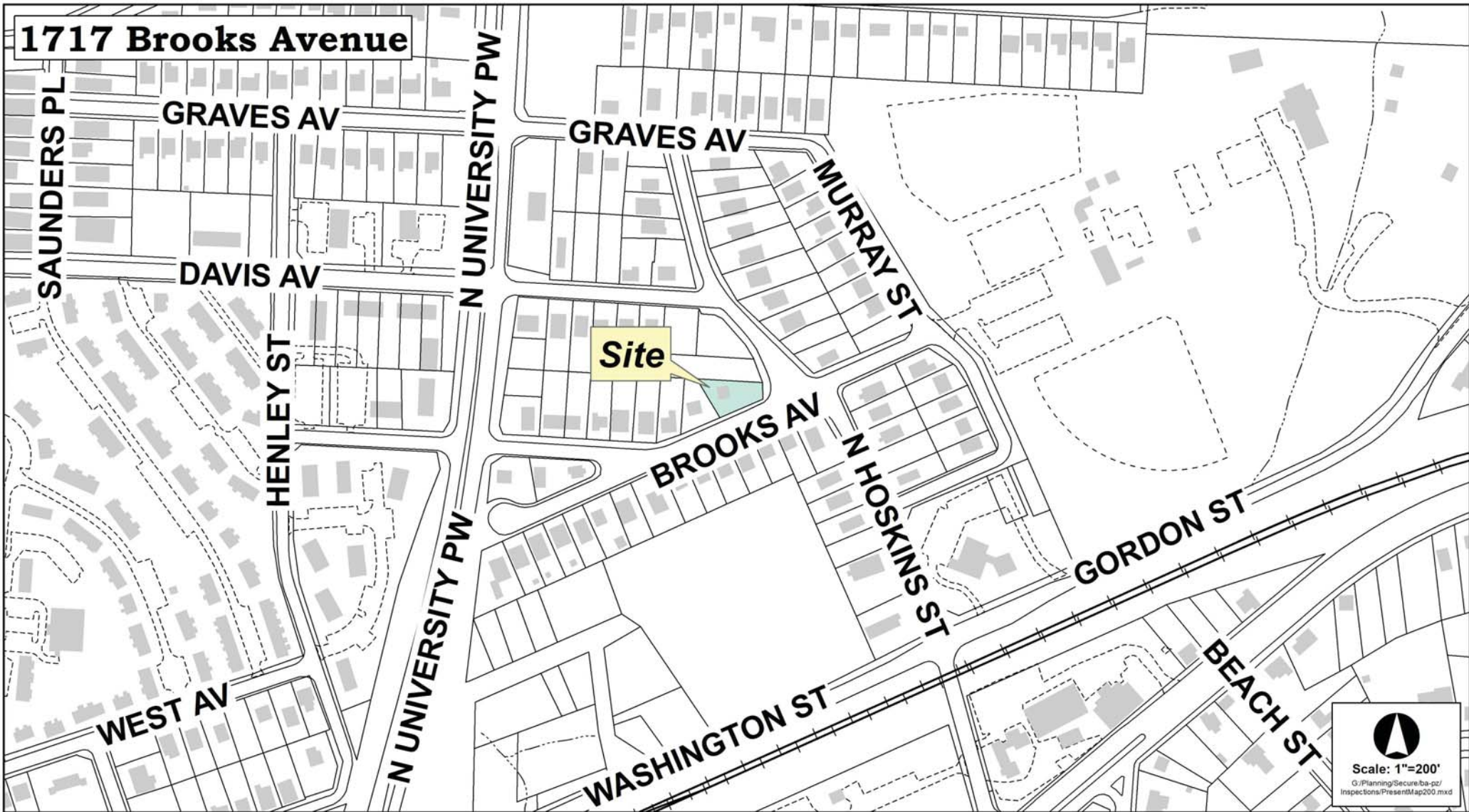
No appeals to date.

**OWNER
ACTIONS:**

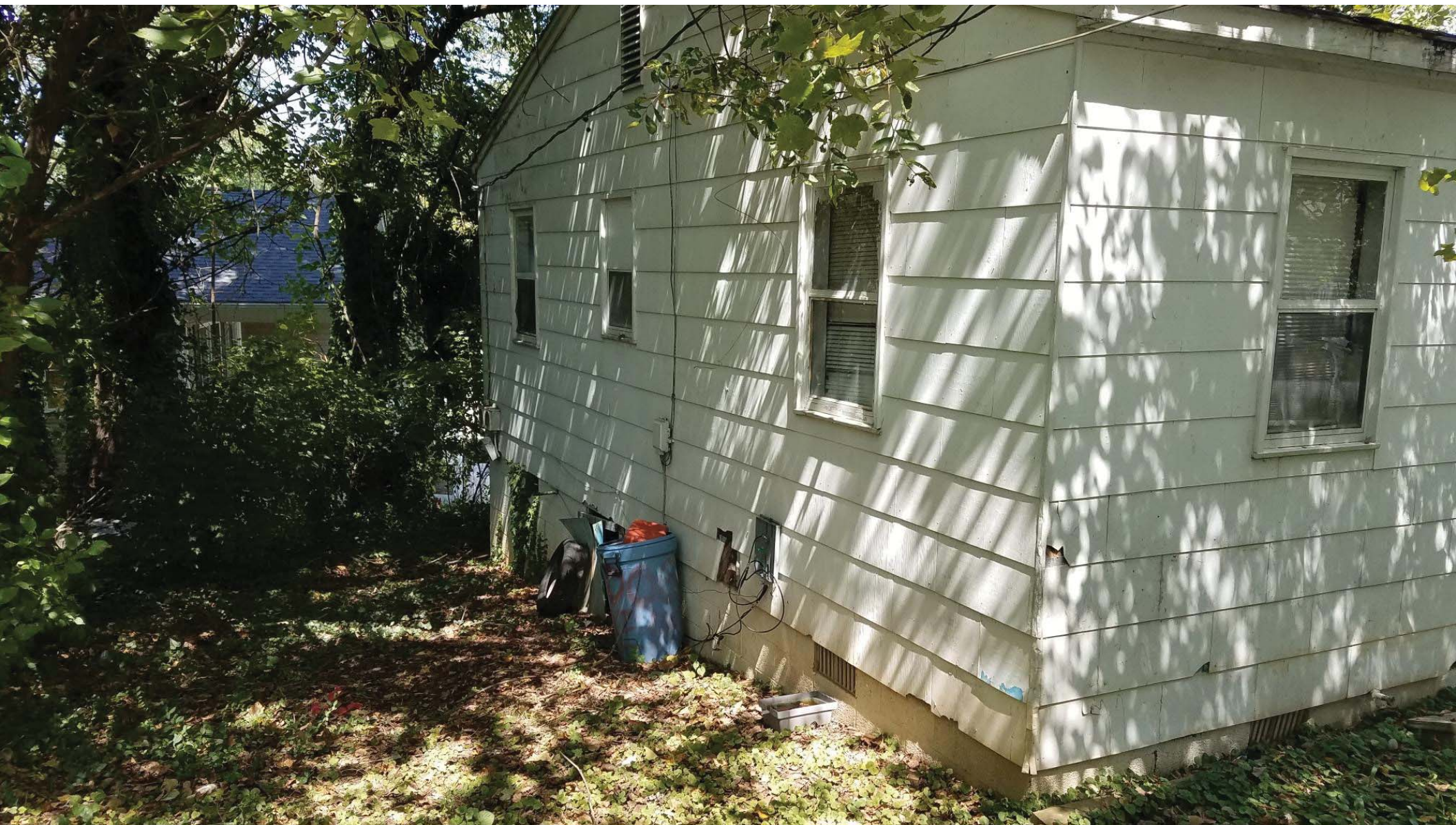
None

ADDITIONAL:

Guilford County property taxes are delinquent in the amount of \$8,684.26 for the years of 2013 through 2019.











CITY OF HIGH POINT AGENDA ITEM



Title: **Annexation 19-08**
 (City of High Point)

From: Lee Burnette, Planning & Development
 Director

Meeting Date: September 16, 2019

Public Hearing: Yes

Advertising Date: August 16, 2019

Advertised By: Planning & Development

Attachments: A. Staff Report
 B. Map
 C. Annexation Ordinance Adoption

PURPOSE:

A request by the City of High Point to consider a voluntary contiguous annexation of an approximate 1.28-acre parcel located south of E. Martin Luther King Jr. Drive, approximately 725 feet east of Dillon Road. The property is addressed as 3314 E. Martin Luther King Jr. Drive and also known as Guilford County Tax Parcel 161162.

BACKGROUND:

The staff report and recommendation is enclosed.

BUDGET IMPACT:

With the exception of water and sewer, municipal services will be available upon the effective date of annexation. Water and sewer will be available in accordance with City policy.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends ***approval*** of Annexation 19-08.

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

**STAFF REPORT
ANNEXATION 19-08
September 16, 2019**

Request	
Applicant: City of High Point	Owner: City of High Point
Proposal: Voluntary non-contiguous annexation.	Effective Date: Upon adoption
	Associated Zoning Case: Not applicable

Site Information	
Location:	The site is located south of E. Martin Luther King Jr. Drive, approximately 725 feet east of Dillon Road (3314 E. Martin Luther King Jr. Drive).
Tax Parcel Numbers:	Guilford County Tax Parcel 161162.
Site Acreage:	Approximately 1.28 acre
Current Land Use:	Single family dwelling
Current Zoning:	The site is within the City's ETJ Area, and subject to the City's zoning requirements. The current Heavy Industrial (HI) District will remain.
Current Fire District:	Pinecroft-Sedgefield District
Proposed Development:	This parcel is a proposed land addition to the abutting City of High Point Transportation facility (R.V. Moss Traffic Services Center), which abuts this parcel to the south and southwest.
Proposed Unit Type, Number and Average Value:	Not applicable
Proposed Build-out Schedule:	Not applicable
Proposed City of High Point Council Ward:	The proposed annexation site is adjacent to Ward 2. If approved, the annexation area will be part of Ward 2.
Physical Characteristics:	The site has a relatively flat terrain with no noteworthy physical features.
Water and Sewer Proximity:	A 16 inch City water line and an 8-inch City sewer line lies adjacent to the site along E. Martin Luther King Jr. Drive.
General Drainage and Watershed:	The site drains in a general southeasterly direction and development is subject to the Randleman Lake General Watershed Area (GWA) requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that exceeds 12% or more of the site.
Overlay District:	Randleman Lake GWA

Adjacent Property Zoning and Current Land Use			
North:	HI CU RM-16	Heavy Industrial District Residential Multifamily - 16 District	Single family dwelling and undeveloped parcel
South:	HI	Heavy Industrial District	City of High Point Transportation facility
East:	HI	Heavy Industrial District	Warehouse and distribution
West:	HI	Heavy Industrial District	City of High Point Transportation facility

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	E. Martin Luther King Jr. Dr.	Major Thoroughfare	30 ft.
Vehicular Access:	Access will be from Triangle Lake Road. An access point may also be proposed from E. Martin Luther King Jr. Drive when additional parcels fronting along this street is added to the transportation facility.		

City Department Comment Summary

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

Details of Proposal

The City of High Point is pursuing annexation of this 1.28-acre parcel, which is owned by the City, so it may be added to the land area of the abutting City Transportation facility. This annexation represents a logical progression of the City's annexation policy for this area as the property is within the City's ETJ Area, it is surrounded by the City limits, and City services and service vehicles are already present in this area. The annexation of this parcel will not negatively impact the City's ability to provide services in this area.

Report Preparation

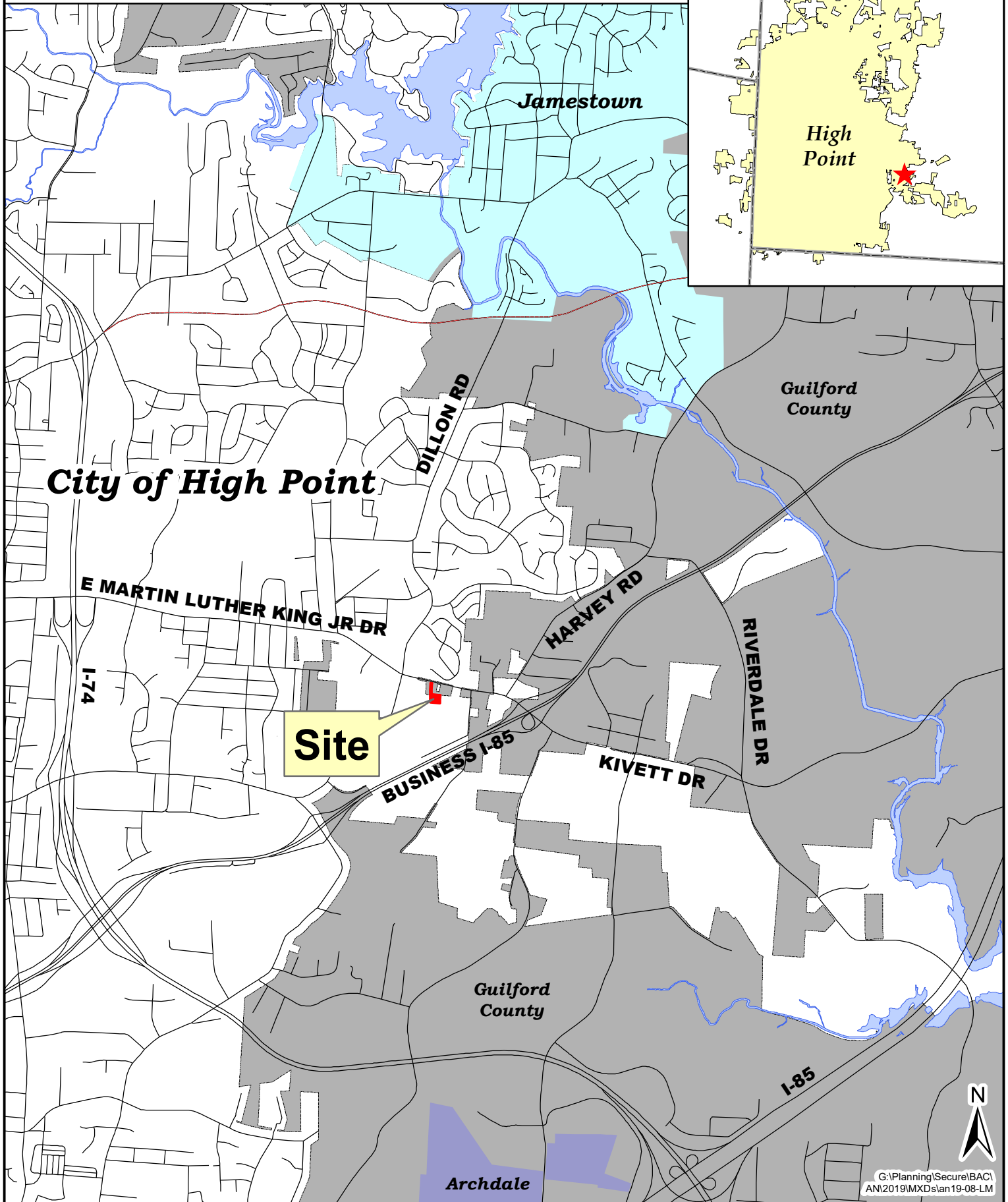
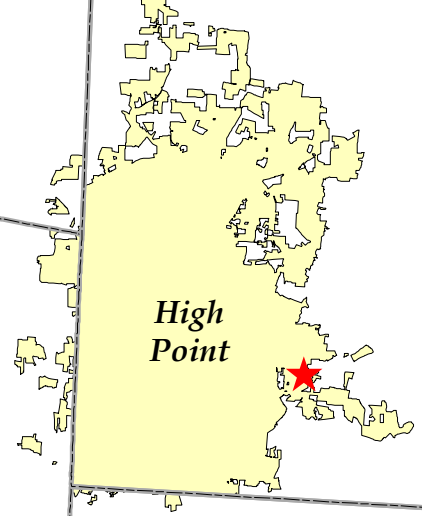
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Development Administrator and Lee Burnette AICP, Director.

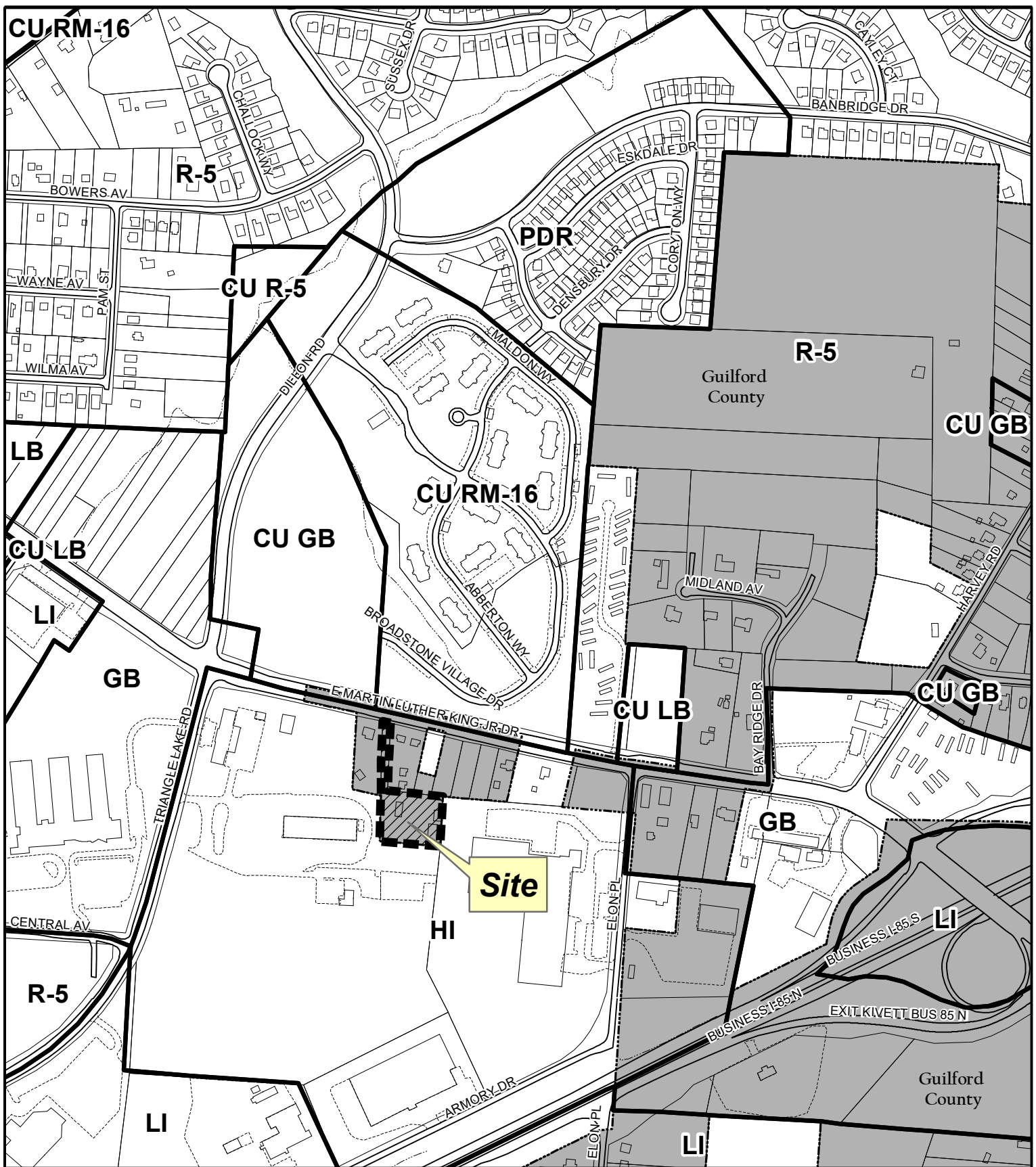
LOCATION MAP

ANNEXATION CASE: AN-19-08

Applicant: City of High Point

Vicinity Map





ANNEXATION REQUEST AN-19-08

Applicant: City of High Point
Area: 1.28 acres (approximate)

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

**Planning & Development
 Department**

City of High Point



Scale: 1"=500'

G:\Planning\Secure\BAC\Anx\2019\MXD\an-19-08

Ordinance # xxxx / xx-xx
Annexation Case 19-08

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-31, as amended, to annex the area described herein; and,

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

WHEREAS, The City of High Point has adopted a resolution under G.S. 160A-31, stating its intent to annex the area described herein; and,

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 211 S. Hamilton Street, High Point North Carolina at 6:15 p.m. on the **16th day of September, 2019**, after due notice; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

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

SECTION 1. That by virtue of the authority granted by G.S. 160A-31 as amended, the following described contiguous property owned by the City of High Point is hereby annexed, and made a part of the City of High Point as of **September 16, 2019**.

Description:

Annexation Case AN-19-08 Property Owner: City of High Point
Guilford County Tax Parcel 161162 (Deed Book 8163 Page 2659)
Jamestown Township, Guilford County, North Carolina

Beginning at a point on the southerly line of E. Martin Luther King Jr Drive – NCSR # 1113 (formerly Kivett Drive) (variable width), said point being the northwesterly corner of the lands of Clifton H. Lamb (Deed Book 3494, Page 295); thence departing said southerly line of E. Martin Luther King Jr Drive and with the westerly line of said lands of Lamb South 02°34' 59" West 255.07 feet to a 1" pin found the southwesterly corner of said lands of Lamb; thence with the southerly line of said lands of Lamb South 85°31' 03" East 105.58 feet to a 1" iron pipe found marking the southeast corner of said lands of Lamb and the southwesterly corner of the lands of Dennis W. Morgan, Sr (Deed Book

6501, Page 855); thence with said southerly line of Morgan and with other lands of Dennis W. Morgan Sr. (Deed Book 6576, Page 992) South 84° 36' 54" East 107.81 feet to a 1" pin marking the northwesterly corner of the lands of Key Consulting, Inc. (Deed Book 7606, Page 1938); thence departing the southerly line of said lands of Morgan, Sr and with the westerly line of said lands of Key Consulting South 04° 06' 26" West 100.19 feet and South 03° 59' 39" West 100.11 feet to an axle found marking a corner to other lands of the City of High Point (Deed Book 7368, Page 2883); Page 2 3314 Martin Luther King Jr. Dr. thence departing said westerly line of Key Consulting, Inc. and with the northerly and easterly lines of said other lands of the City of High Point North 84° 59' 17" West 234.18 feet to a 1" pin found and North 01° 36' 16" East 176.02 feet to a 1" iron pipe found marking the southeasterly corner of the lands of Darrell W. Kersey (Deed Book 4450, Page 867); thence departing said easterly line of the lands of the City of High Point and with the easterly line of said lands of Kersey North 01° 24' 15" East 284.55 feet to a point on the aforementioned southerly line of E. Martin Luther King, Jr Drive (formerly Kivett Drive) (variable width); thence with said southerly line of E. Martin Luther King Jr Drive (variable width) South 77° 06' 08" East 35.33 feet to the Point of Beginning and containing 1.28691 acres of land more or less for Annexation purposes.

SECTION 2. That upon and after the effective date of the annexation 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-31.

SECTION 3. That 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 the City Council
City of High Point, North Carolina
The **16th** day of **September, 2019.**

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk



FINANCE COMMITTEE

Chaired by Council Member Moore

Members: Moore, Hudson, Ewing, and Jones

August 15, 2019 – 4:00 p.m.

3rd Floor Lobby Conference Room

Present: Chairman Britt Moore, Committee Member Jason Ewing, Committee Member Wesley Hudson, and Committee Member Victor Jones

Staff Present:

Randy McCaslin, Deputy City Manager; Eric Olmedo, Managing Director; Laura Altizer, Budget and Performance Manager; Robby Stone, Public Services Assistant Director; Gary Smith, Fleet Services Director; Mark McDonald, Transportation Director; Bobby Fitzjohn, Financial Services Director; Kenneth J. Shultz, Chief of Police; Courtney Hemphill, Police Finance Specialist; Laura Altizer, Budget and Performance Manager; Greg Venable, Transportation Planning Administrator; Derrick Boone, Public Serviced Assistant Director; Meghan Maguire, Assistant City Attorney, Roslyn McNeill, Budget Analyst; and Dawn Sparks, Legal Assistant

Note: The minutes for this meeting were drafted from the audio recording and notes taken by Dawn Sparks, Legal Assistant.

Chairman Moore called the meeting to order at 4:00 p.m.

2019-356 Agreement - Kimley Horn - Transportation Study - High Point (MPO) City of Lexington

Council is requested to approve a supplemental agreement with Kimley-Horn and the High Point Metropolitan Planning Organization (MPO) on behalf of the City of Lexington in the amount of \$105,000 for a transportation study for the area generally located at the Interstate 85/NC 8 interchange. A City of Lexington match of 20% is required and will be reimbursed to the MPO.

Greg Venable, Transportation Planning Administrator, reported the High Point Metropolitan Planning Organization (HPMPO), on behalf of the City of Lexington, was requesting a transportation study located at Interstate 85/NC 8 interchange; said the City of Lexington would match 20% of the funds for the study; stated it would be no cost from the City of High Point; it was already in the MPO budget; and spoke to the improvements that could be put into the Transportation Improvement Programs (TIPs).

A motion was made by Committee Member Hudson, seconded by Committee Member Jones, that this matter be recommended for approval and placed on the August 19, 2019 City Council Consent Agenda. The motion carried by the following unanimous 4-0 vote:

Aye (4): Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2019-357 Contract - Core + Main LP - Fire Hydrant

Council is requested to award a contract to Core + Main LP for the purchase of fire hydrants in the annual amount of \$56,014.05 for a total contract award of \$168,042.15. The fire hydrant contract will run from September 1, 2019 through August 30, 2022 (3-year contract) with the option to renew for two (2) additional one (1) year periods if terms and pricing are agreeable to both parties.

Derrick Boone, Public Services Assistant Director; reported for the Water Sewer Division there were six bids received with the lowest bid being chosen; said the annual amount for the contract would be \$56,014.05 annually for three years; the total amount would be \$168,042.15; and spoke to the life expectancy for fire hydrants of being of 25 to 30 years.

A motion was made by Chairman Moore, seconded by Committee Member Ewing, that this matter be recommended for approval and placed on the August 19, 2019 City Council Consent Agenda. The motion carried by the following unanimous 4-0 vote:

Aye (4): Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2019-358 Contract - Garney (CMAR) - Appling Way - Change Order #4

Council is requested to approve a change order with Garney Companies, Inc. in the amount of \$2,584,160.20 for the construction of Appling Way. The project will include the construction of a new public road that will connect N. Elm Street and Pine Street and include the construction of sidewalk, streetscaping, curb and gutter, water/sewer utility lines, and storm drainage system.

Robby Stone; Public Services Assistant Director; reported the change order request was separate but still under the Construction Manager at Risk (CMAR) contractor, Garney; stated the project was for construction of a new public road that connected with N. Elm Street and Pine Street (Appling Way); and spoke to working with Garney (CMAR) for potential avenues in reducing cost.

Chairman Moore inquired on the timeframe for the Appling Way project; and if another change order would be anticipated. Mr. Stone replied the deadline for the Appling Way Project was set for July 2020. Randy McCaslin, Deputy City Manager, replied in standpoint, there would be another change order if another project was needed;

explained the reasoning for not sending the project out for bidding; spoke to the convenience of already having Garney (CMAR) on the current project site; and to cost savings in the long run.

Mr. Stone mentioned English Street would be opened prior to the Fall Furniture Market; and possibly closed for a short period of time after the Market; and said the time frame of the English Street Project would depend on what contingencies they may find.

A motion was made by Chairman Moore, seconded by Committee Member Hudson, that this matter be recommended for approval and placed on the August 19, 2019 City Council Consent Agenda. The motion carried by the following unanimous 4-0 vote:

Aye (4): Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2019-359 Contract - Sink Farm Equipment - Slope Mower

Council is requested to award a contract to Sink Farm Equipment in the amount of \$99,580.45 for the purchase of a Kubota M5-111HDC12 tractor with Terrain King mower and declare the old tractor with mower as surplus and disposing through the online auction process.

Gary Smith, Fleet Services Director, reported the ten-year-old John Deere mower was in need of replacement based on age and overall condition; spoke to the wear and tear of the mover received over the years; said they have a total of five tractors; said it has been three years since a mower was purchased; and stated they had a spare mower, and will declare the old one as surplus through the online auction process.

A motion was made by Committee Member Ewing, seconded by Committee Member Jones, that this matter be recommended for approval and placed on the August 19, 2019 City Council Consent Agenda. The motion carried by the following unanimous 4-0 vote:

Aye (4): Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2019-360 Contract - Piedmont Truck Center - Tactical Equipment Vehicle

Council is requested to award a contract to Piedmont Truck Center in the amount of \$121,143.00 for the purchase of a Ford F550 with enclosed body to replace a 1997 Ford Econoline E350 equipment van and declare the old van as surplus and disposing through the online auction process.

Gary Smith, Fleet Services Director, reported the Police Department had a 22-year old Ford Econoline equipment van in need of replacement based on its age and overall condition; said the personnel (team) has grown along with equipment needs; and stated the capacity for the new vehicle would allow a bigger capacity for storing equipment.

Kenneth Shultz, Chief of Police, explained the different types of specialty equipment the van would store; said the van would be deployed for emergencies; and spoke to the ability to deploy larger equipment on scene for operations with the new van.

A motion was made by Committee Member Ewing, seconded by Committee Member Hudson, that this matter be recommended for approval and placed on the August 19, 2019 City Council Consent Agenda. The motion carried by the following unanimous 4-0 vote:

Aye (4): Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2019-361 Public Hearings & Adoptions of Bond Orders

Council is requested to hold three individual public hearings on the following three bond orders and adopt the bond orders as introduced at the meeting of the City Council held on July 15, 2019 meeting.

1. "Bond Order authorizing the issuance of \$22,000,000 General Obligation Streets and Sidewalk Bonds of the City of High Point, North Carolina;" and
2. "Bond Order authorizing the issuance of \$21,500,000 General Obligation Parks and Recreation Bonds of the City of High Point, North Carolina;" and
3. "Bond Order authorizing the issuance of \$6,500,000 General Obligation Housing Bonds of the City of High Point, North Carolina."

Bobby Fitzjohn, Financial Services Director, reported the public hearings for the adoptions of the Bond Orders would be held at the August 19, 2019, High Point City Council Meeting; said Mayor Pro Tem Ewing would introduce the hearings individually; and approve the bonds as they were read into record at the July 15, 2019 meeting of council.

A motion was made by Chairman Moore, seconded by Committee Member Ewing, that this matter be recommended for approval and placed on the August 19, 2019 City Council Consent Agenda. The motion carried by the following unanimous 4-0 vote:

Aye (4): Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2019-362 Resolution - Setting Special Bond Referendum

Council is requested to approve a RESOLUTION SETTING A SPECIAL BOND REFERENDUM AND DIRECTING THE PUBLICATION OF NOTICE OF A SPECIAL BOND REFERENDUM AND NOTIFICATION OF THE BOARDS OF ELECTIONS for the following Bond Orders:

1. "Bond Order authorizing the issuance of \$22,000,000 General Obligation Streets and Sidewalk Bonds of the City of High Point, North Carolina;" and
2. "Bond Order authorizing the issuance of \$21,500,000 General Obligation Parks and Recreation Bonds of the City of High Point, North Carolina;" and

3. "Bond Order authorizing the issuance of \$6,500,000 General Obligation Housing Bonds of the City of High Point, North Carolina."

Bobby Fitzjohn, Financial Services Director, reported the Resolution for Setting a Special Bond Referendum would go before Council for approval at the August 19, 2019 High Point City Council Meeting; said the city clerk was directed to send a certified copy of the Resolution Setting a Bond Referendum and direct the Publication of the Notice of a Special Bond Referendum; and Notification be given to the Davidson County Board of Elections, Forsyth County Board of Elections, Guilford County Board of Elections, and Randolph County Board of Elections.

Randy McCaslin, Deputy City Manager, explained what the Housing Bond was for; spoke to the Daniel Brooks Community Development Project; said the Federal Government would cover a portion of the funding this Project; and the Housing Bond would cover the remaining funds needed.

A motion was made by Chairman Moore, seconded by Committee Member Hudson, that this matter be recommended for approval and placed on the August 19, 2019 City Council Consent Agenda. The motion carried by the following unanimous 4-0 vote:

Aye (4): Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

2019-379 2018 Edward Byrne Memorial Justice Assistance Grant Funding - JAG

Council is requested to establish a public hearing date of Monday, September 16, 2019 at 5:30 p.m. for the purpose of receiving public comments on the funding for the 2018 Edward Byrne memorial Justice Assistance Grant Funding (JAG).

Kenneth Shultz, Chief of Police, reported the public hearing request for feedback from the community was a procedural situation; said the grant was for 22 tactical vests that did not include a helmet; explained what the vest were used for; and said the old vest would be put into surplus and sent out to either smaller departments, to Angel Armor, or overseas.

Chairman Moore voiced appreciation to Chief Shultz, and the Police Officers in Philadelphia, PA Shooting (Philadelphia Shooting, August 14, 2019).

Chief Shultz mentioned an Assistant Chief of Police in Philadelphia he had communicated with after the Shooting; and spoke to the media and protest coverage for the Philadelphia Shooting that took place.

A motion was made by Committee Member Ewing, seconded by Committee Member Hudson, that this matter be recommended for approval and placed on the August 19, 2019 City Council Consent Agenda. The motion carried by the following unanimous 4-0 vote:

Aye (4): Committee Member Moore, Committee Member Hudson, Committee Member Jones, and Committee Member Ewing

PENDING ITEMS

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

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

ADJOURNMENT

There being no further business to come before the Finance Committee, the meeting adjourned at 4:20 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Mary S. Brooks, Deputy City Clerk

Britt Moore, Chairman

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish – 819 Circle Dr.

From: Michael E. McNair, Director
Community Development & Housing

Meeting Date: 9/16/19

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

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

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 819 Circle Drive.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 3/8/19. No action occurred by the compliance date of 4/10/19. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

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

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling and all outbuildings on the property.

PENDING ACTION:

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

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

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

819 Circle Dr.

OWNER:

Felix Luna Mendez

**REASON FOR
INSPECTION:**

Old case from previous software

**FIRST
INSPECTION:**
9/21/17

Summary of Major Violations
1. Repair or replace roof sheathing and covering
2. Install required plumbing fixtures in bathrooms and kitchen
3. Repair or replace damaged/missing ceiling & wall coverings
4. Repair or replace floor covering throughout
5. Repair or replace damaged/rotten exterior trim & siding

**HEARING
RESULTS**
2/25/19

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

**ORDER(S)
ISSUED:**
3/8/19

Order to Repair or Demolish
Date of Compliance 4/10/19

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

The owner did apply and obtain a building permit, RC-19-0216 issued on 5/3/19. No inspections recorded on permit as of 9/6/19.

ADDITIONAL:

Mr. Mendez told the inspector on 2/25/19 that he was going to sell the property. The inspector called Mr. Mendez on 7/12/19 and left a message on voicemail to return his call, the inspector has not received any return call from the owner. The property taxes for Guilford County are delinquent in the amount of \$1,057.33 for 2017, 2018 and 2019.

819 Circle Drive

MCGUINN DR

DELK DR

TERRELL DR

BLESSING WY

Site

N UNIVERSITY PW

CIRCLE DR

MONTLIEU AV

MEADOWBROOK BV

RADFORD ST

ELLWOOD DR

ASHBURN ST



Scale: 1"=200'

G:\Planning\Secure\ba-pz/
Inspections\PresentMap200.mxd









Ordinance # 7555/19-72
Zoning Map Amendment 19-14

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on August 27, 2019 and before the City Council of the City of High Point on September 16, 2019 regarding Zoning Map Amendment Case 19-14 (ZA-19-14) a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on August 18, 2019, for the Planning and Zoning Commission public hearing and on September 2, 2019 and September 11, 2019, 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 September 16, 2019.

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 Limited Business (CZ-LB) District**. The property is approximately 1.51 acres, lying along the west side of Westchester Drive, approximately 600 feet south of Coventry Road (1720 and 1726 Westchester Drive). The property is also known as Guilford County Tax Parcel 185856 & 185857).

SECTION 2

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

Part I. USES:

- a) Any principal use of the Limited Business (LB) District, as listed in the Principal Use Table 4.1.9 of the Development Ordinance, that is also a principal use in the Office Institutional (OI) District (use must be principal use in both districts).
- b) All principal uses authorized under the “Personal Service, Major & Minor” Use Type (Commercial Use Category) as listed in Principal Use Table 4.1.9 of the Development Ordinance.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

SECTION 4

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

SECTION 5

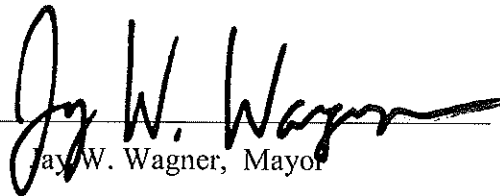
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

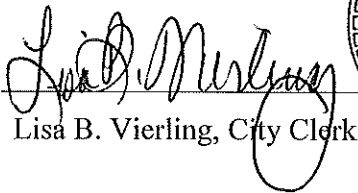
This ordinance shall become effective upon the date of adoption.

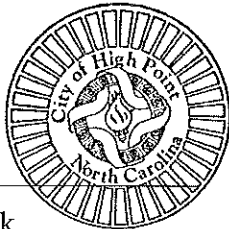
Adopted by the City Council
City of High Point, North Carolina
The 16th day of September, 2019

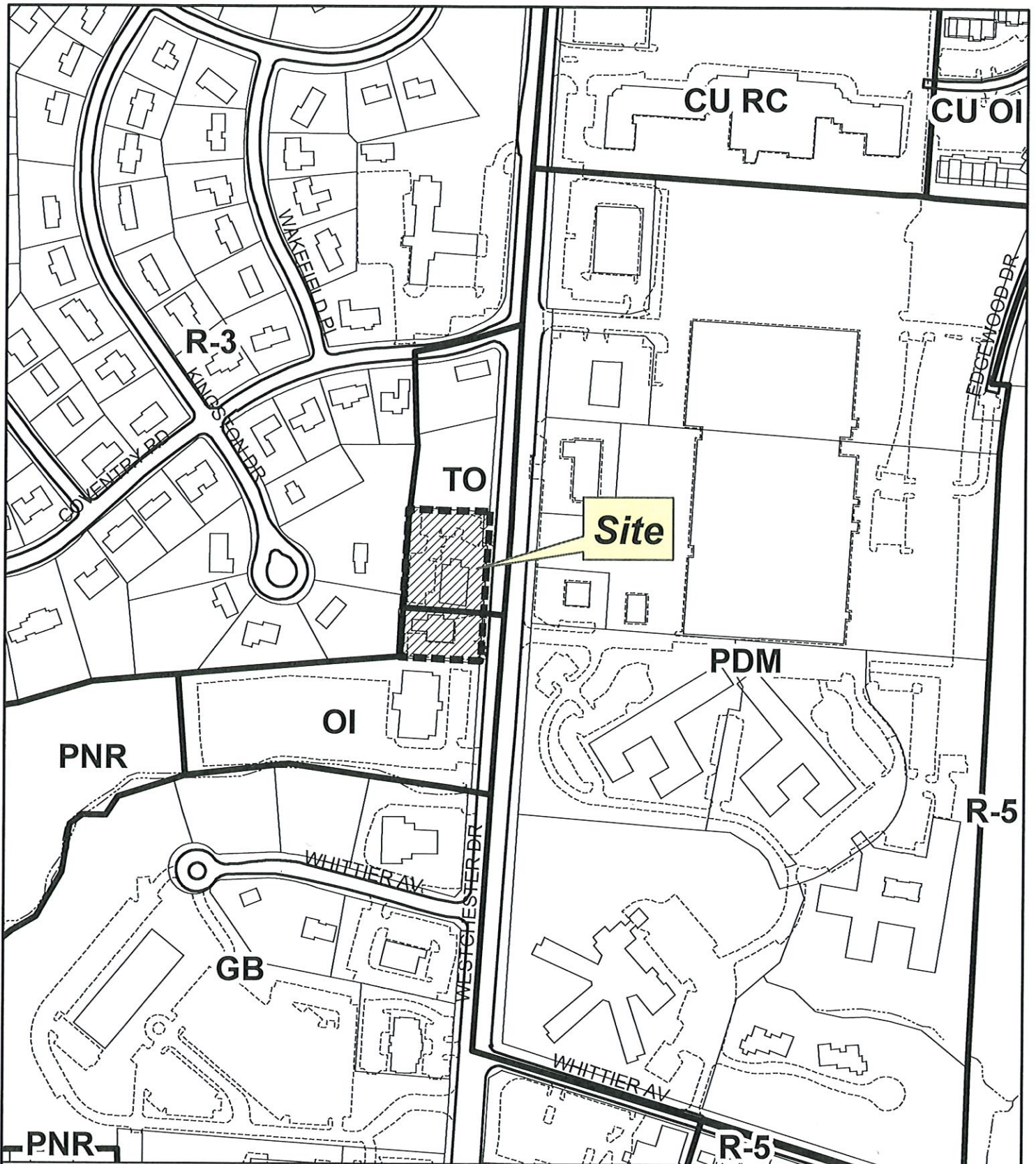
By: _____


Jay W. Wagner, Mayor

ATTEST:


Lisa B. Vierling, City Clerk





ZONING MAP AMENDMENT ZA-19-14

**From: Office Institutional & Transitional Office
To: Conditional Zoning Limited Business**

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

**Planning & Development
Department**

City of High Point



Scale: 1"=300'
G:\Planning\Secure\BAC\ZMA\2019\MXDs\za19-14

**RESOLUTION of the HIGH POINT CITY COUNCIL
APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns the property located at 221 North Hoskins in the City of High Point and more particularly described in Deed Book 7976, Page 2465 of the Guilford County Registry (“Property”); and

WHEREAS, North Carolina General Statute § 160A-457 authorizes a city’s acquisition and disposition of property for redevelopment as part of a community development program, or independently thereof, and without the necessity of compliance with the Urban Redevelopment Law; and

WHEREAS, North Carolina General Statute § 160A-20.1 authorizes a city to appropriate money to private organizations to carry out any public purpose that a city is authorized by law to engage in; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation which carries out a public purpose, in lieu of or in addition to the appropriation of funds; and

WHEREAS, the City of High Point has approved a contract with Habitat for Humanity of High Point, Archdale & Trinity, Inc. to construct affordable housing in the Washington Terrace area respectively to convey the above-described Property to Habitat for Humanity of High Point, Archdale & Trinity, Inc.;

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to the Property located at 221 North Hoskins Street in the City of High Point, and is more particularly described in Deed Book 7976, Page 2465 of the Guilford County Registry.

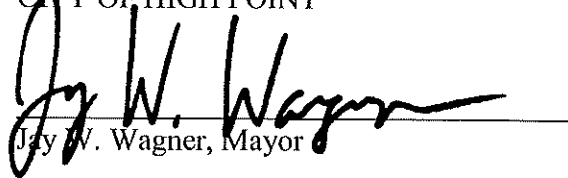
2. The consideration of the conveyance is Habitat for Humanity of High Point, Archdale and Trinity, Inc.’s agreement to use this property only for the “public” purpose of furthering the mission of the City of High Point in providing owner-occupied housing. If for any reason the property ceases to be used for a “public” purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

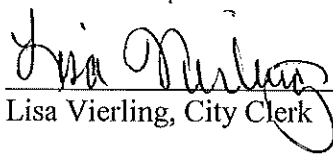
ADOPTED this the 16th day of September, 2019.

CITY OF HIGH POINT

By


Jay W. Wagner, Mayor

Attested to:


Lisa Vierling, City Clerk



BK: R 8199

PG: 2849-2866

RECORDED:

09-27-2019

10:12:58 AM

BY: SHEIKA WASHINGTON

ASSISTANT-HP



2019052351

GUILFORD COUNTY, NC

JEFF L. THIGPEN

REGISTER OF DEEDS

NC FEE \$38.00

DRAWN BY: JoAnne L. Carlyle, City Attorney
RETURN TO: City Attorney, P.O. Box 230, High Point, NC 27261
Plu - City

NORTH CAROLINA

**RIGHT OF WAY
ENCROACHMENT AGREEMENT**

GUILFORD COUNTY

1890
THIS AGREEMENT ("Agreement") made this 27 day of Sept. 2019, between **THE CITY OF HIGH POINT**, a North Carolina municipal corporation, located at 211 South Hamilton Street, High Point, North Carolina, 27260, ("City") and **ALLTEL COMMUNICATIONS OF NORTH CAROLINA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS**, a foreign Limited Liability Company located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, NJ 07920-1097, hereinafter known as the "Company".

WITNESSETH

WHEREAS, the City owns the public right of way within its municipal boundaries.

WHEREAS, the Company desires to use the public right of way of the City to conduct business as a communications services provider; and

WHEREAS, the Company desires, for its interest and convenience, to construct, maintain and operate a small cell wireless communications facilities within the City of High Point in and along certain rights-of-way outlined in Exhibit "A" attached hereto ("System"); and

WHEREAS, the City under the terms and conditions herein set forth, is willing to allow the above described improvements to be made, and allow the Company to encroach upon the above-referenced City-owned right of way; and

WHEREAS, the Company has paid to the City the sum of \$150.00, which partially defrays the administrative costs of the City.

NOW, THEREFORE, in consideration of the premises and \$150.00 in hand paid, receipt of which is hereby acknowledged, and other consideration, the Company hereby covenants and agrees that:

1. The Company is responsible for any and all expenditure of labor or materials required in the installation, erection, repair, maintenance or location of the above-referenced System.

2. The Company is responsible for any and all labor or expense which results from any and all future maintenance, repair, removal or dismantling of the System if and when required by the City, in its sole discretion.

3. The Company is to be fully responsible for any and all property damage or injury to or death of any person which results from any and all negligence, omission, defect in design, maintenance or workmanship created by the Company, its agents, employees, contractors or subcontractors in connection with the System, or any cause of action arising out of the installation, maintenance, or location of said System or any other cause of action arising out of the planting, installation, maintenance, or location of said System, except to the extent such claims and causes of action are caused by the gross negligence or willful misconduct of the City. (collectively, "Claims and Causes of Action").

4. The Company agrees:

- (a) to hold the City, its elected or appointed officials, representatives, officers, counselors, agents and employees harmless from any and all liability arising out of any such Claims and Causes of Action; and
- (b) to defend the City, its elected or appointed officials, representatives, officers, counselors, agents and employees and pay all attorney fees in any and all actions brought as a result of such Claims and Causes of Action; and
- (c) indemnify the City, its elected or appointed officials, representatives, officers, counselors, agents and employees against any and all loss sustained by reason of such Claims and Causes of Action.

The Company's indemnification obligations under this subsection shall not apply to any liability resulting from the gross negligence or willful misconduct of the City.

5. The Company, during the life of this Agreement, agrees to procure from a responsible insurance carrier or carriers, authorized under the laws of the State of North Carolina, insurance in the amount of One Million Dollars (\$1,000,000.00) per occurrence for bodily injury (including death) and property damage and \$1,000,000 general aggregate including personal and advertising injury caused by construction, maintenance, location, repair or visual obstruction of said encroachment with the City of High Point being included as additional insured as their interest may appear as respects work under this Agreement. Company shall furnish the City upon

the City's request, but no more than once in any 12 month period, a certificate of insurance evidencing such insurance to be in full force and effect (or proof of self-insurance as referenced below). Upon receipt of notice from its insurer Company shall give the City at least 30 days advanced written notice of any cancellation of any required coverage that is not immediately replaced with coverage meeting the requirements of this Agreement. Should Company fail to pay premiums upon said insurance, or should Company fail to obtain said insurance, or to perform any of the agreements, terms, or conditions herein contained; the City at its option, by written notice may declare this agreement cancelled and terminated and all rights acquired hereunder by Company shall thereupon terminate, except Owner shall still be responsible for removing the System from the right of way. In lieu of the foregoing, Company may self-insure for any or all of the coverages set forth above.

6. Exhibit A is the proposed location of the System that the Company intends to submit to the City permitting department. The Company shall provide proposed locations of additions or changes to the System or maintenance, repair, replacement, or construction to System while this Agreement, or any extension of the Agreement, is in force.

7. The Company, upon completion of the installation of the System, shall submit to the City revised drawings in the form of an AutoCad (.dwg) file for retention by the City if the actual installation differs from the installation shown on the Exhibit A (Site Plan) (in such event, the Company shall secure approval of the City prior to the differing installation).

8. The Company agrees to abide by all applicable statutes and ordinances governing the System.

9. This Agreement shall not divest the City of any rights or interest in said right of way. This Agreement is not a grant by the City of any property interest but is made subject and subordinate to the prior and continuing right of City and its assigns to lawfully use any or all of the right of way for public facilities, including, but not limited to, public use as a street and for the purpose of laying, installing, maintaining, repairing, protecting, replacing and removing sanitary sewers, water mains, storm drains, gas mains, poles, overhead and underground electric and telephone wires, television and other utility and municipal uses together with appurtenances thereof and with right of ingress and egress along, over, across and in the right of way. No use of any right of way or other interest under this Agreement shall create or vest in Company any ownership interest in the right of way.

10. The Company shall contact "NC One Call Center" prior to excavation where and in the manner required by the NC One Call law.

11. This Agreement shall be binding upon and inure to the benefit of all of the parties hereto and their heirs, personal representatives, grantees, successors, and assigns.

12. All matters relating to this Agreement shall be governed by laws of the State of North Carolina without regard to its choice of law provisions, and venue for any action related to the Agreement shall be Guilford County Superior Court or the United States District Court for the Middle District of North Carolina.

13. All notices required herein shall be deemed given by depositing such in the United States Mail, first class, and addressed as follows:

If to City:

City of High Point
Planning & Development Department
P.O. Box 230
High Point, NC 27261
ATTN: Planning Director

If to Company:

Alltel Communications of North Carolina Limited Partnership
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, NJ 07921
Attention: Network Real Estate

14. This Agreement shall be revocable at will by the City.

15. The Company shall restore all areas disturbed during the installation and maintenance related to the System to the satisfaction of the City Manager or his designee, and shall reimburse the City for the cost incurred by the City for any repairs or maintenance to roadways, sidewalks, structures, ornamental vegetation, landscaping, and all existing utilities, whether owned by the City or another agency, necessary due to the installation, maintenance, and/or existence of the System; and if at any time the City shall determine, in its reasonable judgment, that changes in the location of the System are necessary for public use for the purposes of construction, modification, or maintenance of infrastructure, including roads, water, wastewater, and electric facilities, the Company binds itself, its successors and assigns, to promptly alter the System at its sole cost, in order to conform to the City's requirements and without any cost to the City.

16. The Company, its employees, contractors, successors in interest, and assignees shall install and maintain the System in safe and proper condition such that it will not interfere with or endanger travel upon streets and/or sidewalks; will not obstruct or interfere with proper maintenance of such streets and/or sidewalks; and will not endanger existing facilities. The Company shall provide during installation, construction, and any subsequent maintenance, proper signage, signal lights, flagmen and other warning devices for the protection of traffic and pedestrians.

17. The Company agrees to exercise every reasonable precaution during construction and maintenance to prevent eroding of soil; silting or pollution of rivers, streams, lakes, reservoirs, other water impoundments, ground surfaces or other property; or pollution of the air.

[Signature pages to follow]

IN WITNESS WHEREOF, the parties hereto caused this Agreement to be executed and to be effective the day and year first above written.

**ALLTEL COMMUNICATIONS OF
NORTH CAROLINA LIMITED
PARTNERSHIP d/b/a VERIZON
WIRELESS**

By: Alltel Corporation, Its General Partner

By: [Signature]

Print Name: Reston Drawdy

Title: Engineer II Specialist - RE

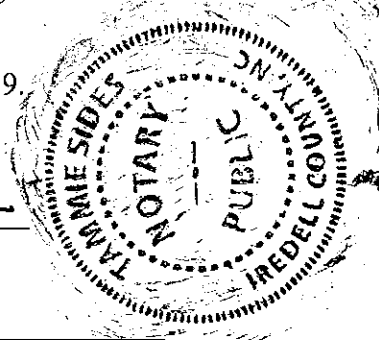
STATE OF NC
Iredell COUNTY

I, Tammie Sides, a Notary Public of the State of NC
County of Iredell, do hereby certify that Reston Drawdy personally
came before me this day and acknowledged that he/she is RE Specialist, and that
he/she, as RE Specialist being authorized to do so, executed the foregoing on behalf of
the company.

Witness my hand and official stamp or seal, this the 9/24, 2019.

My commission Expires: 10/17/2021

Tammie Sides
Notary Public



CITY OF HIGH POINT

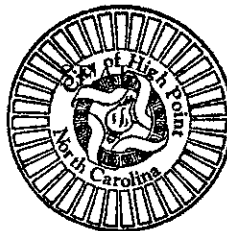
By:

Randy E. McCaslin

Randy McCaslin, Deputy City Manager

ATTEST:

Lisa B. Vierling
Lisa B. Vierling, City Clerk



NORTH CAROLINA

GUILFORD COUNTY

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 she personally appeared before me this date; and, that by authority duly given, and as the act of the said City of High Point, the foregoing instrument was signed in its name by its City Manager, sealed with its corporate seal, and attested by herself as its clerk.

Witness my hand and official stamp or seal, this the 27 day of September, 2019.

My commission Expires: 1/18/2020

Cynthia C. Duncan-Smith

Notary Public

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

EXHIBIT "A"
SYSTEM: SMALL WIRELESS FACILITIES (SITE PLAN AND LOCATIONS)

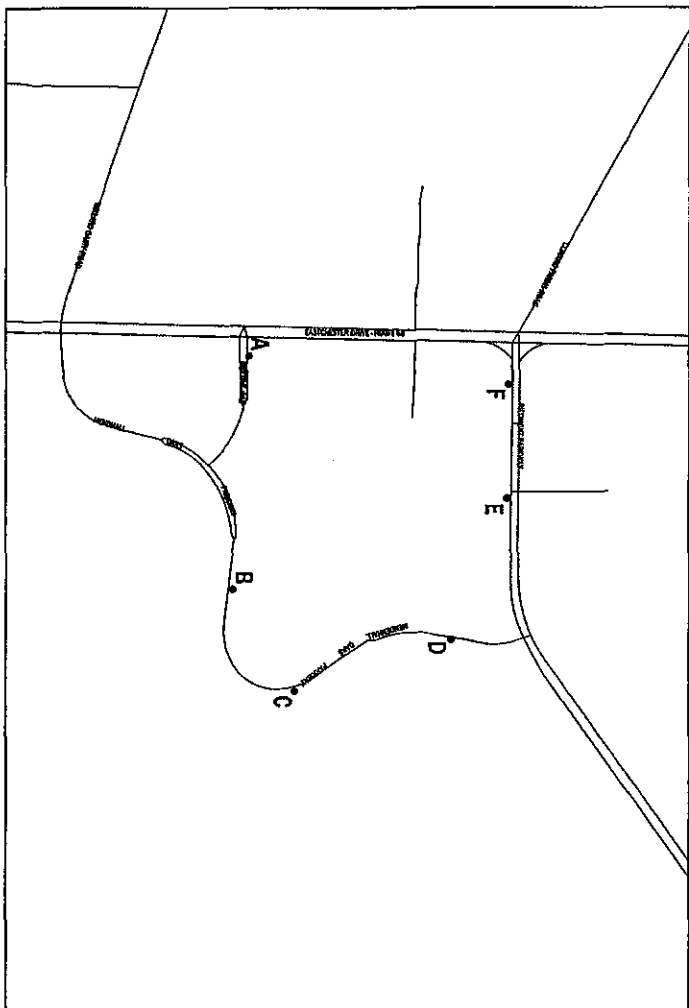
1. Small wireless facilities and related equipment, as more particularly described in the attached plans, entitled "Deeppnorth Sites" for 6 nodes sites, which are incorporated herein and made part of this agreement by reference and attached as Exhibit A-1 Deeppnorth Sites.
2. Small wireless facilities and related equipment, as more particularly described in the attached plans for the following areas and node sites, incorporated herein and attached hereto as Exhibits A-2 and A-3:
 - a. Exhibit A-2: SMC Deepriver Sites (11 node sites)
 - b. Exhibit A-3: SMC Thatcher Sites (14 node sites)

3. Node Site IDs:

SMC_DEEPPNORTH_5G_001	512612
SMC_DEEPPNORTH_5G_003	512614
SMC_DEEPPNORTH_5G_004	512615
SMC_DEEPPNORTH_5G_005	512616
SMC_DEEPPNORTH_5G_006	512617
SMC_DEEPPNORTH_5G_007	512618
SMC_DEEPRIVER_5G_002	512619
SMC_DEEPRIVER_5G_003	512620
SMC_DEEPRIVER_5G_005	512622
SMC_DEEPRIVER_5G_006	512623
SMC_DEEPRIVER_5G_007	512624
SMC_DEEPRIVER_5G_008	512625
SMC_DEEPRIVER_5G_009	512626
SMC_DEEPRIVER_5G_010	512627
SMC_DEEPRIVER_5G_011	512629
SMC_DEEPRIVER_5G_013	512632
SMC_DEEPRIVER_5G_014	512635
SMC_DEEPRIVER_5G_016	512636
SMC_THATCHER_5G_001	513277
SMC_THATCHER_5G_002	513278
SMC_THATCHER_5G_003	513279
SMC_THATCHER_5G_004	513280
SMC_THATCHER_5G_005	513282
SMC_THATCHER_5G_006	513283
SMC_THATCHER_5G_007	513284
SMC_THATCHER_5G_009	513286
SMC_THATCHER_5G_010	513287
SMC_THATCHER_5G_011	513288
SMC_THATCHER_5G_012	513289
SMC_THATCHER_5G_014	513291
SMC_THATCHER_5G_015	513292
SMC_THATCHER_5G_013	513290
SMC_THATCHER_5G_008	513285

EXHIBIT A-1
SMC Deepnorth Sites

SMC_DEEPNORTH_5G SITES



SITE LOCATION PLAN

POLE INDEX

POLE	POLE TYPE	SITE NAME	UTM	LOCATION	GROUND ELEV.	ADDRESS	SHEET
A	TYPE 1	SMC_DEEPNORTH_5G_001	360473	36025047 -7855154	803.5'	WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-6
B	TYPE 1	SMC_DEEPNORTH_5G_003	3604718	36025047 -7855154	811.4'	WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-7
C	TYPE 2	SMC_DEEPNORTH_5G_004	3604629	36025047 -7855154	812.7'	4179 WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-8
D	TYPE 1	SMC_DEEPNORTH_5G_005	3604602	36025047 -7855154	801.2'	WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-9
E	TYPE 1	SMC_DEEPNORTH_5G_006	3604601	36025047 -7855154	813.4'	4050 WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-10
F	TYPE 1	SMC_DEEPNORTH_5G_007	3604600	36025047 -7855154	804.4'	4050 WEDDIE WAY HIGH POINT, NC 27285 GUILFORD COUNTY	CD-11

CONSTRUCTION DRAWING

PREPARED FOR:

verizon

SUBMITTALS

NO.	DATE	REVISION	REMARKS
1	09/13/19	INITIAL ISSUE	ISS

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2011 Lockwood Drive, Durham, NC 27603
T: (919) 591-4477
info@tilson.com tilson.com

HIGHPOINT SMALL CELL
LOCATIONS

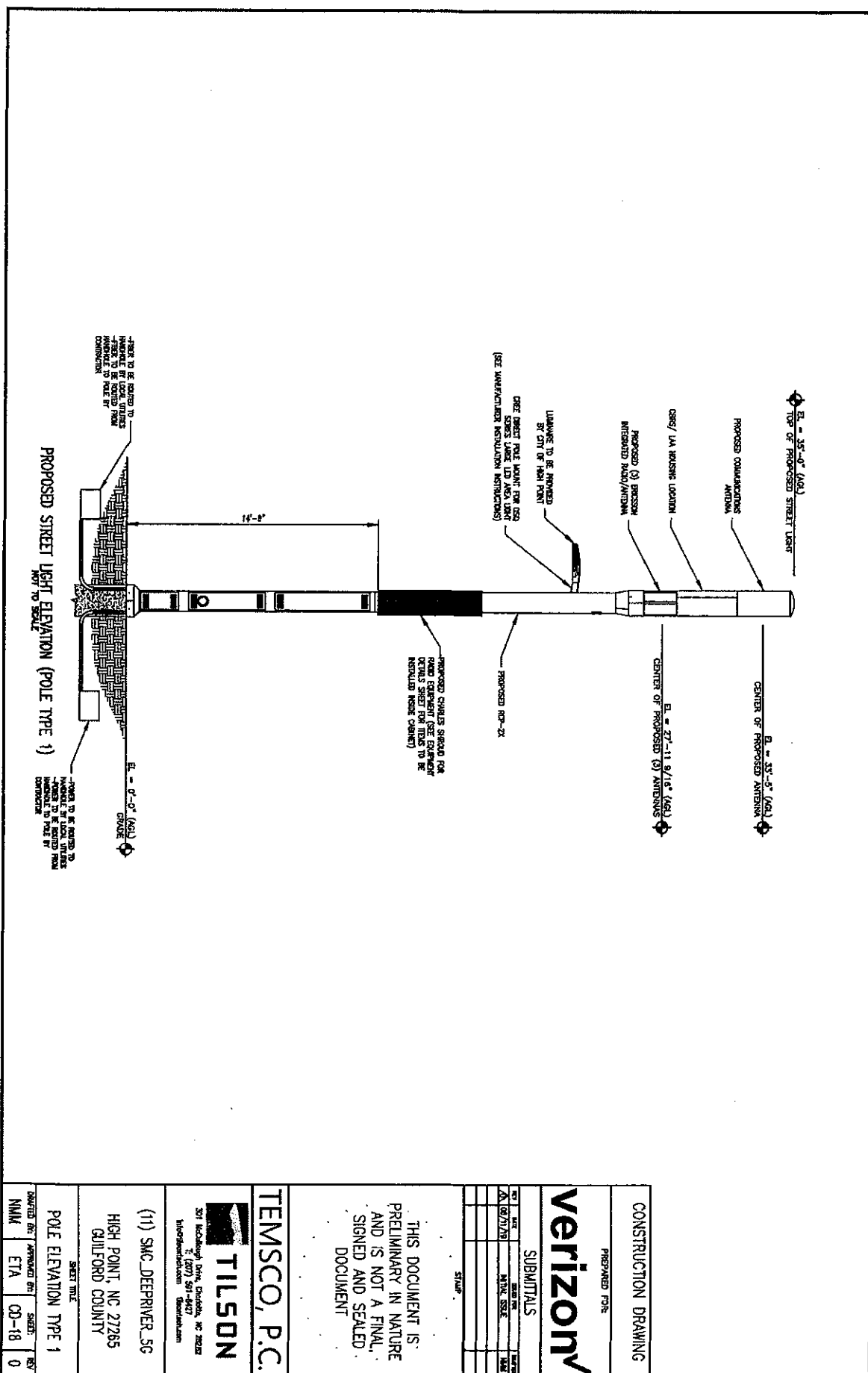
HIGH POINT, NC 27285
GUILFORD COUNTY

SHEET TITLE

SMC_DEEPNORTH_5G POLYGON

DESIGNED BY	APPROVED BY	SHEET	REV
TJSS	ETA	CD-1	0

EXHIBIT A-2
SMC Deepriver Sites



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PREPARED FOR



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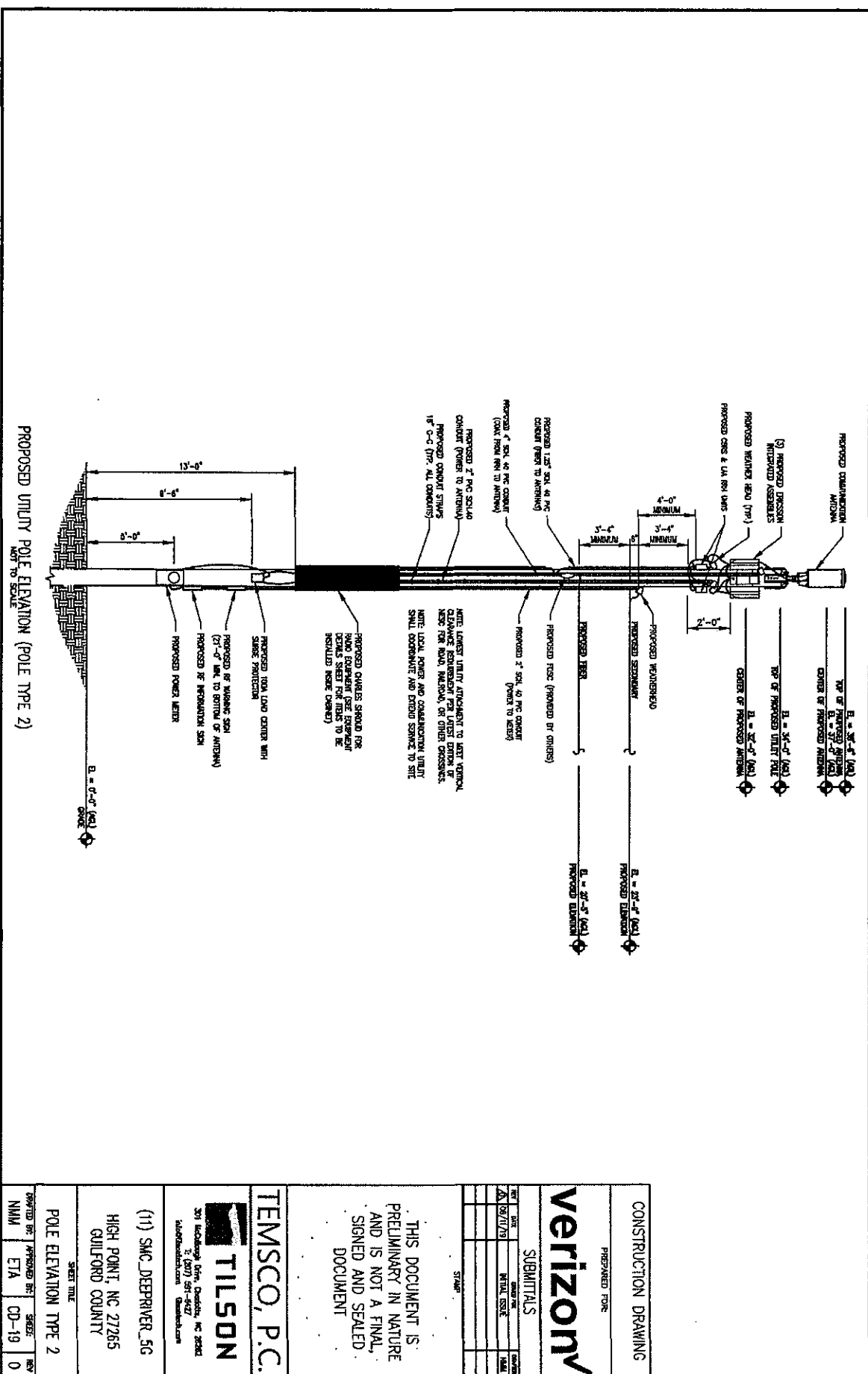
501 McDougall Drive, Charlotte, NC 28225
 T: (207) 591-8427
info@hearttech.com hearttech.com

(11) SMC_DEEPRIVER_5G

HIGH POINT, NC 27265
GUILFORD COUNTY

POLE ELEVATION TYPE 1

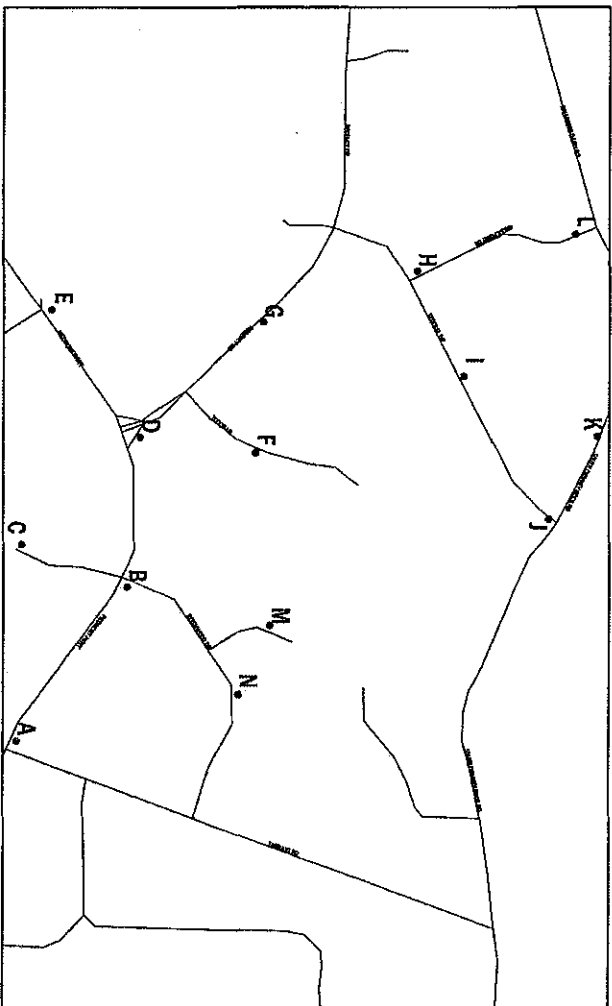
DESIGNED BY:	APPROVED BY:	SHEET:	REV:
NNM	ETA	CD-18	0



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DATE	DESIGN NO.	DATE	STATUS
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TILSON			
301 McAllister Dr., Charlotte, NC 28261 P: (707) 281-4647 info@tilson.com tilson.com			
(11) SMC DEEPRIVER 5G HIGH POINT, NC 27265 GUILFORD COUNTY			
SHEET TITLE POLE ELEVATION TYPE 2			
DRAWN BY NMM	APPROVED BY ETA	SHEET CD-19	REV 0

EXHIBIT A-3
SMC Thatcher Sites

SMC_THATCHER_5G SITES



SITE INDEX

SITE	POLE TYPE	SITE NAME	LOCATION	LONGITUDE	ADDRESS	SHEET
A	TYPE 1	SMC_THATCHER_5G_002	36.655330	79.572117 (N)	STATE ROAD 1652, HIGH POINT, NC 27265	CD-9
B	TYPE 1	SMC_THATCHER_5G_003	36.656060	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-10
C	TYPE 1	SMC_THATCHER_5G_004	36.655910	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-11
D	TYPE 1	SMC_THATCHER_5G_005	36.655900	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-12
E	TYPE 1	SMC_THATCHER_5G_006	36.654430	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-13
F	TYPE 1	SMC_THATCHER_5G_007	36.655900	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-14
G	TYPE 1	SMC_THATCHER_5G_008	36.655900	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-15
H	TYPE 1	SMC_THATCHER_5G_009	36.655900	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-16
I	TYPE 1	SMC_THATCHER_5G_010	36.655900	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-17
J	TYPE 1	SMC_THATCHER_5G_011	36.655900	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-18
K	TYPE 1	SMC_THATCHER_5G_012	36.655900	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-19
L	TYPE 1	SMC_THATCHER_5G_013	36.655900	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-20
M	TYPE 1	SMC_THATCHER_5G_014	36.655900	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-21
N	TYPE 1	SMC_THATCHER_5G_015	36.655900	79.572117 (N)	REDMONT PARKWAY, HIGH POINT, NC 27265	CD-22

CONSTRUCTION DRAWING

PREPARED FOR:

verizon

SUBMITTALS

DATE	ISSUE	REVISION
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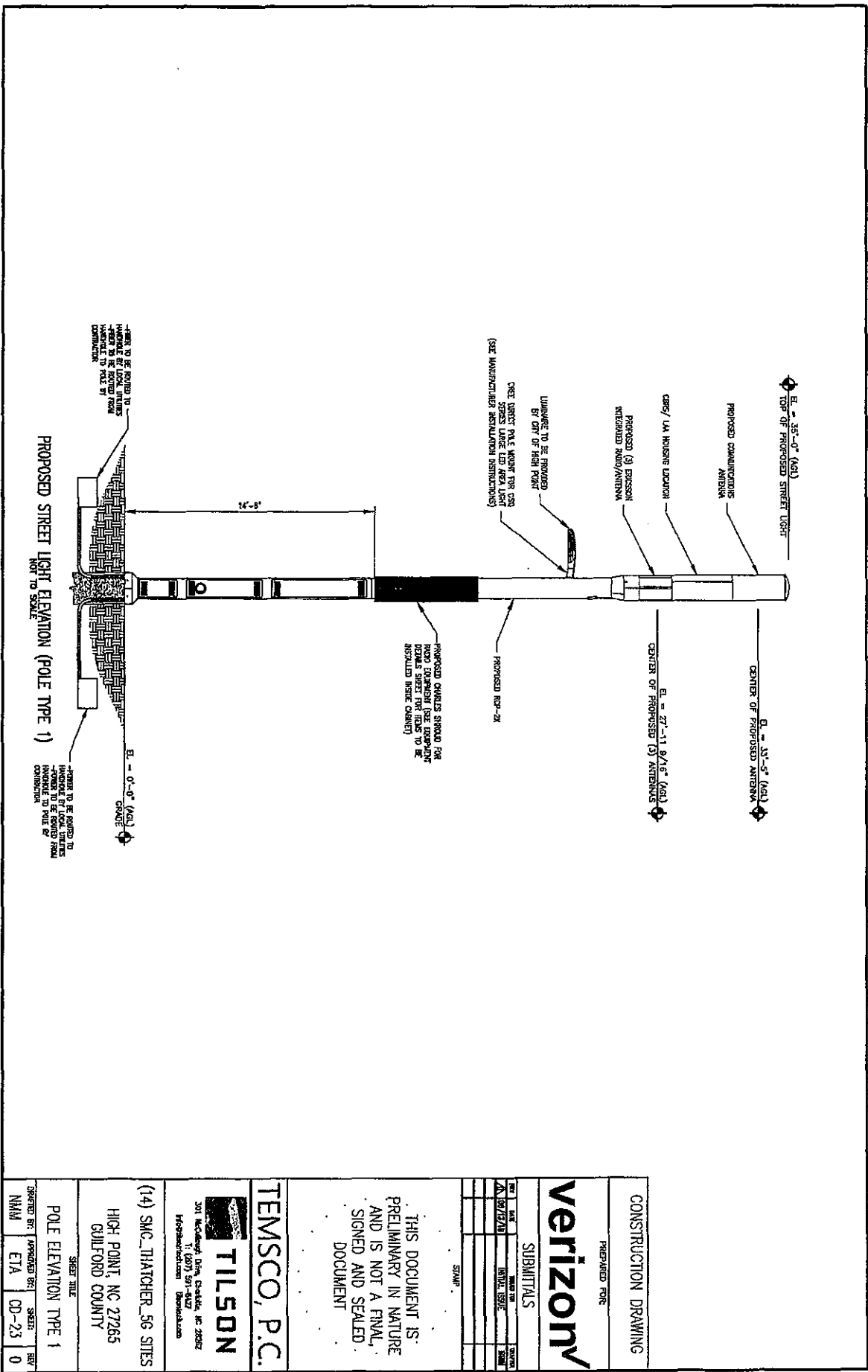
301 W. 10th Street, Suite 200, High Point, NC 27265
Tel: (703) 591-4147
info@tilson.com tilson.com

HIGHPOINT SMALL CELL
LOCATIONS

HIGH POINT, NC 27265
GUILFORD COUNTY

SMC_THATCHER_5G POLYGON

DATE	BY	APPROVED BY	SHEET	OF
06/09/2019	EIA	CD-3	0	



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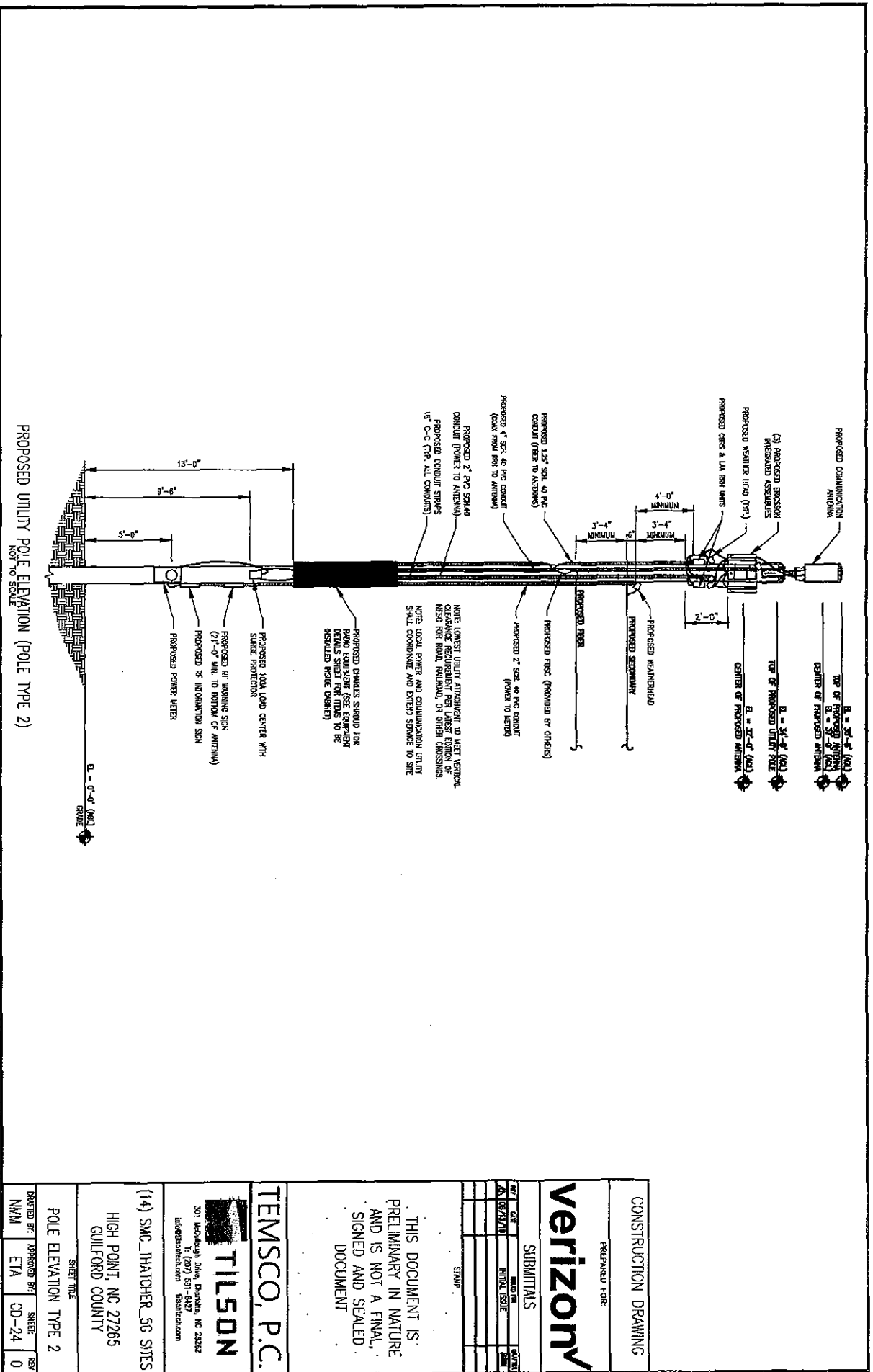
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201 McDowell Drive, Charlotte, NC 28202
Tel: (800) 591-4427
info@temson.com temson.com

(14) SMC THATCHER_56 SITES
HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE
POLE ELEVATION TYPE 1

DATE	APPROVED BY	SHEET	REV
NMA	ETA	CD-23	0



PROPOSED UTILITY POLE ELEVATION (POLE TYPE 2)
NOT TO SCALE

CONSTRUCTION DRAWING

PREPARED FOR:



SUBMITTALS

REV	DATE	DESCRIPTION	BY	CHK
1	06/17/10	INITIAL ISSUE		

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301 Lockland Drive, Durham, NC 27602
1 (919) 591-6427
info@temsko.com temsko.com

(14) SMC THATCHER_5G SITES

HIGH POINT, NC 27265
GUILFORD COUNTY

POLE ELEVATION TYPE 2

DRAWN BY: NMM	APPROVED BY: ETJ	SHEET: CD-24	REV: 0
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CITY OF HIGH POINT

AGENDA ITEM



Title: Reappointment- Library Board of Trustees

From: City Clerk's Office

Meeting Date: September 16, 2019

Public Hearing: N/A

Advertising Date /

Advertised By: N/A

Attachments: N/A

PURPOSE:

To confirm reappointment of Forrest Littleton to the Library Board of Trustees as Council Member Chris Williams' Ward 2 appointee. Appointment to be effective immediately and will expire October 31, 2022.

BACKGROUND:

Council Member Chris Williams is recommending the reappointment of Forrest Littleton as his Ward 2 appointee on the Library Board of Trustees. Reappointment to be effective immediately and will expire on October 31, 2022.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the reappointment of Forrest Littleton to the Library Board of Trustees.

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
AUGUST 19, 2019 –4:00 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM**

MINUTES

Present (8):

Mayor Jay Wagner, Mayor Pro Tem Jason Ewing (Ward 6) [Arrived at 4:35 p.m.]; Council Member Don Scarborough (At Large); Council Member Jeffrey Golden (Ward 1) Council Member Chris Williams (Ward 2); Council Member Monica Peters (Ward 3); Council Member Wesley Hudson, and Council Member Victor Jones (Ward 5) [arrived at 4:03 p.m.]

Absent (1):

Council Member Britt Moore (At Large)

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Meghan Maguire, Assistant City Attorney; Angela Kirkwood, Human Resources Director; Eric Olmedo, Managing Director; Laura Altizer, Budget & Performance Manager; Jeron Hollis, Director of Communications & Public Engagement; Loren Hill, President- High Point Economic Development Corporation; Mary Brooks, Deputy City Clerk; and Lisa Vierling, City Clerk

Also Present:

Melody Burnett, Convention & Visitors Bureau
Mark Browder, Mark III
Blake Spell, Mark III
Louis Thibodeaux, Resident

News Media Present:

Pat Kimbrough, *High Point Enterprise*

Note: the Power Point Presentation entitled "High Point Destination Strategic Plan" is hereby attached in Legistar as a permanent part of these proceedings.

CALL TO ORDER

Mayor Wagner called the meeting to order at 4:01 p.m.

PRESENTATION OF ITEMS

2019-381 Update on the Convention & Visitors Bureau Activities

A representative from the Convention & Visitors Bureau will be present to update Council on CVB activities.

Melody Burnette with the High Point Convention & Visitors Bureau provided an update on their activities. She mentioned they have been in the planning process over the last year with their partners from JLL who is assisting with a 10-year master plan for tourism. Over 200 surveys and 150 interviews were conducted so they could capture the essence of High Point and the direction that the city is moving in as far as tourism.

Who is visiting High Point? Ms. Burnette advised first and foremost it is the home furnishings, retail, and design visitors who are coming to High Point to shop in the 50+ retail stores and to shop in the design showroom assets in the 40+ showrooms. Additionally, High Point University is bringing in 100,000 visitors year-round to High Point. Ms. Burnette noted that High Point is embarking on some sports tourism, festivals, events such as the John Coltrane Jazz Festival, small conferences/meetings of 500 or less people, friends, family, and transient business.

In terms of benchmarking with similar cities in scope and size in North Carolina, comparisons were made with Wilmington, Asheville, Concord, Greenville, Cary, etc.... and it was determined that after looking deeper into High Point's assets that High Point does not mirror a traditional destination product. One example provided was that High Point is not very competitive in the sports fields, is lacking some higher quality lodging, does not have large conference space available, nor does High Point have the traditional attractions that bring in visitors.

Ms. Burnette reported that the big event that draws thousands of visitors to High Point twice a year is the Home Furnishings industry; however, High Point has a lot of good year-round assets that they can capitalize on that give a nod to branding of home furnishings and design.

She explained High Point is a "partial legacy" city that hangs its hat onto the past and that sometimes it is hard for locals to digest it when they start thinking about High Point's past in manufacturing and furniture and the difficulty in transitioning from the past into the future. Ms. Burnette stated they are going to have to think about home furnishings in a brand new way possibly in design services and creative design. She noted an easy comparison would be that home furnishings is to High Point as bourbon is to Louisville and went on to say that it is all about ownership. She advised that the short-term opportunity is to concentrate on the direct partnership with the Market Authority, the showrooms, the designers, hotels, and the retailers in order to capture more of the designer business.

With all this in mind, Ms. Burnette explained that the CVB is going to have to change its marketing thinking and morph more into a business of recruiting designers, students, and trade buyers. She mentioned that the CVB had a retreat with the Furniture Market Authority and the Showroom Association in March and also sent out letters to 3,000 designers in June to solicit feedback about their specific business needs so High Point can be a year-round destination for them. They are also in the process of conducting one-on-one interviews with designers and they are working with the Furniture Market Authority and the Showroom Association to see what kind of programming they can do.

She suggested one of the long-term goals for the CVB could be to hone-in on the Furniture Hall of Fame as a destination attraction and own the branding within a 50-mile radius with the idea that "your furniture store is going to be ours."

Ms. Burnette then shared some next steps in terms of targeting events and noted that the CVB wants to cultivate spectator events such as concerts, festivals, marathons, cycling events, etc... and have those types of events here in High Point. One suggestion that she shared was the possibility of bringing a Thomas Built Bus Rally to High Point to create a real cool signature event for High Point.

Ms. Burnette provided an overview of the CVB calendar and events scheduled and noted they would also like to come up with an event planner guidebook to promote the activities/events in a different way. She pointed out they needed to come up with some creative ways to leverage the 100,000+ HPU visitors coming into High Point because HPU's growth will bring additional opportunities. The consultants saw an advantage point and suggested the CVB could hone-in on the HPU branding as being the premier life skills university.

In terms of linking and imaging downtown, branding and wayfinding signage could be added. In terms of servicing sports and conferences, the CVB's competitive advantage point is the services component and offering exceptional services that are not offered by other CVBs.

In terms of sports marketing and events, the CVB has expressed an interest in building a sports complex in High Point. As this can take a while, they have agreed to concentrate on focusing on niche sports events such as the rowing and regatta events, and enhancements to Oak Hollow Lake would put them in more of a competitive advantage to pull these events from a Tri-State area.

In terms of planning for the Congdon Events Center, they would like to work closely with Business High Point and their designers to cultivate that footprint and put together a focus group for a niche market that can assist them in the planning stages. They would also like to be more transparent in terms of what is being brought to the table and sharing plans with their counterparts in hopes of landing some county and regional events in High Point.

In order to complement these changes, Ms. Burnette advised that the CVB does realize it is going to have to change. This will require changes to their organizational structure, job descriptions will need to be rewritten, and the way the budget is spent is going to be different. They also plan to work hand-in-hand with the High Point CVB Foundation Board, the 501(c)3 arm of the CVB. The consultant, JLL, will assist them in implementing a grants program with a matrix that will be used to help with weighting, prioritizing, and programming the various events. They also plan on pulling together their stakeholders to ensure they are on point with this plan in developing a Destination Development Council that could be comprised of stakeholders from the city of High Point, the CVB, Market Authority, Business High Point, etc..... Ms. Burnette explained that when making decisions, it will be necessary for them to start categorizing what is an attraction and what is an attractor.

Following the presentation, Ms. Burnette entertained questions; there were none.

2019-382**Presentation-Proposed 2020 Health Insurance Renewal**

Mark Browder with Mark III will be present to make a presentation to Council on the proposed 2020 Health Insurance Renewal for City of High Point employees.

Mark Browder with Mark III Consultants provided information on the proposed 2020 health insurance renewal for the city of High Point employees. He advised that they looked at both self-funding and fully insured for 2020. He noted that during the last two months of 2018, claims were up substantially with a high number of cancer claims and this carried over into the next plan year. He explained under a normal renewal calculation, the fully insured renewal should be about an 18.5% increase, and on a self-funded basis, it should be at 8%. The reason that self-funded is less is that the fixed costs are less (no health insured tax, no state premium taxes, etc.....)

The renewal for 2020 came in at a 5.72% increase and Mr. Browder noted that fully insured still continues to make sense for the city. The city will once again get a bonus fund. An HSA (Health Savings Account), a high deductible consumer-driven health plan, is being recommended as a second option for employees to choose from. The renewal premiums are less with the option of an HSA. Council Member Williams asked if employees could take an HSA fund with them if they leave the city and Mr. Browder replied they could. He explained the good part of the HSA plan is that employees know they have good protection, but don't have a way to save for future healthcare costs so the HSA allows them to do just that.

In terms of wellness and health risks, staff is constantly trying to improve the health of the employee population of which there are a lot of risks in the city with weight being one. The top three health issues within the city were cited as:

- 1. Hypertension*
- 2. Hyperglodemia (high cholesterol), and*
- 3. Diabetes*

Mr. Browder advised if the city could improve the health of the employee population and make progress on the weight side, it would have a positive impact on the overall plan. They are recommending inclusion of a "waist" incentive strategy. The waist incentive has been around since 2013. He shared some statistics from other jurisdictions from 2013 to 2018 with a good number of the participating jurisdictions reporting decreases and significant improvement in health. He stressed that the waist incentive strategy is a great benefit because it can help change an employees' weight which leads to healthier employees, less claims, and better renewal rates. The baseline for the waist incentive strategy will be in the Fall of 2020 with the remeasure in 2021 with the incentive payout in January 2021. This will be an item in next year's budget and the employees will be able to get the incentive in cash or transfer it to their HSA account if they have one.

In closing, Mr. Browder felt this was an excellent renewal with CIGNA and falls within the budgeted amounts.

City Manager Greg Demko pointed out that the City Council has been really active on health and health awareness and the wellness programs offered, such as Weight Watchers, have been highly successful, well-received, and well-attended.

Barring no objections from Council, Deputy City Manager Randy McCaslin advised that Mr. Browder would continue working with CIGNA on the 2020 health insurance renewal and the contract would probably be on the next agenda for City Council consideration in September.

Guilford Apprenticeship Program (GAP)

Eric Olmedo, Managing Director, made reference to a recent article appearing in the High Point Enterprise on the Guilford Apprenticeship Program (GAP). He advised that the city is hoping to participate in the program that is being offered at GTCC to help develop curriculum and fill some positions in Fleet Services, Public Services, IT/Cyber Security areas. He reported that High Point will actually be the first municipality or government to participate in the program.

Mayor Wagner added that GAP is a great program, not just for education but also for workforce development and it allows rising seniors an opportunity to join the program while attending a half day at school and a half day apprenticing, then finishing out the program while attending GTCC and apprenticing. As students graduate from the program, they do so with an Associate's degree and a job. The Mayor attended the signing event for GAP last week, which has really grown in the number of students. Some of the High Point companies participating in the program include Vann York, Culp, EAS, NorthState, etc....

2019-383 Closed Session- Attorney-Client Privilege

Council is requested to go into Closed Session pursuant to N.C. General Statute 143-318.11(a)(3) for Attorney-Client privilege.

At 4:45 p.m., motion was made by Council Member Williams, seconded by Council Member Jones to enter into a closed session pursuant to N.C. General Statute 143-318.11(a)(3) to preserve attorney-client privilege.

Upon reconvening into open session at 5:02 p.m., the Mayor announced there would be no action taken as a result of the closed session.

ADJOURNMENT

The meeting adjourned at 5:02 p.m. upon motion duly made by Council Member Jones and seconded by Mayor Pro Tem Ewing.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Lisa B. Vierling, MMC

City Clerk

DRAFT

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance to Demolish – 1213 Leonard Ave.

From: Michael E. McNair, Director
Community Development & Housing

Meeting Date: 9/16/19

Public Hearing: No

Advertising Date:

Advertised By:

Attachments:

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

PURPOSE:

A request by Community Development and Housing – Local Codes Section to adopt an ordinance ordering the inspector to demolish the dwelling at 1213 Leonard Ave.

BACKGROUND:

After a Complaint and Notice of Hearing was issued and a hearing held, an Order to Repair or Demolish was issued on 8/9/17. No action occurred by the compliance date of 9/16/17. The necessary repairs to the dwelling exceed its current tax value and the demolition is warranted.

BUDGET IMPACT:

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

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the adoption of the requested ordinance to demolish this single family dwelling and all outbuildings on the property.

PENDING ACTION:

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

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

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

1213 Leonard Ave

OWNER:

TCC Holdings LLC

**REASON FOR
INSPECTION:**

Inspector observed condition of property

**FIRST
INSPECTION:
9/14/16**

Summary of Major Violations

1. Install required plumbing fixtures in bathroom & kitchen
2. Repair or replace loose ceiling & wall material throughout
3. Repair or replace rotten subfloor in kitchen
4. Install missing windows
5. Repair or replace light fixtures & receptacles throughout

**HEARING
RESULTS
8/9/17**

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

**ORDER(S)
ISSUED:
8/19/17**

Order to Repair or Demolish
Date of Compliance 9/16/17

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

The owner did apply and obtain a building permit, RC-18-0007, issued on 1/30/18. No inspections have been made to inspect work.

ADDITIONAL:

On 3/22/19 Mr. Boyd advised the inspector that he would begin repairs within one week. The inspector spoke to Mr. Boyd again on 4/29/19 when he was advised that he may have a buyer for the house, but if it didn't go through he would begin repairs in one week. Guilford County property taxes are delinquent in the amount of \$4,394.79 for 2014, 2015, 2016, 2017, 2018 and 2019.

1213 Leonard Avenue

PRICE ST

S UNIVERSITY PW

S DOWNING ST

HOOVER AV

HAY ST

PEARSON PL

Site

WOODBURY ST

WINDLEY ST

MEREDITH ST

LEONARD AV

GRANBY AV

R C BALDWIN AV

FURLOUGH AV



Scale: 1"=200'
G:\Planning\Secure\ba-pz\inspections\PresentMap200.mxd



1213



CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution of Intent for a Voluntary Contiguous Annexation
Annexation 19-09 (Kenneth and Janet Sampson)

From: Lee Burnette, Planning & Development
Director

Meeting Date: September 16, 2019

Public Hearing: No

Advertising Date: Not applicable

Advertised By: Not applicable

Attachments: A. Resolution of Intent for Annexation 19-09
B. Map of property proposed to be annexed

PURPOSE:

Approval of a Resolution of Intent that establishes a public hearing date to consider a voluntary contiguous annexation request.

BACKGROUND:

Resolution of Intent for Annexation 19-09 is enclosed.

BUDGET IMPACT:

There is no budget impact associated with the adoption of this resolution.

RECOMMENDATION / ACTION REQUESTED:

Staff requests City Council set a public hearing date of Monday, November 18, 2019, for this request.

PUBLISH ONCE: Friday, October 25, 2019

**RESOLUTION TO ESTABLISH A
PUBLIC HEARING DATE FOR
VOLUNTARY CONTIGUOUS ANNEXATION
(AN-19-09)**

WHEREAS, the City Council has been petitioned to annex the property of Kenneth and Janet Sampson. The proposed annexation site is an approximate 22.86-acre parcel located along the south side of Bame Road, approximately 3,800 feet west of Sandy Ridge Road. The property is also known as Guilford County Tax Parcel 169038.

WHEREAS, the City Clerk is in receipt of said petition and has determined its sufficiency in accordance with G.S. 160A-31;

NOW, THEREFORE BE IT RESOLVED, THAT THE CITY COUNCIL establishes Monday, November 18, 2019, at 5:30 p.m., in the Council Chambers in the Municipal Building at 211 South Hamilton Street, High Point, North Carolina, as the date for the public hearing regarding the requested annexation.

Any interested party will be permitted to be heard at the public hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call (336) 883-3298 or the TDD# (336) 883-8517.

Following the public hearing, the City Council shall have authority to adopt an ordinance annexing the territory described in the petition. The City Council shall have authority to make the annexing ordinance effective immediately or on any specified date within six (6) months from date of passage of ordinance.

Further information pertaining to this request is available for public inspection upon request at the Planning and Development Department in the Municipal Office Building, 211 South Hamilton Street, Room 316, High Point, North Carolina, (336) 883-3328 or FAX (336) 883-3056.

By order of the City Council,
This the 16th day of September, 2019

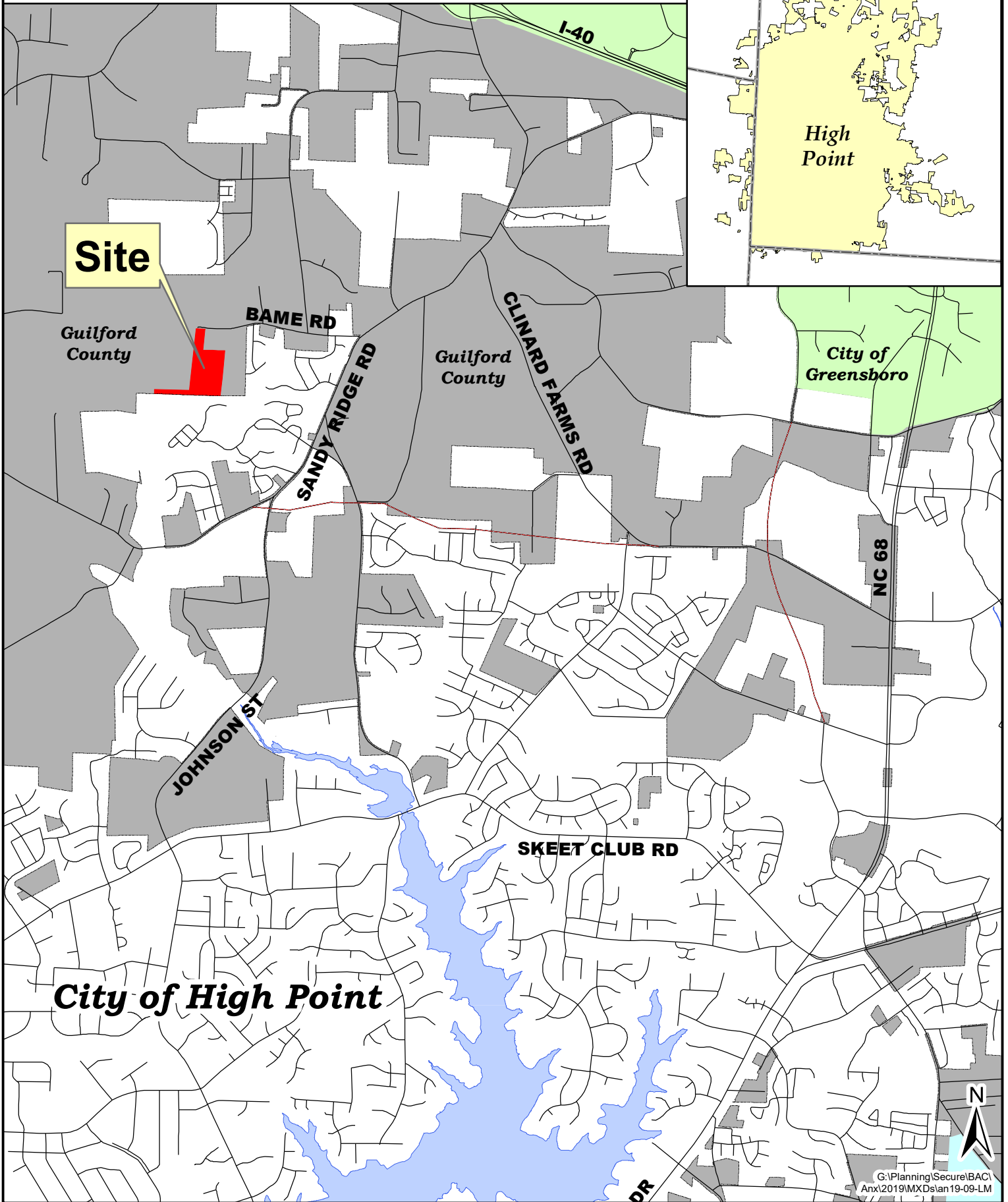
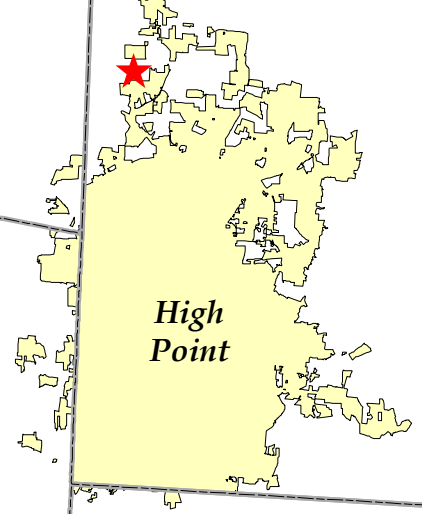
Lisa B. Vierling, City Clerk

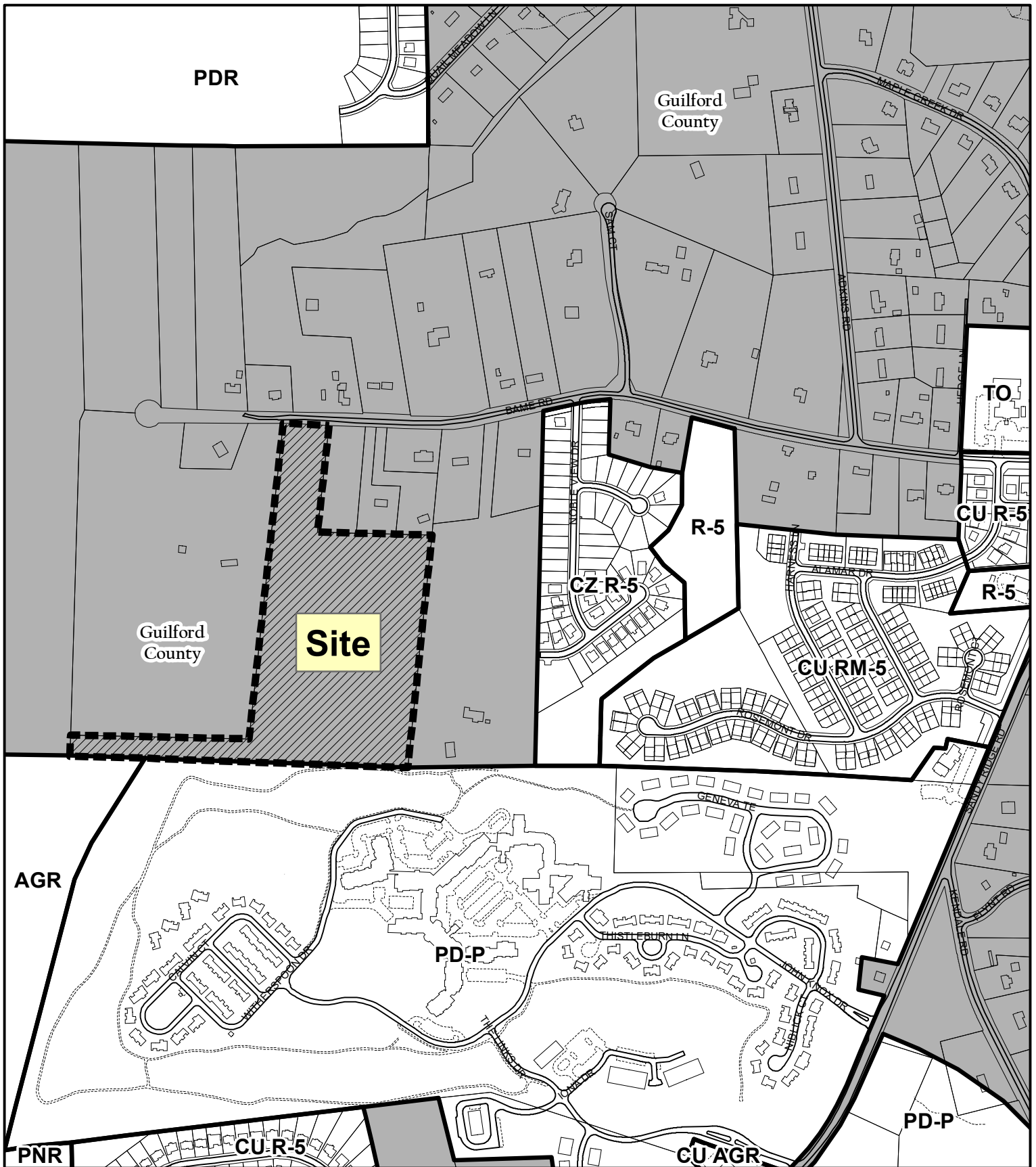
LOCATION MAP

ANNEXATION CASE: AN-19-09

Applicant: Kenneth Sampson and Janet Sampson

Vicinity Map





ANNEXATION REQUEST AN-19-09

Applicant: Kenneth Sampson and Janet Sampson
Area: 22.86 acres (approximate)

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

**Planning & Development
 Department**

City of High Point

Scale: 1"=600'
 G:\Planning\Secure\BAC\AN\2019\MXD\lan19-09

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 19-16
(City of High Point)

From: Lee Burnette, Planning & Development
Director

Meeting Date: September 16, 2019

Public Hearing: Yes

Advertising Date: September 5, 2019, and
September 11, 2019

Advertised By: Planning & Development

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

PURPOSE:

A request by the City of High Point to rezone 18 properties, totaling approximately 9.6 acres, to the General Business (GB) District as part of the Comprehensive Zoning Map Amendment project. The properties are located west of N. Main Street, south of W. Parris Avenue, east of Idol Street and along both sides of Westchester Drive between N. Main Street and Idol Street.

BACKGROUND:

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

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended **approval** of this request as outlined in the attached staff report.
- B. On August 27, 2019, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 19-16. The Planning & Zoning Commission recommended **approval** of this request, as outlined in the staff report and recommended by staff, by a vote of 5-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point

Zoning Map Amendment 19-16

At its August 27, 2019 public hearing, the Planning and Zoning Commission reviewed a request to rezone approximately 9.6 acres to the General Business (GB) District. All members of the Commission were present, except for Mr. Ray Wheatley.

Prior to commencement of this agenda item Mr. Walsh requested to be recused due to a conflict of interest. The Commission accepted his recusal and Mr. Walsh exited the dais. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

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

Planning & Zoning Commission Action

Zoning Map Amendment

The Commission recommended **approval** of Zoning Map Amendment 19-16, as recommended by staff, by a vote of 5-0.

Consistency & Reasonableness Statements

The Commission voted 5-0 to approve the following statement: That the Zoning Map Amendment is consistent with the City's adopted policy guidance because, the proposed zoning map amendments are consistent with the Community/Regional Commercial designation of the Land Use Plan. Furthermore, the request is reasonable and in the public interest because the amendments are needed to remove unintended barriers to development and to more accurately represent the current use of land.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-19-16
August 27, 2019**

Request

A request by the High Point City Council to rezone 18 properties, totaling approximately 9.6 acres, as part of the Comprehensive Zoning Map Amendment project. The properties are located in a block bounded by N. Main Street, W. Parris Avenue, Idol Street and Westchester Drive; and south of Westchester Drive.

Background

The purpose of the Comprehensive Zoning Map Amendment project is to review and evaluate the zoning of land throughout the City, identify areas where the zoning is out of sync with the existing use of land or inconsistent with current land use policy, and propose appropriate changes in zoning for those areas. A primary goal of the project is to remove improper or obsolete zoning districts that may be acting as a barrier to development. The City Council initiated this amendment as part of a larger set of map changes on May 20, 2019.

Details of Proposal

The land area encompassing these blocks were historically a residential neighborhood lying at the edge of the N. Main Street/Westchester Drive intersection and west of the N. Main Street commercial corridor. Beginning in the 1980s, zoning map amendment requests began to be submitted and approved for properties along Westchester Drive and within the middle of these blocks to allow commercial and office uses. As the area was mostly residential, adopted conditional use permits prohibited certain uses and included development standards to ensure compatibility with abutting residential dwellings.

As the area was mostly residential in the 1980s, development conditions at that time were more stringent than later zoning approvals granted in the late 1990s and early 2000s when this neighborhood had changed to a mostly non-residentially developed area. This created an inconsistent patchwork of development standards in this two-block area that now conflicts with current land use policies.

Analysis

The zoning changes are needed to remove outdated and obsolete zoning that could be unintended barriers to development. Staff recommends the area be rezoned to the General Business (GB) District as it more accurately reflects the manner this area has developed, and to promotes greater consistency in zoning standards among abutting commercial parcels.

The remaining group of residential dwellings, three along W. Parris Avenue and four along Scott Avenue, are to maintain their residential zoning. They are not proposed to be rezoned to keep the dwellings from becoming nonconforming uses and to address policy guidance from Council that remaining clusters of residential parcels in this area be rezoned together to ensure sufficient land area to meet requirements of the Development Ordinance.

Consistency with Adopted Policy Guidance

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

The proposed zoning map amendments are consistent with the Community/Regional Commercial designation of the Land Use Plan.

Reasonableness/Public Interest:

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

The amendments are needed to remove unintended barriers to development and to more accurately represent the current use of land.

Recommendations

Staff recommends approval of the zoning map amendments.

Required Action

Planning and Zoning Commission:

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City's Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the statement(s) as written in this report or with any additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with the consistency statement(s) in this report, by adoption of its own statement.

City Council:

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City's Land Use Plan and other plans as may be applicable. This may be done by adopting the statement(s) as written in this report, or with any additions or changes as agreed upon by the Council, or, if the Council is in disagreement with the consistency statement(s) in this report, by adoption of its own statement.

Report Preparation

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

SUMMARY FACT SHEET

Location: 111, 112, 115, 119, 120, 123, 127, 130 and 144 Westchester Drive
506 Idol Street
105, 110, 124, 127, 129 Scott Avenue
117, 119, 131, 145 W. Parris Avenue

Current Uses: Retail sales, vehicular establishments, restaurants, offices, commercial parking lots and vacant commercial building.

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Conditional Use General Business Conditional Zoning General Business Office Institutional Residential Single Family – 5 (R-5)	General Business (GB) District
<i>Purpose & Intent:</i>	The GB district is established to accommodate a wide range of general retail, business, and service uses that serve groups of neighborhoods. GB districts are generally located at major street intersections and along major thoroughfares. Residential uses are encouraged as stand-alone uses and on the upper floors of retail and office buildings as a part of mixed-use development. Uses in the district are subject to standards intended to ensure development is compatible with adjacent residential neighborhoods, particularly within the Core City area.	Same
<i>Current Uses:</i>	Permitted	Same
<i>Conditions</i>	Prohibits some commercial uses, vehicular access, ROW dedication, signage, exterior lighting, landscaping and lot combination.	N/A

	Adjacent Zoning	Adjacent Land Use
North:	General Business (GB) District	Restaurant, retail sales and U.S. Armory facility
South:	Conditional Zoning Retail Center (CZ-RC) District	Major Retail Center (Shopping Center)
East:	General Business (GB) District	Retail sales, restaurants, vehicle establishment and convenience store with fuel sales uses
West:	General Business (GB) District	Single family dwellings, vehicular establishment and personal service uses

Land Use Plan Map Classification

The area is designated as follows:

Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.

Property Listing

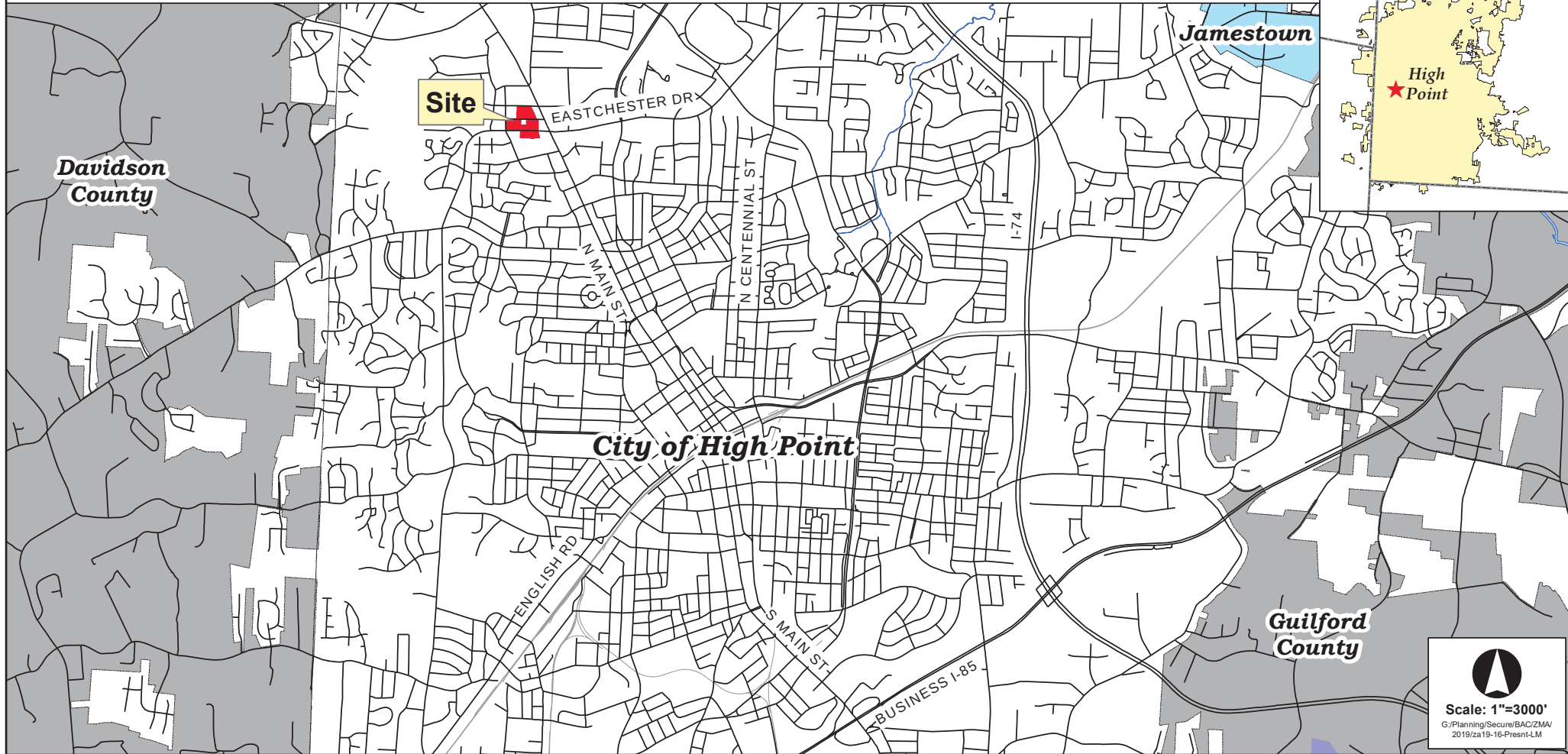
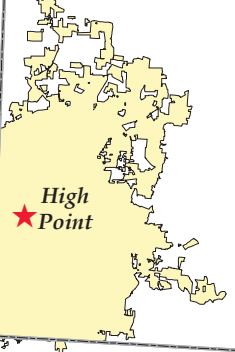
Acres	From	To	Use	Location	Owner	Parcel Numbers
0.40	CU-GB (CU 00-21)	GB	Major Vehicle Establishment	111 Westchester Dr	FPB Investments of NC LLC	188707
0.36	CZ-GB (CZ 11-08)	GB	Minor Restaurant	115 Westchester Dr	WH Capital LLC	188706
0.20	CZ-GB (CZ 11-08)	GB	Parking	119 Westchester Dr	Wand & Chu LLC	188705
0.52	CZ-GB (CZ 11-08)	GB	Major Restaurant	123 Westchester Dr	Wang & Chu LLC	188704
0.34	CU-GB (CU 90-10)	GB	Major Retail	127 Westchester Dr	Sherwin-Williams Dev. Corp.	188703
0.71	CU-GB (CU 90-32)	GB	Major Vehicle Establishment	112 Westchester Dr	Y&Z Investments LLC	188686
0.96	CU-GB (CU-99-26)	GB	Major Vehicle Establishment	120 Westchester Dr	Robbins Properties LLC	188696
1.28	CU-GB (CU 90-38)	GB	Vacant Commercial Bldg.	130 Westchester Dr	Richard & Samantha Price	188687
0.78	CU-GB (CU 83-07)	GB	Major Retail	144 Westchester Dr	JNS Properties LLC	188688
0.40	CU-GB (CU 88-28)	GB	Major Retail	129 Scott Ave	J&M Investment of High Point N	188689
0.29	CU-GB (CU 88-28)	GB	Vacant	127 Scott Ave	Varsity Drive in INC	188690 188691
0.20	R-5	GB	Vacant	105 Scott Ave	Ruthiebelle & Michael Young	188697
0.60	CU-GB (CU 88-30)	GB	Office	110 Scott Ave	Vicki Dallas Family Trust	194674
1.26	CU-GB (CU 95-26)	GB	Office	131 W. Parris Ave	Century Income Inc	194662
0.51	CU-GB (CU 88-35)	GB	Office	124 Scott Ave	Charles & Sandra Odom	194669
0.12	CU-GB (CU00 06)	GB	Minor Retail	145 W. Parris Ave	Raies International	194678
0.65	OI	GB	Office	117 W. Parris Ave	Ernest & Norman Mansour	194673

LOCATION MAP

ZONING MAP AMENDMENT ZA-19-16

Applicant: City of High Point

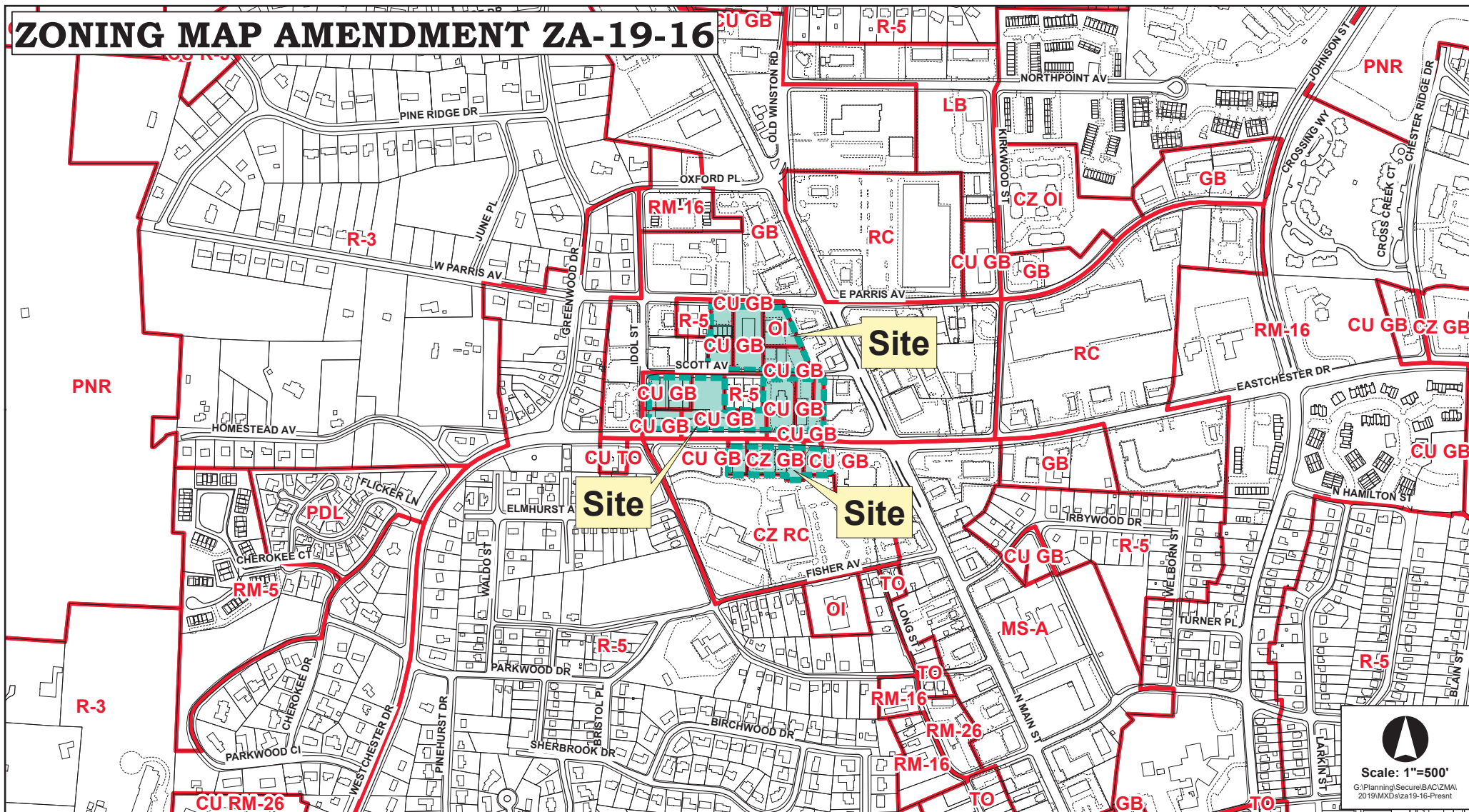
Vicinity Map



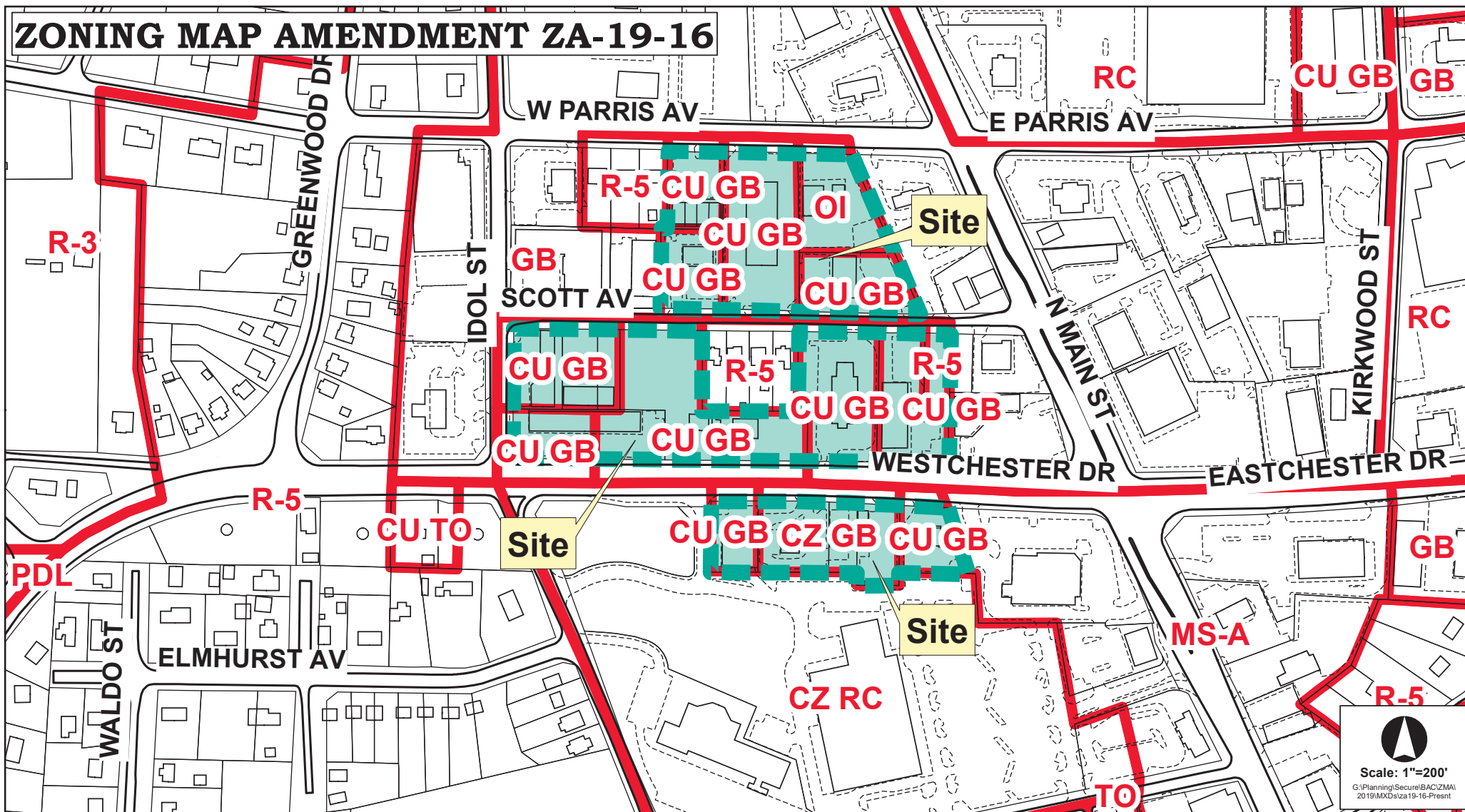
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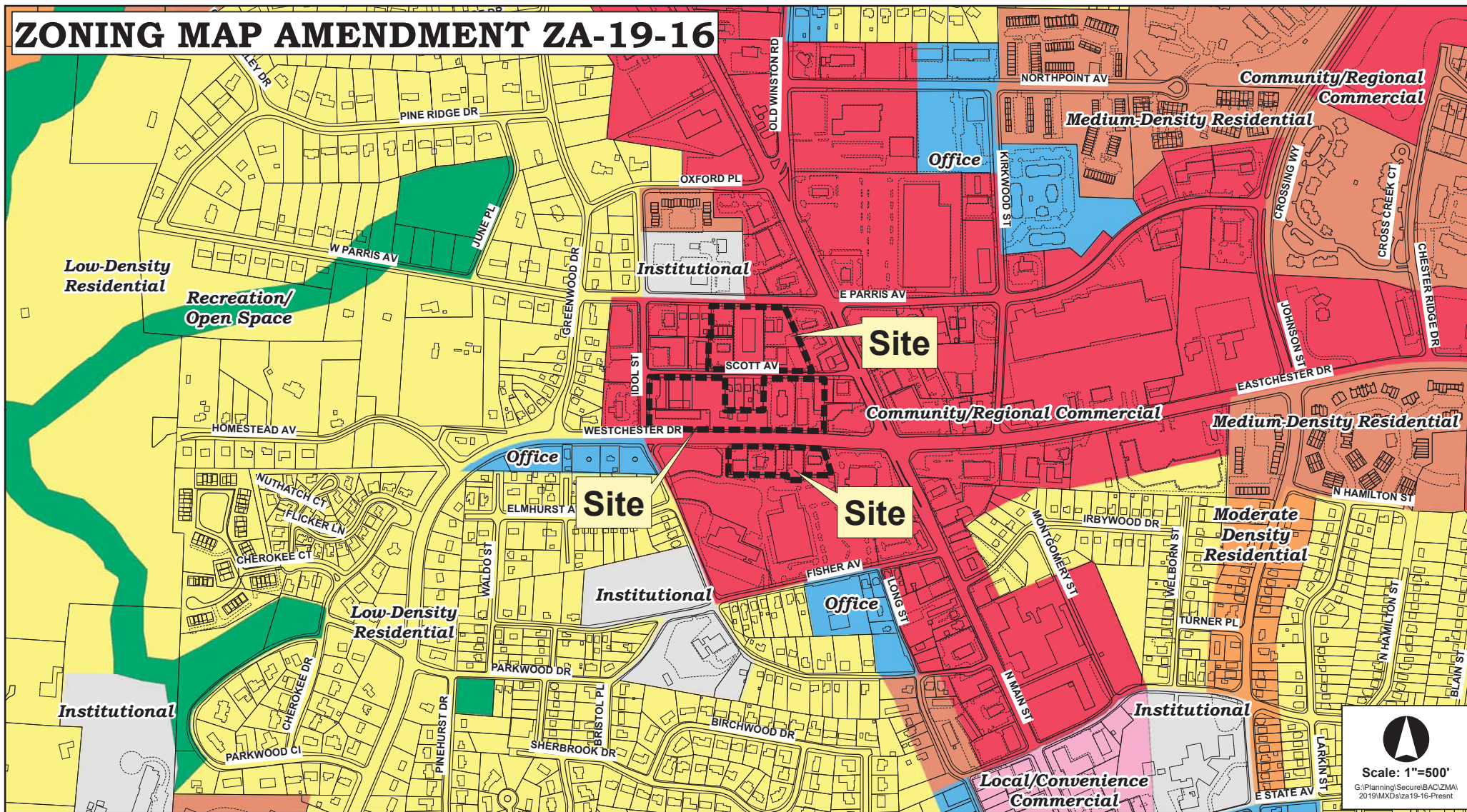
ZONING MAP AMENDMENT ZA-19-16



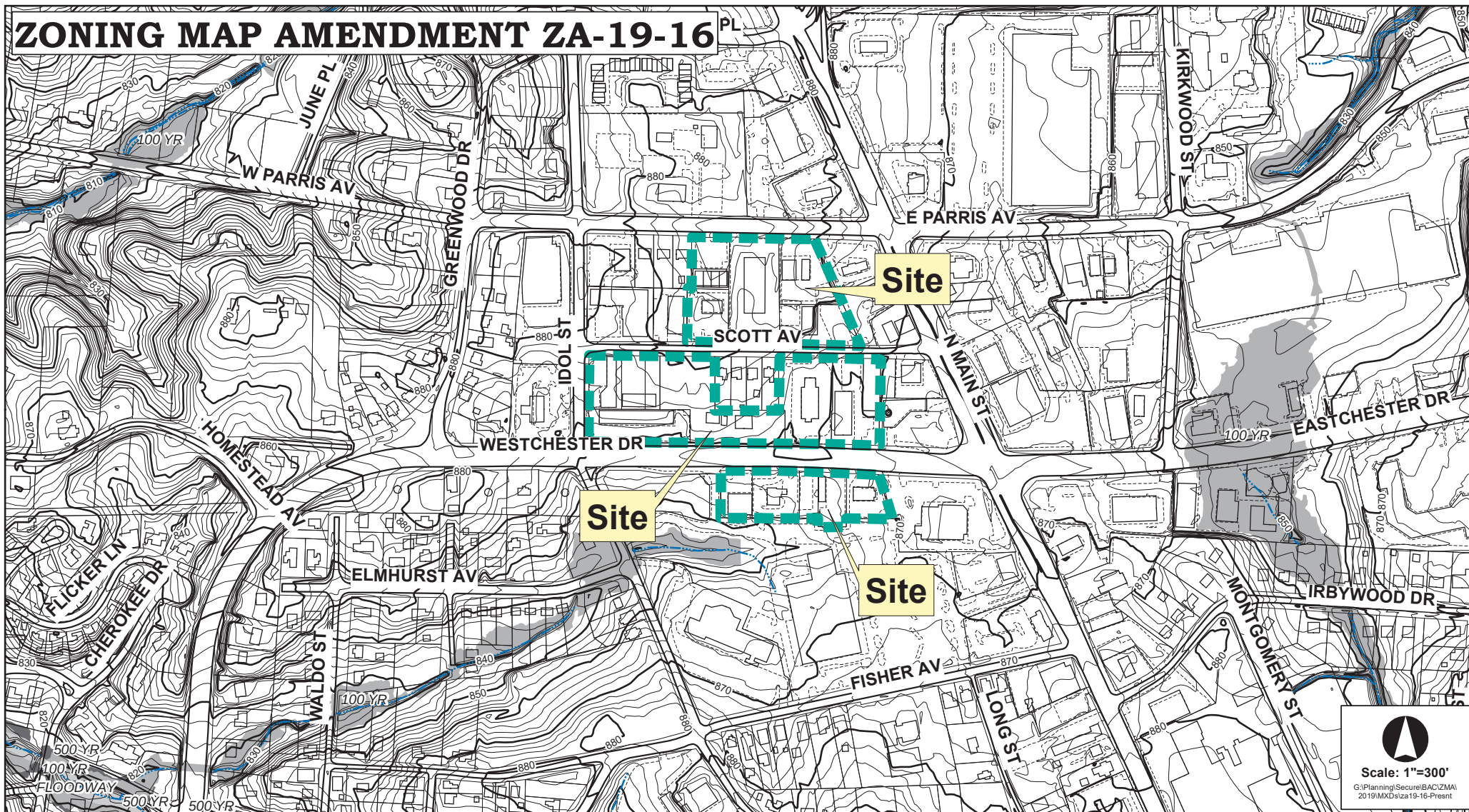
ZONING MAP AMENDMENT ZA-19-16



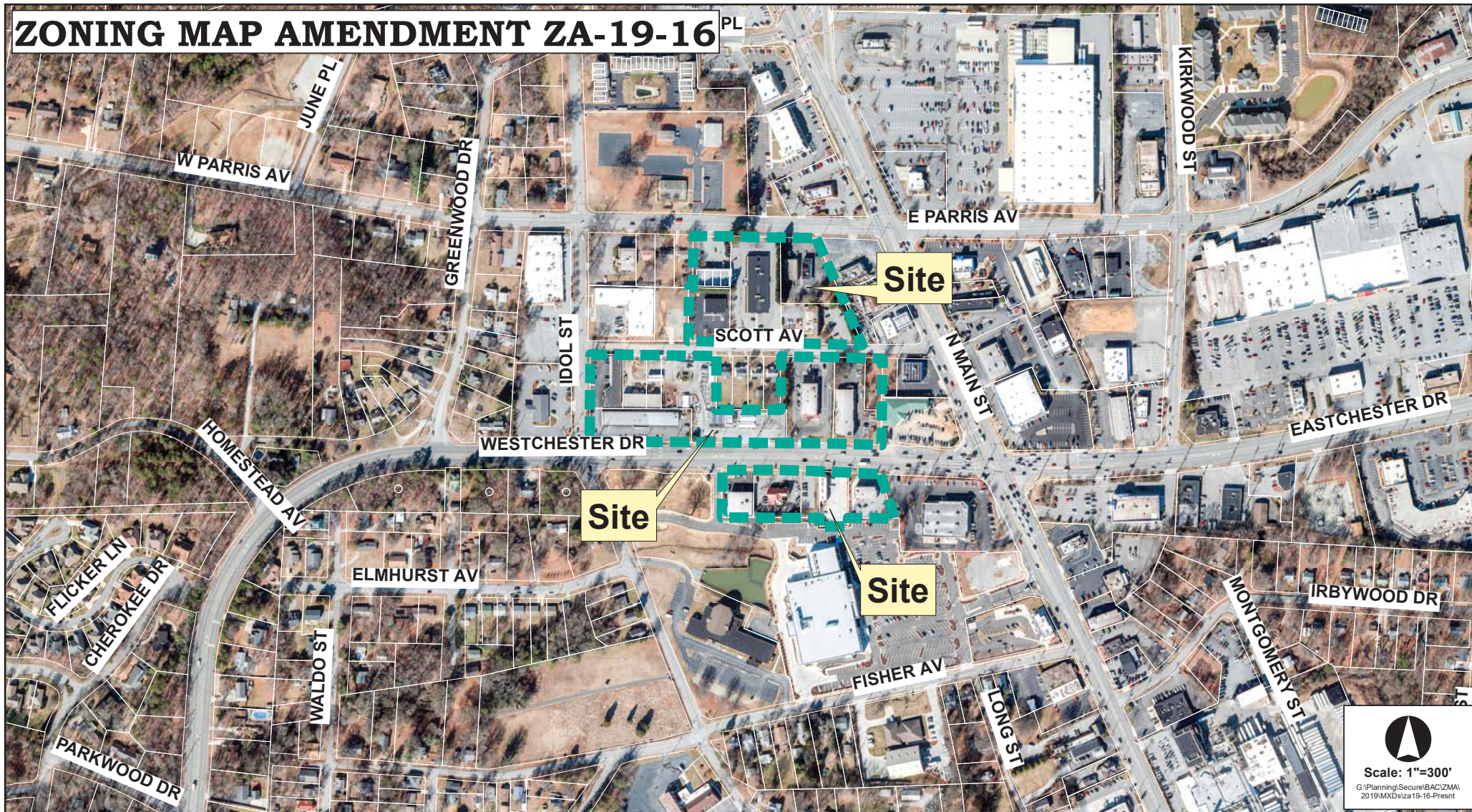
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ZONING MAP AMENDMENT ZA-19-16



ZONING MAP AMENDMENT ZA-19-16^{PL}



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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on July 23, 2019 and before the City Council of the City of High Point on August 19, 2019 regarding **Zoning Map Amendment Case 19-16 (ZA-19-16)** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on August 18, 2019, for the Planning and Zoning Commission public hearing and on September 5, 2019 and September 11, 2019, 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 **September 16, 2019**.

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 areas as: **General Business (GB) District**.

Acres	Location	Guilford County Tax Parcel Numbers
0.40	111 Westchester Drive	188707
0.36	115 Westchester Drive	188706
0.20	119 Westchester Drive	188705
0.52	123 Westchester Drive	188704
0.34	127 Westchester Drive	188703
0.71	112 Westchester Drive	188686
0.96	120 Westchester Drive	188696
1.28	130 Westchester Drive	188687
0.78	144 Westchester Drive	188688
0.40	129 Scott Avenue	188689
0.29	127 Scott Avenue	188690 and 0188691
0.20	105 Scott Avenue	188697
0.60	110 Scott Avenue	194674
1.26	131 W. Parris Avenue	194662
0.51	124 Scott Avenue	194669
0.12	145 W. Parris Avenue	194678
0.65	117 W. Parris	194673

SECTION 2

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

SECTION 3

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

SECTION 4.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 16th day of September, 2019

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Reappointments – Piedmont Triad Regional Water Authority (PTRWA)

From: City Clerk's Office

Meeting Date: September 16, 2019

Public Hearing: N/A

Advertising Date /
Advertised By: N/A

Attachments: Letter from PTRWA

PURPOSE:

To confirm reappointment of City of High Point representatives, John Thomas, III and John Bencini, to the Piedmont Triad Regional Water Authority (PTRWA). Reappointments to be effective immediately and will expire on September 30, 2022.

BACKGROUND:

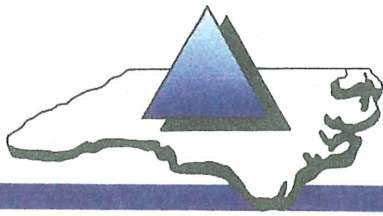
Mayor Wagner is recommending the reappointment of John Thomas, III and John Bencini to the Piedmont Triad Regional Water Authority (PTRWA). Reappointments to be effective immediately and will expire on September 30, 2022.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the reappointments of John Thomas III and John Bencini to the Piedmont Triad Regional Water Authority (PTRWA).



PIEDMONT TRIAD REGIONAL WATER AUTHORITY

MEMORANDUM

To: Ms. Lisa Vierling
City Clerk, City of High Point

From: Joy Sparks, Clerk to Board

Date: August 14, 2019

Re: Local Appointees to Piedmont Triad Regional Water Authority

Terms for the following appointee(s) to the Piedmont Triad Regional Water Authority Board of Directors will expire September 30, 2019:

John Thomas	High Point
John Bencini	High Point

We would appreciate your governing board making the necessary (re)appointment so that each of these position(s) can be filled upon the expiration of the September 30 term. Terms are for three (3) years. The PTRWA has no limitation on the number of terms an appointee may serve.

Please send written notification to the PTRWA when the (re)appointment is made. Thank you for your assistance and please do not hesitate to call if you have any questions.

/js

CITY OF HIGH POINT

AGENDA ITEM



Title: Reappointment- High Point Board of Alcoholic Control (ABC Board)

From: City Clerk's Office

Meeting Date: September 16, 2019

Public Hearing: N/A

Advertising Date /
Advertised By: N/A

Attachments: N/A

PURPOSE:

To confirm the reappointment of David Wall to the High Point Board of Alcoholic Control (ABC Board). Reappointment to be effective immediately and will expire November 15, 2022.

BACKGROUND:

Mayor Wagner is recommending the reappointment of David Wall to the High Point Board of Alcoholic Control (ABC Board). Reappointment to be effective immediately and will expire on November 15, 2022.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the reappointment of David Wall to the High Point Board of Alcoholic Control (ABC Board).

Ordinance # 7558/19-75
Annexation Case 19-07

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-31, as amended, to annex the area described herein; and,

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

WHEREAS, The City of High Point has adopted a resolution under G.S. 160A-31, stating its intent to annex the area described herein; and,

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 211 S. Hamilton Street, High Point North Carolina at 6:15 p.m. on the 16th day of September, 2019, after due notice; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

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

SECTION 1. That by virtue of the authority granted by G.S. 160A-31 as amended, the following described contiguous property owned by the City of High Point is hereby annexed, and made a part of the City of High Point as of September 16, 2019.

Description:

Annexation Case AN-19-07

Property Owner: City of High Point

Guilford County Tax Parcel 160602 (Deed Book 4158, Page 232)

Jamestown Township, Guilford County, North Carolina

Beginning at a 7/8" iron pipe found on the westerly line of Dillon Road – NCSR # 1334 (60 feet wide) marking the northeasterly corner of the lands of Debre Mehret Medhane Alem Ethiopian Orthodox Tewahedo (DB 7444, Page 2932); thence departing said westerly line of Dillon Road and with the northerly line of said lands of Debre Mehret Medhane Alem Ethiopian Orthodox Tewahedo South 89° 42' 10" West 242.20 feet to a 1" iron pipe found marking the southeasterly corner of the lands of North Carlina Remodel Masters, Inc. (Deed Book 7651, Page

566; thence departing said northerly line of the lands of Debre Mehret Medhane Alem Ethiopian Orthodox Tewahedo and with the easterly and northerly line of said lands of North Carolina Remodel Masters, Inc. North 32° 13' 29" West 105.15 feet to a 7/8" rebar found and North 88° 43' 35" West 357.88 feet to a 2-1/2" iron pipe found on the easterly line of other lands of the City of High Point (DB 220, Pg 28); thence with the easterly line of said other lands of the City of High Point North 04° 40' 02" East 414.83 feet to a 1" rebar found and North 02° 29' 00" East 272.76 feet to a 7/8" iron pipe found marking the southwesterly corner of the lands of Terry R. Nall (DB 5672, Pg 1212); thence with the southerly line of said lands of Nall South 64° 06' 39" East 882.24 feet to a 7/8" iron pipe found on the aforementioned westerly line of Dillon Road – NCSR # 1334 (60 ft wide); thence with said westerly line of Dillon Road South 24° 48' 24" West 436.69 feet to the Point of Beginning and containing 9.50278 Acres of land to be annexed.

AND

Guilford County Tax Parcel 22890 (Deed Book 220, Page 28)
High Point Township, Guilford County, North Carolina

Beginning at a 1" iron pipe found marking the southeasterly corner of Lot 1 Section 4 of Ridgecrest Subdivision (PB 28, Page 51); thence with the easterly line of said Lot 1 Section 4 of Ridgecrest Subdivision North 06° 01' 32" West (passing over a 1-1/4" iron pipe found at 221.81 feet) a total of 232.64 feet to a point in the centerline of Glover's Branch; thence departing said easterly line of Ridgecrest Subdivision and with the centerline of Glover's Branch and the easterly line of the lands of Bobby Ray Glover (Deed Book 1469, Page 584) the following twenty-two (22) courses and distances: 1) South 63° 37' 10" East 41.82 feet, thence

2) South 50° 53' 26" East 53.12 feet, thence

3) South 74° 56' 38" East 58.57 feet, thence

4) South 59° 38' 24" East 54.61 feet, thence

5) South 77° 49' 59" East 22.76 feet, thence

6) North 72° 04' 10" East 14.00 feet, thence

7) North 44° 58' 41" East 12.90 feet, thence

8) North 28° 17' 59" East 54.35 feet, thence

9) North 39° 22' 10" East 32.52 feet, thence

10) North 18° 36' 25" East 60.16 feet, thence

11) North 50° 16' 13" East 57.52 feet, thence

12) North 30° 22' 34" East 86.51 feet, thence

13) North 59° 13' 20" East 27.24 feet, thence

14) North 35° 30' 10" East 97.60 feet, thence

15) North 24° 53' 07" East 86.29 feet, thence

16) North 18° 56' 28" East 61.57 feet, thence

17) North 53° 26' 36" East 72.27 feet, thence

18) North 02° 48' 20" East 20.25 feet, thence

19) North 37° 34' 22" East 63.44 feet, thence

20) North 12° 56' 04" East 51.58 feet, thence

21) North 19° 11' 26" West 84.47 feet, and thence

22) North 22° 28' 34" West 102.70 feet to the northeast corner of said lands of Glover; thence departing the easterly line of said lands of Glover and continuing with Glover's Branch thru the lands of the City of High Point the following thirteen (13) courses and distances:

- 1) North 22° 28' 34" West 155.54 feet, thence
- 2) North 01° 56' 25" East 44.63 feet, thence
- 3) North 11° 47' 57" West 130.91 feet, thence
- 4) North 21° 58' 11" East 20.08 feet, thence
- 5) North 53° 09' 47" East 27.46 feet, thence
- 6) North 86° 55' 32" East 116.37 feet, thence
- 7) North 74° 55' 07" East 38.26 feet, thence
- 8) North 47° 50' 21" East 31.46 feet, thence
- 9) North 57° 21' 50" East 77.84 feet, thence
- 10) North 22° 24' 23" East 36.42 feet, thence
- 11) North 30° 09' 25" West 58.99 feet, thence
- 12) North 13° 42' 00" West 84.01 feet, and thence
- 13) North 01° 10' 56" East 102.62 feet to a point on the southerly line of the lands of the North Carolina Department of Transportation (Deed Book 8087, Page 694), purchased for the Jamestown Bypass; thence with said southerly line of the lands of the North Carolina Department of Transportation 58.75 feet along the arc to the left having a radius of 3,099.83 feet, a central angle of 01° 05' 09", and a chord bearing and chord of North 89° 22' 59" East and 58.75 feet, respectively, to a point; thence continuing with southerly line of said lands of the North Carolina Department of Transportation the following three (3) courses and distances:
 - 1) South 53° 30' 56" East 72.81 feet, thence
 - 2) North 71° 54' 03" East 182.54 feet, and thence
 - 3) South 81° 51' 30" East 18.20 feet to a point on the westerly line of the lands of Nancy T. Guiton (Deed Book 3324, Page 182);
 thence with said westerly line of the lands of Guiton South 03° 49' 39" West 300.07 feet to a 7/8" iron pipe found marking the northwesterly corner of the lands of Terry R. Nall (Deed Book 5672, Page 1212); thence with the westerly line of said lands of Nall South 03° 49' 38" West 589.37 feet to a 7/8" iron pipe found marking the northwesterly corner of other lands of the City of High Point (Deed Book 4158, Page 232); thence with the westerly line of said other lands of the City of High Point South 02° 29' 00" West 272.76 feet to a 1" rebar and South 04° 40' 02" West 414.83 feet to a 2-1/2" iron pipe found marking the southwesterly corner of said other lands of the City of High Point and the northwesterly corner of the lands of North Carolina Remodel Masters, Inc (Deed Book 7651, Page 566); thence with said westerly line of the lands of North Carolina Remodel Masters South 05° 02' 05" West 99.09 feet to a 1" iron pipe found marking the northwesterly corner of the lands of Debre Mehret Medhane Alem (Deed Book 7444, Page 2932); thence with the westerly line of said lands of Alem South 0° 56' 12" East 40.94 feet to a point on the northerly line of the lands of Robert L. Austin Jr (Deed Book 3231, Page 678), being Lot 7 Section 2 of Meadowview Acres (PB 32, Pg 80), said point lying North 86° 57' 38" West 5.55 feet from the northeast corner of said Lot 7; thence with the northerly line of said lands of Austin and continuing with the northerly line of the lands of Russell Anthony Greeson et ux (Deed Book 4324, Page 2116), being Lot 6 Section 2 of Meadowview Acres (PB 32, Pg 80) and the lands of Ronald D. Russell et ux (Deed Book 2366, Page 649), being Lot 1 Section 1 of Meadow-View Acres (PB 28, Pg 52) North 86° 57' 38" West 885.15 feet to the Point of Beginning and containing 18.67414 Acres of land to be annexed.

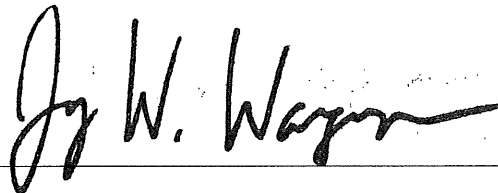
Total Annexation area 28.17692

SECTION 2. That upon and after the effective date of the annexation 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-31.

SECTION 3. That 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.

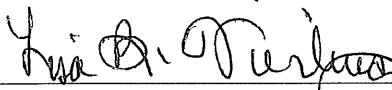
Adopted by the City Council
City of High Point, North Carolina
The 16th day of September, 2019.

By: _____



Jay W. Wagner, Mayor

ATTEST:



Lisa B. Vierling, City Clerk



City Clerk's Office

Mary Brooks

DEPUTY CITY CLERK



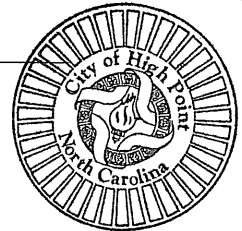
City of High Point
Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

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 September 16, 2019 and upon approval by City Council will be recorded in Book 94 of the Official Minute Books and Ordinance Book XX, Ordinance No. 7558/19-75, page 187, Legislative File No. 2019-411 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 25th day of September 2019.

Lisa B. Vierling
Lisa B. Vierling, City Clerk

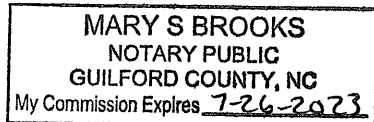


ACKNOWLEDGEMENT

I, Mary S. Brooks, 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 25th day of September 2019.

Mary S. Brooks
Mary S. Brooks, Notary Public



Commission Expires: 7/26/2023

Ordinance # 7556/19-73
Zoning Map Amendment 19-15

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on August 27, 2019 and before the City Council of the City of High Point on September 16, 2019 regarding **Zoning Map Amendment Case 19-15 (ZA-19-15)** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on August 18, 2019, for the Planning and Zoning Commission public hearing and on September 4, 2019 and September 11, 2019, 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 **September 16, 2019**.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Conditional Zoning Institutional (CZ-I) District**. The property is approximately 10 acres and is lying north of E. Lexington Avenue, between N. University Parkway and Guyer Street. The property is also known as Guilford County Tax Parcels 18537, 182471, 182472, 182505, 182506 and 182480 (portion).

SECTION 2

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

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

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Lot Combination: As requested by the Technical Review Committee, parcels associated with the zoning site shall be combined prior to development or subdivision.

B. Landscaping, Buffers, and Screening:

1. Fencing: Fencing installed along the Guyer Street frontage of the zoning site shall be setback a minimum of five (5) feet from the right-of-way line.
2. Landscaping: Along the Guyer Street frontage of the site, the planting rate for the Street Yard Landscaping shall be increased to require installation of a C Yard Planting Rate. Fifty percent (50%) of trees and shrubs utilized shall consist of evergreen species of planting material.

C. Transportation

1. Vehicular Access:

- a. N. University Parkway: One (1) point of vehicular access shall be allowed to N. University Parkway.
- b. Guyer Street: One (1) point of access shall be allowed to Guyer Street. This access point shall be gated and not intended for general vehicle access; and shall be installed as approved by the High Point Department of Transportation.
- c. E. Lexington Avenue: No vehicle access shall be permitted to E. Lexington Avenue.
- d. Old residential dwelling driveways: Existing driveways in place as of September 16, 2019, that served former single family detached dwellings, may remain until that structure is removed or converted to a nonresidential use classification.

2. The City of High Point Director of Transportation shall approve the exact location and design of all access points. In addition, the Director of Transportation and the North Carolina Department of Transportation (NCDOT), if applicable, shall approve all construction and improvements.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

SECTION 4

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

SECTION 5

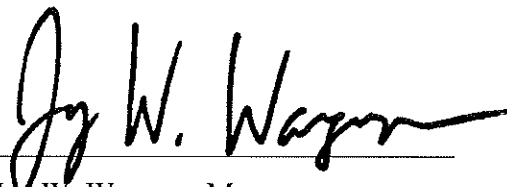
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

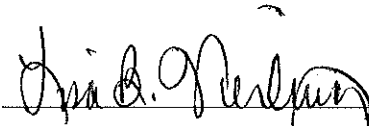
This ordinance shall become effective upon the date of adoption.

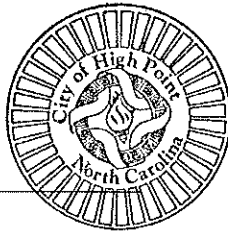
Adopted by the City Council
City of High Point, North Carolina
The 16th day of September, 2019

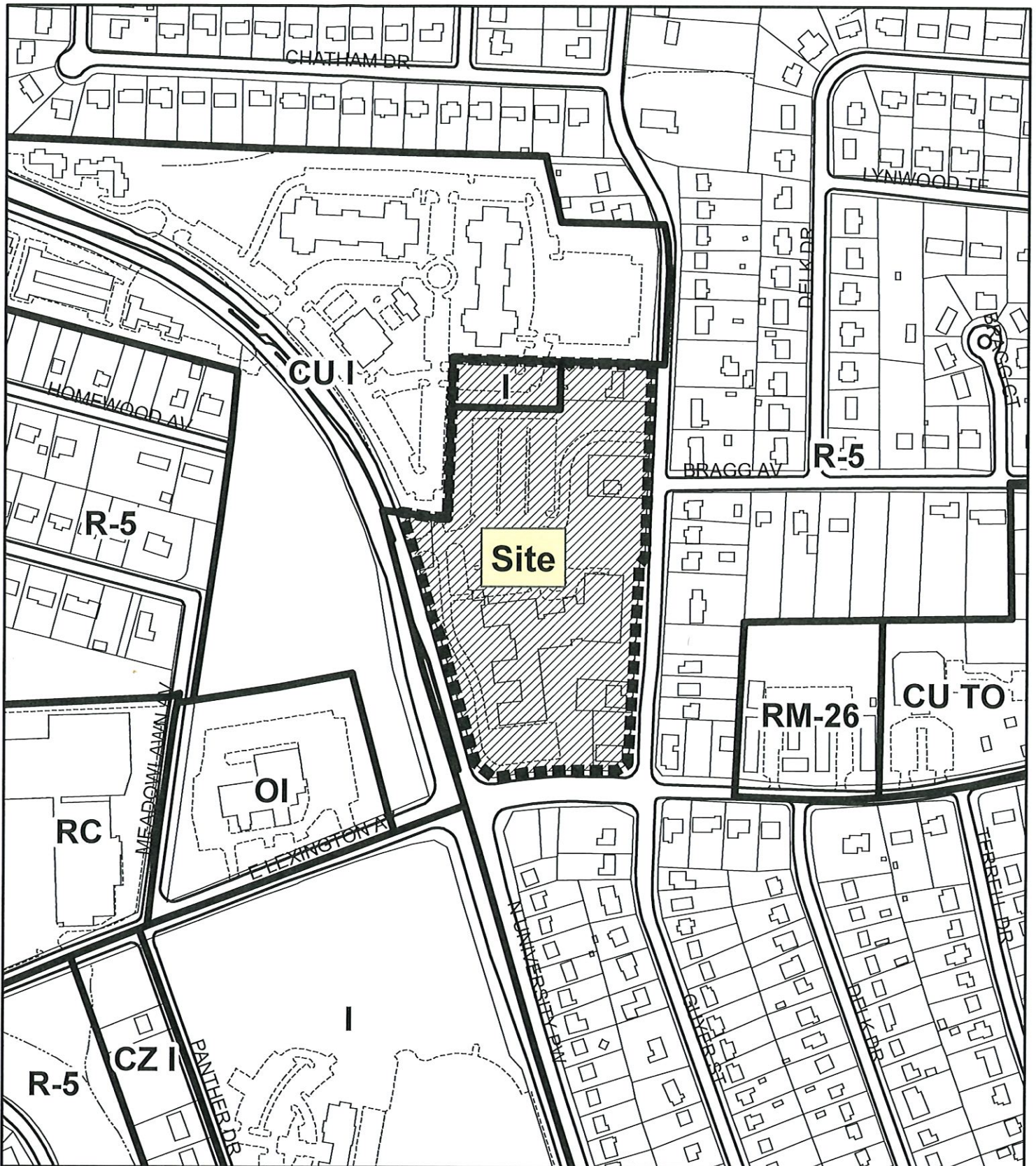
By: _____


Jay W. Wagner, Mayor

ATTEST:


Lisa B. Vierling, City Clerk





ZONING MAP AMENDMENT ZA-19-15

From: Residential Single Family-5, and Institutional
To: Conditional Zoning Institutional

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

Planning & Development
Department

City of High Point



Scale: 1"=300'
G:/Planning/Secure/BAC/
ZA/2019/MXD/za19-15

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 19-15
(High Point University)

From: Lee Burnette, Planning & Development
Director

Meeting Date: September 16, 2019

Public Hearing: Yes

Advertising Date: September 5, 2019, and
September 11, 2019

Advertised By: Planning & Development

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

PURPOSE:

A request by High Point University to rezone approximately 9.8 acres from the Residential Single Family-5 (R-5) District and the Institutional (I) District to a Conditional Zoning Institutional (CZ-I) District. The site is located north of E. Lexington Avenue, between N. University Parkway and Guyer Street (1300 N. University Parkway, 1513 E. Lexington Avenue and 1307, 1501 & 1505 Guyer Street).

BACKGROUND:

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

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended **approval** of this request as outlined in the attached staff report.
- B. On August 27, 2019, a public hearing was held before the Planning and Zoning Commission regarding Zoning Map Amendment 19-15. The Planning & Zoning Commission recommended **approval** of this request, as outlined in the staff report and recommended by staff, by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

High Point University

Zoning Map Amendment 19-15

At its August 27, 2019 public hearing, the Planning and Zoning Commission reviewed a request to rezone approximately 9.8 acres to a Conditional Zoning Institutional (CZ-I) District. All members of the Commission were present, except for Mr. Ray Wheatley. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

Speaking on behalf of the request was Mr. Barry Kitley, 4115 Ponce De Leon Drive, High Point, Director of Special Projects Facilities & Auxiliary Operations at High Point University. Mr. Kitley provided an overview of the request. He stated that the community meeting, held on July 21, 2019, had no opposition.

The Commission asked if the church would remain open. Mr. Kitley stated that the church would be relocating by the end of 2019, and the church daycare facility will remain open until June 2020.

No one spoke in opposition.

Planning & Zoning Commission Action

Zoning Map Amendment

The Commission recommended **approval** of Zoning Map Amendment 19-15, as recommended by staff, by a vote of 6-0.

Consistency & Reasonableness Statements

The Commission voted 6-0 to approve the following statement: That the Zoning Map Amendment is consistent with the City's adopted policy guidance because, the Land Use Plan classifies the property for Institutional use, which includes colleges and universities. Furthermore, the request is reasonable because, the High Point University campus and the Institutional District already abuts the site to the north and west, and the proposed district is consistent with that zoning pattern.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-19-15
August 27, 2019**

Request	
Applicant: High Point University	Owner: High Point University
Zoning Proposal: To rezone approximately 9.8 acres	From: R-5 Residential Single Family-5 District Institutional District
	To: CZ I Conditional Zoning Institutional District.

Site Information	
Location:	The site is located north of E. Lexington Avenue, between N. University Parkway and Guyer Street (1300 N. University Parkway, 1513 E. Lexington Avenue and 1307, 1401 & 1405 Guyer Street).
Tax Parcel Number:	Guilford County Tax Parcels 18537, 182471, 182472, 182505, 182506 and 182480 (portion)
Site Acreage:	Approximately 9.8 acres
Current Land Use:	Religious institution (Christ United Methodist Church) and single family detached dwellings
Physical Characteristics:	The site has a gentle to moderately sloping terrain and developed with an approximate 48,000 square-foot church and four single family dwellings.
Water and Sewer Proximity:	Variously sized City water lines lie adjacent to the site along N. University Parkway, E. Lexington Avenue and Guyer Street. An 8-inch City sewer line lie adjacent to the site along E. Lexington Avenue and Guyer Street.
General Drainage and Watershed:	The site drains in a general southeasterly direction and development is subject to the City Lake General Watershed Area (GWA) requirements. Engineered storm water treatment measures are required for development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more.
Overlay Districts:	City Lake General Watershed Area

Adjacent Property Zoning and Current Land Use			
North:	CU-I	Conditional Use Institutional District	High Point University Campus (dormitory)
South:	R-5	Residential Single Family - 5 District	Single family detached dwelling and undeveloped parcels
East:	R-5	Residential Single Family - 5 District	Single family detached dwellings
West:	CU-I	Conditional Use Institutional District	High Point University Campus (undeveloped parcel)

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	The following objective of the Community Growth Vision Statement is relevant to this request: Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Map Classification:	The site has an Institutional land use designation. This classification is intended to accommodate public, quasi-public and institutional uses on large tracts are included in this classification.
Land Use Plan Goals, Objectives & Policies:	The following goal of the Land Use Plan is relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods.
Relevant Area Plan: <i>Core City Plan</i>	<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.
Zoning History:	In 2007, Zoning Map Amendment 07-25 was approved which expanded the High Point University campus by 18 acres to the north and west of this current zoning request. Since 2007 there have been no zoning activity in this area.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	N. University Parkway		Minor Thoroughfare	650 ft.
	E. Lexington Avenue		Minor Thoroughfare	320 ft.
	Guyer Street		Local	950 ft.
Vehicular Access:	Via driveway access from N. University Parkway and Guyer Street.			
Traffic Counts: (Average Daily Trips)	N. University Parkway E. Lexington Avenue Guyer Street		9,200 ADT (NCDOT 2017 trip count) 10,000 ADT (NCDOT 2017 trip count) 8,500 ADT (intersection of Guyer St. and E. Lexington Ave. - 2014 trip count)	
Estimated Trip Generation:	Not applicable			
Traffic Impact Analysis (TIA):	Required		TIA Comments	
	<u>Yes</u>	<u>No</u> X	Not applicable	
Conditions:	<u>Vehicular Access:</u> • No access to Lexington Avenue. • One point of access to Guyer Street. • One point of access to N. University Drive.			
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 has submitted this Zoning Map Amendment request to expand the boundary of their main campus to include this 9.8-acre area. The campus currently abuts this site to the north, west and to the southwest. If approved, this will complete the campus expansion in this block. Included with this application is a conditional zoning ordinance in which the University has offered conditions to restrict access and to provide higher screening and landscaping standards along the Guyer Street frontage of the site.

Staff Analysis

Section 2.4.5.(C) of the Development Ordinance states that the advisability of a conditional zoning is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to approve or deny a conditional zoning, the City Council shall weigh the relevance of and consider the following issues outlined below.

Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Policy Guidance

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

The Land Use Plan classifies the property for Institutional use, which includes colleges and universities.

Reasonableness/Public Interest:

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

The High Point University campus and the Institutional District already abuts the site to the north and west, and the proposed district is consistent with that zoning pattern.

Compatibility with Surrounding Areas

- Whether the proposed conditional zoning district will result in a development that is compatible with the character of surrounding existing or proposed development and land uses.
 - Where there are issues of compatibility, the proposed conditional zoning district shall provide for appropriate transition areas that address incompatibility through increased buffering, landscaping, fencing, building height, mass and scale or other means designed to promote a complimentary character of development.
 - Determination of complimentary character may be based on densities/intensities, use types, lot sizes and dimensions, building height, mass and scale, exterior lighting, siting of service areas, or other aspects that may be identified by the City Council.
- ❖ Except for the four single family dwellings, the site has been developed and operating as an institutional use (church) since the 1970s.
 - ❖ Future University development of the zoning site will trigger requirements to install additional screening and perimeter landscaping yards.
 - ❖ The site is separated from adjacent residential neighborhoods by the Guyer Street and E. Lexington Avenue rights-of-way.

Mitigation of Impacts

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

Mitigation #1	Minimize or effectively mitigate any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc. Any new construction or building expansion on the site will trigger standards of the Development Ordinance pertaining to exterior lighting, screening of mechanical equipment/dumpsters and parking lot landscaping. To further reduce impacts to the adjacent neighborhood, the Guyer Street access is to be gated.
Mitigation #2	Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat. The site is within the City Lake General Watershed Area, and as such, development is required to meet the watershed standards of the Development Ordinance.
Mitigation #3	Minimize or effectively mitigate any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire. ❖ The site is within an area adequately served by City of High Point utilities and municipal services. ❖ The applicant has offered conditions to prohibit access to E. Lexington Avenue, and to limit the site to one point of access to N. University Parkway and one point of access to Guyer Street.
Mitigation #4	Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands. To mitigate impact and filter views from the adjacent residential neighborhood, the applicant has offered conditions to impose higher landscaping standards along the Guyer Street frontage of the site. Instead of the standards street yard planting rate of 2 trees and 17 shrubs every 100 linear feet, the applicant has offered to install a Type C planting rate which will provide 7 trees and 20 shrubs every 100 linear feet. The combination of the higher planting rate, separation provided by the road right-of-way and condition that Guyer Street landscaping consist of 50% evergreen materials will mitigate impacts to adjacent lands from any new construction or expansion.

Supportive Changes in the Area

Whether and the extent to which there have been changes in the type or nature of development in the area of the proposed conditional zoning district that support the application.

The site has been used as an institutional use for several decades and the Land Use Plan designates this area for Institutional use.

Promotes a Preferred Development Pattern

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

Established policy guidance for University-related expansion is that lands should about the existing campus, should consist of an entire block being rezoned and incorporated into the campus at the same

time, and should avoid piecemeal intrusion into residential neighborhoods. This zoning map amendment is consistent with these policies

Recommendation

Staff Recommends Approval :

The Planning & Development Department recommends approval of the request to rezone this 9.8-acre area to the CZ-I District. As conditioned, the request will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

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

City Council:

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

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

LOCATION MAP

ZONING MAP AMENDMENT: ZA-19-15

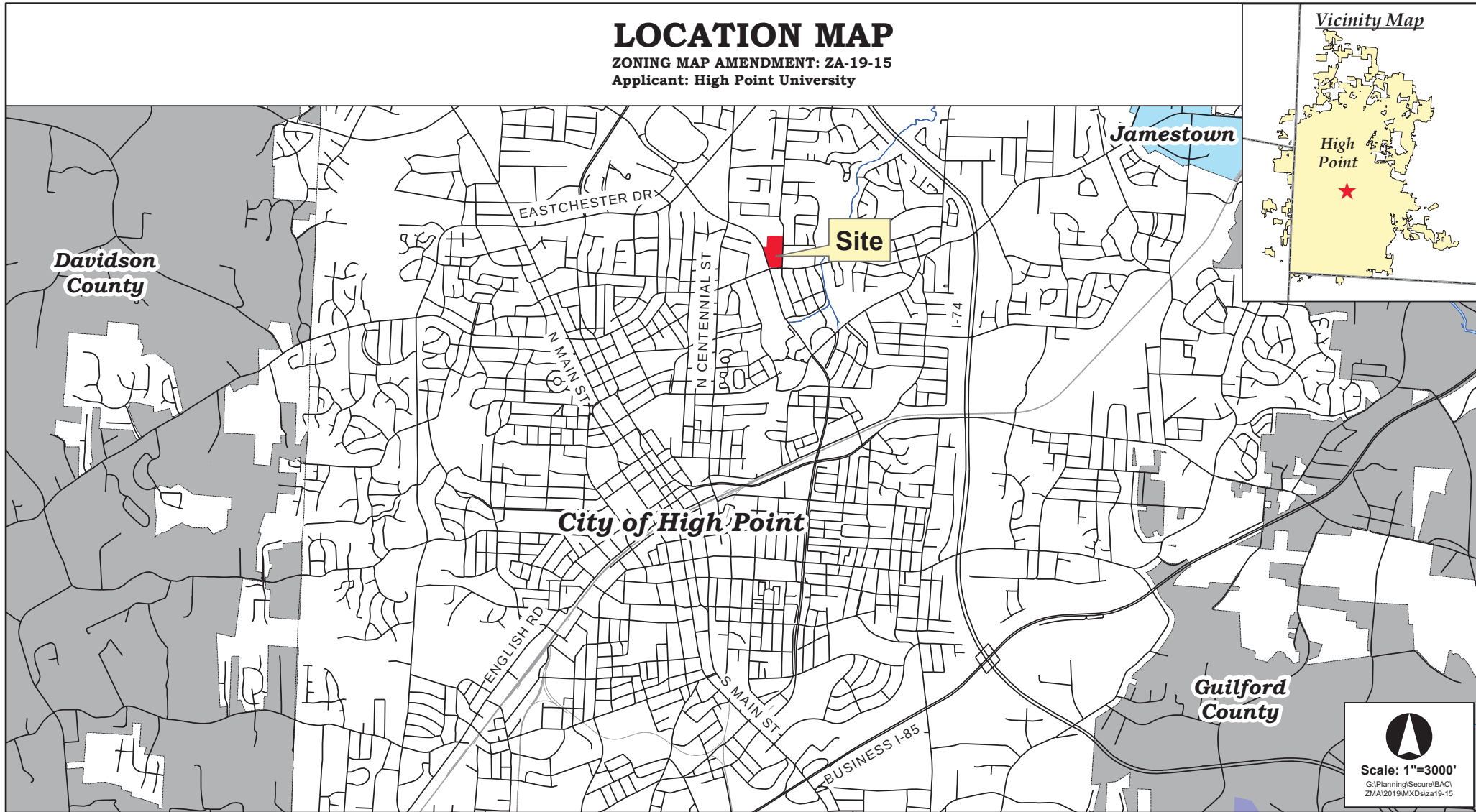
Applicant: High Point University

Vicinity Map

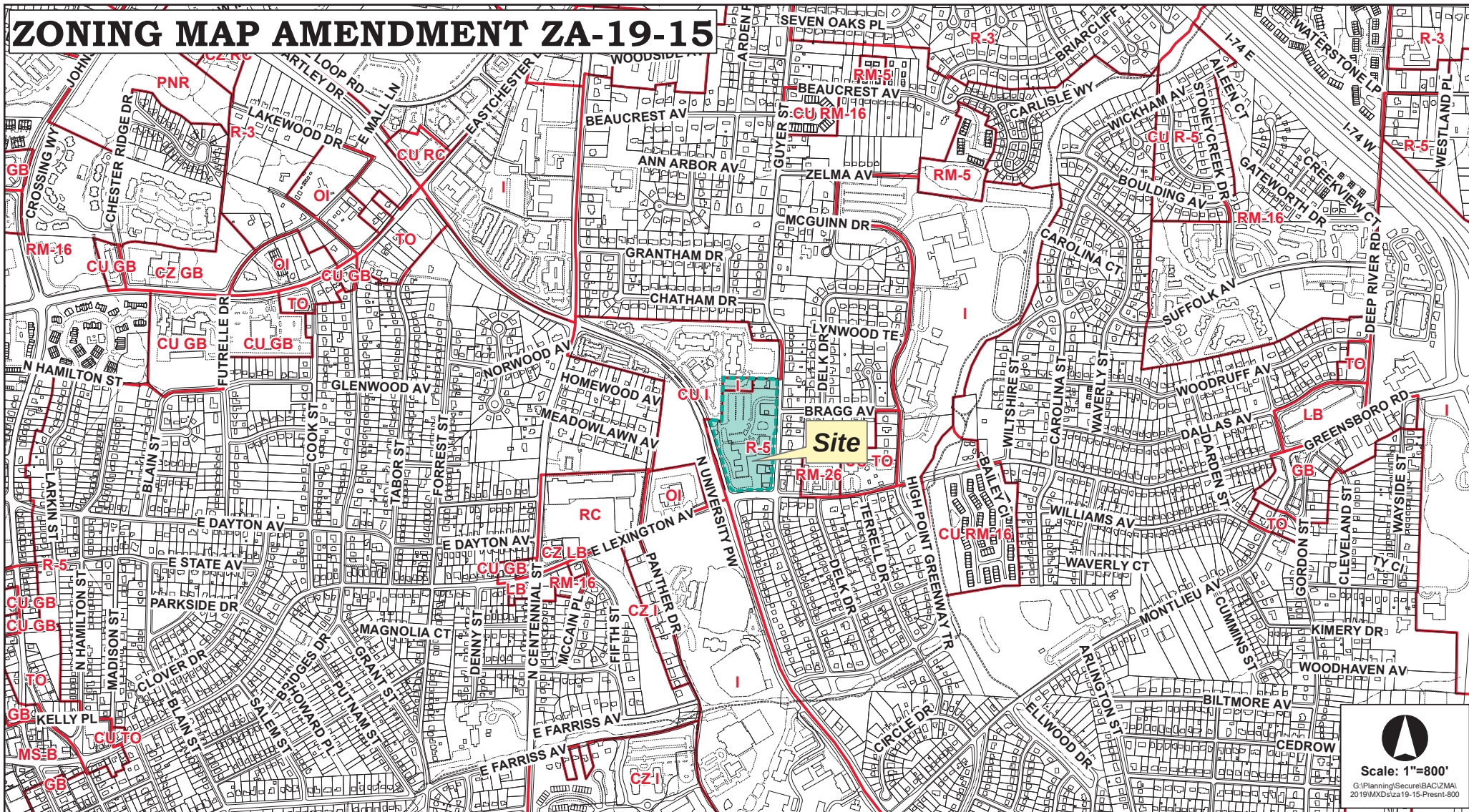
High Point

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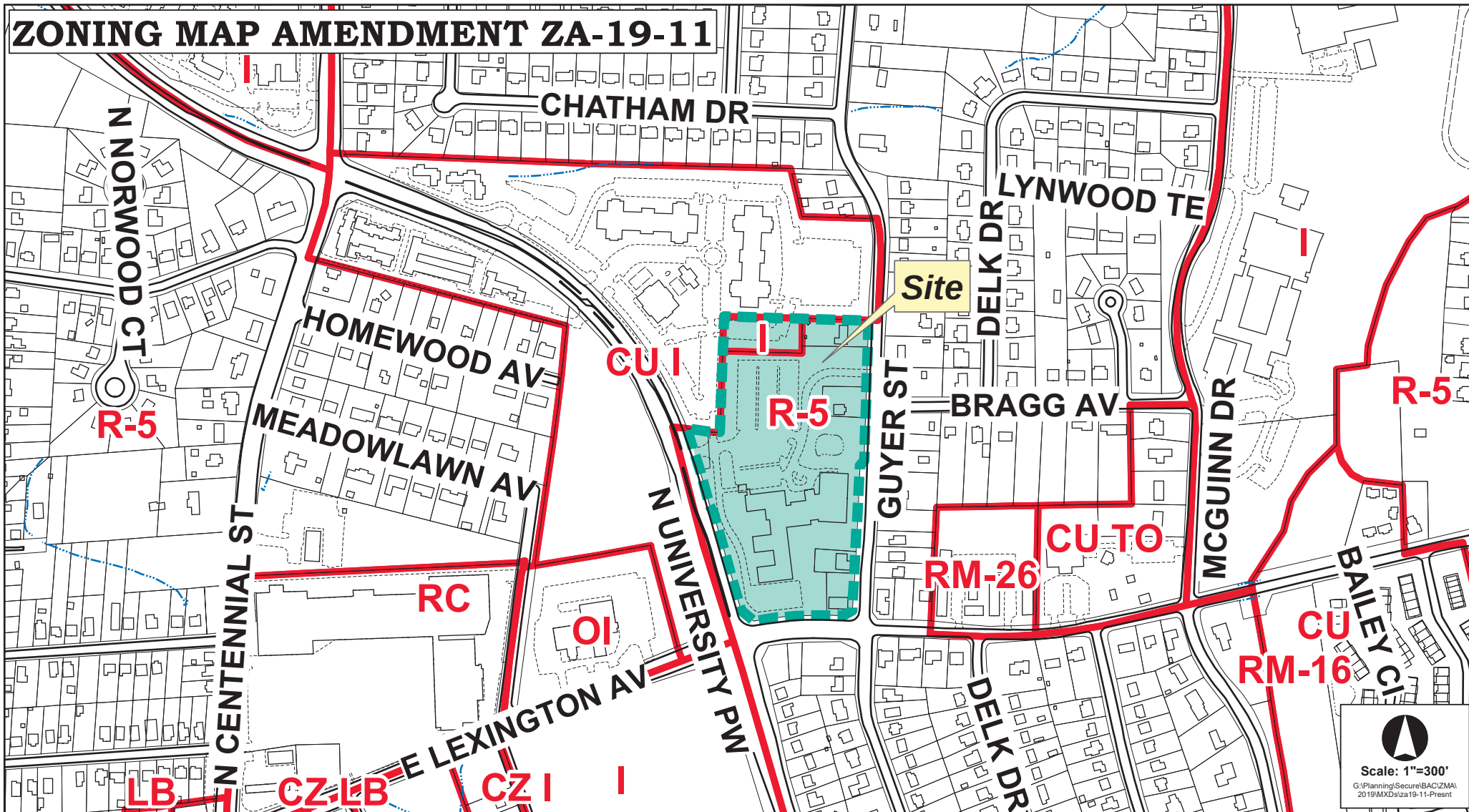
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ZONING MAP AMENDMENT ZA-19-15

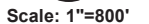


ZONING MAP AMENDMENT ZA-19-11



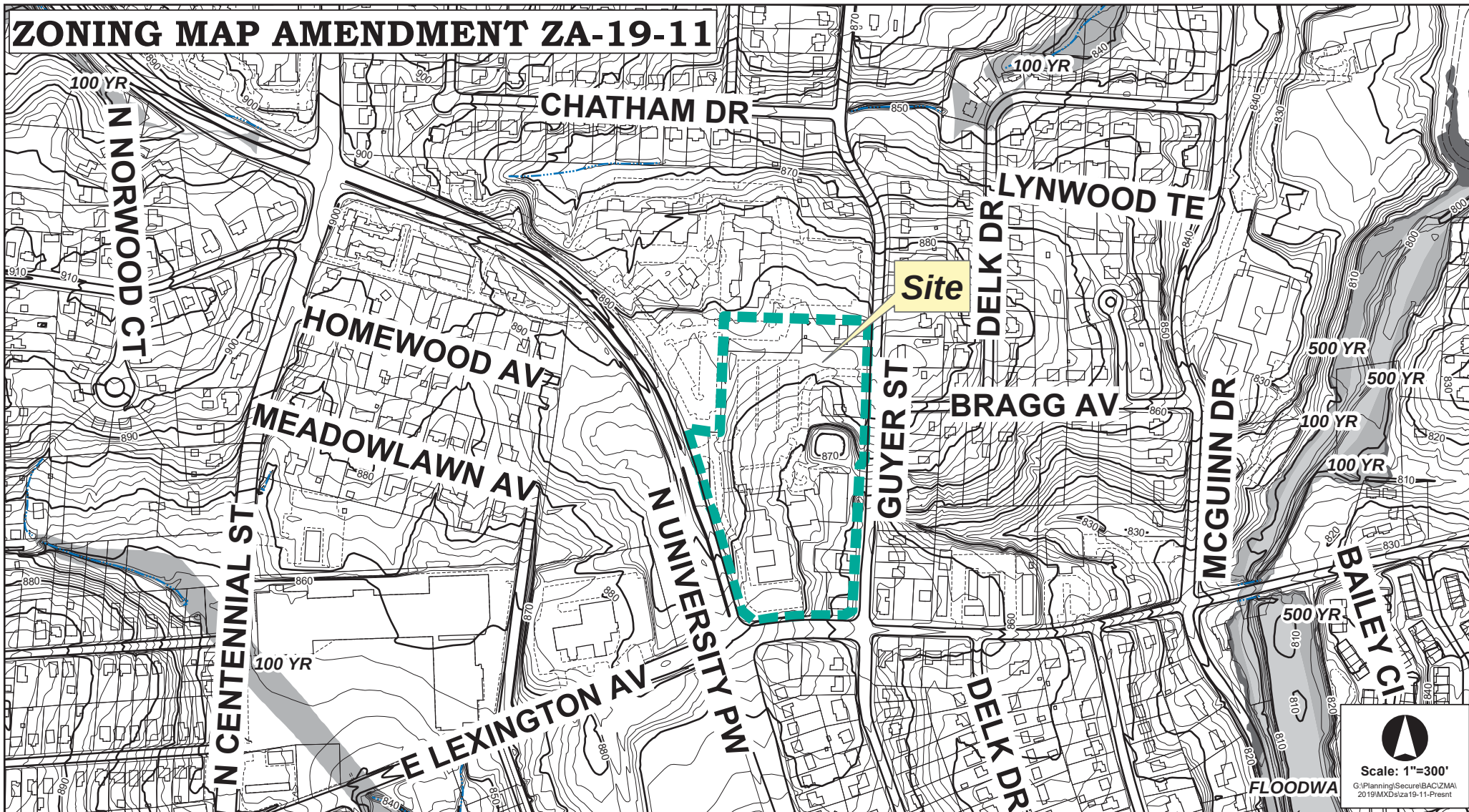
ZONING MAP AMENDMENT ZA-19-15

The map displays various zoning districts including Medium Density Residential, Community/Regional Commercial, Institutional, Office, Low-Density Residential, Local/Convenience Commercial, Office, Recreation/Open Space, and Medium-Density Residential. A specific area is highlighted and labeled "Site". The map also shows major roads such as I-74, I-74 W, and various local streets like N Hamilton St, E Dayton Av, and E Farriss Av. A legend in the bottom right corner indicates the scale is 1"=800'.



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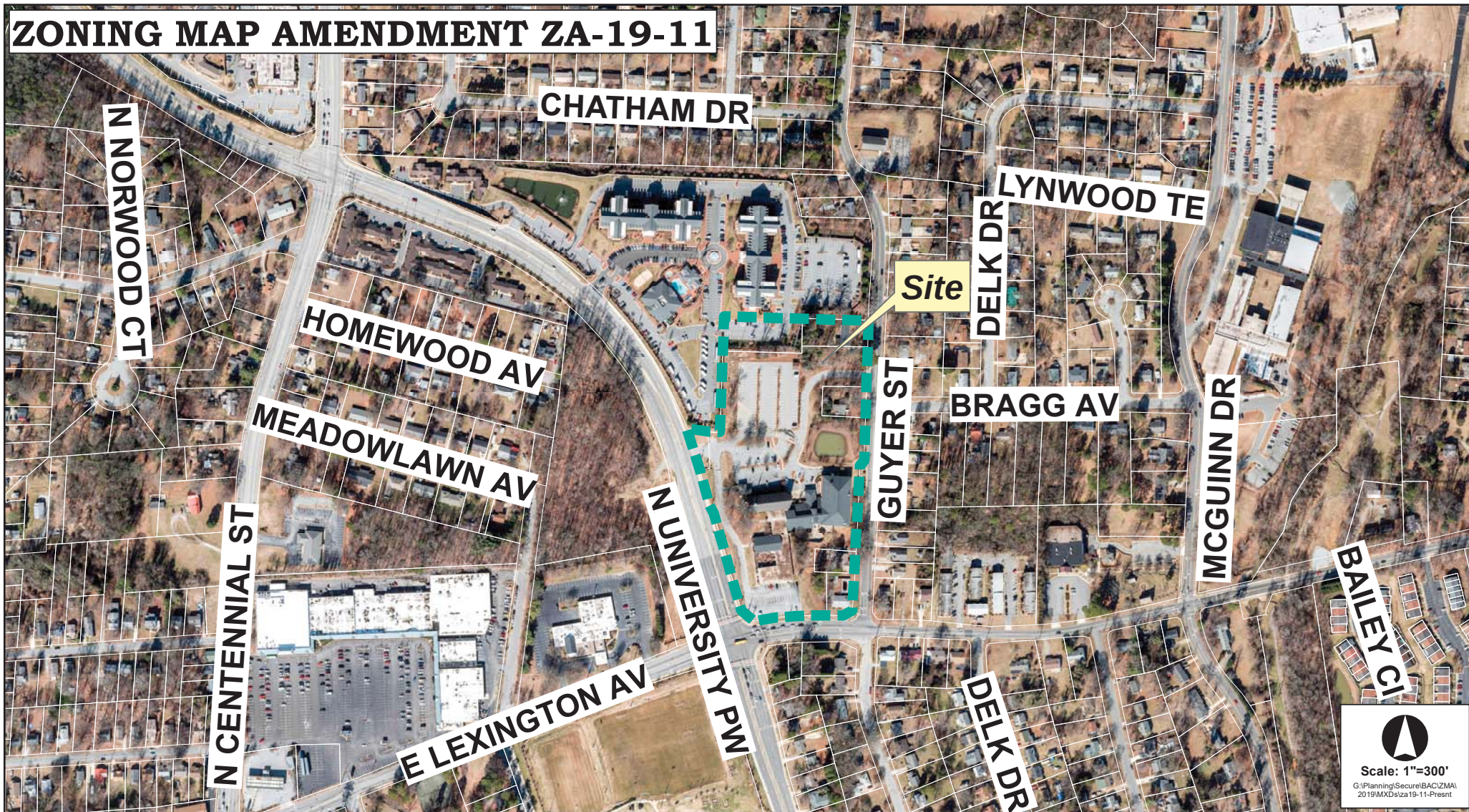
ZONING MAP AMENDMENT ZA-19-11



Scale: 1"=300'

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ZONING MAP AMENDMENT ZA-19-11



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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on August 27, 2019 and before the City Council of the City of High Point on September 16, 2019 regarding **Zoning Map Amendment Case 19-15 (ZA-19-15)** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on August 18, 2019, for the Planning and Zoning Commission public hearing and on September 4, 2019 and September 11, 2019, 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 **September 16, 2019**.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Conditional Zoning Institutional (CZ-I) District**. The property is approximately 10 acres and is lying north of E. Lexington Avenue, between N. University Parkway and Guyer Street. The property is also known as Guilford County Tax Parcels 18537, 182471, 182472, 182505, 182506 and 182480 (portion).

SECTION 2

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

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

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Lot Combination: As requested by the Technical Review Committee, parcels associated with the zoning site shall be combined prior to development or subdivision.

B. Landscaping, Buffers, and Screening:

1. Fencing: Fencing installed along the Guyer Street frontage of the zoning site shall be setback a minimum of five (5) feet from the right-of-way line.
2. Landscaping: Along the Guyer Street frontage of the site, the planting rate for the Street Yard Landscaping shall be increased to require installation of a C Yard Planting Rate. Fifty percent (50%) of trees and shrubs utilized shall consist of evergreen species of planting material.

C. Transportation

1. Vehicular Access:

- a. N. University Parkway: One (1) point of vehicular access shall be allowed to N. University Parkway.
- b. Guyer Street: One (1) point of access shall be allowed to Guyer Street. This access point shall be gated and not intended for general vehicle access; and shall be installed as approved by the High Point Department of Transportation.
- c. E. Lexington Avenue: No vehicle access shall be permitted to E. Lexington Avenue.
- d. Old residential dwelling driveways: Existing driveways in place as of September 16, 2019, that served former single family detached dwellings, may remain until that structure is removed or converted to a nonresidential use classification.

2. The City of High Point Director of Transportation shall approve the exact location and design of all access points. In addition, the Director of Transportation and the North Carolina Department of Transportation (NCDOT), if applicable, shall approve all construction and improvements.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

SECTION 4

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

SECTION 5

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

SECTION 6.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council

City of High Point, North Carolina

The xxxth day of xxxxxxxxxxxxxx, 2019

By: _____

Jay W. Wagner, Mayor

ATTEST:

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report Zoning Map Amendment 19-15

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

Memorandum

Date: August 2, 2019

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

From: Barry Kitley
Director of Community Relations

Subject: Rezoning Case ZA-19-15
Citizens Information Meeting, July 31, 2019, 6:00 P.M.

High Point University conducted a Citizens' Information Meeting in support of Rezoning Case ZA-19-15. The meeting was held at Christ United Methodist Church, 1300 N. University Parkway. Letters of invitation were mailed to 46 residents on July 19, 2019 (sample letter is attached). The application is for Rezoning Case ZA-19-15, which includes the rezoning from R5 to Conditional Zoning Institutional (I) District (CZ-I) of parcels within the area bounded by University Parkway, Lexington Avenue and Guyer Street. Barry Kitley, Director of Community Relations, and Dan Pritchett of Jamestown Engineering Group, Inc., represented the University.

Mr. Kitley informed the attendants that there are no immediate plans for new facilities at the site, and that it will be utilized for student activities and education. It was a very positive meeting with specific discussion focused on the following:

- Many of the attendants questioned the University's future expansion plans, and if the University was interested in purchasing additional property near the University's current boundaries.
- An attendant questioned if traffic on Guyer Street would be increased. It was explained that transportation conditions of the rezoning would maintain access points in the same general location as they exist now, and that the entrance on Guyer Street would be gated and not intended for general vehicle access.
- Attendants questioned the installation of landscaping and fencing along Guyer Street. It was explained that the University would install wrought iron fencing along Guyer Street. Conditions within the rezoning request stipulate the position of the fence, in conjunction with installation of street yard landscaping at a "C" yard planting rate, which is a higher rate than that required by the Development Ordinance.

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

Sign-In Sheet

Citizens Information Meeting
July 31, 2019
High Point University
R-5 to CZ-I

Zoning Map Amendment ZA19-15

Name

Address

Phone No./E-Mail
Address

John & Betty Smith	1225 Delk Dr.	336-905-1249
Freddie / Betty Peguese	1407 Delk	(336) 883-2166
Rick Peguese	1407 Delk Dr.	847-8520
Lorey & Maxine Honeybeiger	1231 Guyer St	336-883-4037
Robert Winkler	1404 Brass Ave	336-885-6629
David Alan	1225 Delk Dr.	336-454-9277
Lavera Reid	1606 E. Lexington Ave	336 (491)-6331
Lindsey & Deidra Napoleon	1312 Guyer St.	336-687-5310
Derek + Misty Little	1236 Guyer St.	336 558 7271
Maurice D. McCallum	1404 Delk Dr	tpip090295@gmail.com
Maurice D. McCallum	1404 Delk Dr	336-881-0997

Phone calls:

- Salvador Guerrero, 1409 Delk Drive on 7/24/19

DRAWN BY: JoAnne L. Carlyle, City Attorney
RETURN TO: City Attorney, P.O. Box 230, High Point, NC 27261

NORTH CAROLINA

**RIGHT OF WAY
ENCROACHMENT AGREEMENT**

GUILFORD COUNTY

THIS AGREEMENT ("Agreement") made this ___ day of _____ 2019, between **THE CITY OF HIGH POINT**, a North Carolina municipal corporation, located at 211 South Hamilton Street, High Point, North Carolina, 27260, ("City") and **ALLTEL COMMUNICATIONS OF NORTH CAROLINA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS**, a foreign Limited Liability Company located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, NJ 07920-1097, hereinafter known as the "Company".

W I T N E S S E T H

WHEREAS, the City owns the public right of way within its municipal boundaries.

WHEREAS, the Company desires to use the public right of way of the City to conduct business as a communications services provider; and

WHEREAS, the Company desires, for its interest and convenience, to construct, maintain and operate a small cell wireless communications facilities within the City of High Point in and along certain rights-of-way outlined in Exhibit "A" attached hereto ("System"); and

WHEREAS, the City under the terms and conditions herein set forth, is willing to allow the above described improvements to be made, and allow the Company to encroach upon the above-referenced City-owned right of way; and

WHEREAS, the Company has paid to the City the sum of \$150.00, which partially defrays the administrative costs of the City.

NOW, THEREFORE, in consideration of the premises and \$150.00 in hand paid, receipt of which is hereby acknowledged, and other consideration, the Company hereby covenants and agrees that:

1. The Company is responsible for any and all expenditure of labor or materials required in the installation, erection, repair, maintenance or location of the above-referenced System.

2. The Company is responsible for any and all labor or expense which results from any and all future maintenance, repair, removal or dismantling of the System if and when required by the City, in its sole discretion.

3. The Company is to be fully responsible for any and all property damage or injury to or death of any person which results from any and all negligence, omission, defect in design, maintenance or workmanship created by the Company, its agents, employees, contractors or subcontractors in connection with the System, or any cause of action arising out of the installation, maintenance, or location of said System or any other cause of action arising out of the planting, installation, maintenance, or location of said System, except to the extent such claims and causes of action are caused by the gross negligence or willful misconduct of the City. (collectively, "Claims and Causes of Action").

4. The Company agrees:

- (a) to hold the City, its elected or appointed officials, representatives, officers, counselors, agents and employees harmless from any and all liability arising out of any such Claims and Causes of Action; and
- (b) to defend the City, its elected or appointed officials, representatives, officers, counselors, agents and employees and pay all attorney fees in any and all actions brought as a result of such Claims and Causes of Action; and
- (c) indemnify the City, its elected or appointed officials, representatives, officers, counselors, agents and employees against any and all loss sustained by reason of such Claims and Causes of Action.

The Company's indemnification obligations under this subsection shall not apply to any liability resulting from the gross negligence or willful misconduct of the City.

5. The Company, during the life of this Agreement, agrees to procure from a responsible insurance carrier or carriers, authorized under the laws of the State of North Carolina, insurance in the amount of One Million Dollars (\$1,000,000.00) per occurrence for bodily injury (including death) and property damage and \$1,000,000 general aggregate including personal and advertising injury caused by construction, maintenance, location, repair or visual obstruction of said encroachment with the City of High Point being included as additional insured as their interest may appear as respects work under this Agreement. Company shall furnish the City upon

the City's request, but no more than once in any 12 month period, a certificate of insurance evidencing such insurance to be in full force and effect (or proof of self-insurance as referenced below). Upon receipt of notice from its insurer Company shall give the City at least 30 days advanced written notice of any cancellation of any required coverage that is not immediately replaced with coverage meeting the requirements of this Agreement. Should Company fail to pay premiums upon said insurance, or should Company fail to obtain said insurance, or to perform any of the agreements, terms, or conditions herein contained; the City at its option, by written notice may declare this agreement cancelled and terminated and all rights acquired hereunder by Company shall thereupon terminate, except Owner shall still be responsible for removing the System from the right of way. In lieu of the foregoing, Company may self-insure for any or all of the coverages set forth above.

6. Exhibit A is the proposed location of the System that the Company intends to submit to the City permitting department. The Company shall provide proposed locations of additions or changes to the System or maintenance, repair, replacement, or construction to System while this Agreement, or any extension of the Agreement, is in force.

7. The Company, upon completion of the installation of the System, shall submit to the City revised drawings in the form of an AutoCad (.dwg) file for retention by the City if the actual installation differs from the installation shown on the Exhibit A (Site Plan) (in such event, the Company shall secure approval of the City prior to the differing installation).

8. The Company agrees to abide by all applicable statutes and ordinances governing the System.

9. This Agreement shall not divest the City of any rights or interest in said right of way. This Agreement is not a grant by the City of any property interest but is made subject and subordinate to the prior and continuing right of City and its assigns to lawfully use any or all of the right of way for public facilities, including, but not limited to, public use as a street and for the purpose of laying, installing, maintaining, repairing, protecting, replacing and removing sanitary sewers, water mains, storm drains, gas mains, poles, overhead and underground electric and telephone wires, television and other utility and municipal uses together with appurtenances thereof and with right of ingress and egress along, over, across and in the right of way. No use of any right of way or other interest under this Agreement shall create or vest in Company any ownership interest in the right of way.

10. The Company shall contact "NC One Call Center" prior to excavation where and in the manner required by the NC One Call law.

11. This Agreement shall be binding upon and inure to the benefit of all of the parties hereto and their heirs, personal representatives, grantees, successors, and assigns.

12. All matters relating to this Agreement shall be governed by laws of the State of North Carolina without regard to its choice of law provisions, and venue for any action related to the Agreement shall be Guilford County Superior Court or the United States District Court for the Middle District of North Carolina.

13. All notices required herein shall be deemed given by depositing such in the United States Mail, first class, and addressed as follows:

If to City:

City of High Point
Planning & Development Department
P.O. Box 230
High Point, NC 27261
ATTN: Planning Director

If to Company:

Alltel Communications of North Carolina Limited Partnership
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, NJ 07921
Attention: Network Real Estate

14. This Agreement shall be revocable at will by the City.

15. The Company shall restore all areas disturbed during the installation and maintenance related to the System to the satisfaction of the City Manager or his designee, and shall reimburse the City for the cost incurred by the City for any repairs or maintenance to roadways, sidewalks, structures, ornamental vegetation, landscaping, and all existing utilities, whether owned by the City or another agency, necessary due to the installation, maintenance, and/or existence of the System; and if at any time the City shall determine, in its reasonable judgment, that changes in the location of the System are necessary for public use for the purposes of construction, modification, or maintenance of infrastructure, including roads, water, wastewater, and electric facilities, the Company binds itself, its successors and assigns, to promptly alter the System at its sole cost, in order to conform to the City's requirements and without any cost to the City.

16. The Company, its employees, contractors, successors in interest, and assignees shall install and maintain the System in safe and proper condition such that it will not interfere with or endanger travel upon streets and/or sidewalks; will not obstruct or interfere with proper maintenance of such streets and/or sidewalks; and will not endanger existing facilities. The Company shall provide during installation, construction, and any subsequent maintenance, proper signage, signal lights, flagmen and other warning devices for the protection of traffic and pedestrians.

17. The Company agrees to exercise every reasonable precaution during construction and maintenance to prevent eroding of soil; silting or pollution of rivers, streams, lakes, reservoirs, other water impoundments, ground surfaces or other property; or pollution of the air.

[Signature pages to follow]

IN WITNESS WHEREOF, the parties hereto caused this Agreement to be executed and to be effective the day and year first above written.

ALLTEL COMMUNICATIONS OF
NORTH CAROLINA LIMITED
PARTNERSHIP d/b/a VERIZON
WIRELESS

By: Alltel Corporation, Its General Partner

By: [Signature]

Print Name: Restin Drawdy

Title: Engineer II Specialist - RE

STATE OF NC

Iredell COUNTY

I, Tammie Sides, a Notary Public of the State of NC
County of Iredell, do hereby certify that Restin Drawdy personally
came before me this day and acknowledged that he/she is RE Specialist, and that
he/she, as RE Specialist being authorized to do so, executed the foregoing on behalf of
the company.

Witness my hand and official stamp or seal, this the 9/24, 2019.

My commission Expires: 10/17/2021

Tammie Sides
Notary Public

CITY OF HIGH POINT

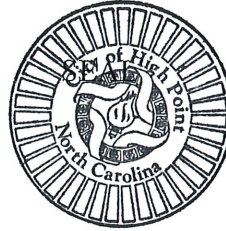
By:

Randy E. McCaslin

Randy McCaslin, Deputy City Manager

ATTEST:

Lisa B. Vierling
Lisa B. Vierling, City Clerk



NORTH CAROLINA

GUILFORD COUNTY

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 she personally appeared before me this date; and, that by authority duly given, and as the act of the said City of High Point, the foregoing instrument was signed in its name by its City Manager, sealed with its corporate seal, and attested by herself as its clerk.

Witness my hand and official stamp or seal, this the 27 day of September, 2019.

My commission Expires: 1/18/2020

Cynthia C. Duncan-Smith
Notary Public

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

EXHIBIT "A"
SYSTEM: SMALL WIRELESS FACILITIES (SITE PLAN AND LOCATIONS)

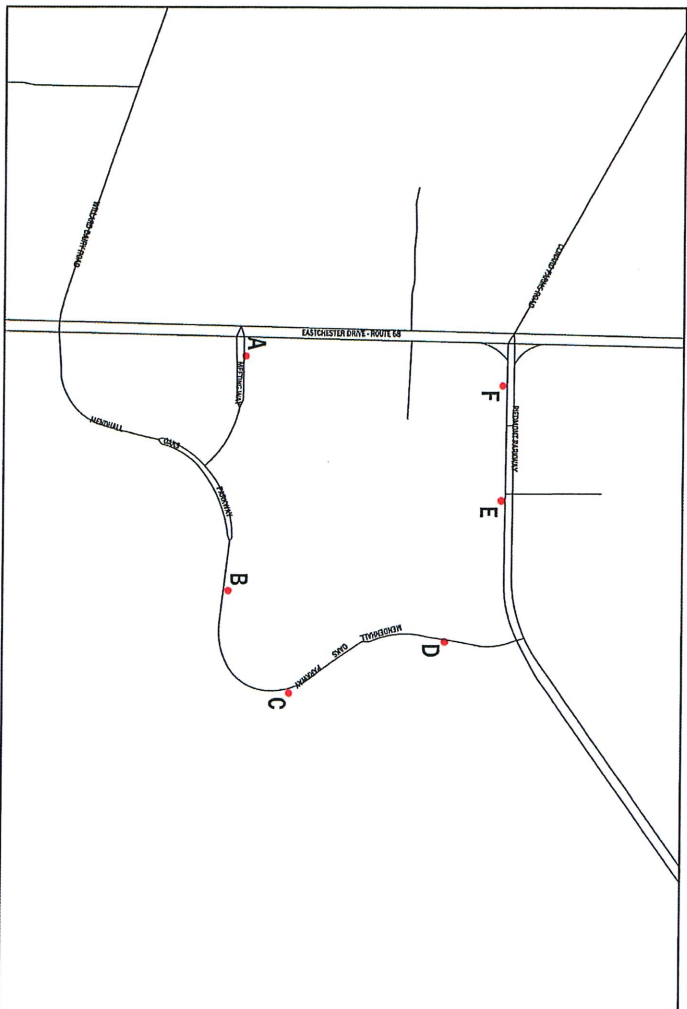
1. Small wireless facilities and related equipment, as more particularly described in the attached plans, entitled "Deepnorth Sites" for 6 nodes sites, which are incorporated herein and made part of this agreement by reference and attached as Exhibit A-1 Deepnorth Sites.
2. Small wireless facilities and related equipment, as more particularly described in the attached plans for the following areas and node sites, incorporated herein and attached hereto as Exhibits A-2 and A-3:
 - a. Exhibit A-2: SMC Deepriver Sites (11 node sites)
 - b. Exhibit A-3: SMC Thatcher Sites (14 node sites)

3. Node Site IDs:

SMC_DEEPNORTH_5G_001	512612
SMC_DEEPNORTH_5G_003	512614
SMC_DEEPNORTH_5G_004	512615
SMC_DEEPNORTH_5G_005	512616
SMC_DEEPNORTH_5G_006	512617
SMC_DEEPNORTH_5G_007	512618
SMC_DEEPRIVER_5G_002	512619
SMC_DEEPRIVER_5G_003	512620
SMC_DEEPRIVER_5G_005	512622
SMC_DEEPRIVER_5G_006	512623
SMC_DEEPRIVER_5G_007	512624
SMC_DEEPRIVER_5G_008	512625
SMC_DEEPRIVER_5G_009	512626
SMC_DEEPRIVER_5G_010	512627
SMC_DEEPRIVER_5G_011	512629
SMC_DEEPRIVER_5G_013	512632
SMC_DEEPRIVER_5G_014	512635
SMC_DEEPRIVER_5G_016	512636
SMC_THATCHER_5G_001	513277
SMC_THATCHER_5G_002	513278
SMC_THATCHER_5G_003	513279
SMC_THATCHER_5G_004	513280
SMC_THATCHER_5G_005	513282
SMC_THATCHER_5G_006	513283
SMC_THATCHER_5G_007	513284
SMC_THATCHER_5G_009	513286
SMC_THATCHER_5G_010	513287
SMC_THATCHER_5G_011	513288
SMC_THATCHER_5G_012	513289
SMC_THATCHER_5G_014	513291
SMC_THATCHER_5G_015	513292
SMC_THATCHER_5G_013	513290
SMC_THATCHER_5G_008	513285

EXHIBIT A-1
SMC Deepnorth Sites

SMC_DEEPNORTH_5G SITES



SITE LOCATION PLAN

POLE INDEX					
POLE	POLE TYPE	SITE NAME	LATITUDE	LONGITUDE	GROUND ELEV.
A	TYPE 1	SMC_DEEPNORTH_5G_001	36.04726	-79.8154	823.5'
B	TYPE 1	SMC_DEEPNORTH_5G_003	36.04716	-79.85648	811.4'
C	TYPE 2	SMC_DEEPNORTH_5G_004	36.04829	-79.8543	812.7'
D	TYPE 1	SMC_DEEPNORTH_5G_005	36.05102	-79.8543	801.2'
E	TYPE 1	SMC_DEEPNORTH_5G_006	36.05201	-79.8543	818.9'
F	TYPE 1	SMC_DEEPNORTH_5G_007	36.05200	-79.8543	854.5'

CONSTRUCTION DRAWING
PREPARED FOR:



SUBMITTALS

REV	DATE	ISSUED FOR	DATE
1	09/13/19	INITIAL ISSUE	TJSS

STAMP

TEMSCO, P.C.



301 McClellan Blvd., Charlotte, NC 28202
Tel: (704) 561-4427
info@tilson.com tilson.com

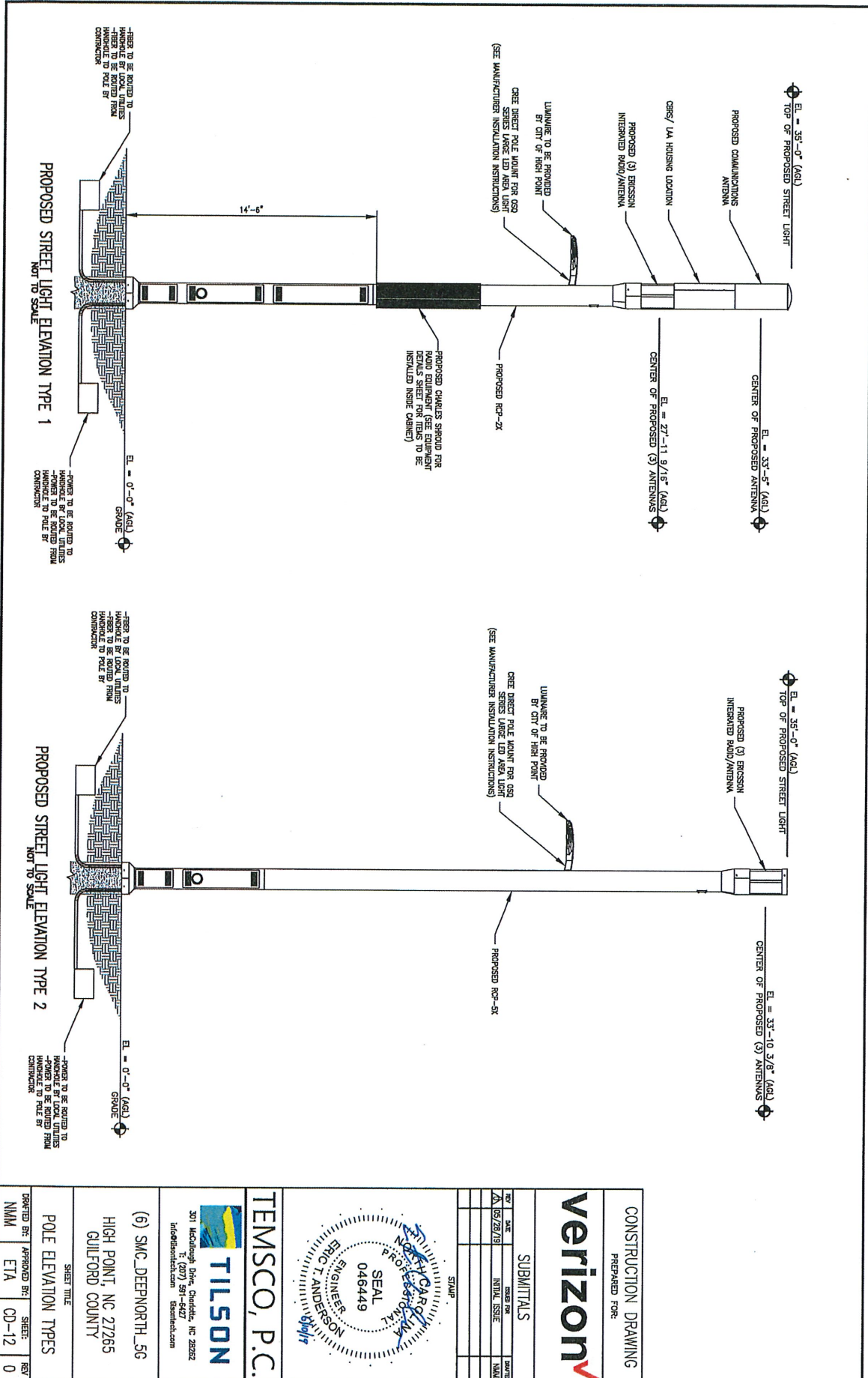
HIGHPOINT SMALL CELL
LOCATIONS

HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE

SMC_DEEPNORTH_5G POLYGON

DRAWN BY: TJSS	APPROVED BY: ETIA	SHEET NO: CD-1	TOTAL SHEETS: 0
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CONSTRUCTION DRAWING

PREPARED FOR:

SUBMITTALS

REV	DATE	CHANGED BY	DATE
1	05/28/18	INITIAL ISSUE	N/A

STAMP

ERIC T. ANDERSON

ENGINEER

046449

TEMSCO, P.C.

301 McDougall Drive, Charlotte, NC 28202

704.375.1000

info@tilson.com

(6) SMC, DEEPNORTH_5G

HIGH POINT, NC 27265

GUILFORD COUNTY

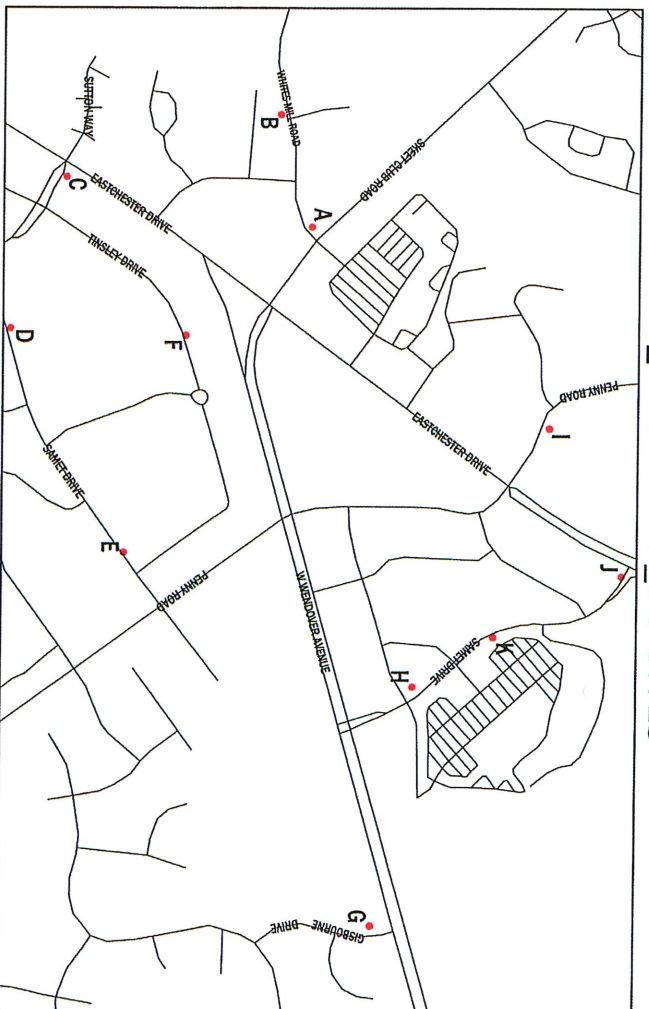
SHEET TITLE

POLE ELEVATION TYPES

DRAWN BY	APPROVED BY	SHEET	REV
NMM	ETA	CD-12	0

EXHIBIT A-2
SMC Deepriver Sites

SMC_DEEPRIVER_5G SITES



SITE LOCATION PLAN

SITE INDEX

SITE	POLE TYPE	SITE NAME	LATITUDE	LONGITUDE	GROUND ELEVATION	ADDRESS	SHEET
A	TYPE 2	SMC_DEEPRIVER_5G_002	36.031112	-79.013240 (N)	-79.970331	1586 SHEET CLUB ROAD, HIGH POINT, NC 27265	CD-7
B	TYPE 1	SMC_DEEPRIVER_5G_003	36.030551	-79.014988 (N)	-79.972482	3567 WHITES MILL ROAD, HIGH POINT, NC 27265	CD-8
C	TYPE 1	SMC_DEEPRIVER_5G_005	36.026710	-79.013616 (N)	-79.971060	3901 SUTTON WAY, HIGH POINT, NC 27265	CD-9
D	TYPE 1	SMC_DEEPRIVER_5G_006	36.026700	-79.013234 (N)	-79.967100	3811 SWEET DRIVE, HIGH POINT, NC 27265	CD-10
E	TYPE 1	SMC_DEEPRIVER_5G_007	36.027830	-79.014026 (N)	-79.962330	5301 SWEET DRIVE, HIGH POINT, NC 27265	CD-11
F	TYPE 1	SMC_DEEPRIVER_5G_008	36.028890	-79.014408 (N)	-79.967130	3911 THICKET DRIVE, HIGH POINT, NC 27265	CD-12
G	TYPE 1	SMC_DEEPRIVER_5G_010	36.032370	-79.015635 (N)	-79.964900	3919 GIBBORNE DRIVE, HIGH POINT, NC 27265	CD-13
H	TYPE 1	SMC_DEEPRIVER_5G_011	36.032320	-79.015935 (N)	-79.960800	5815 SWEET DRIVE, HIGH POINT, NC 27265	CD-14
I	TYPE 1	SMC_DEEPRIVER_5G_013	36.035400	-79.027074 (N)	-79.973637 (N)	2410 PINEY ROAD, HIGH POINT, NC 27265	CD-15
J	TYPE 1	SMC_DEEPRIVER_5G_014	36.036600	-79.027142 (N)	-79.982130	5870 SWEET DRIVE, HIGH POINT, NC 27265	CD-16
K	TYPE 1	SMC_DEEPRIVER_5G_016	36.034480	-79.027048 (N)	-79.981180	5840 SWEET DRIVE, HIGH POINT, NC 27265	CD-17

CONSTRUCTION DRAWING
PREPARED FOR:



SUBMITTALS

REV	DATE	REASON FOR	BY	DATE
1	09/13/19	INITIAL ISSUE	TJSS	

STAMP

TEMSCO, P.C.



301 Macdough Blvd, Charlotte, NC 28202
Tel: (707) 581-4827
info@tilson.com tilson.com

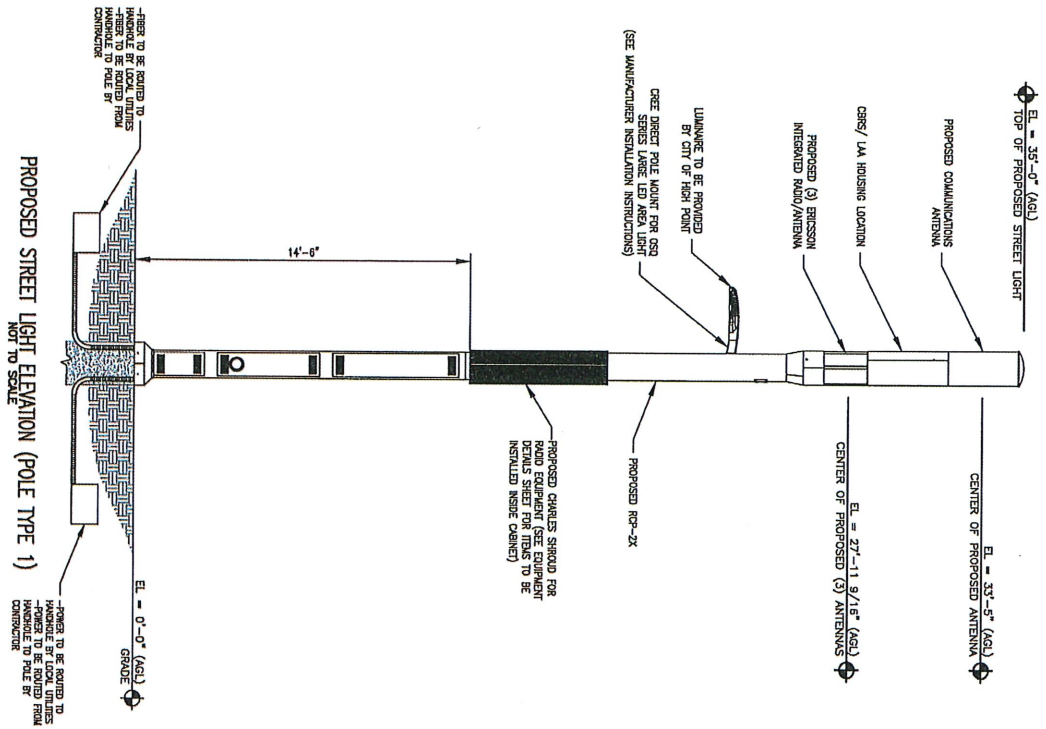
HIGHPOINT SMALL CELL
LOCATIONS

HIGH POINT, NC 27265
GUILFORD COUNTY

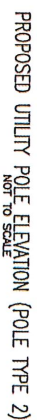
SHEET TITLE

SMC_DEEPRIVER_5G POLYGON

DESIGNED BY:	APPROVED BY:	SHEET	REV
TJSS	ETA	CD-2	0



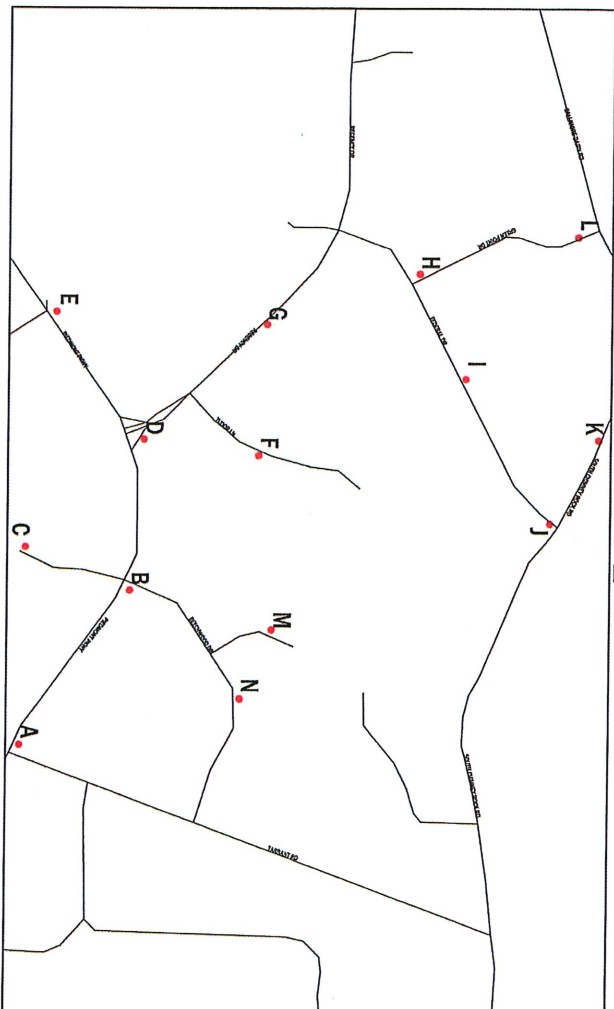
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PREPARED FOR:			
SUBMITTALS			
REV	DATE	ISSUED FOR	DRAWN
1	06/17/19	INITIAL ISSUE	NMM
STAMP			
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TEMSCO, P.C.			
TILSON			
301 McAllister Drive, Durham, NC 27602 P. (919) 491-6472 info@temtsch.com temtsch.com			
(11) SMC DEEPRIVER_5G HIGH POINT, NC 27265 GUILFORD COUNTY			
SHEET TITLE			
POLE ELEVATION TYPE 1			
DRAWN BY:	APPROVED BY:	SHEET	REV
NMM	ETA	CD-18	0



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AND IS NOT A FINAL,
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DOCUMENT

EXHIBIT A-3
SMC Thatcher Sites

SMC_THATCHER_5G SITES



SITE INDEX

SITE	POLE TYPE	SITE NAME	LATITUDE	LONGITUDE	GROUND ELEVATION	ADDRESS	SHEET
A	TRE 1	SMC_THATCHER_5G_002	36.063830	-79.0313.79 [W]	876.7	STATE ROAD 1552, HIGH POINT, NC 27265	CD-9
B	TRE 1	SMC_THATCHER_5G_003	36.060690	-79.0321.92 [W]	864.5	PEDMONT PARKWAY, HIGH POINT, NC 27265	CD-10
C	TRE 1	SMC_THATCHER_5G_004	36.063910	-79.0314.08 [W]	873.7	BEECHWOOD DRIVE, HIGH POINT, NC 27265	CD-11
D	TRE 1	SMC_THATCHER_5G_005	36.063800	-79.0322.97 [W]	863.2	REGENCY DRIVE, HIGH POINT, NC 27265	CD-12
E	TRE 1	SMC_THATCHER_5G_006	36.064430	-79.0315.95 [W]	865.8	PEDMONT PARKWAY, HIGH POINT, NC 27265	CD-13
F	TRE 1	SMC_THATCHER_5G_007	36.063940	-79.0312.18 [W]	869.4	TUDOR LANE, HIGH POINT, NC 27265	CD-14
G	TRE 1	SMC_THATCHER_5G_008	36.063890	-79.0312.35 [W]	862.4	REGENCY DRIVE, HIGH POINT, NC 27265	CD-15
H	TRE 1	SMC_THATCHER_5G_009	36.062330	-79.0314.45 [W]	868.2	GREEN POINT DRIVE, HIGH POINT, NC 27265	CD-16
I	TRE 1	SMC_THATCHER_5G_010	36.063830	-79.0314.45 [W]	864.2	FEDERAL DRIVE, HIGH POINT, NC 27265	CD-17
J	TRE 1	SMC_THATCHER_5G_011	36.063100	-79.0314.45 [W]	871.4	FEDERAL DRIVE, HIGH POINT, NC 27265	CD-18
K	TRE 2	SMC_THATCHER_5G_012	36.063140	-79.0314.45 [W]	878.3	759 S CHURCH ROCK ROAD, HIGH POINT, NC 27265 (WOOD ROW)	CD-19
L	TRE 1	SMC_THATCHER_5G_013	36.063230	-79.0313.23 [W]	878.3	WATERLEAF COURT, HIGH POINT, NC 27265	CD-20
M	TRE 1	SMC_THATCHER_5G_014	36.063230	-79.0313.23 [W]	878.3	WATERLEAF COURT, HIGH POINT, NC 27265	CD-21
N	TRE 1	SMC_THATCHER_5G_015	36.063690	-79.0320.22 [W]	878.3	BEECHWOOD DRIVE, HIGH POINT, NC 27265	CD-22

CONSTRUCTION DRAWING

PREPARED FOR:



SUBMITTALS

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01	09/13/19	INITIAL ISSUE	ISS

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TEMSCO, P.C.



301 McCullough Drive, Charlotte, NC 28262
info@tilson.com tilson.com

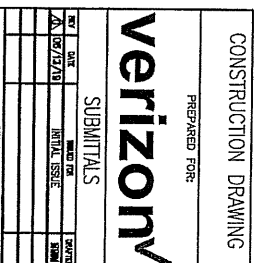
HIGHPOINT SMALL CELL
LOCATIONS

HIGH POINT, NC 27265
GUILFORD COUNTY

SHEET TITLE

SMC_THATCHER_5G POLYGON

DRAWN BY:	APPROVED BY:	SHEET	REV
TISS	ETA	CD-3	0



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AND IS NOT A FINAL,
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DOCUMENT

TEMSCO, P.C.



301 McCullough Drive, Charlotte, NC 28262
T: (207) 591-6427
info@dissonleach.com dissonleach.com

(14) SMC_THATCHER_5G_SITES

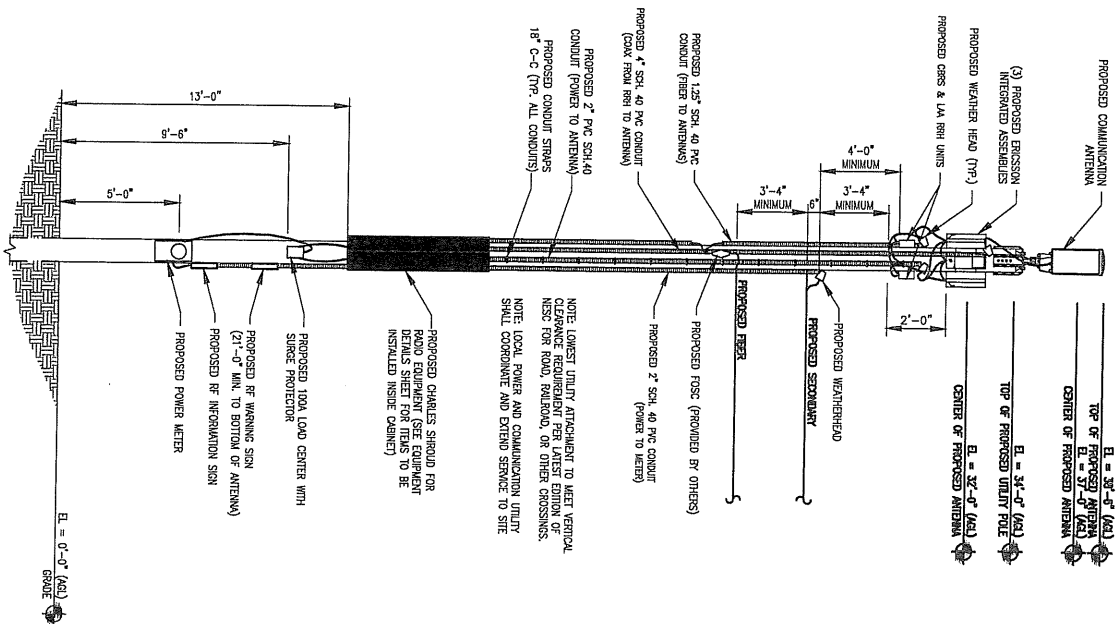
HIGH POINT, NC 27266
GUILFORD COUNTY

SHEET TITLE

POLE ELEVATION TYPE 1

DRAFTED BY:	APPROVED BY:	SHEET:	REV
NMM	ETA	CD-23	0

PROPOSED UTILITY POLE ELEVATION (POLE TYPE 2) NOT TO SCALE



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PREPARED FOR:			
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NO.	DATE	REVISION	DATE
1	06/13/19	INITIAL ISSUE	06/13/19
STAMP			
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TEMSCO, P.C.			
TILSON			
301 McDougall Drive, Charlotte, NC 28262 Tel: (202) 591-6427 info@tilson.com tilson.com			
(14) SMC_THATCHER_5G_SITES HIGH POINT, NC 27265 GUILFORD COUNTY			
SHEET TITLE			
POLE ELEVATION TYPE 2			
DESIGNED BY:	APPROVED BY:	SHEET:	REV
NMM	ETA	CD-24	0

Office of the Mayor
City of High Point
North Carolina

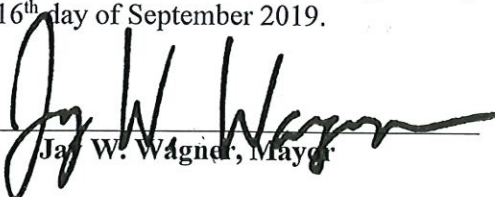
PROCLAMATION...

- WHEREAS,** on the 110th anniversary of the establishment of the High Point Lodge #1155 of the Benevolent and Protective Order of Elks, we celebrate our High Point Elks Lodge's commitment to selflessly serving others in need in our great community; and,
- WHEREAS,** chartered in High Point on July 15, 1909, with the purchase of a three story house on Broad Street that faced the downtown tracks; and,
- WHEREAS,** moved to a building that still stands at the corner of Elm Street and Kivett Drive and in 1980 established the current Lodge building at 700 Old Mill Road; and
- WHEREAS,** the High Point Lodge has grown to over 500 members and is the fourth largest Elks Lodge out of the 33 Lodges which totals over 9,000 members in the state of North Carolina; and
- WHEREAS,** dedicated to charity, justice, fidelity and patriotism, the High Point Elks have disbursed, over the course of their Lodge's history, more than \$900,000 in cash, goods and services to our local Veterans, the disadvantaged and handicapped, and patriotic and civic programs; and,
- WHEREAS,** in just the last five years High Point Elks members have volunteered over 6,000 hours helping our community.
- WHEREAS,** the High Point Elks Lodge has specifically contributed to our local community through: programs for building strong communities; donations to local nonprofit organizations and schools, programs for our veterans and homeless, Drug Awareness Program activities; and support of Camp Carefree in Stokesdale NC; and,
- WHEREAS,** sponsoring local programs for our Youth, including our Annual Hoop Shoot Contest, our Antlers program for our aspiring future Elks and our competitive youth swim team; and,
- WHEREAS,** providing financial opportunities for our Elk families, through our Legacy and Nursing Scholarships and Emergency Assistance Fund for college bound students; and,
- WHEREAS,** we are proud our High Point Elks Lodge had the first State President of the North Carolina State Elks Associates, J.C. Smith in 1939; and,
- WHEREAS,** High Point has had four other State Presidents, including in 2019 our current State President Shari Driscoll, who is the first female President of the State Association; and,
- WHEREAS,** our High Point Elks are committed to future investments through our volunteerism, financial support and unending commitment to our Veterans and Youth of our community; and,

NOW, THEREFORE, I, Jay W. Wagner, Mayor of the City of High Point, do hereby proclaim September 16, 2019 as "*The High Point Elks Lodge 110th Anniversary Day*" in the City of High Point, North Carolina.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of High Point, North Carolina this 16th day of September 2019.


Jay W. Wagner, Mayor