



City of High Point

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

Meeting Agenda

City Council

Jay W. Wagner, Mayor

S. Wesley Hudson, Mayor Pro Tem

Britt W. Moore (At Large), Tyrone Johnson (At Large), Cyril Jefferson (Ward 1), Christopher Williams (Ward 2), Monica L. Peters (Ward 3), Victor Jones (Ward 5), and Michael Holmes (Ward 6)

Monday, July 17, 2023

5:30 PM

Council Chambers

ROLL CALL, MOMENT OF SILENCE, AND PLEDGE OF ALLEGIANCE

RECOGNITIONS AND PRESENTATIONS

STRATEGIC PLAN UPDATE- Blight Reduction and Marketing & Branding Initiative

[2023-330](#)

Strategic Plan Update

Council Member Chris Williams, Chairman of the Community Development Committee, will recognize staff to provide an update on the Strategic Plan regarding Blight Reduction. Council Member Michael Holmes, Chairman of the Marketing & Branding Task Force will provide an update on the Marketing & Branding Initiative

Attachments: [Strategic Plan Update- Proactive Code Enforcement June 2023](#)
[Strategic Plan Update - Marketing and Branding](#)

PUBLIC COMMENT PERIOD

[2023-331](#)

Public Comment Period

A Public Comment Period will be held on the first Monday of the regular City Council meeting scheduled at 5:30 p.m or on the third Monday of the month when the first regular City Council meeting is cancelled. 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

Items on the Consent Agenda have been unanimously recommended by a Committee of the City Council or are submitted in accordance with established procedure.

There will be no discussion of the item unless a Council Member so request, in which event the item will be removed from the Consent Agenda and considered individually. Items not removed from the Consent Agenda will be enacted with one motion.

- C-1** [2023-305](#) Consideration of Change Order No. 8 for the Richland Creek Sewer Outfall Aerial Sewer Pipe Replacement Project to Garney Companies Inc. City Council is requested to approve Change Order No. 8 to Garney Companies Inc. for the Richland Creek Sewer Outfall Aerial Pipe Replacement Project in the amount of \$577,707.54 and a 60-day extension to the contract end date. (Recommended by Finance Committee.)

Attachments: [Change Order No. 8 - Richland Creek Aerial Outfall](#)

- C-2** [2023-306](#) Consideration of a Sole Source Contract to Serpentix Conveyor Corporation in the amount of \$145,114.06
City Council is requested to award a sole source contract to Serpentix Conveyor Corporation in the amount of \$145,114.06 to perform the rebuild of the solids conveyor at the Eastside Wastewater Treatment Plant and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)

Attachments: [Sole Source Contract - Serpentix Conveyor Corporation](#)

- C-3** [2023-307](#) Consideration of a Contract to The Harper Corporation in the amount of \$164,235.72
City Council is requested to award a contract to the Harper Corporation in the amount of \$164,235.72 to perform installation of tube settlers that were pre-purchased for the Super Pulsator at the Ward Water Treatment Plant and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)

Attachments: [Contract - The Harper Corporation Tube Settler Installation- WardTP](#)

- C-4** [2023-309](#) Consideration of a Contract to Triangle Grading & Paving, Inc. in the amount \$4,869,301.40
City Council is requested to award a contract to Triangle Grading & Paving, Inc. in the amount of \$4,869,301.40 for the Kersey Valley Road Realignment Project to allow for future expansion of the City's Kersey

Valley Landfill and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)

Attachments: [Contract - Triangle Grading & Paving, Inc.](#)

C-5 [2023-308](#)

Consideration of an On-Call Master Agreement with WithersRavenel Services in the amount of \$340,000
City Council is requested to approve an On-Call Master Agreement with WithersRavenel Services for construction inspections and contract management services for the Kersey Valley Road Realignment Project and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)

Attachments: [Master Agreement - WithersRavenel](#)

C-6 [2023-310](#)

Consideration of a Contract to Holden Building Company in the amount not to exceed \$139,811.
City Council is requested to award a contract to Holden Building Company in the amount not to exceed \$139,811 for exterior siding replacement for the Material Recycling Facility (MRF) and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)

Attachments: [Contract - Holden Building Company](#)

C-7 [2023-314](#)

Consideration of a Sole Source Contract with 5S Technologies in the amount of \$85,920
City Council is requested to award a Sole Source contract to 5S Technologies for renewal of licenses of Threthlocker (IT Secure) in the amount of \$85,920 to provide advanced threat prevention and application whitelisting capabilities, and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)

Attachments: [Sole Source Contract 5S Technologies](#)

C-8 [2023-317](#)

Consideration of a Contract with 5S Technologies in the amount of \$562,832.39
City Council is requested to award a contract to 5S Technologies in the amount of \$562,832.39 for upgrades to existing wireless equipment at City facilities and downtown area to Wifi 6 and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)

Attachments: [Contract 5S Technologies Wifi 6 Project](#)

C-9 [2023-318](#)

Consideration of a Purchase of an Electric Digger Derrick Truck from Terex Utilities in the amount of \$437,503
City Council is requested to approve a purchase of a new Freightliner truck with a Terex Commander 5048 Digger Derrick body from Terex Utilities Inc. in the amount of \$437,503 and declare the old truck as surplus and dispose through the online auction process. (Recommended by Finance

Committee.)

Attachments: [Terex Utilities Inc. - Electric Digger Derrick Truck](#)

C-10 [2023-319](#)

Consideration of a Purchase of an Asphalt Patcher Truck from Infrastructure Solutions Group in the amount of \$297,406
City Council is requested to approve a purchase of a 2023 Freightliner M2 106 Asphalt Patcher Truck from Infrastructure Solutions Group in the amount of \$297,406 and declare the old truck as surplus and dispose through the online auction process. (Recommended by Finance Committee.)

Attachments: [Infrastructure Solutions Group - Asphalt Patcher Truck](#)

C-11 [2023-320](#)

Consideration of a Purchase of a VacAll Truck from Rodders & Jets Supply Company in the amount of \$549,829.70
City Council is requested to approve the purchase of one (1) Freightliner 114SD/SFA VacAll Truck from Rodder & Jets Supply Company in the amount of \$549,829.70 and declare the old truck as surplus and dispose through the online auction process. (Recommended by Finance Committee.)

Attachments: [Rodder & Jets Supply Company - VaCall Truck](#)

C-12 [2023-321](#)

Consideration of a Purchase of a John Deere 410P Backhoe from James River Equipment in the amount of \$169,904.60
City Council is requested to approve the purchase of one (1) John Deere 410P Backhoe from James River Equipment in the amount of \$169,904.60 and declare the old backhoe as surplus and dispose through the online auction process. (Recommended by Finance Committee.)

Attachments: [James River Equipment - John Deer Backhoe](#)

C-13 [2023-322](#)

Consideration of a Sole Source Contract to TransTrack Solutions Group in the amount of \$288,259.
City Council is requested to approve a sole source five-year contract to TransTrack Solutions Group in the amount of \$288,259 for software that allows the transit system to consolidate data from multiple sources to allow more efficient and effective management of resources and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)

Attachments: [TransTrack Solutions Group - Transit System Software](#)

C-14 [2023-323](#)

Consideration of a Resolution Authorizing City of High Point to enter into an agreement with the North Carolina Department of Transportation regarding the Section 5303 Planning Grant
City Council is requested to adopt a resolution from the North Carolina Department of Transportation to enter into an agreement regarding the Section 5303 Planning Grant and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)

Attachments: [NCDOT Section 5303 Grant Agreement](#)

- C-15** [2023-324](#) Consideration of a Sole Source Contract with Minsait ACS in the amount of \$118,133 for SCADA System Upgrades
City Council is requested to award a Sole Source Contract with Minsait ACS in the amount of \$118,133 for upgrades to the Supervisory Control and Data Acquisition (SCADA) systems which are used for controlling, monitoring, and analyzing industrial devices and processes within the Electric Grid and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)
Attachments: [Minsait ACS - Sole Source SCADA Upgrade](#)
- C-16** [2023-325](#) Consideration of a Contract to Burford's Con. LLC in the estimated amount of \$1,100,000 for Tree Trimming Services - (Secondary Provider)
City Council is requested to award a contract to Buford's Con. LLC in the estimated amount of \$1,100,000 for Tree Trimming Services (Secondary Provider) and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)
Attachments: [Burfords's Con. LLC - Tree Trimming Services - Secondary Provider](#)
- C-17** [2023-327](#) Consideration of a Community Project Funding Grant Agreement - Homeless Day Center and Shelter
City Council is requested to accept the Community Project Funding Grant in the amount of \$3,000,000 to assist in the construction and development of a Homeless Day Center and Shelter, approve the Budget Ordinance to appropriate the funds, and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Finance Committee.)
Attachments: [Community Project Funding Grant Agreement - Homeless Day Center and Shel](#)
- C-18** [2023-328](#) Consideration of a Resolution Ratifying and Authorizing the Execution of a Contract with Guilford County Board of Education for the School Safety Resource Officer Program
City Council is requested to approve a resolution ratifying and authorizing the execution of a contract with Guilford County Board of Education for eight School Resource Officers and One Supervisor. (Recommended by Finance Committee.)
Attachments: [Guilford County Board of Education School Resource Officers](#)
- C-19** [2023-301](#) Consideration of the 2023 Urgent Repair Program Policies
City Council is requested to approve the 2023 Urgent Repair Program Procurement and Disbursement Policy, the 2023 Urgent Repair Program Assistance Policy, and authorize the appropriate City Official(s) to execute all documents. (Recommended by Community Development Committee.)
Attachments: [2023 Urgent Repair Program Polices](#)
- C-20** [2023-302](#) Consideration of the 2023 Urgent Repair Program Post-Approval

Documentation

City Council is requested to approve the Post-Approval Documentation for the 2023 Urgent Repair Program and authorize the appropriate City Official(s) to execute all necessary documents. (Recommended by Community Development Committee.)

Attachments: [2023 Urgent Repair Program Post-Approval Documentation](#)

C-21 [2023-329](#)**Consideration of Approval of Minutes**

City Council is requested to approve the following minutes:

Regular Meeting of the High Point City Council - November 21, 2022 @ 5:30 p.m.

Finance Committee minutes - December 1, 2022 @ 4:00 p.m.

Special Meeting of the High Point City Council - December 5, 2022 @ 4:30 p.m.

Special Meeting of the High Point City Council - May 10, 2023 @ 4:00 p.m.

Prosperity & Livability Committee Minutes - June 7, 2023 @ 9:00 a.m.

Finance Committee Minutes - June 15, 2023 @ 4:00 p.m.

Special Meeting of the High Point City Council - June 20, 2023 @ 4:30 p.m.

Regular Meeting of the High Point City Council - June 20, 2023 @ 5:30 p.m.

Attachments: [Approval of Minutes](#)

[Regular Meeting of the High Point City Council Minutes - November 21, 2022](#)

[Finance Committee Minutes - December 1, 2022](#)

[Special Meeting of the High Point City Council Minutes - May 10, 2023](#)

[Special Meeting of the High Point City Council Minutes - December 5, 2022](#)

[Prosperity Livability Committee Meeting Minutes - June 7, 2023](#)

[Finance Committee Meeting Minutes - June 15, 2023](#)

[Special Meeting of the High Point City Council Minutes - June 20, 2023](#)

[Regular Meeting of the High Point City Council Minutes - June 20, 2023](#)

GENERAL BUSINESS AGENDA**G-1** [2023-315](#)**Historic Marker to recognize Reverend Daniel Brooks**

A request for approval of a historic marker to recognize Reverend Daniel Brooks. This marker is proposed to be located adjacent to the Southwest High Point Heritage Greenway, on the north side of Vail Avenue, two blocks west of where the Brooks Memorial Methodist Church once stood in the Southside Neighborhood.

Attachments: [Historic Marker Request - Rev. Daniel Brooks](#)

G-2 [2023-316](#)**Annexation Utility Connection Exempt Request**

A request by William and Laura Davis to allow a parcel exceeding three acres to be exempted from annexation policy for connection to City of High Point sewer service.

Attachments: [Staff Report - Annexation Exception \(449 Mae Kennedy Rd\)](#)

- G-3** [2023-311](#) Public Hearing on City of High Point, Zoning Map Amendment 23-14
A request by the High Point City Council to rezone 80 parcels, totaling approximately 67.5 acres, as part of the Comprehensive Zoning Map Amendment project.
- a) To rezone the Wynngate Subdivision, totaling approximately 42.5 acres (45 parcels), from the Conditional Use Residential Single Family - 3 (CU R-3) District to a Residential Single Family - 3 (R-3) District. The Wynngate Subdivision is located north of the intersection of Burton Road and Flay Cecil Road (approximately 1,300 feet west of the Guilford/Davidson County line).
- b) To rezone the Burton Oaks Subdivision, totaling approximately 25 acres (35 parcels), from the Conditional Use Residential Single Family - 3 (CU R-3) District to a Residential Single Family - 3 (R-3) District. The Burton Oaks Subdivision is located north of the intersection of Burton Road and Priya Street (approximately 2,200 feet west of the Guilford/Davidson County line).

Attachments: [Staff Report ZA-23-14](#)

- G-4** [2023-312](#) Public Hearing on Dale & Esther Enterprise, LLC, Zoning Map Amendment 23-15
A request by Dale & Esther Enterprise, LLC to rezone approximately 1.48 acres from a Conditional Use Limited Business (CU-LB) District and a Conditional Use General Business (CU-GB) District to the Conditional Zoning General Business (CZ-GB) District. The site lies at the northwestern corner of W. Lexington Avenue and Westchester Drive (800 W. Lexington Avenue and 724 Westchester Drive).

Attachments: [Staff Report ZA-23-15](#)

- G-5** [2023-313](#) Public Hearing on Diversified Estate Holdings, LLC, Zoning Map Amendment 23-08
A request by Diversified Estate Holdings, LLC to rezone approximately 9.6 acres from a Conditional Use Agricultural (CU-AGR) District to a Conditional Zoning Residential Multifamily - 16 (CZ RM-16) District. The site is located west of the intersection of Penny Road and East Fork Road (1711 and 1701 Penny Road).

Attachments: [Staff Report ZA-23-08 Updated](#)

- G-6** [2023-332](#) Consideration of a Reappointment to the Guilford County Historic Preservation Commission
City Council is requested to recommend the reappointment of Abigaile Pittman to the Guilford County Historic Preservation Commission as one of High Point's two representatives. Appointment effective immediately and will expire on April 1, 2027.

Attachments: [Reappointment- Guilford County Historic Preservation Commission](#)

- G-7** [2023-333](#) Consideration of an Appointment to the Human Relations Commission
City Council is requested to approve the appointment of Tajia Lagomarsino to the Human Relations Commission. Appointment will be effective immediately and will expire on November 1, 2025.
Attachments: [Appointment - Human Relations Commission](#)
[LAGOMARSINO, Tajia 2023 Ward 4](#)
- G-8** [2023-334](#) Consideration of an Appointment to the Planning and Zoning Commission
City Council is requested to approve the appointment of Kara Blue to the Planning and Zoning Commission. Appointment will be effective immediately and will expire on June 30, 2026.
Attachments: [Appointment - Planning and Zoning Commission](#)
[BLUE, Kara 2023 Ward 4](#)
- G-9** [2023-335](#) Consideration of a Reappointment to the Citizens Advisory Council
City Council is requested to confirm the reappointment of Kellie Jackson to the Citizens Advisory Council. Reappointment will be effective immediately and will expire on May 31, 2025.
Attachments: [Reappointment - Citizen Advisory Council](#)

ADJOURNMENT

City Clerk's Office

Sandra Keeney
CITY CLERK



July 18, 2023

Abigaile Pittman
210 Louise Avenue
High Point, NC 27262

RE: Reappointment- Guilford County Historic Preservation Commission

Dear Ms. Pittman:

This letter is to notify you that official action was taken by High Point City Council on July 17, 2023, to recommend your reappointment to the Guilford County Historic Preservation Commission. Your reappointment will be effective immediately and will expire on April 1, 2027.

Your reappointment is subject to confirmation by the Guilford County Board of Commissioners. The next meeting of the Guilford County Board of Commissioners is scheduled for August 3, 2023, at 5:30 p.m. For more information regarding the meeting of the Guilford County Board of Commissioners, please contact Robin Keller, Clerk to the Board, at (336) 641-4893.

Thank you for your continued service to the City of High Point.

Sincerely,

A handwritten signature in black ink that reads "Sandra Keeney". The signature is fluid and cursive, with a large loop at the end.

Sandra Keeney
City Clerk

City Clerk's Office

Sandra Keeney

CITY CLERK



July 18, 2023

Tajia Lagomarsino
241 North Point Avenue
Unit D
High Point, NC 27262

RE: Appointment- Human Relations Commission

Dear Tajia Lagmarsino:

This letter is to notify you that official action was taken by the High Point City Council on July 17, 2023, to recommend your appointment to the Human Relations Commission. Your appointment will be effective immediately and will expire on November 1, 2025.

Our boards and commissions play an important role in our community, and in order to carry out this role, we need interested volunteers who are willing to give of their time and talent while carrying out the duties and responsibilities they assume as members.

We sincerely appreciate your willingness to serve as a member of this very important commission, and if I may be of assistance to you, please do not hesitate to contact me at (336) 883-3536.

Sincerely,

A handwritten signature in black ink that reads "Sandra Keeney". The signature is fluid and cursive, with the first name "Sandra" being more prominent than the last name "Keeney".

Sandra Keeney
City Clerk

City Clerk's Office

Sandra Keeney
CITY CLERK



July 18, 2023

Kara Blue
535 Gatewood Avenue
High Point, NC 27262

RE: Appointment- Planning & Zoning Commission

Dear Kara Blue:

This letter is to notify you that official action was taken by High Point City Council on July 17, 2023, to recommend your appointment to the Planning & Zoning Commission. Your reappointment will be effective immediately, and will expire on June 30, 2026.

Our boards and commissions play an important role in our community, and in order to carry out this role, we need interested volunteers who are willing to give of their time and talent while carrying out the duties and responsibilities they assume as members.

We sincerely appreciate your willingness to serve as a member of this very important commission, and if I may be of assistance to you, please do not hesitate to contact me at (336) 883-3536.

Sincerely,

A handwritten signature in blue ink that reads "Sandra Keeney". The signature is fluid and cursive, with a large loop at the end.

Sandra Keeney
City Clerk

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.20, 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 June 27, 2023 and before the City Council of the City of High Point on July 17, 2023 regarding **Zoning Map Amendment Case ZA-23-14 (ZA-23-14)** 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 June 17, 2023, for the Planning and Zoning Commission public hearing and on July 5, 2023 and July 12, 2023, for the City Council public hearing pursuant to Chapter 160D-602 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 **July 12, 2023**.

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: **Residential Single Family 3 (R-3) District**. The property is approximately 42.5 acres, located in the Wynngate Subdivision, which is lying north of the intersection of Burton Road and Flay Cecil Road.

The Wynngate subdivision portion of the zoning site is also depicted in Final Plat “Wynn Gate Subdivision Phases 1 & 2, as recorded in PB 26 PG 136 of the Davidson County Register of Deeds Office. The zoning site is also known as Davidson County Tax Parcels 1631100000013, 16311F00000001, 16311F00000002, 16311F00000003, 16311F00000004, 16311F00000005, 16311F00000006, 16311F00000008, 16311F00000010, 16311F00000011, 16311F00000012, 16311F00000013, 16311F00000014, 16311F00000015, 16311F00000016, 16311F00000017, 16311F00000018, 16311F00000019, 16311F00000020, 16311F00000021, 16311F00000022, 16311F00000022, 16311F00000023, 16311F00000024, 16311F00000025, 16311F00000026, 16311F00000027, 16311F00000028, 16311F00000029, 16311F00000030, 16311F00000031, 16311F00000032, 16311F00000033, 16311F00000034, 16311F00000035, 16311F00000036, 16311F00000037, 16311F00000038, 16311F00000039, 16311F00000040, 16311F00000041, 16311F00000042, 16311F00000043 and 16311F00000044.

SECTION 2

That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Residential Single Family 3 (R-3) District**. The property is approximately 25 acres, located in the Burton Oaks Subdivision, which is lying north of the intersection of Burton Road and Priyas Street.

The Burton Oaks subdivision portion of the zoning site is also depicted in Final Plat "Burton Oaks Subdivision Phases 1A & 1B, as recorded in PB 22 PG 46 and PB 23 PG 13 of the Davidson County Register of Deeds Office. The zoning site is also known as Davidson County Tax Parcels 16311D00000011, 16311D00000001, 16311D00000002, 16311D00000003, 16311D00000004, 16311D00000005, 16311D00000006, 16311D00000007, 16311D00000008, 16311D00000009, 16311D00000010, 16311D00000011, 16311D00000011, 16311D00000028, 16311D00000029, 16311D00000030, 16311D00000031, 16311D00000032, 16311D00000033, 16311D00000034, 16311D00000035, 16311E00000012, 16311E00000013, 16311E00000014, 16311E00000015, 16311E00000017, 16311E00000018, 16311E00000019, 16311E00000020, 16311E00000021, 16311E00000022, 16311E00000023, 16311E00000024, 16311E00000025, 16311E00000026 and 16311E00000027

SECTION 3

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

SECTION 4

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

SECTION 5.

This ordinance shall become effective upon the date of adoption.

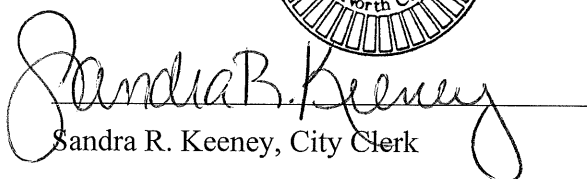
Adopted by the City Council
City of High Point, North Carolina
The 17th day of July, 2023

By: _____

Jay W. Wagner, Mayor

ATTEST:




Sandra R. Keeney, City Clerk

Communications & Public Engagement

Ryan Ferguson

Marketing Manager



To: Jeron Hollis, Managing Director

From: Ryan Ferguson, Marketing Manager, Communications & Public Engagement

Date: July 13, 2023

Re: Strategic Plan Update on Marketing & Branding Initiative

The City of High Point will be having a soft launch of the brand to the organization this week. During this launch, PIO will send emails explaining the process and the new branding guidelines and meet individually with each department to ensure they are aware and trained on the new brand story. The marketing team is excited to roll this out to the rest of the organization and its 1,400+ "Brand Ambassadors," we will have to tell High Point's brand story.

On Aug. 5, the City will host a public launch event from 4:30-6:30 p.m. in the plaza at Truist Point, at the intersection of Church and Elm Streets, to introduce the new branding to the public. There will be live music, food and beverages, creative stations for kids and adults, and photo and art opportunities for everyone to show their creativity. This is an opportunity for the public to learn about the new brand, check out our logo and even get a t-shirt or new City flag while they are there.

The event was planned to coincide with the August Social District Saturday. After the event, everyone is encouraged to enjoy the Rockers game and all the social district has to offer. All are welcome and encouraged to spread the word.

Phone
336.883.3288

City of High Point 211 S. Hamilton St., High Point, N.C. 27260



**IF YOU'D LIKE TO ADDRESS THE HIGH POINT CITY COUNCIL, during the
Public Comment Period regarding any item that is NOT a public hearing
item on the Agenda,
PLEASE SIGN IN**

(Please Print)

[illegible]

**HIGH POINT CITY COUNCIL
REGULAR MEETING
NOVEMBER 21, 2022 – 5:30 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

MINUTES

ROLL CALL, MOMENT OF SILENCE, AND PLEDGE OF ALLEGIANCE

Mayor Wagner called the meeting to order at 5:40 p.m.

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

Mayor Jay W. Wagner; Ward 3; Mayor Pro Tem Monica Peters, Ward 3; Council Member Britt W. Moore, At Large Council Member Tyrone E. Johnson, At Large; Council Member Cyril A. Jefferson, Ward 1; Council Member Williams, Ward 2; Council Member S. Wesley Hudson, Ward 4; and Council Member Holmes, Ward 6.

Absent (1): Council Member Victor A. Jones, Ward 5

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

REGULAR AGENDA ITEMS

FINANCE COMMITTEE - Britt Moore, Chair

2022-547 Contract - NC League of Municipalities - Third Party Administrator (TPA) for Property & Liability Claims

City Council is requested to award a three (3) year contract to NC League of Municipalities in the amount of \$240,000 to perform administration services for property and liability claims on the City's behalf.

Bobby Fitzjohn, Financial Services Director reported that the City contracts with a third party (TPA) to perform administration services for property and liability claims on the City's behalf; the current agreement with the NC League of Municipalities will end on December 31, 2022; staff was notified by the previous TPA that they would not renew their contract for 2022; staff reached out to several TPAs, receiving a favorable response from the NC League of Municipalities for a one-year agreement. Finance and legal staff are satisfied with the performance of the NC League of Municipalities and the pricing is fair compared to recent proposals shared by the Guilford City County Advisory Committee. At the completion of this three-year term, the City will conduct an RFP for TPA Services. The three-year agreement is estimated to cost the city approximately \$240,000 or \$80,000 per year. Funds are available

in the FY2022-23 budget and will be included in subsequent budgets. The Financial Services Department recommends approval of a three-year agreement for TPA services with the NC League of Municipalities beginning January 1, 2023, to December 31, 2025 with an estimated cost of \$240,000.

Council Member Hudson moved to approve a three (3) year contract to NC League of Municipalities in the amount of \$240,000 to perform administration services for property and liability claims on the City's behalf. Council Member Holmes made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

2022-548 Contract -Agreement for Services - Laheen Management LLC - Apparatus Bay Floor Replacement/Repair - HPFD Headquarters

City Council is requested to award a contract to Laheen Management, LLC. in the amount of \$169,000 for the repair of the deteriorating apparatus bay floor at Headquarters Fire Station.

Tommy Reid, Fire Chief reported Replacement/repair of deteriorating apparatus bay floor at Headquarters Fire Station Summit Engineering was retained to provide on-site inspections and provide bid specifications for repairs to the apparatus bay floor located at Headquarter Fire Station. The bay floors have sustained numerous cracks and the slab topping has started to delaminate allowing water to seep into basement area. Funding has been included in the 2022/2023 fiscal year budget. City Council is requested to approve the Agreement for Services contract to Laheen Management LLC in the amount of \$169,000.00.

Council Member Moore moved to approve a contract to Laheen Management, LLC. in the amount of \$169,000 for the repair of the deteriorating apparatus bay floor at Headquarters Fire Station. Council Member Peters made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

2022-549 Receipt & Presentation of FY2021-2022 City of High Point Annual Comprehensive Financial Report

City Council is requested to acknowledge receipt of the City of High Point Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2022 and related required communications from the City's auditors, Cherry Bekaert LLP.

Bobby Fitzjohn, Financial Services Director reported that the city council has the statutory responsibility under G.S. 159-34 to engage an auditor for the financial and compliance audit of the city's budgets, accounts, and grants; the presentation of the Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2022, would be presented by the audit firm Cherry Bekaert LLP; said that the city council approved the contract with Cherry Bekaert LLP for the financial and compliance audit of the City of High Point for the Fiscal Years 2021-2025 in April 2021; the Annual Comprehensive Financial Report was prepared by the city's Financial Services Department and the audit was completed on October 31, 2022; recognized staff for their work and efforts; and said the city council is requested to acknowledge receipt of the City of High Point Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2022 and related required communications from the City's auditors, Cherry Bekaert LLP.

Daniel Gougherty, Engagement Director with Cherry Bekaert LLP; explained the results of the audit for financial statements; said that the firm audited the financial statements of the city as of and for the year ended June 30, 2022, in accordance with the generally accepted auditing standards and Government auditing Standards and have issued the report dated October 31, 2022 with no findings; the following topics were discussed: results of the audit, significant audit matter, internal controls corrected and uncorrected misstatement, required communications, other matters, upcoming reporting changes, local government commission financial performance indicators; noted that the details for the report is located in the PPP that were made a part of these minutes; summarized the LGC performance indicators as followed: submitted report within five months from fiscal year end, change in fund balance of general fund was positive, budgeted tax levy for the general fund had less than 3% uncollected, effective pre-audit process to avoid pervasive budget violations, and no late debt service payments or debt covenant compliance issues; voiced appreciation for staff's efforts and entertained questions.

Council Member Moore acknowledged, for the record, that the FY2021-2022 City of High Point Annual Comprehensive Financial Report was received.

2022-550**Contract Amendment - 2022 High Point Orthoimagery - Spatial Data Consultants, Inc. - LiDAR Data**

City Council is requested to approve a contract amendment in the amount of \$90,700 for the 2022 High Point Orthoimagery Project contract with Spatial Data Consultants, Inc. to include collection of LiDAR data.

Heidi Galanti, Planning Administrator reported that this request was to amend the existing 2022 High Point Orthoimagery Project contract with Spatial Data Consultants, Inc. to include collection of LiDAR data; the additional work would increase the total cost for the project to \$90,700. On November 2, 2021, the City of High Point entered a contract with Spatial Data Consultants for orthoimagery; during this project, Spatial Data Consultants

offered the City of High Point LiDAR imagery at a dramatically reduced rate for \$16,500, which is roughly 30% of the normal price of these services; and that the Planning & Development Department is recommending that the City Council approve the purchase. Funds for this project are available in the FY 2022-2023 budget; and approve the amendment with Spatial Data Consultants in the amount of \$16,500.

Council Member Moore moved to approve a contract amendment in the amount of \$90,700 for the 2022 High Point Orthoimagery Project contract with Spatial Data Consultants, Inc. to include collection of LiDAR data. Council Member Peters made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

2022-551 Contract - czb, LLC - Authorization and Approval to create a Comprehensive Plan

City Council is requested to award a contract to czb, LLC. in the amount of \$350,000 to create a comprehensive plan establishing the City of High Point's vision and long-range policies to guide the future growth and development of the community over the next 20+ years and include implementation tools along with action plans to achieve and track progress.

Heidi Galanti, Planning Administrator reported that staff is recommending the approval for the selection of czb, LLC to create a comprehensive plan for the city; said that this comprehensive plan would establish High Point's growth vision and long-range policies to guide the future growth and development of the community over the next 20+ years; the comprehensive plan would also include implementation tools along with action plans to help achieve and track the city's growth vision; an RFQ was issued on June 10, 2022; on July 12, 2022, 4 proposals were received from qualified firms to provide professional services to create a comprehensive plan for the city; a selection committee comprised of staff from the Planning and Development, Transportation and Parks and Recreation departments reviewed the proposals and selected the top three firms for an interview; staff negotiated a contract with czb, LLC and recommends approval. The project is anticipated to take approximately 15 months and it is proposed to start in January 2023. Funds for this project are available in the FY 2022-2023 budget. Staff is recommending approval for the contract with czb, LLC in the amount of \$350,000.00.

Council Member Moore moved to approve a contract to czb, LLC. in the amount of \$350,000 to create a comprehensive plan establishing the City of High Point's vision and long-range policies to guide the future growth and development of the community over the next 20+ years and include implementation tools along with action plans to achieve and track progress. Council Member Holmes made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

COMMUNITY DEVELOPMENT COMMITTEE - Council Member Williams,
Chair

Council Member Williams moved to remove items 2023-535 and 2023-536 from the consent agenda and place them in pending. Council Member Hudson made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

Council Member Williams, Chair of the Community Development Committee, reported that the Community Development Committee met on November 8, 2022, and recommended the matters under the Consent Agenda be forwarded to the City Council with a favorable recommendation for approval.

Council Member Williams then moved for approval of all matters on the Community Development Committee Consent Agenda. Council Member Jefferson made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

CONSENT AGENDA ITEMS

2022-533 Combination Deed - 801 Vail Avenue and 802 Amos Street for Affordable Housing Development

City Council is requested to approve a request for a combination deed for 801 Vail Avenue and 802 Amos Street to create a buildable lot for construction of an affordable housing unit and that the appropriate City official and/or employee be authorized to execute all necessary documents.

Approved under consent agenda.

2022-535 Ordinance - Demolition of Dwelling - 1205 Filbert Place

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 1205 Filbert Place belonging to (property owners name(s)).

Placed in pending.

2022-536 Ordinance - Demolition of Dwelling - 1215 E. Russell Avenue

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 1215 E. Russell Avenue belonging to (property owners name(s)).

Placed in pending.

2022-537 Ordinance - Rescind Demolition Ordinance - 730 W. Fairfield Road - Minimum Housing Code

City Council is requested to rescind an ordinance for demolition for dwelling located at 730 W. Fairfield Road due to property being demolished and in compliance with the City of High Point's minimum housing code.

Approved under consent agenda.

2022-538 Ordinance - Rescind Demolition Ordinance - 2206 Gable Way - Minimum Housing Code

City Council is requested to rescind an ordinance for demolition for dwelling located at 2206 Gable Way due to property being repaired and in compliance with the City of High Point's minimum housing code.

Approved under consent agenda.

PLANNING & DEVELOPMENT - Mayor Jay W. Wagner**PUBLIC HEARINGS****2022-544 Clayton Properties Group, Inc., Zoning Map Amendment 22-22**

A request by Clayton Properties Group, Inc. to rezone approximately 33.55 acres from a Conditional Use Residential Single Family - 5 (CU R-5) District and a Conditional Use Residential Multifamily - 5 (CU RM-5) District to a Conditional Zoning Residential Single Family - 5 (CZ R-5) District and a Conditional Zoning Multifamily - 5 (CZ RM-5) District. The site is located along the east side of Dilworth Road, approximately 750 feet north of Bickford Road.

Herb Shannon, Senior Planner-Planning and Development Department reported that this request was to rezone approximately 33.55 acres from a Conditional Use Residential Single Family – 5 (CU R-5) District and a Conditional Use Residential Multifamily – 5 (CU RM-5) District to a Conditional Zoning Residential Single Family – 5 (CZ R-5) District and a Conditional Zoning Multifamily – 5 (CZ RM-5) District; said that the site is located along the

east side of Dilworth Road, approximately 750 feet north of Bickford Road. The Planning and Zoning Commission reviewed this request at their October 25, 2022, public hearing; speaking on the request: the applicant's representative, Mr. Jason Ewing, Land Acquisition Manager, Shugart Homes, 221 Jonestown Road, Winston-Salem, spoke in favor of the request; Mr. Ewing provided an overview of the development proposal for this site that was annexed in 2008; he noted that they were proceeding through the subdivision review process and that the only change they were proposing from the prior zoning approval is to remove one of the three initially approved stub streets, due to the location of a previously unidentified stream. Speaking in opposition to the request were Mr. J. Tommy Hodgin, 460 Dilworth Road; Ms. Kelly Gage, 436 Dilworth Road and Mr. David Payne, 428 Dilworth Road; they spoke to the following concerns:

- Safety of the proposed public street access to the site from Dilworth Road
- Delayed response time for emergency services to this area (fire and ambulance)
- Why have subdivision plans been submitted for review if the zoning has not been approved
- Concern that the zoning site contains plant species that may be on the State environmental watch list
- Concern with the allowance of twinhomes and the proposed density of development

A question was asked during the public hearing if this request was denied could the site develop under standards of its current 2008 zoning approval; a request was also asked if staff could outline the primary changes between the 2008 zoning approval and this current zoning request. Staff said this if this current zoning application was denied, the site could still be developed under the standards of its 2008 zoning approval. Mr. Shannon noted that the proposed changes from the 2008 zoning approval are: to remove one of the three required stub streets due to the location of a classified stream at the northeast corner of the site; to adjust the land area of the previously approved twinhome tract from 13.3 to 13.8 acres; and to refresh the language of the ordinance to meet terminology / departmental policy standards based upon adoption of the current Development Ordinance in 2017. Staff is recommending approval of this request and that this consistent with adopted policy guides and reasonable in the public's interest.

Following staff's report Mayor Wagner opened the public hearing and asked if there were any speakers to speak for or against this matter.

Jason Ewing, Land Acquisition Manager, Shugart Homes, 221 Jonestown Road, Winston-Salem advised that he was available for any questions.

James T. Hogins 460 Dilworth Road, thanked everyone for speaking on this issue; voiced concerns regarding the entrance to the site; said that the entrance had a sharp curve that dropped 40 feet into a sharp curve; spoke to the two fatalities at this curve along with multiple vehicle accidents; shared that he was a retired paramedic with a background as a Trauma and ED Nurse; and voiced concerns for response times for first responders to said location.

David Pain 4419 Deacon Court; thanked everyone for their time; spoke to the history about the property regarding an original request since 2008.

Mr. Shannon advised that was a separate case; and that no plan were submitted at this

point.

Mr. Pain continued and requested, as a part of conditioning, that there be a heavy buffering zone; spoke to a farmhouse that was documented at the High Point Library called the Payne House; said this home was in the N.C. Historic Preservation, and this property was not on the permit; and voiced concerns regarding the entrance where the curve is located.

Mr. Shannon noted that this was a separate case; the 2008 request was for zoning; and said that no plans were permitted.

Mayor Wagner asked if there was anyone else to speak on this matter for or against, hearing none Mayor Wagner closed public hearing and opened the floor for discussion.

Mayor Wagner thanked everyone for voicing their concerns; and asked Tommy Reid, Fire Chief to speak on the concerns regarding EMS/First Responders.

Chief Reid reported that numbers were ran for the five closest fire stations with an accreditation rating; and that there were no issues meeting the standards which were in the 90th percentile; and said that the medical/EMS provided the same service as the county.

Council Member Holmes inquired on the entrance of concern and if it triggered a traffic analysis. Greg Venable, Transportation Director said that staff would work with the applicant to modify the entrance for approval.

Council Member Moore requested that staff reach out to Guilford County regarding their EMS plans for the future expansion. Tasha Logan Ford, City Manager responded that staff would reach out to the county regarding this matter.

Mayor Wagner moved to approve the rezoning of approximately 33.55 acres from a Conditional Use Residential Single Family - 5 (CU R-5) District and a Conditional Use Residential Multifamily - 5 (CU RM-5) District to a Conditional Zoning Residential Single Family - 5 (CZ R-5) District and a Conditional Zoning Multifamily - 5 (CZ RM-5) District and adopt the consistency and reasonableness statements. Council Member Peters made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

Consistency and Reasonableness Statements

That Zoning Map Amendment 22-22 is consistent with the City's adopted policy guidance because the requested zoning amendments do not conflict with adopted policy guidance

documents. Development of this site will continue to be in accordance with the Low Density Residential land use classification governing this area. Furthermore, the request is reasonable and in the public interest because the requested CZ-R-5 and CZ-RM-5 District are reasonable, in that, as conditioned.

2022-545 High Point University, Zoning Map Amendment 22-23

A request by High Point University to rezone approximately 10.7 acres from a Conditional Zoning Institutional (CZ-I) District and the Office Institutional (OI) District to a Conditional Zoning Institutional (CZ-I) District. The site is lying along the north side of E. Lexington Avenue, between N. University Parkway and Meadowlawn Avenue 1301 E. Lexington Avenue and 1315 N. University Parkway).

Herb Shannon, Senior Planner-Planning and Development Department reported that this was a request by High Point University to rezone approximately 10.7 acres from a Conditional Zoning Institutional (CZ-I) District and the Office Institutional (OI) District to a Conditional Zoning Institutional (CZ-I) District; said that the site is on the north side of E. Lexington Avenue, between N. University Parkway and Meadowlawn Avenue 1301 E. Lexington Avenue and 1315 N. University Parkway); the Planning and Zoning Commission reviewed this request at the October 25, 2022, public hearing and approval was recommended; the applicant's representative, Mr. Jason Sweet, Assistant Vice President of Construction at High Point University, 1 North University Parkway, spoke in favor of the request, and provided a summary of the zoning. Staff recommended approval of this request as outlined in the attached staff report.

Mayor Wagner opened the Public Hearing and asked if there were anyone present who would like to speak for or against this matter. Seeing none the Public Hearing was closed.

Mayor Wagner moved to approve the rezoning of approximately 10.7 acres from a Conditional Zoning Institutional (CZ-I) District and the Office Institutional (OI) District to a Conditional Zoning Institutional (CZ-I) District. The site is lying along the north side of E. Lexington Avenue, between N. University Parkway and Meadowlawn Avenue 1301 E. Lexington Avenue and 1315 N. University Parkway). Council Member Johnson made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

Mayor Wagner moved to adopt the consistency and reasonableness statements for Zoning Map Amendment 22-23. Council Member Johnson made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

Consistency and Reasonableness Statements

That Zoning Map Amendment 22-23 is consistent with the City's adopted policy guidance because the Land Use Plan classifies the zoning site for Institutional land uses, and as conditioned, the requested CZ-I District supports adopted policy guidance and the policies of the University Area Plan. Furthermore, the request is reasonable and in the public interest because the request is reasonable as the site is surrounded on three sides by the High Point University campus and it is identified in the University Area Plan as an expansion area for campus.

GENERAL BUSINESS AGENDA

Mayor Wagner moved to suspend the rules to add items to the agenda. Council Member Johnson made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

Approval request to update the One High Point Commission's Roster

Mayor Wagner moved to update the OHPC's Roster. Council Member Hudson made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Hudson, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Peters, and Council Member Holmes

Absent (1): Council Member Jones

Approval request to approve the City Clerk's Contract-Sandra Keeney with a start date of December 5, 2023

Mayor Wagner moved to approve the City Clerk's Contract with a start date of December 5, 2022. Council Member Jefferson made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

2022-552 Revisions to the Ordinance Establishing Dates & Times for Official Sessions of the High Point City Council

City Council is requested to adopt a Revised Ordinance Establishing Dates and Times for Official Sessions of the High Point City Council reflecting the 2023 meeting dates:
Cancellation of the Monday, January 2nd, 2023 Council Meeting, due to the New Year Holiday,
Cancellation of the Monday, January 16th 2023 Council Meeting due to the MLK Holiday, and rescheduling to Tuesday, January 17th, 2023,
Cancellation of the Monday, June 19th 2023 City Council Meeting due to the Juneteenth Holiday, and rescheduling to Tuesday, June 20th, 2023,
Cancellation of the Monday, July 3rd, 2023 City Council Meeting due to the July 4th Holiday,
Cancellation of the Monday, September 4th, 2023 City Council Meeting due to the Labor Day Holiday,
Cancellation of the Monday, October 16th, 2023 City Council Meeting due to the High Point Furniture Market.

Mayor Wagner moved to adopt a Revised Ordinance Establishing Dates and Times for Official Sessions of the High Point City Council reflecting the 2023 meeting dates. Council Member Hudson made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

2022-553 Reappointment - High Point Housing Authority Board - Portaro

Council is requested to confirm the reappointment of Chuck Portaro to the High Point Housing Authority Board; reappointment to be effective December 23, 2022 and will expire December 22, 2027.

Mayor Wagner moved to approve the reappointment of Chuck Portaro to the High Point Housing Authority board, effective December 23, 2022, and will expire December 22, 2027. Council Member Williams made a second to the motion. The motion carried by the following 8-0 unanimous vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Peters, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Hudson, and Council Member Holmes

Absent (1): Council Member Jones

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:59 p.m.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Mary S. Brooks, CMC
Interim City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Approval of Minutes

From: City Clerk's Office

Public Hearing: No

Attachments: Yes

Meeting Date: July 17, 2023

Advertising Date N/A

Advertised By:

PURPOSE: Minutes to be Approved

BACKGROUND: N/A

BUDGET IMPACT: N/A

RECOMMENDATION / ACTIONS REQUESTED:

Approval of the following minutes:

Regular Meeting of the High Point City Council – November 21, 2022 @ 5:30 p.m.

Finance Committee minutes – December 1, 2022 @ 4:00 p.m.

Special Meeting of the High Point City Council – December 5, 2022 @ 4:30 p.m.

Special Meeting of the High Point City Council – May 10, 2023 @ 4:00 p.m.

Prosperity & Livability Committee Minutes – June 7, 2023 @ 9:00 a.m.

Finance Committee Minutes – June 15, 2023 @ 4:00 p.m.

Special Meeting of the High Point City Council – June 20, 2023 @ 4:30 p.m.

Regular Meeting of the High Point City Council – June 20, 2023 @ 5:30 p.m.

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on June 27, 2023 and before the City Council of the City of High Point on July 15, 2023 regarding **Zoning Map Amendment Case 23-15 (ZA-23-15)** 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 June 17, 2023, for the Planning and Zoning Commission public hearing and on July 3, 2023 and July 10, 2023, for the City Council public hearing pursuant to Chapter 160D-602 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 **July 15, 2023**.

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 General Business (CZ-GB) District**. The property is approximately 1.48 acres, lying at the northwestern corner of W. Lexton Avenue and Westchester Drive. The property is addressed as 800 W. Lexington Avenue and 724 Westchester Drive and also known as Guilford County Tax Parcels 179335 and 179334.

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) **Permitted Uses:** Any principal use of the General Business (GB) District subject to the standards of the Development Ordinance, the specific conditions listed in this ordinance, and as further restrict by Condition Part I (Uses) b) and c) below.
- b) **Restricted Uses:** The following uses under the major or minor vehicular establishment use type shall be prohibited:

1. Vehicle sales associated with a dealership.
 2. Vehicle rental.
 3. Vehicle storage as a principal use (vehicle storage accessory to repair established is permitted).
 4. Vehicle towing & storage as a principal use (vehicle storage accessory to repair established is permitted).
- c) Prohibited Uses: The following uses enumerated in Principal Use Table (Table 4.1.9) of the Development Ordinance shall be prohibited.
1. Agricultural Use Classification
 - a. Agricultural Production (crops and livestock);
 2. Residential Use Classification
 - a. Live/work dwelling
 - b. Multi-family dwelling
 - c. Single-family attached dwelling
 - d. Triplex/quadplex
 - e. Social Service facility (Major and Minor)
 - f. Assisted Living Facility
 - g. Continuing Care Retirement Community
 - h. Long-Term care/skilled nursing facility
 3. Institutional Use Classification
 - a. Assembly, major and minor
 - b. Cemetery, Columbarium, mausoleum
 - c. Cultural facility, major and minor
 - d. Public Recreation facility
 - e. Public Safety facility, major
 - f. Other Post-secondary educational facility
 - g. School, major and minor
 - h. Medical care facility, major and minor
 - i. Park and Ride facility
 - j. Passenger Terminal
 - k. Taxi or limo service
 - l. Utility facility, minor
 4. Commercial Use Classification
 - a. Bar or nightclub, major and minor
 - b. Restaurant, major
 - c. Office, major
 - d. Parking, commercial
 - e. Personal Service, Major
 - f. Tattoo/body piercing
 - g. Amusement and entertainment
 - h. Amusement Park
 - i. Bulky item sales

- j. Convenience Store with fuel sales
 - k. Flea market/antique mall pawnshop
 - l. Retail Sales, Large
 - m. Retail Sale, major
 - n. Hotel or motel
 - o. R/V Park
5. Industrial Use Classification
- a. Motion Picture production
 - b. Self-storage, internal and external access
 - c. Warehouse and distribution

Part II. Conditions:

A. Development and Dimensional Requirements.

1. Site Plan and Landscape Plan Submittal and Approval:

a) Site Plan Approval:

- i. Site Plan: A Development Permit (site plan) shall be required to be submitted and approved. This plan shall formalize the grading, paving, vehicle circulation, vehicular parking, and stormwater control for Guilford County Tax Parcel 179334 (724 Westchester Drive). This plan shall be submitted by December 31, 2023 and approved no later than June 28, 2024.
- ii. Lot combination: As part of Development Permit (site plan) approval the two (2) lots associated with this zoning request shall be combined to form one parcel.

b) Landscape Plan Approval (landscaping, buffers and screening): A Development Permit (landscaping plan) shall be required to be submitted and approved. This plan shall be submitted by December 31, 2023 and approved no later than June 28, 2024. Landscaping from this plan shall be installed by December 31, 2024. At a minimum the landscaping shall consist of the following:

- i. A Type B Perimeter Landscape Yard (Semi-Opaque Landscape Yard), planted to the Type B rate, shall be installed along the western boundary of Guilford County Tax Parcel 179334 (724 Westchester Drive).
- ii. A Type C Perimeter Landscape Yard (Intermittent Landscape Yard), planted to the Type B rate, shall be installed along the entire length of the northern boundary of tax parcel 179334 (724 Westchester Drive), excluding the access drive between the properties.

- iii. A street yard with an average width of 10-feet and a minimum width of 8 feet shall be provided along the Westchester Drive frontage of the site. The minimum planting rate of this street yard shall consist of four (4) Understory trees per every 100 liner feet and 20 evergreen shrubs every 100 liner feet along the entire length of the eastern boundary of the site as it abuts the Westchester Drive right-of-way. The Planning Director may approve an alternate planting yard along the Westchester Drive frontage of the site to mitigate interference/conflicts between planting materials with adjacent overhead electrical lines.

2. Transportation :

- a) Access: Vehicular access shall be limited to the existing access drive on W. Lexington Avenue and through an access easement providing vehicular access to Westchester Drive over adjacent Westchester Keys Apartments property.
- b) Other Transportation Conditions The City of High Point Transportation Director and the North Carolina Department of Transportation (if applicable) shall approve the exact location and design of all access points 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.

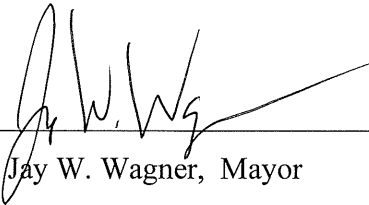
SECTION 5

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

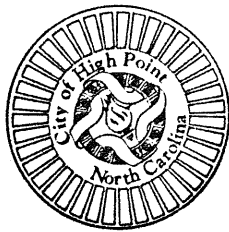
SECTION 6.

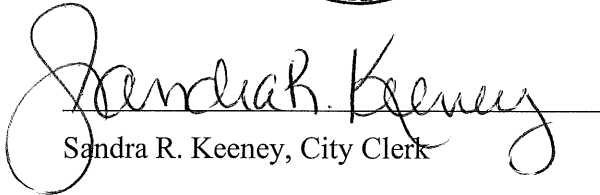
This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 15th day of July, 2023

By: 
Jay W. Wagner, Mayor

ATTEST:




Sandra R. Keeney, City Clerk

Prosperity & Livability Committee

Chaired by Councilman Hudson

Committee Members: Hudson, Holmes, Jefferson, and Peters

June 7, 2023 –9 :00 a.m.

3rd Floor, Council Chambers

Minutes

CALL TO ORDER

Chairman Wesley Hudson called the meeting to order at 9:02 a.m. Following a roll call, the following attendance by Committee Members was duly noted.

Present (4):

Chairman Wesley Hudson, Committee Member Monica Peters, Committee Member Cyril Jefferson, and Committee Member Michael Holmes

Staff Present:

Tasha Logan Ford, City Manager; Ferguson, Deputy City Manager; Eric Olmedo, Assistant City Manager; Damon Dequenne, Assistant City Manager; Travis Stroud, Police Chief; Jeron Hollis, Managing Director; Meghan Maguire, City Attorney; Greg Venable, Transportation Director; Jeremy Coble, Customer Service Director; Nena Wilson, Community Development Director; Sandra Keeney, City Clerk; and Mary S. Brooks, Deputy City Clerk

The following documents associated with the presentations, are hereby attached as a permanent part of these proceedings:

1. *PowerPoint Presentation-Hillcrest Place/N. Main Street Signal Installation Cost.*
2. *PowerPoint Presentation-Advance Metering Infrastructure (AMI).*
3. *PowerPoint Presentation-Panhandling.*

PRESENTATION OF ITEMS

2023-278

Presentation-Hillcrest Place/N. Main Street Signal Installation Cost

Staff will provide a presentation regarding costs associated with the installation of a new traffic signal at the intersection of Hillcrest Place and N. Main Street (Brown Truck Brewery); and is requesting direction from the committee on the next steps.

Greg Venable, Transportation Director made a PPP regarding the Hillcrest Place/N. Main Street Signal Installation Cost; said that the city had contracted with Kimley Horn and Associates (KHA) to do a study for N. Main Street from Lexington Ave. to Church St. to provide recommendation for pedestrian safety improvements, streetscape improvements, speed reduction strategies, and complete street concepts; KHA provided a list of potential interim improvements; staff recommendations were to enhance roadway lighting at the crosswalk location, enhance existing RRFB with double posted signs and flashers, and concrete median refuge island with detectable warning surfaces with an estimated total cost of \$45,000; noted that the committee had requested staff investigate possible installation of either a High Intensity Activated CrossWalk (HAWK) or a full signalized intersection; provided reasons why NCDOT would not approve the HAWK option; the N. Main St signal must be approved by NCDOT and explained the modification/removal of the Brown Truck driveways for this option with an estimated timeline for completion of 9-10 months; for this signal, if completed in house, estimated cost would be \$261,000; if this option was contracted out, the estimated cost would be \$430,000; and asked the committee for direction on the next steps on how to proceed.

Discussion took place regarding the NCDOT requirements for approval; the inhouse installation process; temporary street closures; staff working evening and night shifts; and how the options provided would affect the study.

Council Member Peters inquired on repairing the potholes in the alleyway for the signal installation location. Meghan Maguire, City Attorney responded that most alleyways were privately owned; and that staff would confirm ownership of the alleyway and report back.

Mr. Venable advised the committee that staff would be communicating with the NCDOT regarding the HAWK signal and Hillcrest Court/N. Main St. Signal installation options and report back.

It was the consensus of the committee for staff to take both options to the NCDOT for a response regarding approval.

2023-281

Update-Advance Metering Infrastructure (AMI)

Staff will provide an update regarding the Advance Metering Infrastructure (AMI) Project.

Jeremy Coble, Customer Service Director made a PPP regarding the Advance Metering Infrastructure (AMI) project; explained what an AMI was and how it worked; said that the goal was to modernize the city's utility information system capabilities and services; the accomplishments to date are as followed; request for proposal (RFP) was developed, published, and process in Q2 of 2021, the city secured a contract for the AMI system in Q1 of 2022, strategic planning, business design, solution architecture, and organization activities began, and that the RFP responses were received, scored, and a selection was made for the Meter Data Management (MDM) and Customer Engagement

Portal (CEP); said that the initial deployment area would be to install approximately 400 electric meters and 500 water meters; and entertained questions.

Committee Member Jefferson asked if the timeline for total deployment was for the year 2026; and asked what the cost for the AMI investment would be for the city. Mr. Coble replied, “yes”, and that it would also depend on the supply chain; and the estimated investment cost for the city would be \$12 million.

Committee Member Peters asked would the AMI system reduce meter tampering. Mr. Coble replied, “yes”; and that the city would be notified immediately for meter tampering.

2023-282**Update-Panhandling**

Staff will provide an update regarding resources available to individuals who are panhandling in the community.

Chief Stroud made a PPP regarding an update on panhandling in the community; existing laws that are enforceable; provided three applicable statutes or ordinances that would make panhandling illegal as followed:

- *G.S. 20-175(B): No person shall stand or loiter in the main traveled portion, including the shoulders and median, of any State highway or street, excluding sidewalks, or stop any motor vehicle for the purpose of soliciting employment, business contributions from the driver or occupant of any motor vehicle that impedes the normal movement of traffic on the public highways or streets.*
- *C.O. 10-1-138: Pedestrians Soliciting Rides, Business or Contributions*
 - (a) *No person shall stand, sit or walk in a roadway for the purpose of soliciting a ride, employment, business or contributions from the occupant of any vehicle traveling in or upon a roadway or stopped momentarily in compliance with duly erected traffic control device or traffic sign located upon the highway.*
- *C.O. 12-1-13: Aggressive Solicitation Prohibited*

Aggressive solicitation includes approaching or following pedestrians, repetitive soliciting despite refusals, the use of abusive or profane language to cause fear and intimidation, unwanted physical contact, or the intentional blocking of pedestrian and vehicular traffic. Locations noted: at or near banks, automated teller machines, public transportation facilities, and crosswalks Intended to protect citizens from the fear and intimidation accompanying certain kinds of solicitations, and not to limit constitutionally protected activity.

Chief Stroud shared the city of Greensboro’s ordinance Sec 18-44: Blocking or impeding street and sidewalk access; spoke to charging and reality for violations; provided number regarding calls for service for panhandling; spoke to resources available on preventing panhandling; said that panhandling had become an increasing problem in the community

creating concerns around resources and housing available to individuals/families, as well as public safety concerns; and entertained questions.

Committee Member Holmes thanked the HPPD for their efforts; and inquired on the availability of resources for the community; and voiced concerns of not dismissing individuals in distress; and spoke to the need for mental health resources. Chief Stroud responded and spoke to having a social media campaign for resource; and that handouts were not readily available at the moment.

Committee Member Peters asked staff to implement research regarding what other cities were doing regarding panhandling solutions; and Committee Member Holmes asked staff to create a resource guide for individuals. Chief Stroud said that staff would provide that information.

Panhandling and Homeless Resources

Nena Wilson, Community Development Director reported that resources for panhandlers are the same as those for homeless individuals/families or those at risk of homelessness; spoke to the three components as followed: Housing (case management) – Emergency, transitional, rapid rehousing (RRH), permanent supportive housing (PSH); HPHA and other affordable housing providers Services (case management) – Health/mental health, transportation, education (GCS)/GED, food insecurity, etc.; High Point Library (Community Café) Job skills (case management) – GTCC, construction training programs, Welfare Reform Liaison Project (WRLP); said that emergency shelter aren't operating at 100% due to staffing challenges; and said that some communities require homelessness individual to show proof of residency (such as where they receive their mail such as at an agency, etc...); spoke to how individuals could be refused service; and spoke to rapid rehousing to help prevent homelessness. Ms. Wilson discussed having a QR code on signage to provide resource and to contribute/donate; and provided an update on the Day Center; said that they were in the negotiation stage.

Committee Member Holmes thanked staff for their efforts regarding this matter.

ADJOURNMENT

There being no further business to come before the Prosperity & Livability Committee, the meeting was adjourned at 10:24 a.m.

Respectfully Submitted:

Wesley Hudson, Chairman

Attest:

Mary S. Brooks, CMC
Deputy City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 23-08
(Diversified Estate Holdings, LLC)

From: Sushil Nepal, AICP
Planning & Development Director

Public Hearing: Yes

Meeting Date: July 17, 2023

Advertising Date: July 5, 2023, and
July 12, 2023

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by Diversified Estate Holdings, LLC to rezone approximately 9.6 acres from a Conditional Use Agricultural (CU-AGR) District to a Conditional Zoning Residential Multifamily - 16 (CZ RM-16) District. The site is located west of the intersection of Penny Road and East Fork Road (1711 and 1701 Penny Road).

BACKGROUND:

Mr. Herbert Shannon, Senior Planner, provided an overview of the history of this zoning request, changes to the Conditional Zoning Ordinance offered by the applicant, and the updated staff recommendation that is generally supporting this zoning request based upon changes offered by the applicant.

Speaking in favor of the request:

The applicant's representative, Ms. Judy Stalder, 3735 Admiral Drive, High Point, spoke in favor of the request. She outlined their proposal to develop this site for a multifamily project with approximately 145 dwelling units. Ms. Stalder provided an overview of the changes offered to the conditional zoning ordinance to address concerns raised by staff and surrounding property owners. Based upon the amended zoning conditions, she noted that the proposed development can be compatible with the surrounding area.

Speaking in opposition to the request:

Speaking in opposition to this request were Mr. Williams Jones, 3646 Hickwood Forest Drive, Ms. Deborah Davis 3951 Cobblestone Drive, Ms. Melody Thomas 3933 Cobblestone Bend Drive and Mr. Reid Nifong, 3948 Cobblestone Bend Drive. These speakers expressed the following concerns:

1. Development intensity/density:

- The proposed multifamily development, at 16 units per acre, is inconsistent with the low-to-medium-density development around the site. A multi-story multifamily development is too intense next to the abutting single story residential dwellings.
- Even with the updated conditions, the intensity of development south of the power lines is still too high.

2. Building Height and Location: Development should be focused on the portion of the site lying north of the powerlines. Any development south of the powerlines should be limited to two-story structures.

3. Traffic: This proposed multifamily development, in conjunction with other previously approved multifamily to the north, will increase traffic in an area where traffic is already a problem.

After the public hearing, the Planning and Zoning Commission members had a lengthy discussion. They appreciated that the applicant revamped their development proposal to address issues raised by staff at their March and April public hearings. There was still concern that this is a transitional parcel, and the development intensity should be stepped down. There was also concern with having a multistory multifamily development next to a single-story residential development.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff Recommendation

Based upon these changes and the updated Conditional Zoning Ordinance, the Planning and Development Department is **supportive** of this amended request.

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended ***approval*** of this request, as recommended by staff, by a vote of 6-1. Member Thad Juszczak vote in opposition due to concern with intensity of development proposed next to the single-story residential development.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 8-0 to approve the following statement:

That Zoning Map Amendment 23-08 consistent with the City's adopted policy guidance because the requested zoning map amendment, as conditioned by the applicant, is to a certain degree aligned with the Land Use Plan and adopted policy guidance documents. Furthermore, conditions offered by the applicant for reduced development density along the southern half of the site, greater building setbacks and higher perimeter landscaping will support multifamily development that is generally compatible with abutting lower intensity land uses.



MEMORANDUM

TO: Jay Wagner, Mayor
City Council Members

FROM: Herbert Shannon, AICP, Senior Planner

DATE: July 17, 2023

SUBJECT: Zoning Map Amendment Case 23-08 (1711 & 1701 Penny Road)
Applicant: Diversified Estate Holding, LLC

Overview

This zoning map amendment application (ZA-23-08) proposes to rezone a 9.7-acre parcel, lying east of the intersection of Penny Road and East Fork Road, from a Conditional Use Agricultural (CU-AG) District to a Conditional Zoning Residential Multifamily - 16 (CZ RM-16) District. This rezoning is being sought to support a multifamily development at a density of 16 dwelling units per acre (up to 155 dwelling units) [See *Maps #1 & 2*].

The zoning site is situated at the transition point where higher intensity development, associated with the commercial node at the W. Wendover Avenue and Penny Road intersection, transitions to lower intensity land uses. The adopted land use plan supports Medium Density land uses (8 to 16 dwelling units per acre) along the northeastern 1/3 of the site while the southern 2/3s of the site is classified as Low-Density Residential which supports single family or other lower intensity residential development up to 5 units per acre [See *Map #3*].

Development options, as to building placement, is limited as most of the parcel is encumbered by a 150-foot wide Duke Power easement that runs through the entire length of the parcel. This restricts the developable area of this parcel to roughly 40%. Structures are limited to a triangular area at the northeastern and southwestern portions of the site [See *Map #4*].

A conceptual site plan presented by the applicant depicts 4-story multifamily structures, each containing 56-dwelling units, at the northeastern and southwestern corners of the site. These multifamily structures would abut lower intensity development consisting of a single family home and one-story townhomes. As outlined in the Staff Report (ZA-23-08 Staff Report March 28, 2023) the Planning and development Department expressed concerns with this request as to 1) compatibility of development at this transitional point of land use intensity and 2) intensity of development and conditions offered by the applicant does not adequately mitigate impacts [See *Map #5 and attached Staff Report ZA-23-08*].

Public Hearings Summary

- A. Planning & Zoning Commission (4th public hearing): The Planning and Zoning Commission held a 4th public hearing pertaining to this request at their **June 27, 2023 public hearing**. The Planning and Development Department provided an updated staff presentation and general recommendation of approval, based upon submittal of amended zoning conditions that addressed most of staff's concerns.

After the applicant's presentation and comments from the public (4 speakers in opposition), ***the Planning and Zoning Commission offered an updated recommendation of approval of the request, by a vote of 6-1.***

- B. City Council (3rd public hearing): This application was reviewed by the High Point City Council at their **May 15, 2023 public hearing**. The Friday prior to the City Council meeting (June 12), the applicant submitted a updated conditional zoning ordinance. At this public hearing staff provided a presentation and recommendation of denial. The applicant also provided a presentation and there were nine speakers in opposition.

The City Council expressed concerns that this updated conditional zoning ordinance has not been shared with the public (as part of the official staff report) and these new conditions were not offered to the Planning and Zoning Commission for their consideration.

The City Council unanimously voted (9-0) to refer this case back to the Planning and Zoning Commission.

- C. Planning & Zoning Commission (1st and 2nd public hearings): The Planning and Zoning Commission held the first public hearing pertaining to this request at their **March 28, 2023 public hearing**. After receiving a staff presentation and recommendation of denial, applicants' presentation and comments from the public (7 speakers in opposition), the Commission continued the request to their April 25, 2023 meeting to allow the applicant to address issues raised by the Planning Department.

The second public hearing was held on **April 25, 2023**. Staff outlined new conditions offered by the applicant. These changes did not address the primary issues of concern raised by the Planning Department at the March public hearing. Staff maintained its recommendation of denial to the zoning request.

The Planning and Zoning Commission made a recommendation to forward ZA-23-08 to the City Council with a recommendation of denial, by a vote of 8-0.

(See attached summary of changes to Conditional Zoning Ordinance ZA-08 as presented at the 4th public hearing – Planning & Zoning Commission June 27, 2023 meeting)

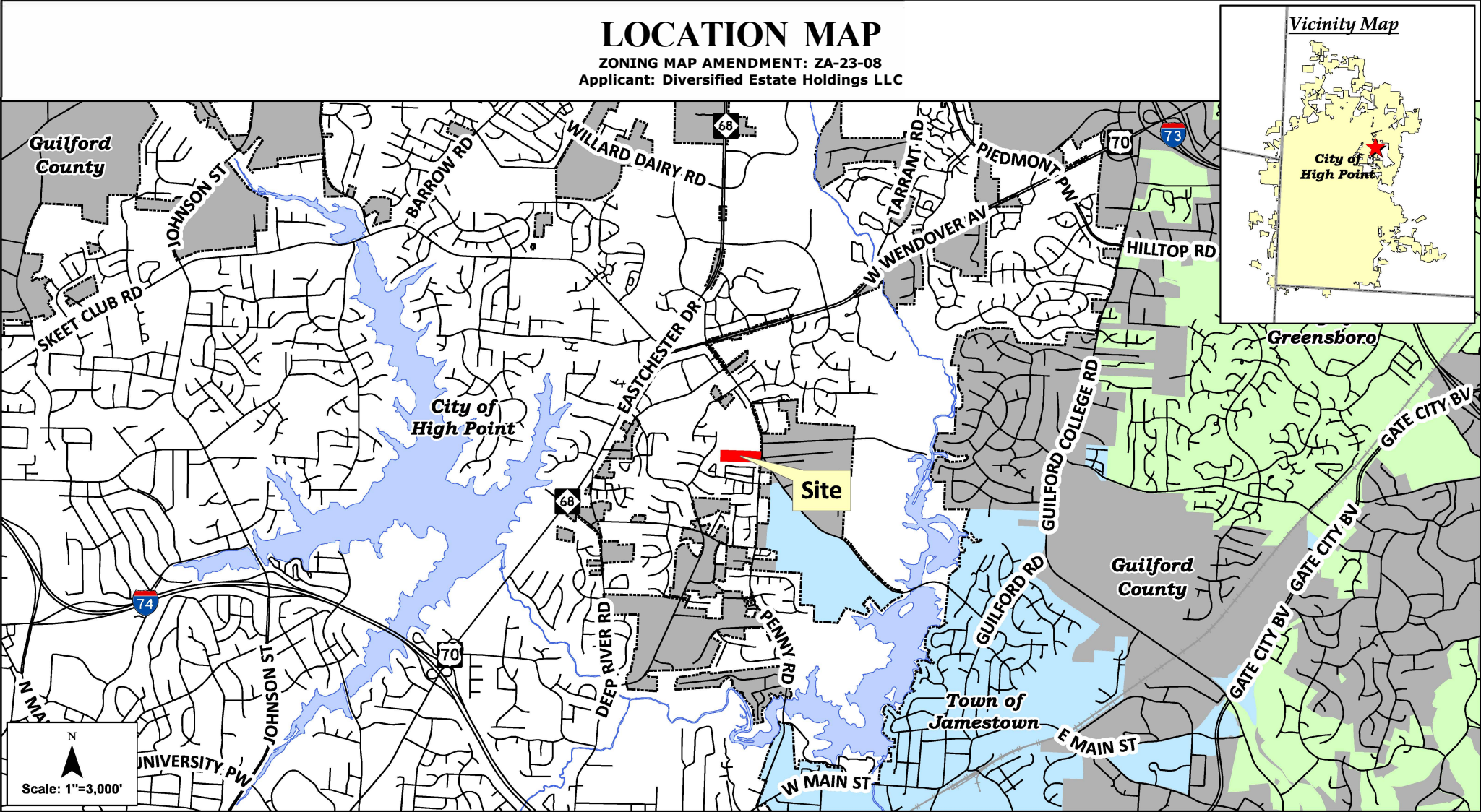
Staff Recommendation

The table below outlines a general summary of changes to Conditional Zoning Ordinance 23-08. **Based upon these changes to the Conditional Zoning Ordinance, the Planning and Development Department is supportive of this amended request.**

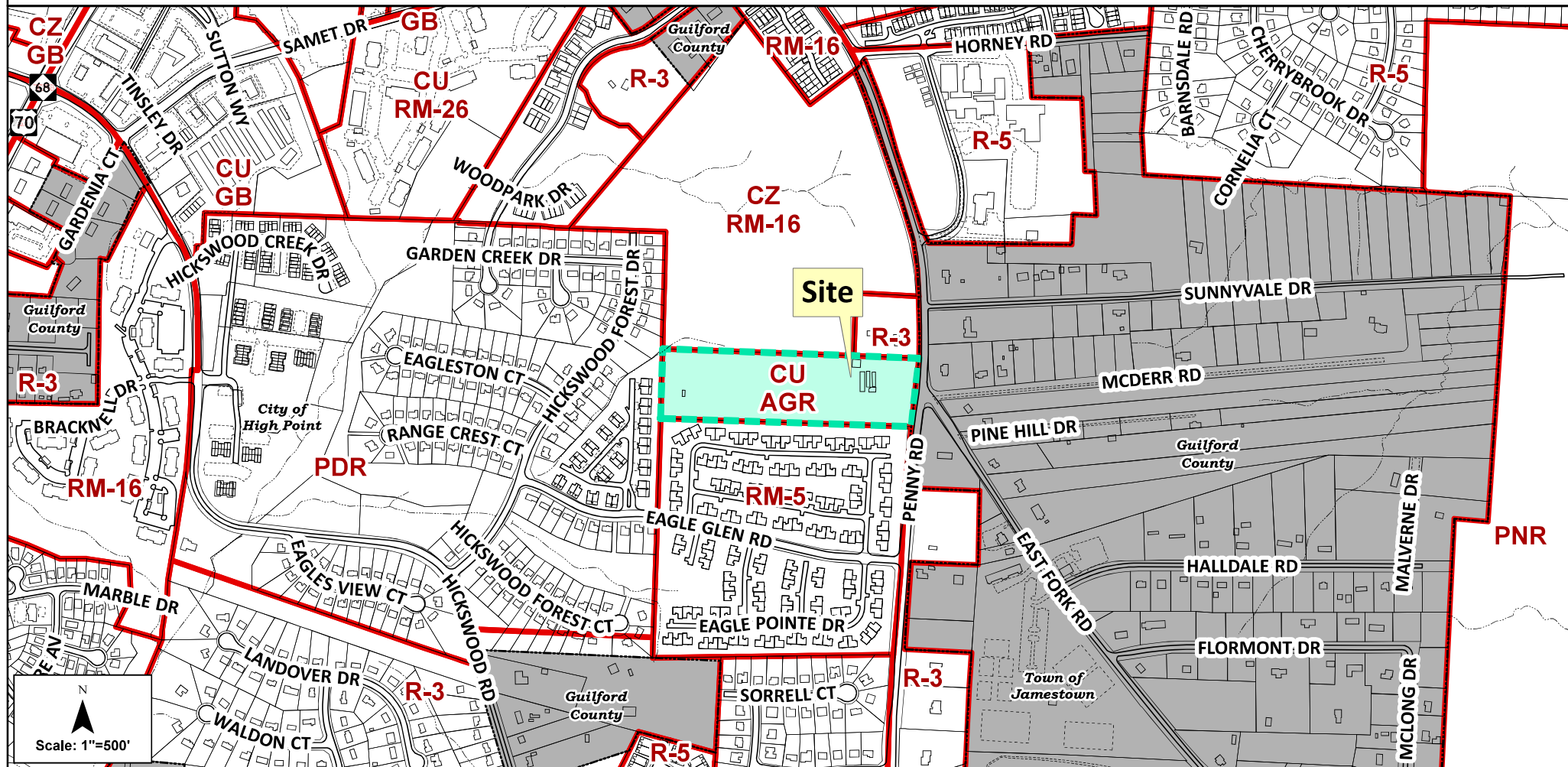
Summary of Zoning Conditions	
Staff Recommendation	Conditions Offered by Applicant
Binding Conditional Zoning Plan.	Not addressed
<u>Next to Southern Boundary of site</u> Staff proposed conditions to restrict building height, restrict building length, higher building setback. <i>(Option: staff noted that the P&Z Commission could consider rezoning the southern half of site to RM-5 District)</i>	<u>Next to Southern Boundary of site</u> <u>(New conditions)</u> • Number units reduced from 56 to 33. • Max. building height locked in at 50 ft. with pitched-roof building construction. • Multifamily building setback increased from 15 ft. to 30 ft. • Maximum building length reduced from 250 ft. to 200 ft. <i>(Note: Conditions are similar to the RM-5 District standards except for density (if southern half of site was RM-5 density would be limited to approx. 24 units).</i>
<u>Next to Northern Boundary of site</u> Staff proposed conditions to restrict building height, restrict building length, higher building setback.	<u>Next to Northern Boundary of site</u> <u>(New conditions)</u> Setback from Penny Road for a multifamily building increased from 20 ft to 250 ft. This pushes higher intensity development away from the history site with single family home. <i>(higher setback standard does not apply to garages and other accessory structures).</i>
<u>Transportation Conditions</u> Require at least two points of access for more than 50 dwelling units. One of access points shall be to Penny Road (align with the Penny Road/East Fork Road intersection). Intersection improvements <i>(traffic signal modification and turn lanes).</i>	<u>Transportation Conditions</u> Applicant has agreed to these transportation conditions.

Staff Recommendation	Conditions Offered by Applicant
<u>Landscaping Standards</u> <u>Southern boundary</u> Nothing required by Ordinance. Staff recommended a min. 25-foot-wide Type B Yard (<i>10 trees and 25 shrubs every 100 linear ft</i>) <u>Northern boundary</u> Type C Yard required by Ordinance. Staff recommended a min. 25-ft-wide Type B Yard (<i>10 trees & 25 shrubs every 100 liner ft – 50% of shrubs to be evergreen</i>) <u>Penny Road frontage</u> 10-foot wide Street Yard, planted to the Type C (7 trees and 20 shrubs every 100 linear feet - 25% of shrubs to be evergreen)	<u>Landscaping Standards</u> <u>(New conditions)</u> <u>Southern boundary</u> • Applicant offered Type C Yard (15-ft average width containing 7 trees & 20 shrubs every 100 linear ft, with 50% of shrubs to be evergreen) • 6-foot high screening fence next to building <u>Northern boundary</u> Applicant proposed a Type C Yard planting yard of greater than 50% evergreen. <u>Penny Road frontage</u> Higher Type C Planting rate not agreed to by applicant.

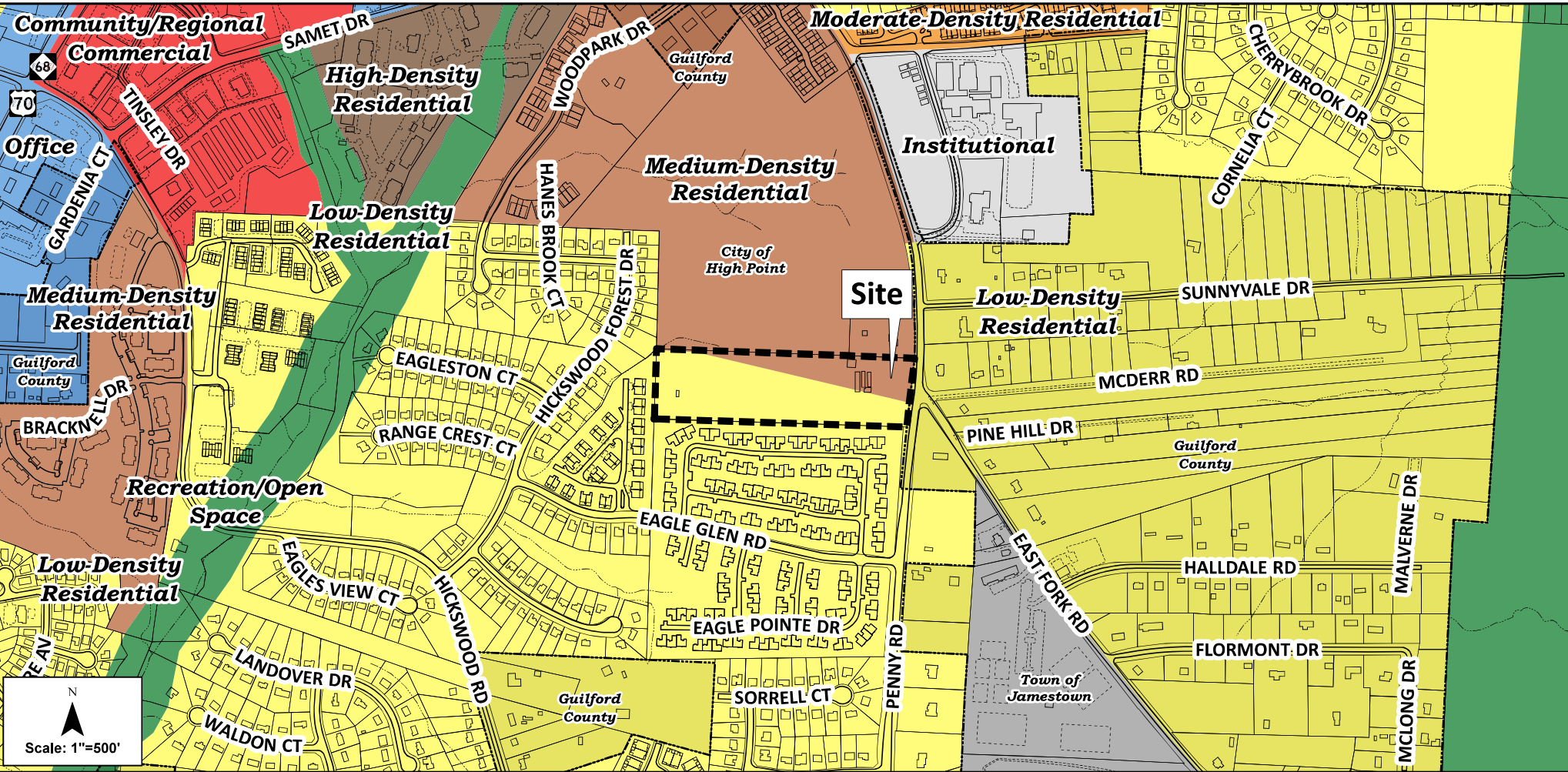
Map #1



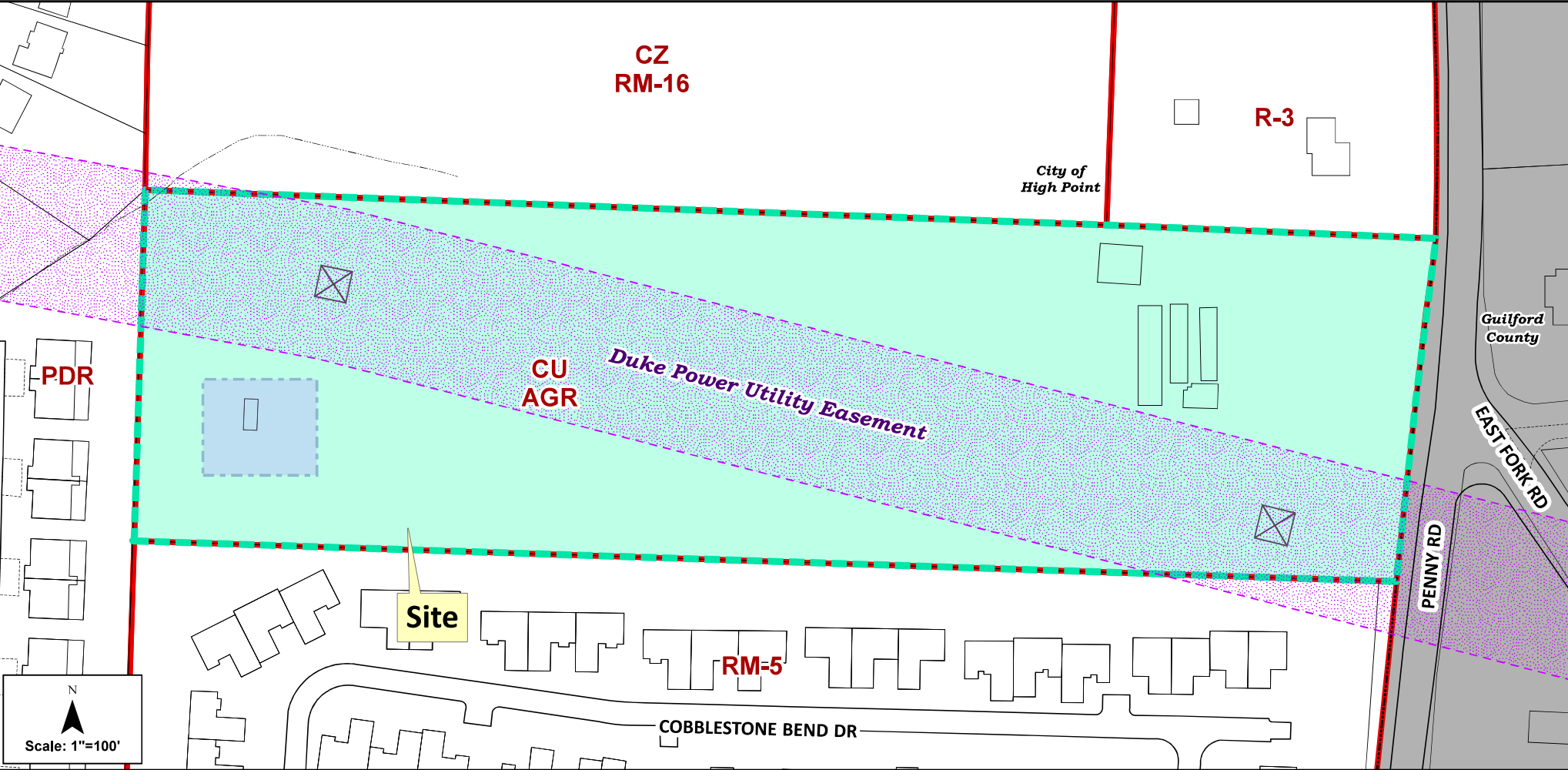
ZONING MAP AMENDMENT: ZA-23-08
ZONING MAP



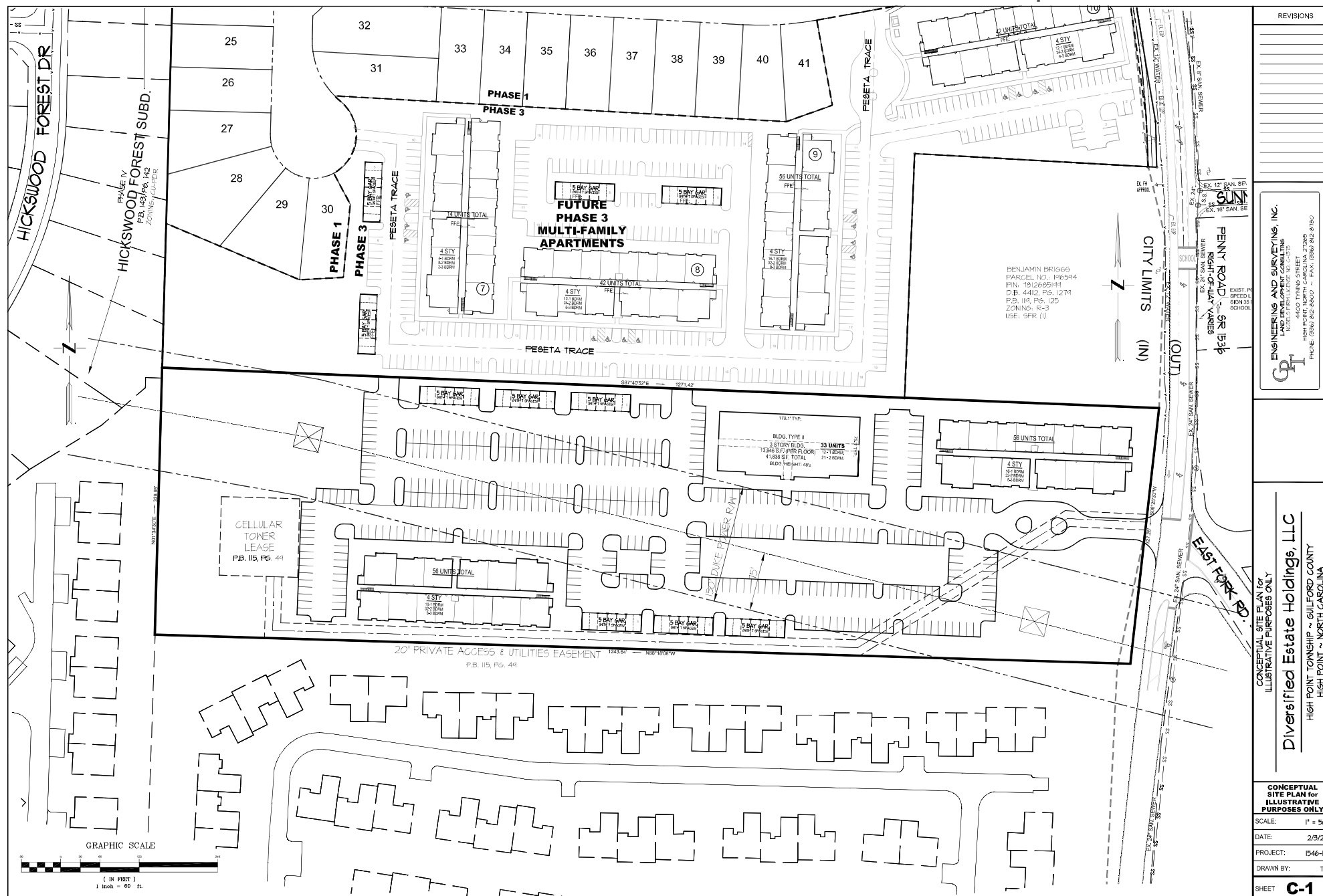
ZONING MAP AMENDMENT: ZA-23-08
LAND USE PLAN MAP



**ZONING MAP AMENDMENT:
EXHIBIT MAP**

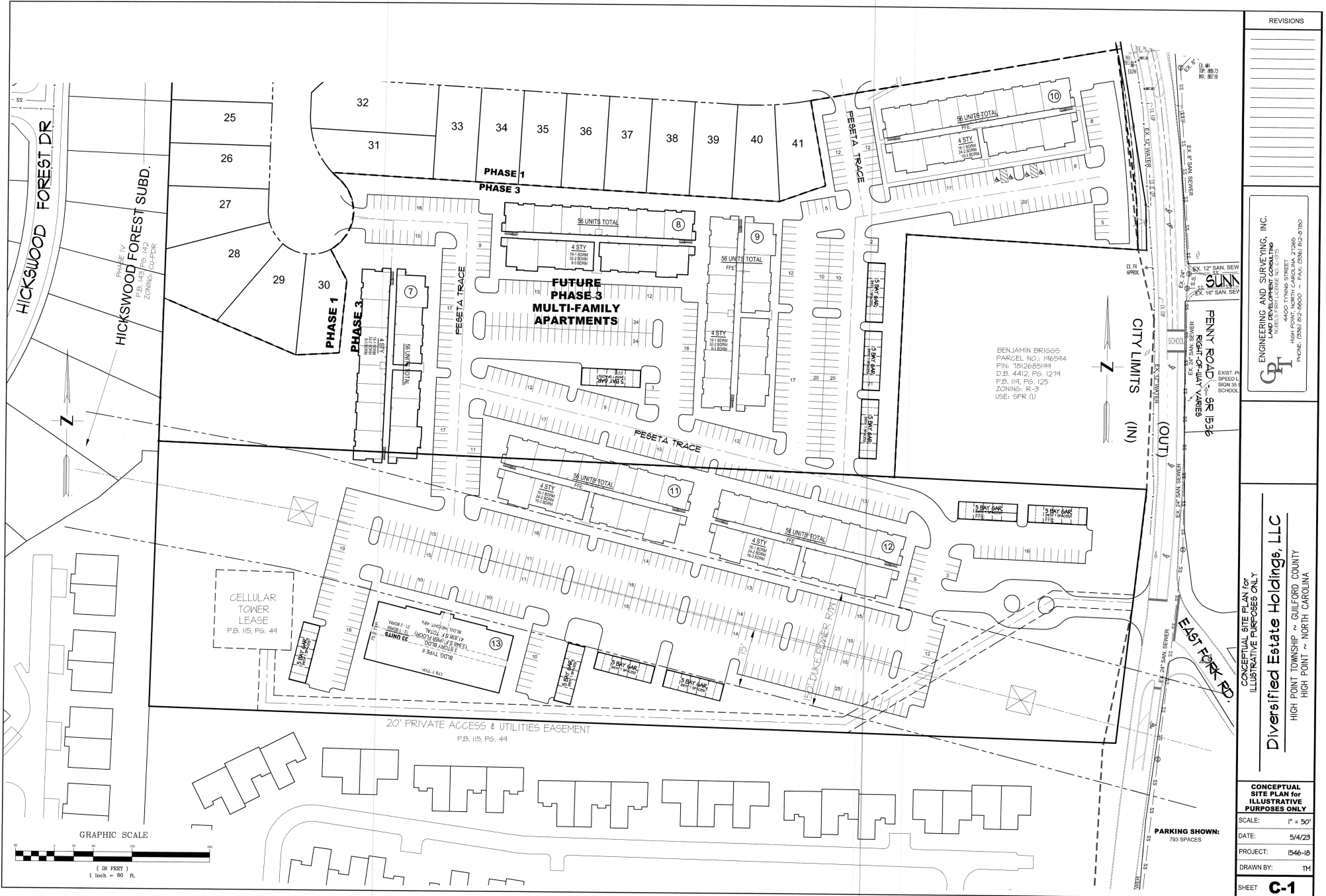


Map #5



1:CPY1546-16DWG1546-18 CIVIL DESIGN_NEW PARCEL 02-02-23.dwg, PLOT1_Sketch, 2/3/2023 7:12:52 PM, 1:1, TMJTN

Amendment Concept Plan



AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on March 28, 2023 and before the City Council of the City of High Point on April 17, 2023 regarding **Zoning Map Amendment Case 23-08 (ZA-23-08)** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

18, 2022, for the Planning and Zoning Commission public hearing and on April 5, 2023 and April 12, 2023, for the City Council public hearing pursuant to Chapter 160D-602 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 May 15, 2023.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Conditional Zoning Residential Multifamily - 16 District (CZ RM-16) District**. The property is approximately 9.7 acres, located west of the intersection of Penny Road and East Fork Road (1711 and 1701 Penny Road). The property is also known as Guilford County Tax Parcel 187199.

SECTION 2

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

Part I. **USES:** Any uses allowed in the Residential Multifamily – 16 (RM-16) District shall be permitted, subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Multifamily Dwelling Use Type Development Standards:

- a. Penny Road Setback: A minimum building setback of 250 feet shall be required from the Penny Road right-of-way line for multifamily building(s). This higher setback standard shall not apply to accessory structures associated with a multifamily development.
- b. The following development and dimensional standards shall apply to multifamily structures that are developed on that portion of the property south of the Duke Energy Transmission Line Easement.
 - i. A maximum of 33 dwelling units shall be allowed.
 - ii. A minimum building setback of 30 feet shall be provided from the southern property line of the zoning site.
 - iii. A maximum building height of 50 feet shall be allowed, and buildings shall be of pitched roof construction.
 - iv. A maximum building length of 200 feet.

B. Landscaping, Buffers and Screening.

- 1. Northeastern boundary of the site (abutting Guilford County Tax Parcel 196594 - (a Guilford County Historic Landmark Property): ~~Adjacent to tax parcel 196594 (1753 Penny Road) on the northern property boundary of the zoning site, a Type C perimeter landscape yard, of greater than 50% evergreen will be established.~~ In the event the R-3 zoning of tax parcel 196594 is changed to a multifamily or non-single family zoning district and the Guilford County Landmark historic designation is removed, this higher landscaping standards shall not apply.
- 2. Southern boundary of the site (abutting the Eagle Glen Eagle subdivision): Along the southern boundary of the zoning site, adjacent to the Eagle Glen Subdivision, a Type C perimeter landscape yard, of greater than 50% evergreen, shall be established. This planting yard shall not encroach into the Duke Energy Transmission Line Easement.

An alternate landscaping/buffering/screening plan may be approved by the Planning and Development Director. In addition to the guidelines noted in Section 5.5.13 (Alternate Landscape Plan) of the Development Ordinance, landscaping, buffering, and screening:

- a) Shall not be less than 15 feet in width;

- b) Shall function as a partial opaque screen and shall create a sense of spatial separation between the zoning site and adjacent residential uses to the south; and
 - c) May include an opaque screening as outlined in Section 5.6.6 (Screening Method) of the Development Ordinance, but said opaque screening shall not be the only buffering method.
3. Penny Road Street Planting Yard: A minimum 10 foot wide Street Yard shall be installed along the Penny Road frontage of the site. This Streetyard planting area shall be established within a common area and shall be exclusive of any utility easements, except for perpendicular crossings by utilities, roadways (public and private streets) and vehicular access driveway.
4. Along the southern property boundary, a 6 foot high opaque screening fence will be erected adjacent to any multifamily building (between the building and the southern property line). The fence shall extend a minimum of 10 feet beyond the side walls of the building.
- C. Pedestrian Access: As a part of development permit approval, the property owner shall install a minimum five (5) foot wide concrete or asphalt pedestrian connection from the internal pedestrian circulation area(s), within the zoning site to the perimeter sidewalk along Penny Road.
- D. Transportation Conditions.
- 1. Access:
 - a) Location and number of vehicular access points: If more than 50 dwelling units are permitted, as part of development permit approval, two physical vehicular access connections shall be required to be installed to an **improved** public/private street or existing improved access drive corridor. **One of the required access points shall align with Penny Road/East Fork Road. Right and left turn lanes, with appropriate storage and taper, shall be provided on Penny Road.**
 - b) **If more than 50 dwelling units are approved, the developer shall be responsible for signal modifications at the site access at Penny Road/East Fork Road.**

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 15th day of May, 2022

By: _____

Jay W. Wagner, Mayor

ATTEST:

Sandra R. Keeney, City Clerk

Citizen Information Meeting Report
1711 Penny Road
Zoning Case ZA-23-08

A second Citizen Information Meeting was held for property owners in the vicinity of 1711 Penny Road. An informational letter dated May 26, 2023, was sent by US Mail to the 87 addresses supplied by the City of High Point Planning and Development Department inviting property owners to a meeting on June 6 at 5:30 pm at Keystone at James Landing, 5500 Freedom Lane, Jamestown NC. The letter described the new conditions proposed for the zoning of the property and included an illustrative site plan. A copy of the letter and list of addressees is attached. The meeting was hosted by Scott Wallace and Judy Stalder

Attendees:

Bill Robertson 3953 Cobblestone Bend Drive, High Point NC 27265
 Mel Thomas 3933 Cobblestone Bend Drive, High Point NC 27265
 Teresa Cochran 3931 Cobblestone Bend Drive, High Point NC 27265
 Deborah Davis 3951 Cobblestone Bend Drive, High Point NC 27265
 Lillie McKeathen 2986 Cloverwood Drive, High Point NC 27265

Presentation

Judy Stalder presented the changes in conditions that were presented to High Point City Council in May:

PORTION OF SITE SOUTH OF DUKE ENERGY TRANSMISSION LINE EASEMENT	
Originally Proposed	Revised Conditions
56 homes	33 homes maximum
4 story building with flat roof	3 story building with pitched roof construction
60 foot maximum building height	50 foot maximum building height
15 foot setback w/ a 25 ft setback for buildings over 50 feet	30 foot minimum setback
250 foot maximum building length	200 foot maximum building length
No additional landscaping	Type C planting yard greater than 50% evergreen
No fence	6 foot screening fence adjacent to multifamily buildings

- As a result of the revised conditions, that part of the site adjacent to the existing RM-5 zoning district to the south, meets all the requirements for RM-5 zoning except density. The proposed density is only slightly higher at 6.75 units per acre.
- The 30 foot setback from the property line will result in a separation between the proposed multifamily building and existing townhomes of approximately 90 feet at the closest point.

PORTION OF SITE NORTH OF DUKE ENERGY TRANSMISSION LINE EASEMENT (ADJACENT TO BRIGGS PROPERTY)	
Original Conditions	Revised Conditions

20 foot minimum setback from Penny Road	250 foot minimum setback from Penny Road for multifamily buildings
Type C planting yard	Type C planting yard greater than 50% evergreen

- The 250 foot setback from Penny Road results in a building location that is not immediately adjacent to the Briggs home.
- The planting yard will incorporate plantings that honor the historical designation of the home.

OVERALL SITE	
Original Conditions	Revised Conditions
No transportation conditions beyond ordinance requirements	If more than 50 homes are permitted on the site: One of the two required access points will align with Penny Road. Right and left turn lanes with appropriate storage and taper shall be provided on Penny Road. The developer shall be responsible for signal modifications.

- Transportation conditions include all the improvements suggested by HPDOT.

Questions and Comments

How many apartments will you build? *We are not sure at this time, but the maximum number that can be accommodated on the property is 144.*

Will you consider just not building on the south side of the property? *No, but the new conditions in regard to height, width, number of units, setback from the property line, landscaping and fencing, will greatly mitigate the impact of the building.*

Would you consider single family homes? *The transmission line easement and communications towers make this property impractical to develop as single family.*

What will the landscaping between the building and Eagle Glen look like? *For every 100 linear feet, 3 canopy trees, 4 understory trees and 20 shrubs will be required. The plantings will be at least 50% evergreen to give year round separation.*

When will construction start? *Construction is 3-4 years in the future. Once construction begins, we estimate 200 days per building to complete.*

How much parking is required? *At this time we are showing more parking than required by ordinance. The parking layout will be determined at TRC review.*

How many bedrooms will each unit have? *There will be 1, 2 and 3 bedroom units available.*

What is the rent for these units? *The rental rates have not been determined yet. However, the rates will be similar to our rates at Keystone at James Landing where one bedroom units start around \$1350 per month.*

What amenities will be provided? *Amenities will be similar to those at James Landing including a clubhouse and pool.*

Will the clubhouse be next to our property? *No. The clubhouse will be on the northern part of the site.*

Will there be windows on the back side of the building? *Yes.*

These buildings are directly under the power lines. Are you aware of studies that say you should not live under power lines? *These buildings will not be directly under the power lines.*

Have you contacted Florence Elementary School about all the changes in this area? *The school system is notified by the City when a development is proposed. In addition, Florence Elementary School officials were notified and in attendance at the zoning hearings for the adjacent Keystone Development.*

When will something be done about the school overcrowding in this area? *The School Board is currently in the process of rezoning property for a new school in the Boylston Road area that will relieve some of the overcrowding.*

What will happen at the intersection? *The access road for this development will be aligned with the Penny Road/East Fork Road intersection. Right and left turn lanes will be built on Penny Road at the signal. . The signal will be modified by the developer to accommodate the access road.*

Will the left turn lane extend to the entrance of Eagle Glen? *The turn lane is not required to extend that far to the south, but you may talk to HPDOT about additional improvements on Penny Road.*

What access will the property have other than the Penny Road/East Fork Road intersection? *This site will be integrated into the plans for apartments and single family homes to the north. Access through that site consists of a circuitous connection to Hickwood Forest Drive and 2 additional connections to Penny Road.*

Will our berm remain? *Development of this site will not affect the berm on the Eagle Glen property.*

When are the public hearings? *The Planning and Zoning Commission hearing is on Tuesday, June 27 at 6:00 pm. The date and time for the City Council hearing will be announced at the P&Z meeting.*

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 23-08
Diversified Estate Holdings, LLC

From: Sushil Nepal, AICP
Planning & Development Director

Meeting Date: May 15, 2023

Public Hearing: Yes

Advertising Date: May 3, 2023, and May 10, 2023

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By:
Planning & Development

PURPOSE:

A request by Diversified Estate Holdings, LLC to rezone approximately 9.6 acres from a Conditional Use Agricultural (CU-AGR) District to a Conditional Zoning Residential Multifamily - 16 (CZ RM-16) District. The site is located west of the intersection of Penny Road and East Fork Road (*1711 and 1701 Penny Road*).

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their March 28, 2023 public hearings. Mr. Herbert Shannon, Senior Planner, presented the case. Staff **recommended denial** of the request due to concerns as to the lack of compatibility with adopted land use policy and intensity of development next to less intensive residential uses. The Planning and Zoning Commission continued this request to their April 25, 2023 public hearing so that the applicant could address the list of concerns outlined in the staff report, including.

- Compatibility and development intensity next to lower intensity uses.
- Submittal of a binding Conditional Zoning Plan that would lock in the intensity of development.
- Access and transportation related improvements.
- Perimeter buffering/landscaping standards

At the April 25, 2023 public hearing, the applicant proposed additional landscaping and fencing conditions for the Commissions consideration. As these conditions did not address key issues outlined in the staff report, primarily development intensity and vehicular access, staff maintained its **recommendation of denial**.

Speaking in favor of the request:

The applicant's representative, Ms. Judy Stalder, 3735 Admiral Drive, High Point, and the applicant, Mr. Scott Wallace, 3708 Alliance Drive, Greensboro, with Keystone Group, Inc./Diversified Estate Holdings, LLC, spoke in favor of the request. The speakers outlined their proposal to develop this site for a multifamily project with approximately 145 dwelling units. Ms. Stalder provided a handout to commissioners detailing the obstacles that the developer is trying to overcome to develop multifamily housing units on the site and some proposed changes to their Conditional Zoning Ordinance. She also highlighted the high demand for new apartments/housing. In conclusion, she noted that this particular site is limited to two areas where vertical development is possible (northeastern and southwestern portion of the site) and they are working with the owner of that adjacent property, Benjamin Briggs, to mitigate his concerns about development.

Speaking in opposition to the request:

The following people spoke in opposition to the request:

- Mr. Arthur Patterson & Ms. Lisa Walker, 3973 Sorrell Court, High Point
- Mr. Wayne Matlosz, 2917 Eagle Pointe Drive, High Point
- Ms. Diana Engel, 3971 Sorrell Court, High Point
- Ms. Janice Doherty, 3971 Cobblestone Bend Drive, High Point
- Mr. Benjamin Briggs, 1753 Penny Road, High Point
- Ms. Wanda McCorquodale, 3616 Rock Meadow Circle, High Point
- Mr. B.J. Fortson, 3618 Rock Meadow Circle, High Point

These speakers expressed the following concerns:

- Development intensity/density: The proposed multifamily development, at 16 units per acre, is inconsistent with the low-to-medium-density development around the site. They argued that a 145-unit multifamily development, with 4-story buildings towering over abutting single story residential dwelling, is not compatible with abutting lands.
- Traffic: This proposed multifamily development, in conjunction with previously approved multifamily development under construction to the north, will increase traffic in an area where traffic is already a problem, and the existing roads are not built to handle it.
- Stormwater Control & Flooding: The zoning site topography is higher than the residential development to the south. Concern development will cause flooding problems for surrounding residents.
- Environmental Impact: The removal of more trees will increase soil erosion and decrease habitat to animals in the area.
- Overcrowded schools: The proposed development will add to the existing overcrowding issues at Florence Elementary, Southwest Middle and Southwest High schools.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff Recommendation

Staff recommended **denial** of this request as outlined in the attached staff report.

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended **denial** of this request, as recommended by staff, by a vote of 8-0.
2. Consistency and Reasonableness Statements
The Planning and Zoning Commission voted 8-0 to forward to City Council the following statement of denial:

That Zoning Map Amendment 23-08 is **not consistent** with the City's adopted policy guidance. As conditioned, the Land Use Plan and other adopted policy guidance documents do not support the establishment of multifamily uses, at the intensity proposed by the applicant, at this location.. Furthermore, as conditioned, the Land Use Plan and other adopted policy guidance documents do not support the establishment of multifamily uses, at the intensity proposed by the applicant, at this location.

MEMORANDUM

TO: Planning & Zoning Commission
FROM: Herbert Shannon, AICP, Senior Planner
DATE: April 25, 2023
SUBJECT: Zoning Map Amendment Case 23-08 (1711 & 1701 Penny Road)

At your March 28, 2023 public hearing, the Planning & Zoning Commission reviewed the above referenced case pertaining to an approximate 9.7-acre parcel located west of the intersection of Penny Road and East Fork Road. The applicant is requesting rezoning to a CZ RM-16 District to allow a multifamily development. Under the proposed RM-16 District, up to 155-dwelling units would be permitted on this 9.7-acre parcel.

The zoning site is situated at the transition point where higher intensity land use changes to lower intensity land use. Development options, with respect to building placement, is limited due to the fact that most of the parcel is encumbered by a 150-foot wide Duke Power easement, limiting development to roughly 40% of the parcel. Proposed multifamily structures can only be placed at the northeastern and southwestern portions of the site.

Staff recommended denial of the case due to concerns as to the compatibility of development and due to the proposed intensity of development. The applicant is proposing to construct 3 and 4-story multifamily structures, with up to 56-units per building in close proximity to lower intensity single story residential development.

The Planning and Zoning Commission continued this request to their April public hearing so that the applicant could address the list of concerns and additional zoning conditions noted by staff in our March 28, 2023 staff report. Since the March P&Z Commission public hearing, the applicant has offered conditions that:

- Adjacent to tax parcel 196594 (1753 Penny Road) on the northern property boundary of the zoning site, a minimum 25-foot building setback shall be required for any building that exceeds 50 feet in height.
- Adjacent to tax parcel 196594 (1753 Penny Road) on the northern property boundary of the zoning site, a type C planting yard of greater than 50% evergreen will be established.
- Along the southern property boundary, a 6-foot screening fence will be erected adjacent to any building that exceeds 50 feet in height. The fence shall extend a minimum of 10 feet beyond the side walls of the building.

As outlined in the conclusion of the staff report, there were several proposed conditions to address compatibility and development intensity, including a proposal for the submittal of a binding Conditional Zoning Plan that would lock in the location, size, height, and intensity of development next to lower intensity uses. There were also several conditions pertaining to access and transportation related improvements. As these issues have not been fully addressed, the Planning and Development Department maintains its recommendation of denied.

If the P&Z Commission desires to support this case, staff would strongly encourage you to take the following recommendations into consideration:

- 1) Limit the development intensity for the southern half of the site (approx. 4.8 acres) to the CZ RM-5 District and require pitched-roof buildings; and
- 2) That all transportation recommendations list in the staff report also be part of your approval.

Development Ordinance Standards

RM-5 vs. RM16 Comparison table for 1711 Penny Road.

RM-5 District (south half of site – approx. 4.8 acres)	RM-16 District (north half of site – approx. 4.9 acres)
5 du/ac (approx. 24 dwelling units)	16 du/ac (approx. 78 dwelling units)
20 foot perimeter setback	15 foot perimeter setback
Maximum building height 50 feet	No maximum building height, higher setbacks for buildings over 50 feet.
Maximum building length 200 feet	Maximum building length 300 feet
Add condition to require pitched-roof buildings.	

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-23-08
March 28, 2023**

Request	
Applicant: Diversified Estate Holdings, LLC	Owners: Diversified Estate Holdings, LLC
Zoning Proposal: To rezone approximately 9.6 acres	From: CU-AGR Conditional Use Agricultural District
	To: CZ RM-16 Conditional Zoning Residential Multifamily - 16
Notices: • Applicant held a Citizen Information Meeting (Yes) • As required by Section 2.3.6 (Notification) of the Development Ordinance, the Planning and Development Department provided published, mailed and posted notice of this public hearing	

Site Information	
Location:	The site is located west of the intersection of Penny Road and East Fork Road (1711 and 1701 Penny Road).
Tax Parcel Number:	Guilford County Tax Parcel 187199
Site Acreage:	Approximately 9.7 acres
Current Land Use:	There are vacant greenhouse structures near the Penny Road frontage of the site and two telecommunication towers at the rear of the site.
Physical Characteristics:	The site has a flat to gently sloping terrain with no significant natural features. A 150-foot wide Duke Power easement and two electrical transmission towers run through the middle of the site.
Water and Sewer Proximity:	A 12-inch City water line and a 24-inch City sewer line both lie adjacent to the site along Penny Road.
General Drainage and Watershed:	The site drains in a westerly direction and development is subject to the City Lake General Watershed Area (GWA) requirements. Primary stormwater control measures are required for development with a total impervious surface area greater than 24% of the site.
Overlay Districts:	City Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	R-3 CZ RM-16	Residential Single Family – 3 District Conditional Zoning Residential Multifamily - 16 District	Single family dwelling and undeveloped parcel
South:	RM-5	Residential Multifamily-5 District	Twinhome and townhome dwellings
East:	RS-40	Residential Single Family – 40 District	Single family dwelling
West:	PDR	Planned Development – Residential	Twinhome dwellings

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	Goal 1: Preserve and enhance High Point's most important natural and cultural resources. <u>Obj. 1D</u>: Preserve and revitalize key historic landmarks and unique areas in High Point. Goal 5: Balance the efficient movement of vehicles with the needs of pedestrians, alternative transit modes, and aesthetic quality. <u>Obj. 5D</u>: Develop new streets and retrofit existing streets in accordance with design standards intended to balance efficient vehicular flow with other planning objectives, such as creating pedestrian-friendly environments. <u>Obj. 5E</u>: Require that street systems connect with one another whenever possible to move all modes of traffic efficiently, to avoid congestion along key corridors, to improve traffic and pedestrian safety, and to enhance emergency management access.
Land Use Plan Map Classification:	The site has both a Low-Density Residential and a Medium-Density Residential land use designation. • The Low-Density Residential land use classification includes primarily single family detached dwellings at a gross density of five dwelling units per acre. • The Medium-Density Residential classification supports a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from 8 - 16 units per gross acre.
Land Use Plan Goals, Objectives & Policies:	The following goals and objectives of the Land Use Plan are relevant to this request: Goal #3: Provide a wide range of housing opportunities for families of all income levels. Goal #4: Ensure that all required public services and facilities are sequenced to meet demands of development. Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area. Obj.#5. Maintain an appropriate balance between the size, location and density of new development and the availability and demands upon the public services and facilities required to serve that development. Obj. #8. Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations. Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.
Relevant Area Plan:	Not applicable
Zoning History:	<u>Zoning Map Amendment 94-43 and 97-28</u> : Abutting lands to the south and west are part of the Eagle Glen and Hickwood Forest subdivisions which were granted zoning approvals in the 1990s. These lands were granted lower

	intensity RM-5 and PUD zoning. The abutting Eagle Glenn twinhome/townhome development is limited to 4.5 units per acre, while the abutting twinhome and single family portions of the Hickwood Forest subdivision are restricted to 5 and 3.5 units per acre. <u>Zoning Map Amendment 18-09:</u> Abutting land to the north was annexed and granted a CZ-RM-16 District zoning in 2018.
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Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Penny Road		Minor Throughfare	330 ft.
Vehicular Access:	Penny Road			
Traffic Counts: (Average Daily Trips)	Penny Road		10,500 AADT (2021 NCDOT Traffic Counts)	
Estimated Trip Generation:	A 145-unit multifamily development is proposed, which is anticipated to generate approximately 789 daily trips during a 24-hour time period) with approximately 46 AM peak-hour trips (6am – pam) and approximately 35 PM peak-hour trips (4pm – 7pm).			
Traffic Impact Analysis (TIA):	Required		TIA Comments	
	<u>Yes</u>	<u>No</u> X	A TIA is not required. This analysis is only required for developments that generate more than 150 trips within the AM or PM peak hours.	
Conditions:	<u>Access:</u> a) If more than 50 dwelling units are approved, two physical access connections shall be required. One of the required access points shall aligned with Penny Rd/East Fork Rd. Right and left turn lanes with appropriate storage and taper shall be provided on Penny Rd. b) Developer shall be responsible for signal modifications at the site access at Penny Rd / East Fork Rd.			

School District Comment				
Guilford County School District				
Local Schools:	Enrollment: 2022 – 2023 (20 th day of class)	Maximum Design Built Capacity: (2022 – 2023):	Mobile Classrooms:	Projected Additional Students:
Florence Elementary	618	761	11	40 - 42
<u>School Choice Zone</u>				
Willborn Middle	424	690	0	20 - 22
Southwest Middle	1,107	1,223	10	
<u>School Choice Zone</u>				
Andrews High	725	1,254	0	18 - 22
Southwest High	1,676	1,506	11	
<u>School District Remarks:</u> With the implementation of General Statute 115C-301 mandating reduced K-3 class sizes, elementary schools will experience annual reductions in capacity through 2021 – 2022. Elementary built capacity assumes reduced K-3 class sizes per applicable core academic classroom as of the stated year. Middle and high school built capacity assumes 30 students per core academic classroom.				

Details of Proposal

The applicant is requesting rezoning of this 9.7-acre parcel to a CZ RM-16 District to develop a multifamily project. Based upon review of a non-binding concept plan submitted by the applicant, a 145-unit multifamily development is proposed. In conjunction with this request is a Conditional Zoning Ordinance in which the applicant has offered conditions pertaining to building setback, landscaping, pedestrian access and vehicular access.

Staff Analysis

The zoning site is situated at the transition point where higher intensity development, associated with the commercial node at the W. Wendover Avenue and Penny Road intersection, transitions to lower intensity land uses. The adopted land use plan supports Medium Density land uses (8 to 16 dwelling units per acre) along the northeastern portion of the site while the remaining center and southern two-thirds of the site is classified as Low-Density Residential which supports single family or other lower intensity residential development up to 5 units per acre.

Development options, as to building placement, for this site is limited due to the fact most of the parcel is encumbered by a 150-foot wide Duke Power easement that runs through the entire length of the parcel. There are also two wireless telecommunications towers on the western portion of the parcel. These previously established encumbrances limit the developable area to roughly 40% of the parcel. Structures are limited to a triangular area at the northeastern portion of the site (approximately 2.7 acres) and a triangular area to the southwestern portion of the site (approximately 1.5 acres). Below are issues that need to be further addressed concerning any current or future development proposal for this site.

Compatibility of development at this transitional point of land use intensity:

As a transitional parcel, care must be taken to ensure development is of the appropriate intensity, bulk, height, and massing to establish compatibility with adjacent land uses. Such care has been taken with surrounding zoning approvals to provide for higher building setbacks (up to 100 feet), and higher perimeter landscaping standards, where higher intensity multifamily development abuts lower intensity development. The importance of compatibility becomes further emphasized as the northeastern portion of the site abuts a Guilford County Landmark Property (Florence Female Academy Dormitory) and the southern boundary of the site abuts a single story twinhome townhome subdivision, Eagle Glen, that is developed at a density of 4.5 units per acre. To address these concerns, conditions should address density, building setback, building height, building bulk and mass, and higher landscaping standards.

Intensity of Development

The applicant proposes rezoning to support development up to 16 units per acre. A conceptual drawing of potential development depicts the northeastern portion of the site being developed with two multifamily structures (89 units in 3 and 4 story buildings) next to the historic parcel. The plan also depicts a third building consisting of a 56-unit, 4-story multifamily building, with a length of approximately 250 feet, being placed at the southwestern portion of the site next to the single story Eagle Glenn development. Development of this intensity, especially along the southern boundary of the site, is not supported by adopted policy guidance documents and sufficient conditions have not been offered to ensure development will be compatible with abutting low intensity uses.

Section 2.4.6.C of the Development Ordinance states that the advisability of a conditional zoning is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to approve or deny a conditional zoning, the City Council shall weigh the relevance of and consider the following issues outlined below. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Policy Guidance

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

As conditioned, the Land Use Plan and other adopted policy guidance documents do not support the establishment of multifamily uses, at the intensity proposed by the applicant, at this location.

Reasonableness/Public Interest:

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

As conditioned, it would not be in the public interest to establish the intensity of residential development, as allowed by the RM-16 District, upon this entire parcel without additional detail regarding the transition of intensity, or buffering.

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.
- ❖ As conditioned, the requested CZ-RM-16 District will not result in a development that is compatible with the abutting lower intensity land uses to the south. There is not sufficient buffering and perimeter landscaping to ensure compatibility with abutting land uses, or appropriate transition between more and less intensive land uses as encouraged by Objective 9 of the Land Use Plan.
 - ❖ Building massing, building height and intensity of development, as proposed under this CZ RM-16 District request, is not compatible with abutting lands to the south. As conditioned the request does not promote an urban growth pattern that occurs in a compatible or orderly fashion.

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.
	❖ At the proposed density of 16 units per acre, 2 to 3 vehicular access points are required. As conditioned, there is no assurance that one of these access points will be to Penny Road. ❖ Due to the physical impediments related to this site, a binding Conditional Zoning Plan should be required to ensure building placement, bulk, height and massing will be compatible and not adversely impact the abutting lower intensity residential development to the south.
Mitigation #2	Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimize land disturbance, preserve trees and protects habitat.
	The site is within the City Lake General Watershed Area (GWA), and as such, development is required to meet the watershed standards of the Development Ordinance.
Mitigation #3	Minimize or effectively mitigate any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire.
	❖ The site is within an area currently served by City of High Point utilities and municipal services. ❖ Connectivity to pending development to the north is encourage. However, at the density allowed by the proposed RM-16 District, access should also be required to Penny Road. As encouraged by Goal #5 of the Community Growth Vision Statement and Goal #4 of the Land Use Plan, vehicular connectivity to both the north and to Penny Road will assist to avoid congestion at a single access point, improve traffic safety, enhance emergency management access and ensure services are sequenced to meet demands of development.
Mitigation #4	Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands.
	Based on the allowable development density of the RM-16 District, the request lacks sufficient development conditions to address transition of development intensity along the southern half of the zoning site as to building height, massing, setback and development intensity.

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 has been no change in land use policy in this area to support the intensity of development allowed by the RM-16 District upon the southern half of the site.

Promotes a Preferred Development Pattern

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

Key policies of the land use plan and community vision statement as to unique historic landmarks, balance of vehicular flow and street connectivity, and transition of development intensity are not fully

addressed. Furthermore, conditions offered do not promote policies for preferred development pattern between higher and lower intensity developments.

Recommendation

Staff Recommends Denial

As currently submitted the request is not in line with adopted policy guidance documents. Staff is not in opposition to some form of multifamily development at this location, but suggests the request be withdrawn and the applicant take a more detailed look at incorporating the following zoning conditions as part of a future request:

1. Include a Conditional Zoning Plan.
2. RM-16 District zoning for the northern portion of the site and RM-5 District zoning, or its development standards, for the southern half of the site.
3. Multifamily Dwelling Use Type Development Standards:
 - a) Within forty (40) feet of the southern property line of the zoning site:
 - i. Maximum building height shall be fifty (50) feet (not to exceed two stories).
 - ii. Maximum building length shall be two hundred (200) linear feet (*a RM-5 District standard*)
 - iii. Increase building setback from 15 feet to 25 feet.
 - b) Within forty (40) feet of Guilford County Tax Parcel 196594 (*a Guilford County Historic Landmark Property - 1753 Penny Road*):
 - i. Maximum building length shall be two hundred (200) linear feet.
 - ii. Increase building setback from 15 feet to 25 feet.
4. Landscaping, Buffers and Screening.
 - a) Southern boundary of the site: If a multistory multifamily structure is to be developed within 40 feet of the southern boundary of the zoning site, a minimum 25-foot-wide Type B planting yard shall be installed and maintained.
 - b) Northeastern boundary of the site (abutting Guilford County Tax Parcel 196594 - (*a Guilford County Historic Landmark Property*)): A minimum 25-foot wide Type B planting yard shall be installed next to Tax Parcel 196594.
 - c) Penny Road Street Planting Yard: A minimum 10 foot wide Street Yard, planted to the Type C rate, shall be installed along the Penny Road frontage of the site. This Streetyard planting area shall be established within a common area and shall be exclusive of any utility easements, except for perpendicular crossings by utilities, roadways (public and private streets) and vehicular access driveway.
 - d) In the event easement(s) exist or will be established in the above noted planting yards, the planting yard shall be reestablished outside the easement area.
5. Transportation Conditions.
 - a) Location and number of vehicular access points: If more than 50 dwelling units are permitted, as part of development permit approval, a minimum of two physical vehicular access connections shall be required to be installed to an existing improved public/private street or existing improved access drive corridor. One of the required access points shall be from Penny Road, this access point shall align with the Penny Road/East Fork Road intersection.

- b) Penny Road Access Point and Improvements:
 - i. As part of development permit approval, the access point from the Penny Road/East Fork Road intersection shall provide right and left turn lanes with appropriate storage and tapers on Penny Road.
 - ii. As part of development permit approval, the property owner shall be responsible for the design and installation of traffic signal modifications at the Penny Road / East Fork Road intersection access point. The property owner shall also be responsible for realignment of travel lane configuration at this intersection as may be required by the City of High Point Transportation Department and NCDOT.
- c) Other Transportation Conditions: The City of High Point Transportation Director and the North Carolina Department of Transportation (if applicable) shall approve the exact location and design of all access points and improvements.

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:

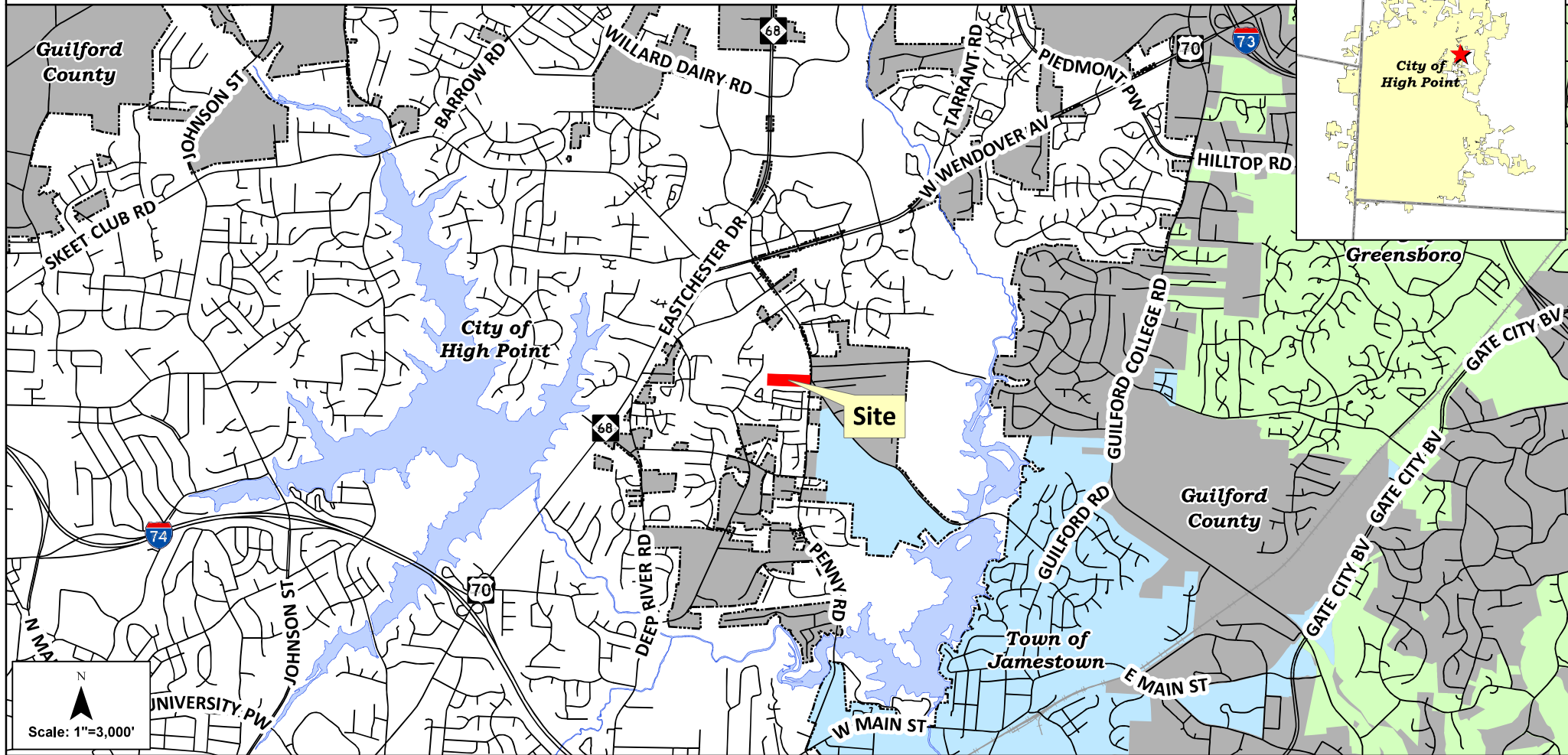
The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be accomplished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

Report Preparation

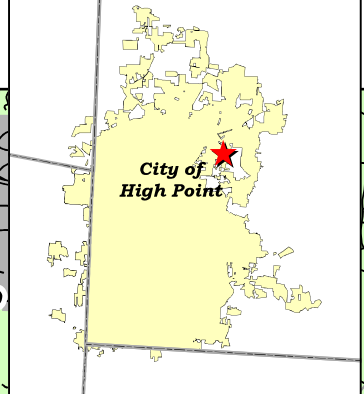
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Christopher Andrews AICP, Development Administrator, and Sushil Nepal AICP, Planning and Development Director.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-23-08
Applicant: Diversified Estate Holdings LLC

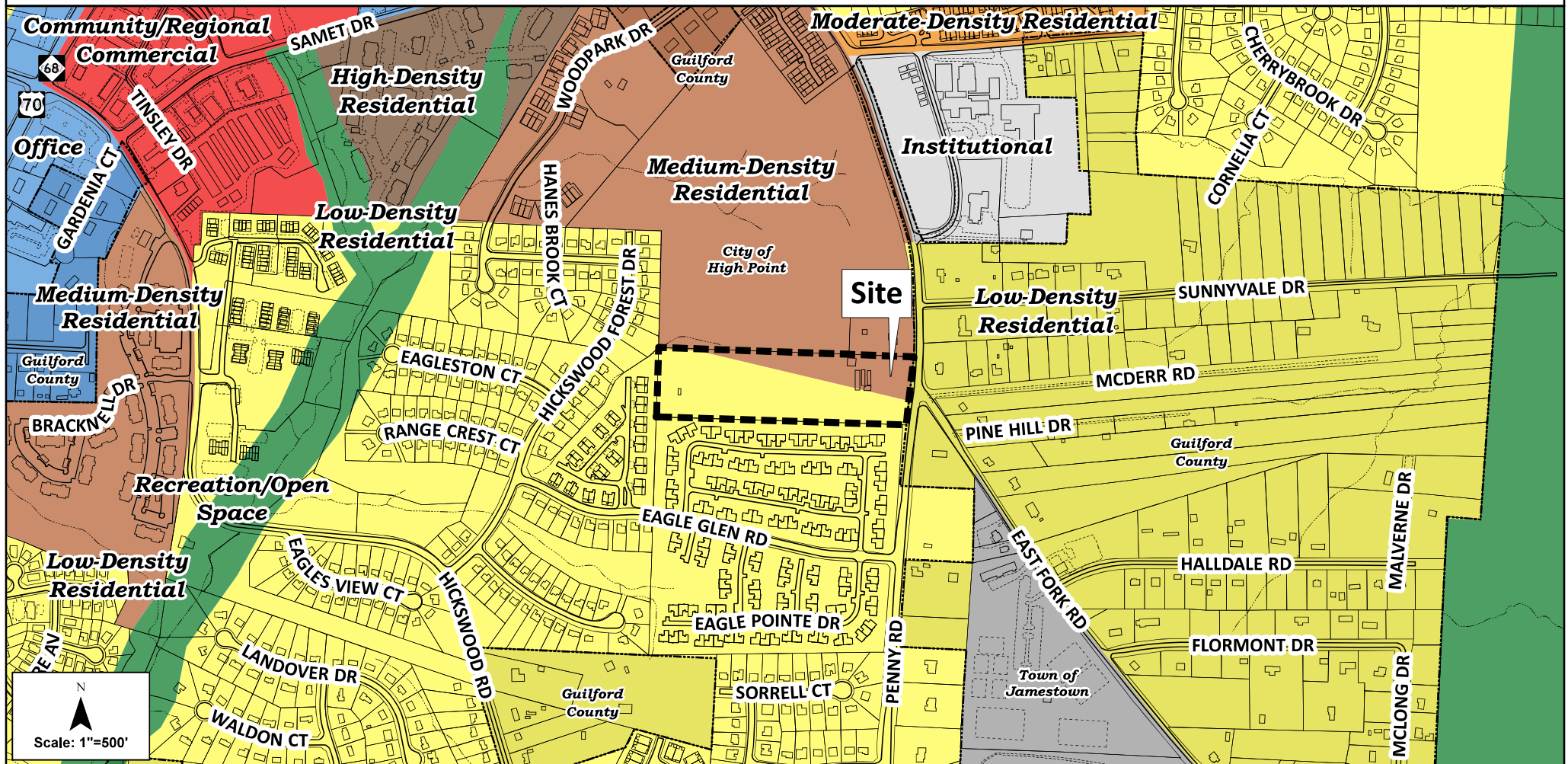


Vicinity Map



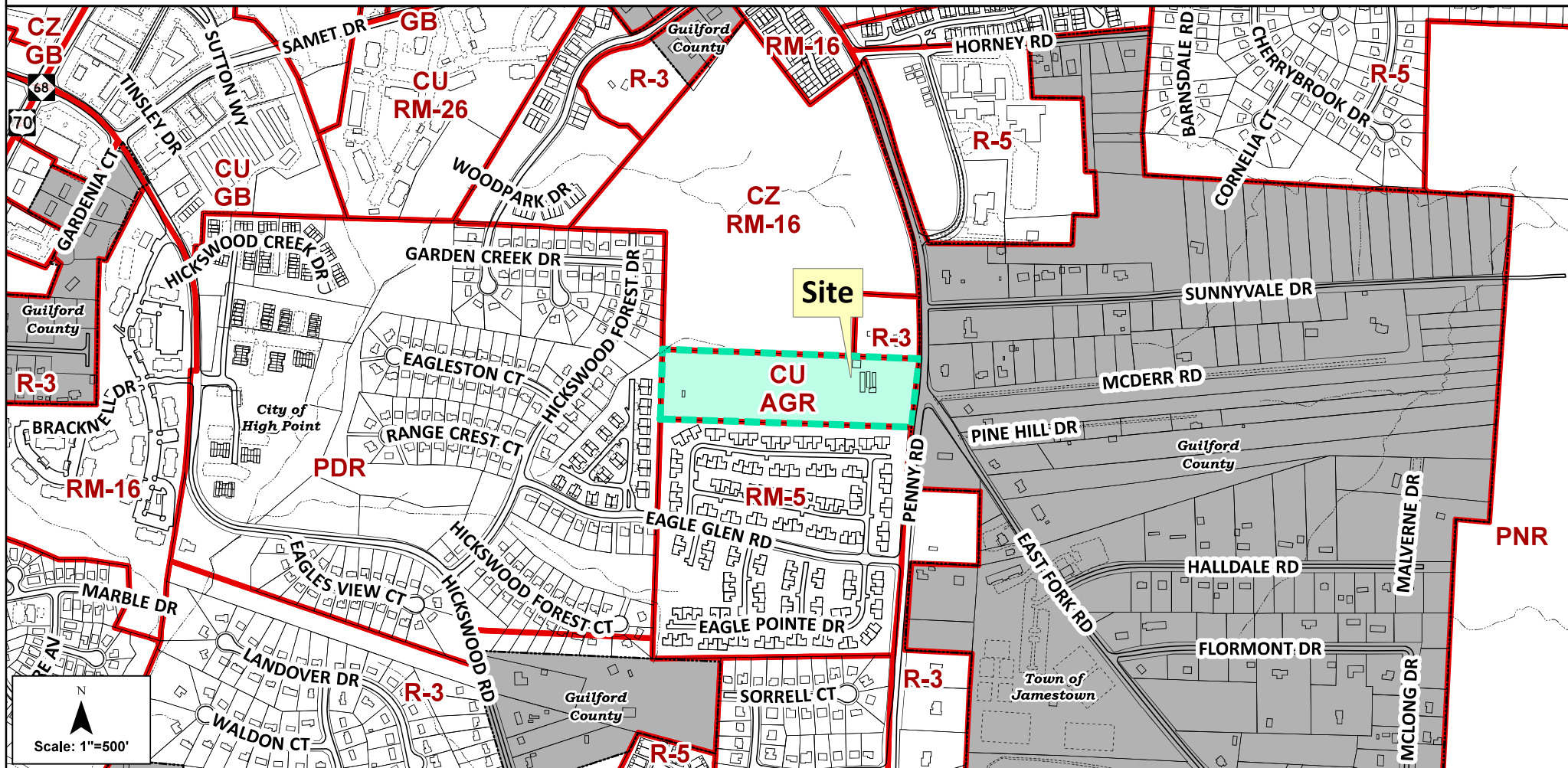
ZONING MAP AMENDMENT: ZA-23-08

LAND USE PLAN MAP



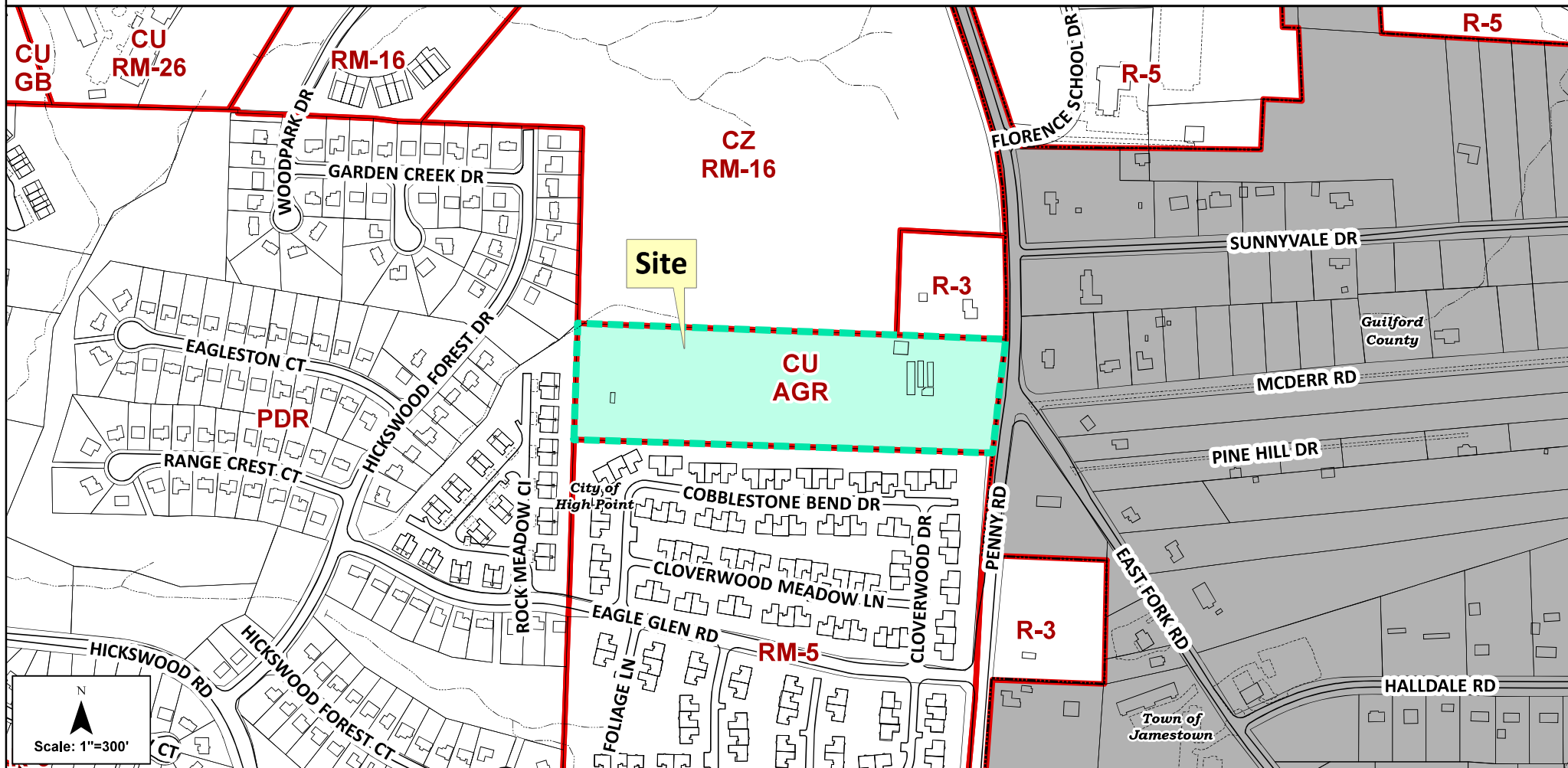
ZONING MAP AMENDMENT: ZA-23-08

ZONING MAP

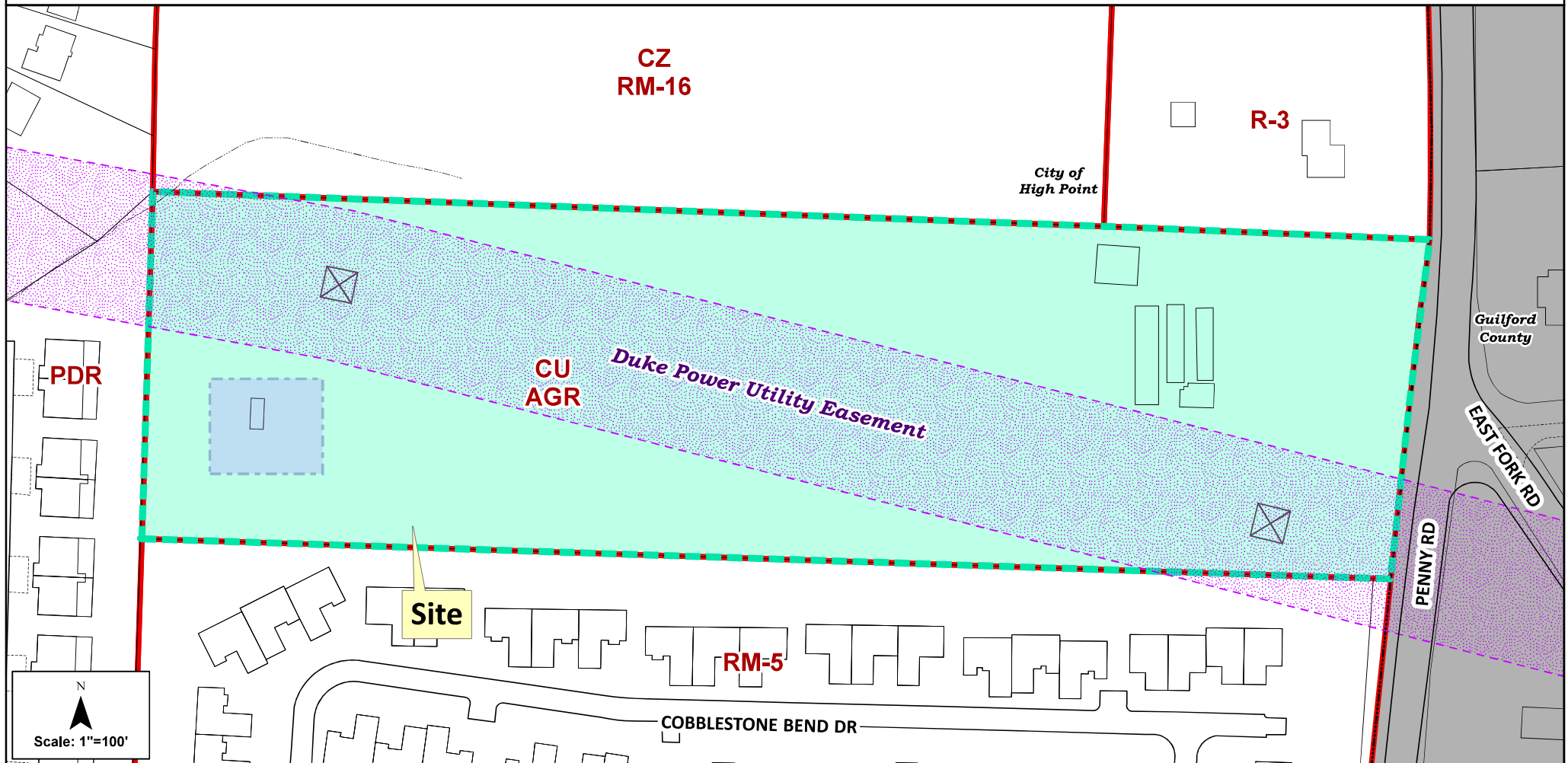


ZONING MAP AMENDMENT: ZA-23-08

ZONING MAP

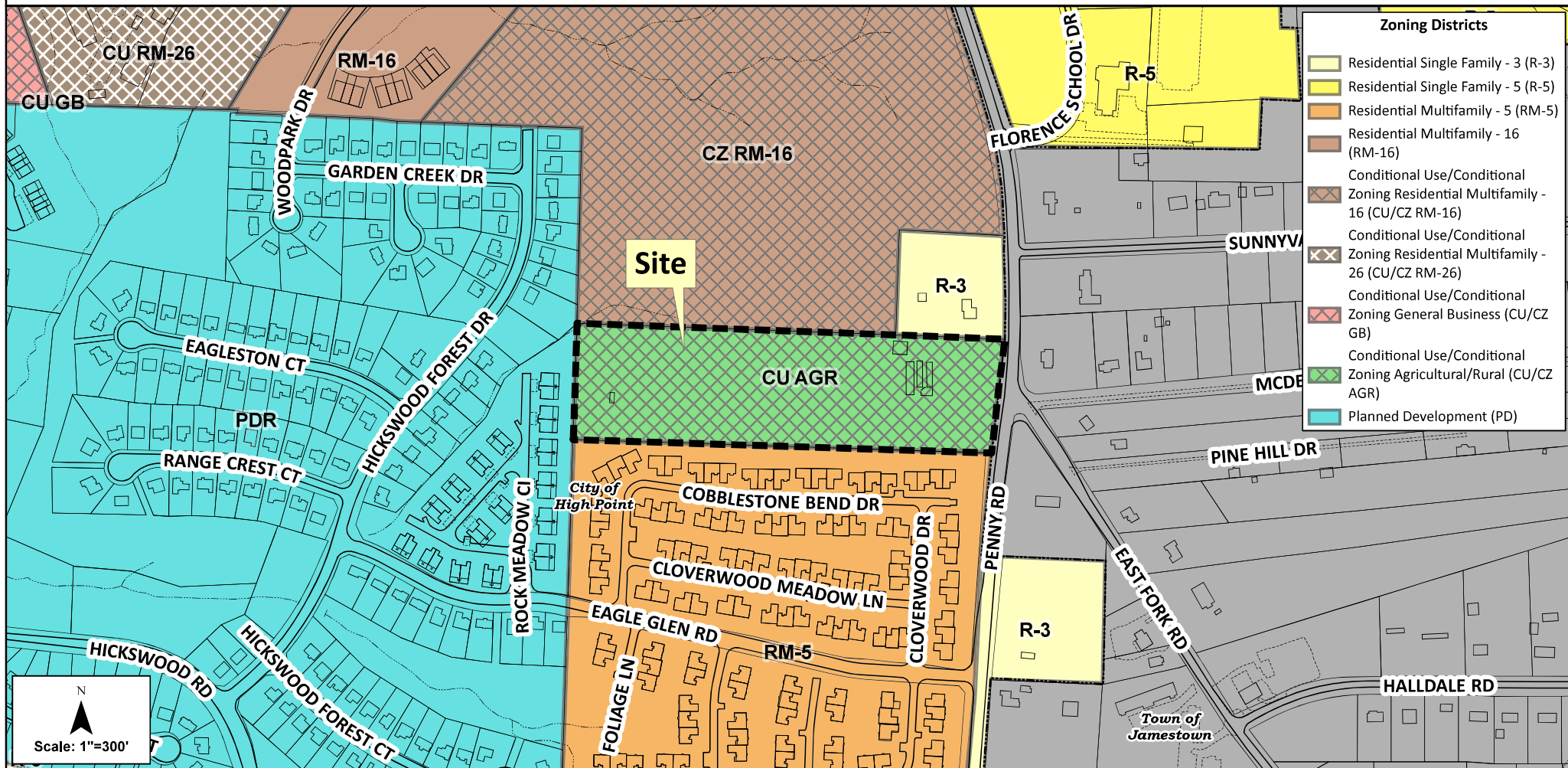


ZONING MAP AMENDMENT: EXHIBIT MAP



ZONING MAP AMENDMENT: ZA-23-08

COLOR-CODED ZONING MAP



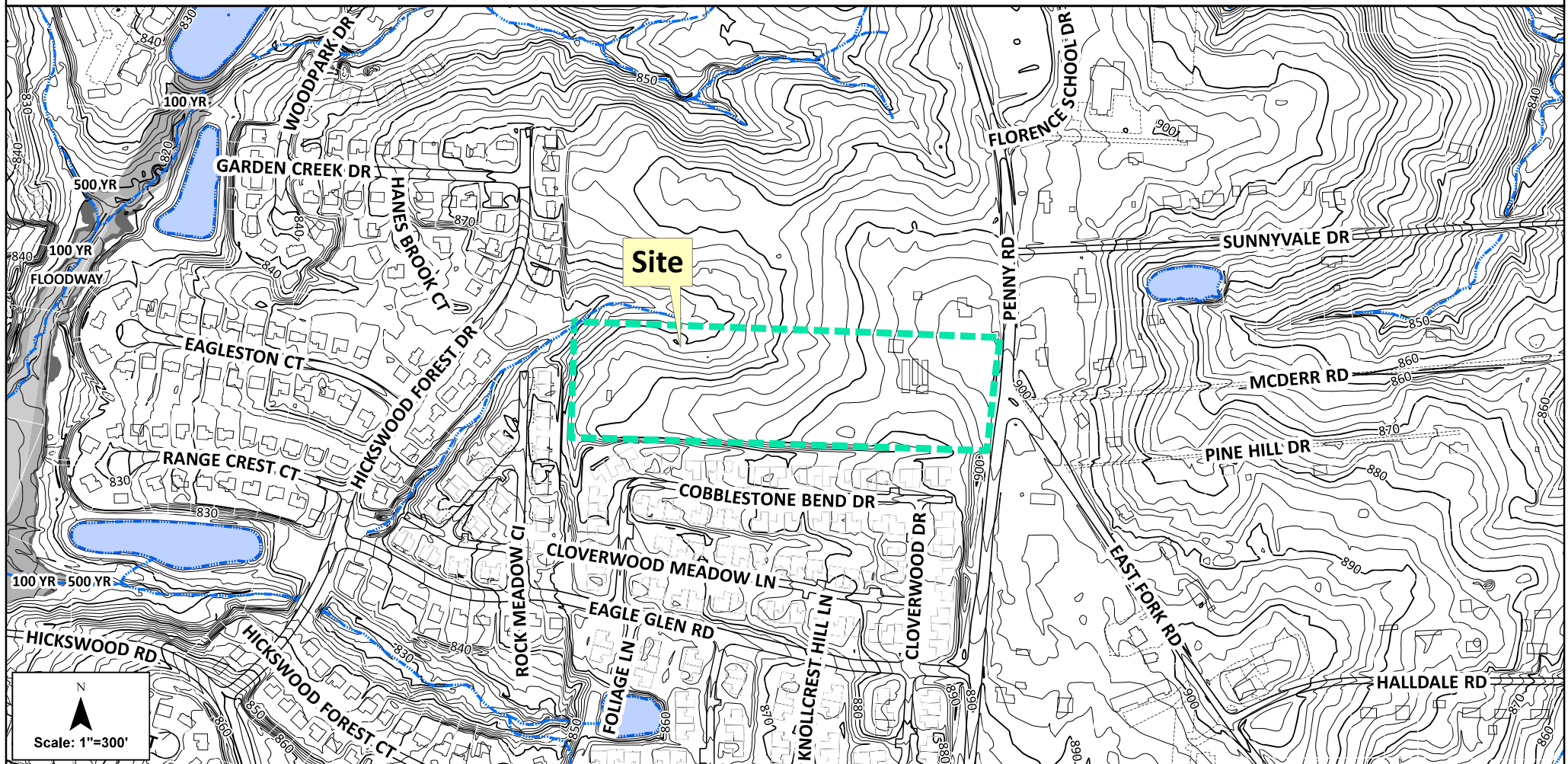
ZONING MAP AMENDMENT: ZA-23-08

AERIAL PHOTOGRAPHY (FEB. 2022)



ZONING MAP AMENDMENT: ZA-23-08

TOPOGRAPHY



AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on March 28, 2023 and before the City Council of the City of High Point on April 17, 2023 regarding **Zoning Map Amendment Case 23-08 (ZA-23-08)** 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 March 18, 2022, for the Planning and Zoning Commission public hearing and on April 5, 2023 and April 12, 2023, for the City Council public hearing pursuant to Chapter 160D-602 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 **May 15, 2023**.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Conditional Zoning Residential Multifamily - 16 District (CZ RM-16) District**. The property is approximately 9.7 acres, located west of the intersection of Penny Road and East Fork Road (1711 and 1701 Penny Road). The property is also known as Guilford County Tax Parcel 187199.

SECTION 2

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

Part I. **USES:** Any uses allowed in the Residential Multifamily – 16 (RM-16) District shall be permitted, subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Multifamily Dwelling Use Type Development Standards:

- a) Adjacent to the southern property line of the zoning site, the following development standards shall apply to all multifamily structures:
 - i. A minimum 25-foot building setback shall be required for any building that exceeds 50 feet in height.

- b) ~~Within fifteen (15) feet of Guilford County Tax Parcel 196594 (a Guilford County Historic Landmark Property – 1753 Penny Road), the following development standards shall apply to all multifamily structures: TBD after meeting with owner of parcel.~~

Adjacent to tax parcel 196594 (1753 Penny Road) on the northern property boundary of the zoning site, a minimum 25 foot building setback shall be required for any building that exceeds 50 feet in height.

B. Landscaping, Buffers and Screening.

- 1. ~~Northeastern boundary of the site (abutting Guilford County Tax Parcel 196594 – (a Guilford County Historic Landmark Property):~~ **Adjacent to tax parcel 196594 (1753 Penny Road) on the northern property boundary of the zoning site, a type C planting yard of greater than 50% evergreen will be established.** In the event the R-3 zoning of tax parcel 196594 is changed to a multifamily or non-single family zoning district and the Guilford County Landmark historic designation is removed, this higher landscaping standards shall not apply.

- 2. Penny Road Street Planting Yard: A minimum 10 foot wide Street Yard shall be installed along the Penny Road frontage of the site. This Streetyard planting area shall be established within a common area and shall be exclusive of any utility easements, except for perpendicular crossings by utilities, roadways (public and private streets) and vehicular access driveway.

- 3. **Along the southern property boundary, a 6 foot screening fence will be erected adjacent to any building that exceeds 50 feet in height. The fence shall extend a minimum of 10 feet beyond the side walls of the building.**

- C. Pedestrian Access: As a part of development permit approval, the property owner shall install a minimum five (5) foot wide concrete or asphalt pedestrian

connection from the internal pedestrian circulation area(s), within the zoning site to the perimeter sidewalk along Penny Road.

D. Transportation Conditions.

1. Access:

- a) Location and number of vehicular access points: If more than 50 dwelling units are permitted, as part of development permit approval, two physical vehicular access connections shall be required be installed to an public/private street or existing improved access drive corridor. If one of the required access points is from Penny Road, this access point shall align with the Penny Road/East Fork Road intersection.
- b) If one of the access points is to Penny Road:
 - i. As part of development permit approval, the access point from the Penny Road/East Fork Road intersection shall provide right and left turn lanes with appropriate storage and tapers on Penny Road.
 - ii. As part of development permit approval, the property owner shall be responsible for the design and installation of traffic signal modifications at the Penny Road / East Fork Road intersection access point.

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 15th day of May, 2022

By: _____
Jay W. Wagner, Mayor

ATTEST:

Sandra R. Keeney, City Clerk

Citizens Information Meeting Report

Zoning Map Amendment 23-08

Submitted by: Mrs. Judy Stalder, Development Consultant, on
behalf of Diversified Estate Holdings, LLC

Citizen Information Meeting Report
1711 Penny Road
Zoning Case ZA-23-08

A Citizen Information Meeting was held for property owners in the vicinity of 1711 Penny Road. An informational letter dated February 27, 2023, was sent by US Mail to the 87 addresses supplied by the City of High Point Planning and Development Department. The letter invited property owners to a meeting on March 7 at 6:30 pm at Keystone at James Landing, 5500 Freedom Lane, Jamestown NC. The mailing also included the *City of High Point Conditional Zoning Citizen Information Meetings* statement and an illustrative site plan. A copy of the letter and list of addressees is attached. The letter provided a general description of the property, the proposed zoning of RM-16 for apartments and an explanation of what could be expected at the meeting. The meeting was hosted by Scott Wallace and Judy Stalder

Attendees:

Antwaniece Williams, 1702 Penny Road, High Point NC

Presentation

Because there was only one attendee, the meeting was in the form of an informal conversation. The developer explained that Keystone has a chance to acquire this property and wants to rezone it to match the zoning of the adjacent property. An illustrative site plan was shared showing the maximum development potential of the property.

Questions and Comments

How many apartments will you build? *We are not sure at this time, but we think the maximum number that can be accommodated on the property is 144.*

Is there any other way to arrange the buildings? *Because of the transmission line easement, there are only a couple of buildable areas on this property.*

Would you consider single family homes? *The transmission line easement and communications towers make this property difficult to develop as single family.*

Have you contacted Florence Elementary School? *The school system is notified by the City when a development is proposed.*

When will construction start? *Construction is 4-5 years in the future.*

What will happen at the intersection? *The access road for this development will be aligned with the Penny Road/East Fork Road intersection and turn lanes may be required on Penny Road. Either the signal will be modified to accommodate the access road, or a roundabout will be installed in lieu of the signal.*

Will there be any landscaping along Penny Road? *Yes. The Development Ordinance requires at a minimum a street planting yard that includes 2 canopy trees and 17 shrubs for every 100 feet of frontage.*

When are the public hearings? *The Planning and Zoning Commission hearing is on Tuesday, March 28 at 6:00 pm. The date and time for the City Council hearing will be announced at the P&Z meeting.*

Will this be like Keystone at James Landing or low income? *Development will be typical Keystone quality. There will be a clubhouse and pool with amenities similar to James Landing.*

Ms. Williams acknowledged the need for more housing.

THE STALDER GROUP LLC PO BOX 5581 HIGH POINT NC 27262
(336) 688-2204 jstalder@northstate.net

February 27, 2023

Dear Neighbor,

This letter is to notify you of a Citizen Information Meeting to present rezoning plans for property at 1711 Penny Road. The meeting will be held on Tuesday, March 7 at 6:30 pm at the Keystone at James Landing Clubhouse, 5500 Freedom Lane, Jamestown NC 27282. Please refer to the enclosed statement from the High Point Planning and Development Department concerning Citizen Information Meetings.

The property consists of approximately 9.62 acres. Keystone Group Inc. has applied to rezone the property to Conditional Zoning Residential Multifamily-16. The zoning will allow multifamily apartments similar to our project at James Landing.

At the Citizen Information Meeting you will be able to learn more about our plans and to ask any questions you may have. A preliminary site plan will be presented for illustrative purposes.

Scott Wallace from Keystone and I will be available at this meeting. If you are unable to attend or you have questions prior to the meeting, you may contact me at 336.688.2204 or jstalder@northstate.net.

The High Point Planning and Zoning Commission has scheduled a public hearing on the request for Tuesday, March 28 at 6:00 pm at 211 South Hamilton Street.

Sincerely,

Judy Stalder
Development Consultant

3461 ROCK MEADOW CIRCLE LLC
2307 ALDERBROOK DR
HIGH POINT, NC 27265

ALEXANDER, KIMBERLY A
2942 SHADY VIEW DR
HIGH POINT, NC 27265

AMH 2015-1 BORROWER LLC
23975 PARK SORRENTO STE 300
CALABASAS, CA 91302

ANKOMAH, GLORIA;ANKOMAH, PAUL
3968 COBBLESTONE BEND DR
HIGH POINT, NC 27265

BARNHART, ERIC
3628 ROCK MEADOW CIR
HIGH POINT, NC 27265

BASHAM, JOHN DAVID;BASHAM, RHODA C
3639 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

BEST, EDITA L
3636 ROCK MEADOW CIR
HIGH POINT, NC 27265

BRANDON, LESLIE K
3620 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

BRAZEAU, DAVID
3956 COBBLESTONE BEND DR
HIGH POINT, NC 27265

BRIGGS, BENJAMIN
1753 PENNY RD
HIGH POINT, NC 27260

BULMER, GAIL T;BULMER, NANCY R
2984 CLOVERWOOD DR
HIGH POINT, NC 27265

BURROUGHS, GENEVA B
3614 ROCK MEADOW CIR
HIGH POINT, NC 27265

CALDABAUGH, CONSTANCE E
3624 ROCK MEADOW CIR
HIGH POINT, NC 27265

CALIS, SOFIA
3905 CLOVERWOOD MEADOW LN
HIGH POINT, NC 27265

CASTANO, CARMELA
3957 COBBLESTONE BEND DR
HIGH POINT, NC 27265

COCHRAN, TERESA G
3931 COBBLESTONE BEND DR
HIGH POINT, NC 27265

COLLIER, HASSAN;SANTIAGO- COLLIER, MIGDALIA
3965 COBBLESTONE BEND DR
HIGH POINT, NC 27265

COOPER, ANNETTE CLARK
7226 E FORK RD
HIGH POINT, NC 27265

CRAVEN, LOIS O
3952 COBBLESTONE BEND DR
HIGH POINT, NC 27265

DABBS, THERESA TATE
4007 WALDENBROOK CT
GREENSBORO, NC 27407

DANIEL URIAH CREGAR JR LIVING TRUST;CREGAR,
DANIEL URIAH JR TRUSTEE
3961 COBBLESTONE BEND DR
HIGH POINT, NC 27265

DAVIS, MOSES EARL;DAVIS, DEBORAH W
3951 COBBLESTONE BEND DR
HIGH POINT, NC 27265

DOHERTY, EDWARD A;DOHERTY, JANICE L
3971 COBBLESTONE BEND DR
HIGH POINT, NC 27265

DOYLE, DAMON A;DOYLE, HEATHER M
3654 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

EAGLE GLEN HOMEOWNERS ASSOCIATION INC
222 S SWING RD STE 6
GREENSBORO, NC 27409

FARRINGTON, ROSS ADRIAN JR
2981 CLOVERWOOD DR
HIGH POINT, NC 27265

FLOWERS, GAIL J/T R/S;HAYES, VIVIAN F J/T R/S
7546 MCDERR RD
HIGH POINT, NC 27265

FORTSON, BILLIE J JR;FORTSON, RITA H
3618 ROCK MEADOW CIR
HIGH POINT, NC 27265

GIBSON, MARY LEE
1411 BERGAMOT LOOP UNIT F
HIGH POINT, NC 27260

GODETTE, MAE C
4800 TOOLEY DR
CHESTER, VA 23831

HAGA, TONY M
3630 ROCK MEADOW CIR
HIGH POINT, NC 27265

HARRIS, ALVIS WESLEY L/T;HARRIS, LOUELLA M
L/T;HARRIS, ALVIS WESLEY JR;HARRIS, EDWARD
BUHL;HARRIS, JOHN DELAND
3909 CLOVERWOOD MEADOW LN
HIGH POINT, NC 27265

HARRISON, MATTHEW T;HARRISON, REBEKAH
HAYNES
3648 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

HICKSWOOD HOA INC
PO BOX 24961
WINSTON SALEM, NC 27114

HINNANT, JOSEPH JAMES
3640 ROCK MEADOW CIR
HIGH POINT, NC 27265

HIRAKAWA, HIROKO
3981 COBBLESTONE BEND DR
HIGH POINT, NC 27265

HOLBROOK, DAVID SCOTT;HOLBROOK, JESSICA
RAE
3642 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

HOLMES, PATRICIA
3970 COBBLESTONE BEND DR
HIGH POINT, NC 27265

HUDLER, BILLY D
3652 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

JONES, WILLIAM C;JONES, MARGARET S
3643 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

KEMP, MARIE ANN
3935 COBBLESTONE BEND DR
HIGH POINT, NC 27265

KEYSTONE AT PENNY ROAD LLC
3708 ALLIANCE DR
GREENSBORO, NC 27408

KIMBALL, JOAN D
3974 COBBLESTONE BEND DR
HIGH POINT, NC 27265

LEDBETTER, ROBERT M
3939 COBBLESTONE BEND DR
HIGH POINT, NC 27265

LEE, CAROL ROBBINS
3954 COBBLESTONE BEND DR
HIGH POINT, NC 27265

LEWIS, MICHELLE E
3975 COBBLESTONE BEND DR
HIGH POINT, NC 27265

MANRING, JONATHAN DOUGLAS
3964 COBBLESTONE BEND DR
HIGH POINT, NC 27265

MCCORQUODALE, WANDA KAY
3616 ROCK MEADOW CIR
HIGH POINT, NC 27265

MCINTOSH, LINDA S
3610 ROCK MEADOW CIR
HIGH POINT, NC 27265

MCKEATHEN, GEORGE K;MCKEATHEN, LILLIE T
2986 CLOVERWOOD DR
HIGH POINT, NC 27265

MCNIEL, SANDRA L
3608 ROCK MEADOW CIR
HIGH POINT, NC 27265

MEBANE, RHONDA COLE
3302 REHOBETH CHURCH RD APT C
GREENSBORO, NC 27406

MERRITT, NANCY LEONARD
3977 COBBLESTONE BEND DR
HIGH POINT, NC 27265

MILLER, LINDA;OWENS, DELACY
3634 ROCK MEADOW CIR
HIGH POINT, NC 27265

MILLOWAY, GARRY A;MILLOWAY, VALLIE S
3950 COBBLESTONE BEND DR
HIGH POINT, NC 27265

MOORE, BRENDA C
3960 COBBLESTONE BEND DR
HIGH POINT, NC 27265

MORGAN, SALLIE JO
2982 CLOVERWOOD DR
HIGH POINT, NC 27265

MULLIN, FLORENCE M
3919 CLOVERWOOD MEADOW LN
HIGH POINT, NC 27265

MULLIN, FLORENCE M;MULLIN, JOHN S
3919 CLOVERWOOD MEADOW LN
HIGH POINT, NC 27265

NIFONG, REID F JR;ROBERTSON, WILLIAM A
3953 COBBLESTONE BEND DR
HIGH POINT, NC 27265

NIFONG, REID FRANKLIN
3948 COBBLESTONE BEND DR
HIGH POINT, NC 27265

OSCAR JACKSON COLE SR TRUST;COLE, OSCAR
JACKSON JR TRUSTEE
1725 JUNIPER ST NW
WASHINGTON, DC 20012

PASCENTE, JOHN MICHAEL
3650 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

PEARCE, GRAHAM T
3946 COBBLESTONE BEND DR
HIGH POINT, NC 27265

PEELER, DAVID C
3643 ROCK MEADOW CIR
HIGH POINT, NC 27265

RAQUENO, MARVIN ORLANDO LIZAMA;SALMERON,
MARIA CANDELARIA CRUZ
7224 E FORK RD
HIGH POINT, NC 27265

RIDGEVIEW HOA INC
1171 W 4TH ST
WINSTON SALEM, NC 27101

RUFE, EDWARD JR;RUFE, SARAH
3628 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

SANDERS, JANICE C
3979 COBBLESTONE BEND DR
HIGH POINT, NC 27265

SCROFANI, JOANNE
3963 FOUNTAIN VILLAGE LN
HIGH POINT, NC 27265

SHOTWELL, DAVID
7549 SUNNYVALE DR
HIGH POINT, NC 27265

SIMMONS, ZALLO;SIMMONS, PENNY D
3632 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

SMITH, DEBORA LAWSON
7214 E FORK RD
HIGH POINT, NC 27265

STANLEY, DANNY E;STANLEY, FAY A
3943 COBBLESTONE BEND DR
HIGH POINT, NC 27265

TALTON, RONALD K
3937 COBBLESTONE BEND DR
HIGH POINT, NC 27265

TAYLOR, ERIC L;TAYLOR, KALA CONELIA
3642 ROCK MEADOW CIR
HIGH POINT, NC 27265

THAPA, SANJAY;THAPA, AZITA
3647 HICKSWOOD FOREST DR
HIGH POINT, NC 27265

THOMAS, DONNA YVETTE
3976 COBBLESTONE BEND DR
HIGH POINT, NC 27265

THOMAS, LARRY L;THOMAS, KAYE P
3941 COBBLESTONE BEND DR
HIGH POINT, NC 27265

THOMAS, MELODY L
3933 COBBLESTONE BEND DR
HIGH POINT, NC 27265

TROTTER, PAT R
3945 COBBLESTONE BEND DR
HIGH POINT, NC 27265

TYSINGER, LINDA KENNEDY;TYSINGER, CURTIS
WILLIAM
3907 CLOVERWOOD MEADOW LN
HIGH POINT, NC 27265

VANHOOK, CAROL W
3973 COBBLESTONE BEND DR
HIGH POINT, NC 27265

VASQUEZ, NESTOR;VASQUEZ, DIVA
781 SPRING ROSE CT APT 105
CASSELBERRY, FL 32707

WESTMORELAND, FANNIE R
3983 COBBLESTONE BEND DR
HIGH POINT, NC 27265

WILLIAMS, ANTWANIECE
1702 PENNY RD
HIGH POINT, NC 27265

WISSMILLER PROPERTIES LLC
4028 WINDSTREAM CT
JAMESTOWN, NC 27282

City of High Point
Citizen Information Meetings



Persons filing certain development applications with the City of High Point are required to hold a citizen information meeting. This requirement applies to applications for a Conditional Zoning District, Planned Development District, Special Use and a Zoning Map Amendment that proposes to establish a more intense zoning district.

The City of High Point finds that quality development is better achieved through an informed and cooperative process than an adversarial one. The purpose of the citizen information meeting is to allow the person filing an application, otherwise known as the applicant, the opportunity to inform citizens about their development proposal and to provide citizens the opportunity to ask questions and find out more about the proposal prior to any official public hearings.

The applicant's development proposal is officially presented to the Planning & Zoning Commission and City Council at their respective public hearings. At the public hearings, the Commission and Council hear comments and concerns from citizens regarding the proposal prior to making decisions. The public hearings are not the preferred setting for citizens to learn about a development proposal for the first time. It is difficult to gain understanding of a proposal and offer well thought out comments during the relatively short time of a public hearing. The citizen information meeting is important in that it can provide basic information and allow communication with the applicant before the public hearings, so that citizens may informatively develop their comments and any concerns, and later present them at the public hearings for consideration.

Applicants may vary the form and number of citizen information meetings they conduct; however, they are required to contact or otherwise notify owners of property located within 300 feet of the proposed site. Whatever form the meeting takes, those citizens participating are provided with this written statement from the City of High Point, which describes the purpose of the citizen information meeting, the application process and where additional information may be obtained from the City. In addition, the applicant must provide a description of the development proposal and are encouraged to share any other available information that would help citizens to better understand it.

After the application is filed with the City's Planning & Development Department, the applicant submits to the City a written summary of the citizen information meeting(s). At a minimum, this report records:

- The date, time, and location of the meeting;
- The method and date of notification about the meeting;
- A list of landowners notified about the meeting;
- A list of meeting attendees;
- If the meeting was conducted as a series of telephone calls;
- The description of the development proposal presented to the attendees; and
- A summary of attendee comments, ideas, and suggestions from citizens to be incorporated into the development proposal.

Before the public hearings are held, the City's Planning & Development Department mails notices to all owners of property located within 300-feet of the site. This notice provides a brief summary of the application; the time, date and place of the Planning & Zoning Commission public hearing; and contact information. A second notice is mailed prior to the City Council's public hearing with similar information. Also, signs are placed on the site giving notice of the request and the City's public hearings.

After hearing public comments and considering the development proposal, the Planning & Zoning Commission makes a recommendation to the City Council who, after holding their public hearing, decides what action should be taken on the proposal. Changes to the applicant's proposal can occur during this process in order to insure consistency with City policy and development regulations, and to minimize expected impacts that can be generated by the development or use of the site.

Development conditions can be adopted by the City Council for a Conditional Zoning District, Planned Development District, or Special Use. However, no condition can be included that:

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

Citizens are strongly encouraged to contact the City's Planning & Development Department and visit the website below for additional information on the City's zoning process, and for information about specific development proposals.

Contact:

Planning & Development Department 336-883-3328

www.buildhighpoint.com

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 23-14
(City of High Point)

From: Sushil Nepal, AICP
Planning & Development Director

Public Hearing: Yes

Meeting Date: July 17, 2023

Advertising Date: July 5, 2023, and
July 12, 2023

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by the City of High Point to rezone approximately 67.5 acres as part of the Comprehensive Zoning Map Amendment project. To rezone the Wynngate Subdivision and the Burton Oaks Subdivision, from the Conditional Use Residential Single Family – 3 (CU R-3) District to a Residential Single Family – 3 (R-3) District. These subdivisions are located along the north side of Burton Road, at the intersections of Flay Cecil Road and Priya Street (*approximately 2,100 feet west of the Guilford/Davidson County line*).

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their June 27, 2023 public hearing. All members of the Commission were present, except for Ms. Angela Jiménez. Mr. Herbert Shannon, Senior Planner, presented the case and outlined the staff recommendation of approval.

Speaking on the request:

There were no speakers in favor or opposition to this request.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff Recommendation

Staff recommended **approval** of this request as outlined in the attached staff report.

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended **approval** of this request, as recommended by staff, by a vote of 7-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 7-0 to approve the following statement:

That Zoning Map Amendment 23-14 is consistent with the City's adopted policy guidance because The zoning map amendment is supported by the Low-Density Residential land use classifications of the Land Use Plan. Furthermore, the amendment is needed to remove unneeded restrictions on the properties, to remove the conditional use zoning districts, and establish zoning to match the manner in which this neighborhood has developed.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-23-14
June 27, 2023**

Request

A request by the High Point City Council to rezone 80 parcels, totaling approximately 67.5 acres, as part of Round 5 of the Comprehensive Zoning Map Amendment Project. This request focuses on lands within the Wynngate Subdivision and the Burton Oaks Subdivision, which are located in the southwestern portion of the City along the north side of Burton Road.

Background

The purpose of the Comprehensive Zoning Map Amendment Project is to review and evaluate the zoning of land throughout the city, identify areas where the zoning is out of sync with the existing use of land or is inconsistent with current land use policy, and propose appropriate changes in zoning for those areas. The primary goal of the project is to remove improper or obsolete zoning districts that may be acting as a barrier to development. The Comprehensive Zoning Map Amendment Project was initiated in 2017. The City Council initiated this current fifth round of zoning evaluations, associated with this request, in January 2023.

Details of Proposal

The following is a summary of the two areas to be considered under this Zoning Map Amendment.

From	To	Development/Use	Location
CU R-3 (ZA-92-23)	R-3	Single family dwellings	Wynngate Subdivision, common area, and undeveloped parcel.
CU R-3 (ZA-91-01)	R-3	Single family dwellings	Burton Oaks Subdivision, common area and undeveloped parcel.

Analysis

The requested rezoning of these two residential subdivisions is intended to remove outdated and obsolete zoning conditions. These developments were granted their current Conditional Use Residential Single Family – 3 (CU-R-3) zoning in 1991 and 1992. Both developments have been partially completed and their various zoning conditions, under the conditional use (CU) designation, have either been met or are now governed by the current Development Ordinance. The request is intended to remove outdated and obsolete zoning conditions, while maintaining the development’s base zoning district or R-3 District. See attached evaluations for further detail.

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.

This zoning map amendment is supported by the Low-Density Residential land use classifications 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 amendment is needed to remove unneeded restrictions on the properties, to remove the conditional use zoning districts, and establish zoning to match the manner in which this neighborhood has developed.

Recommendations

Staff recommends approval of the following zoning map amendments:

- 1) Rezone the Wynngate Subdivision and other undeveloped lands associated with ZA-92-23 from the CU R-3 Districts to the R-3 District.
- 2) Rezone the Burton Oaks Subdivision and other undeveloped lands associated with ZA-91-01 from the CU R-3 Districts to the R-3 District.

Required Action**Planning and Zoning Commission:**

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City's Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the statement(s) as written in this report or with any additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with the consistency statement(s) in this report, by adoption of its own statement.

City Council:

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City's Land Use Plan and other plans as may be applicable. This may be done by adopting the statement(s) as written in this report, or with any additions or changes as agreed upon by the Council, or, if the Council is in disagreement with the consistency statement(s) in this report, by adoption of its own statement.

Report Preparation

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

WYNNGATE SUBDIVISION

Location: Wynngate Subdivision, common area and abutting undeveloped parcel
(lying north of the intersection of Burton Road and Flay Cecil Road).

Current Use: Single family dwellings, common area and undeveloped parcel

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Residential Single Family – 3 (R-3) District	Same
<i>Purpose & Intent:</i>	<u>Residential Single Family – 3 (R-3) District</u> The R-3 district is established to accommodate principally single-family detached dwellings developed at a density of 3 units an acre that is served by public water and sewer. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed. District regulations discourage uses that interfere with the development of residential development or that is detrimental to the residential nature of the district.	Same
<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	Conditional Use Permit 92-23 (CU 92-23) • Right-of-way dedication along Burton Road. • One point of access to Burton Road. • Stub street to the northern property boundary.	None

	Adjacent Zoning	Adjacent Land Use
North:	Conditional Use Residential Multifamily – 5 (CU RM-5) District	Undeveloped parcel
South:	Low Intensity Residential (RS) District (Davidson County)	Single family dwellings
East:	Low Intensity Residential (RS) District (Davidson County)	Single family dwellings
West:	Conditional Use Residential Single Family – 3 (CU R-3) District Low Intensity Residential (RS) District (Davidson County)	Single family dwelling and undeveloped parcel

Land Use Plan Classification

The area is designated as follows:

- **Low-Density Residential:** The site has a Low-Density Residential land use designation. These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.

Analysis

The Wynngate Subdivision received annexation and zoning map amendment approval in 1992 for development of a single family subdivision. The southern 1/3, approximately 17.5 acres, of this subdivision has been developed with single family homes. The remaining land area, approximately 25 acres, is undeveloped. The northern portion of the subdivision is impacted by a major stream, steep topography and a significant flood-plain area ranging in width from 250 - 300 feet. Limited development can occur along this stream corridor.

The 1992 zoning approval included conditions for right-of-way dedication along Burton Road, one point of access to Burton Road and stub streets; based upon standards of the 1992 Development Ordinance. The primary purpose of this rezoning is to remove the CU designation, as conditions from this prior zoning approval have been met or are now governed by improved standards in the current Development Ordinance that was adopted in 2017. Removal of the CU designation will still limit development of the remaining undeveloped lands to single-family homes as permitted under the R-3 zoning district.

Recommendation

Staff recommends rezoning of the Wynngate Subdivision and other undeveloped lands associated with ZA-92-23 from the CU R-3 Districts to the R-3 District.

BURTON OAKS SUBDIVISION

Location: Burton Oaks Subdivision, common area and abutting undeveloped parcel.
(lying north of the intersection of Burton Road and Priya Street)

Current Use: Single family dwellings, common area and undeveloped parcels

Comparison of Current and Proposed Zoning

	Current Zoning	Proposed Zoning
	Residential Single Family – 3 (R-3) District	Same
<i>Purpose & Intent:</i>	<u>Residential Single Family – 3 (R-3) District</u> The R-3 district is established to accommodate principally single-family detached dwellings developed at a density of 3 units an acre that is served by public water and sewer. Complimentary uses such as open space, schools, utilities, religious institutions, and recreational facilities are also allowed. District regulations discourage uses that interfere with the development of residential development or that is detrimental to the residential nature of the district.	Same
<i>Current Uses:</i>	Permitted	Permitted
<i>Conditions</i>	Conditional Use Permit 91-01 (CU 91-01) • Development density (2.8 units per acre) • Right-of-way dedication along Burton Road. • One point of access to Burton Road. • Stub street to abutting parcels. • Minimum 12,000 sq. ft. lot size.	None

	Adjacent Zoning	Adjacent Land Use
North:	Conditional Use Residential Multifamily – 5 (CU RM-5) District Low Intensity Residential (RS) District (Davidson County)	Undeveloped parcel and single family homes
South:	Low Intensity Residential (RS) District (Davidson County)	Single family dwellings
East:	Low Intensity Residential (RS) District (Davidson County)	Single family dwellings
West:	Low Intensity Residential (RS) District (Davidson County)	Undeveloped parcel

Land Use Plan Classification

The area is designated as follows:

- **Low-Density Residential:** The site has a Low-Density Residential land use designation. These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.

Analysis

The Burton Oaks Subdivision received annexation and zoning map amendment approval in 1991 for development of a single family subdivision. The southern two-thirds of this subdivision has been developed with single family homes, the remaining northern 12 acres is undeveloped. Extension of the public street (Priya Street), with environmental approval for stream and flood zone area crossing, would be required.

The 1992 zoning approval included conditions for development density, right-of-way dedication along Burton Road, one point of access to Burton Road, stub street to abutting parcels and minimum lot size. The primary purpose of this rezoning is to remove the CU designation, as conditions from this prior zoning approval have been met or are now governed by improved standards in the current Development Ordinance that was adopted in 2017. The requested rezoning to the R-3 District (removal of the CU designation) still limit development of the remaining undeveloped lands to single-family homes and will continue to maintain a minimum lot area of 12,000 sq. ft.

Recommendation

Staff recommends rezoning of the Burton Oaks Subdivision and other undeveloped lands associated with ZA-92-23 from the CU R-3 Districts to the R-3 District.

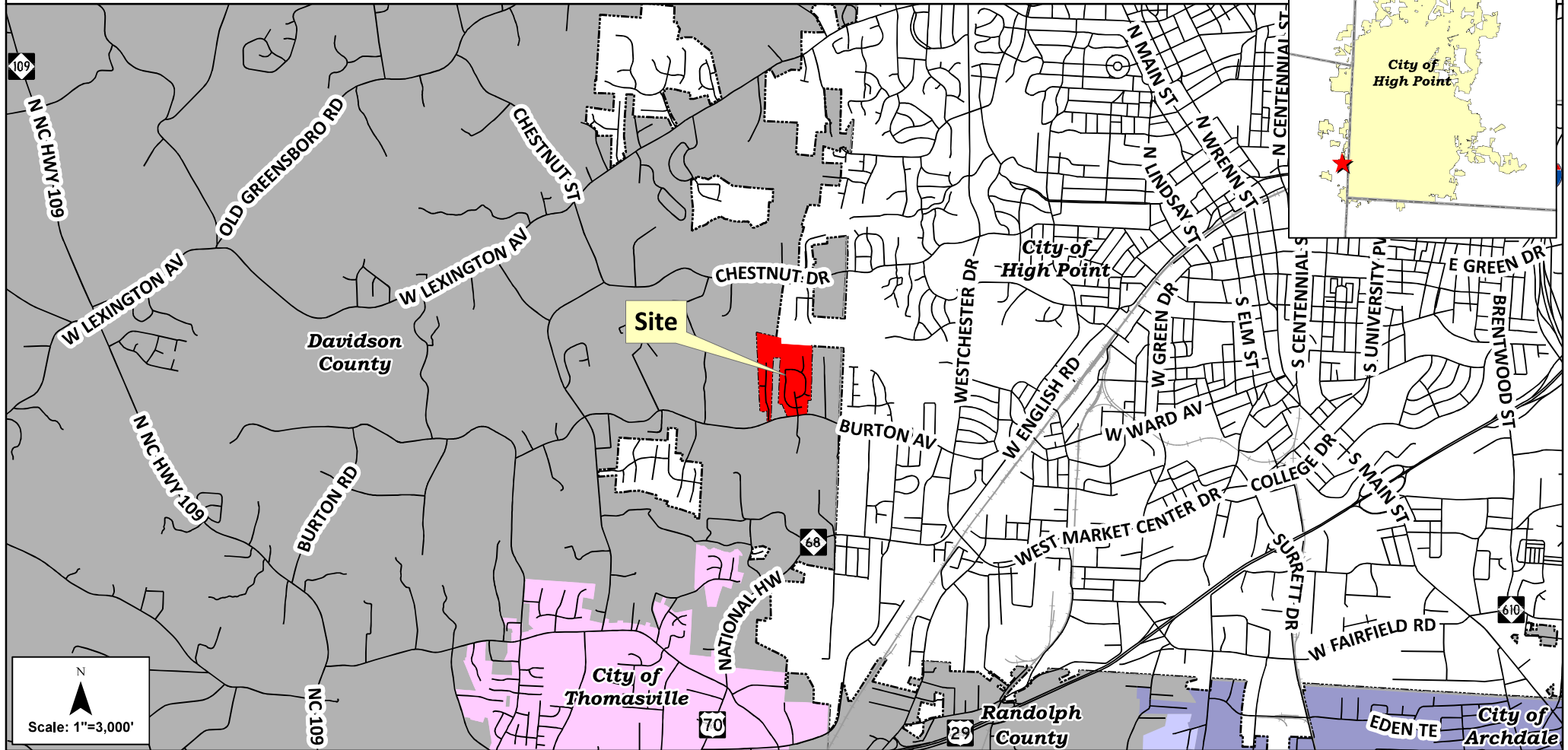
LOCATION MAP

ZONING MAP AMENDMENT: ZA-23-14

Applicant: City of High Point

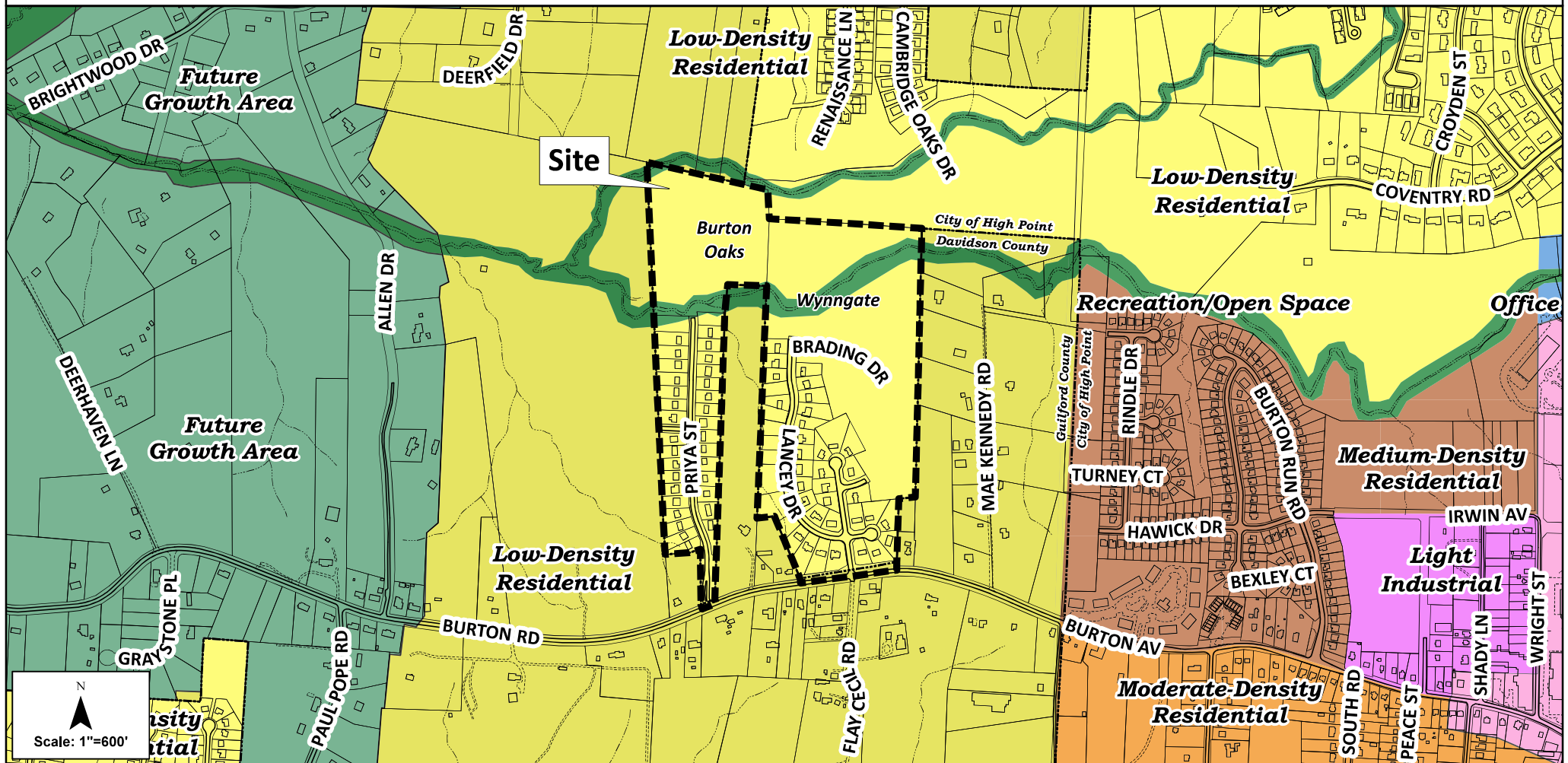
Vicinity Map

City of
High Point



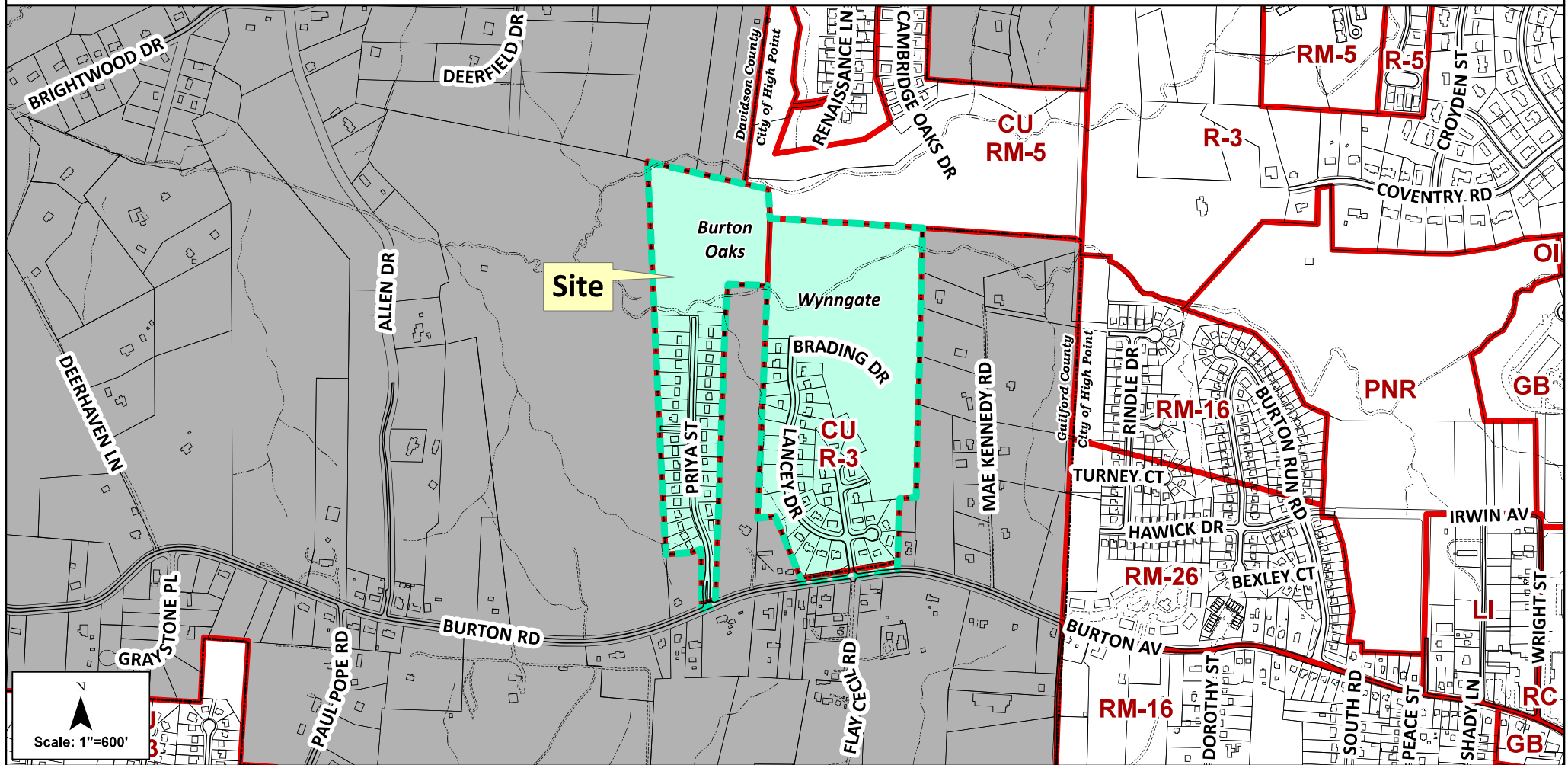
ZONING MAP AMENDMENT: ZA-23-14

LAND USE PLAN MAP



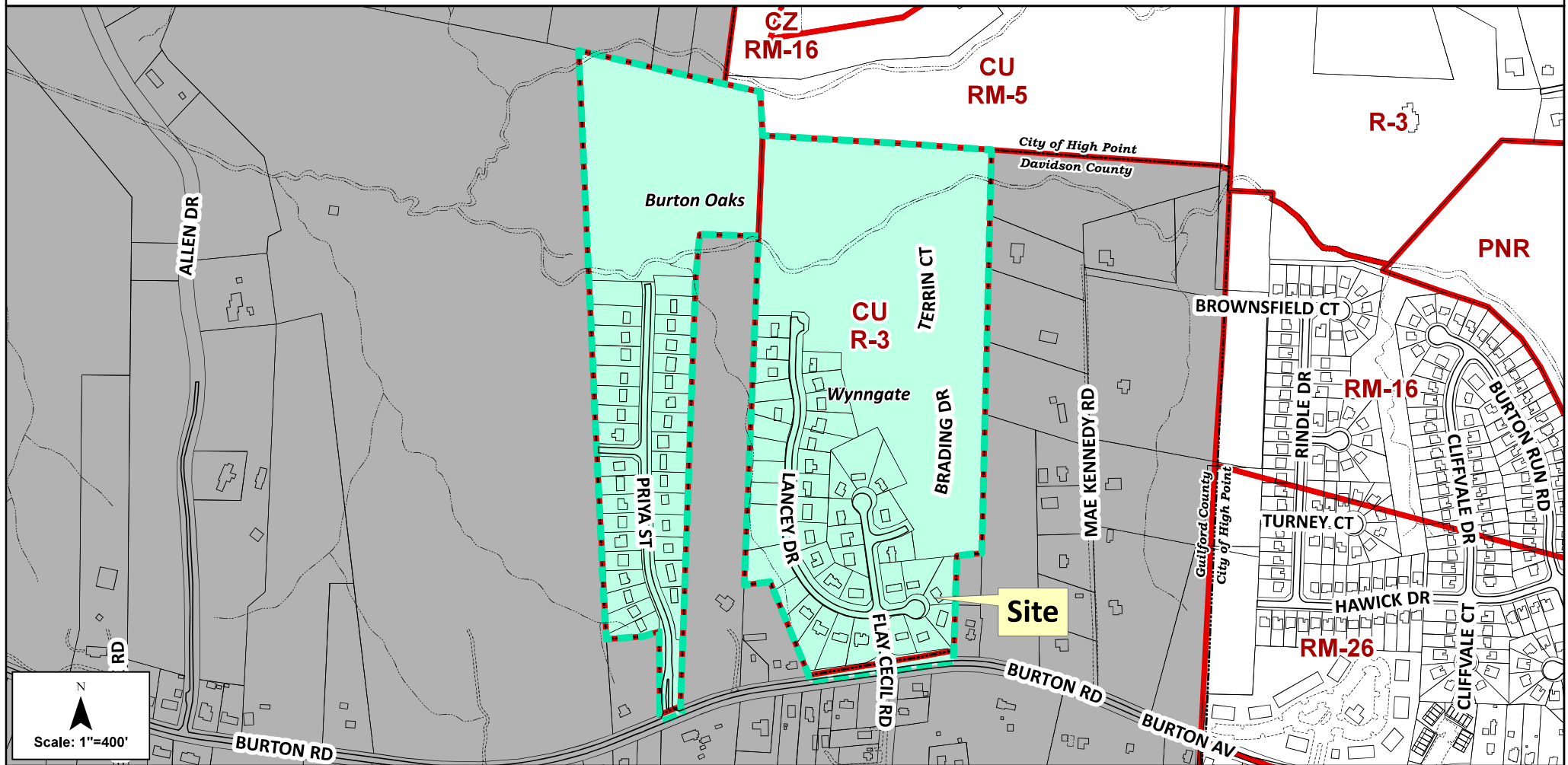
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ZONING MAP



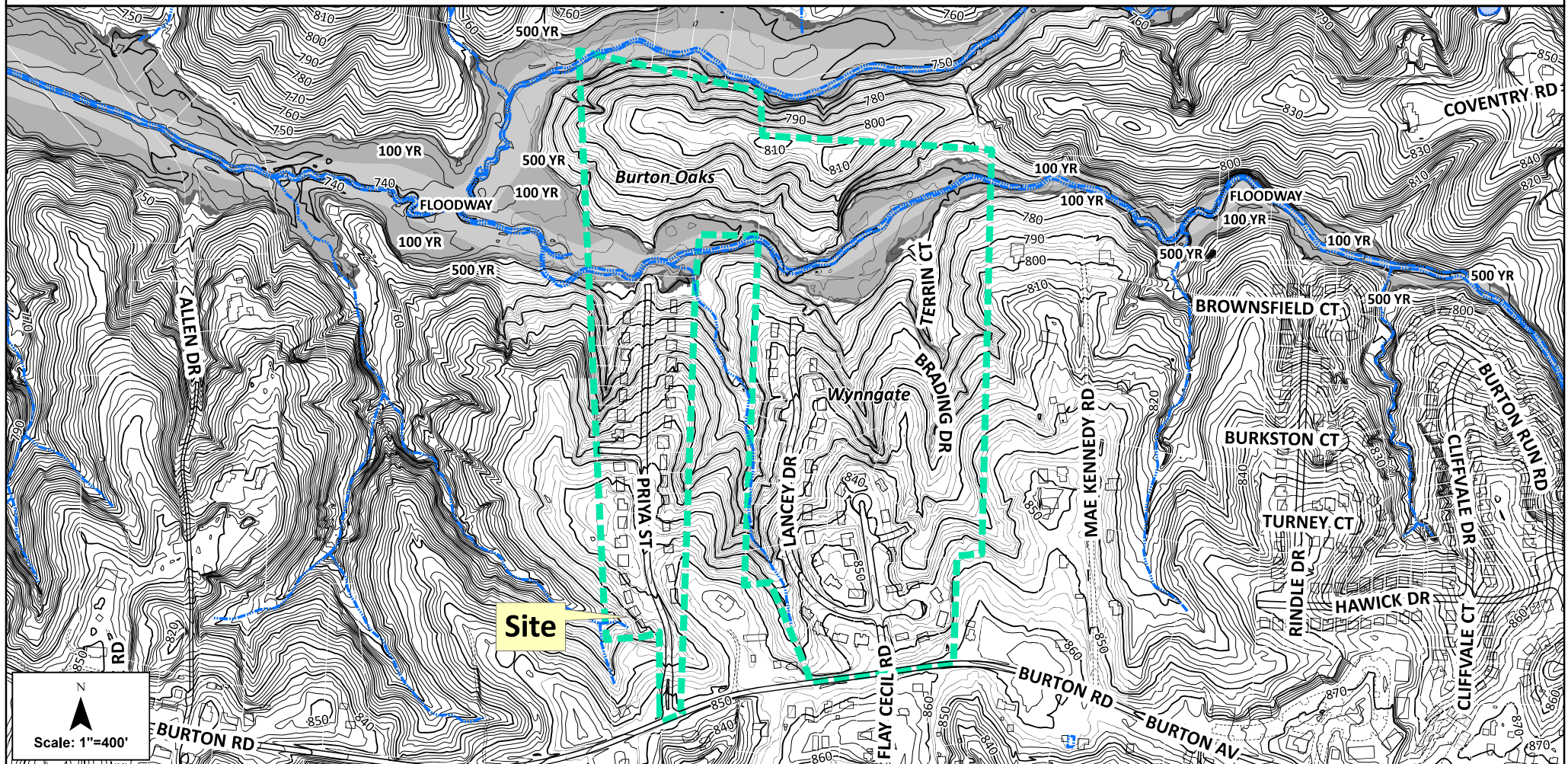
ZONING MAP AMENDMENT: ZA-23-14

ZONING MAP



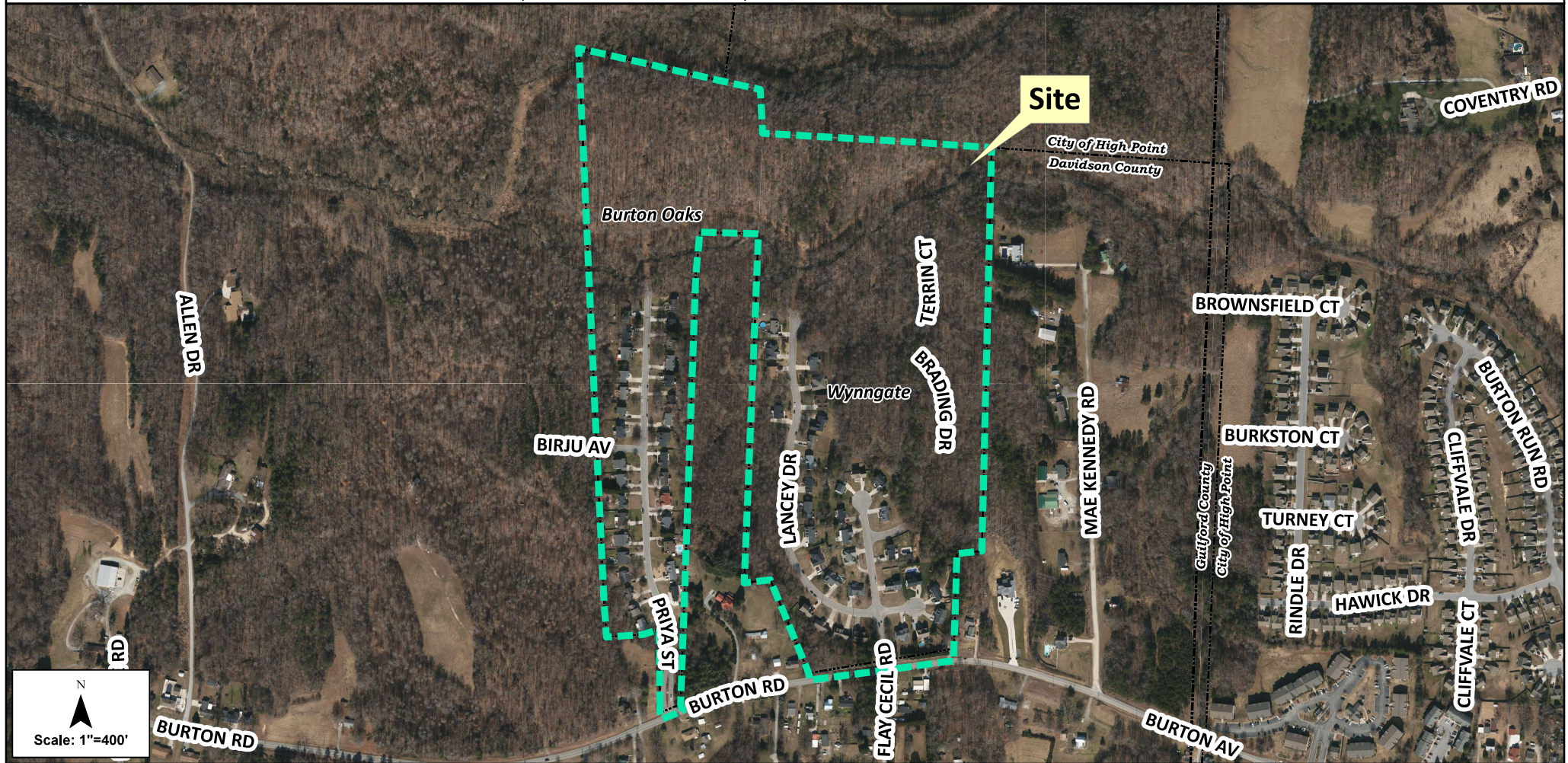
ZONING MAP AMENDMENT: ZA-23-14

TOPOGRAPHY



ZONING MAP AMENDMENT: ZA-23-14

AERIAL PHOTOGRAPHY (FEB. 2022)



AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.20, 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 June 27, 2023 and before the City Council of the City of High Point on July 17, 2023 regarding **Zoning Map Amendment Case ZA-23-14 (ZA-23-14)** 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 June 17, 2023, for the Planning and Zoning Commission public hearing and on July 5, 2023 and July 12, 2023, for the City Council public hearing pursuant to Chapter 160D-602 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 **July 12, 2023**.

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: **Residential Single Family 3 (R-3) District**. The property is approximately 42.5 acres, located in the Wynngate Subdivision, which is lying north of the intersection of Burton Road and Flay Cecil Road.

The Wynngate subdivision portion of the zoning site is also depicted in Final Plat “Wynn Gate Subdivision Phases 1 & 2, as recorded in PB 26 PG 136 of the Davidson County Register of Deeds Office. The zoning site is also known as Davidson County Tax Parcels 1631100000013, 16311F0000001, 16311F0000002, 16311F0000003, 16311F0000004, 16311F0000005, 16311F0000006, 16311F0000008, 16311F0000010, 16311F0000011, 16311F0000012, 16311F0000013, 16311F0000014, 16311F0000015, 16311F0000016, 16311F0000017, 16311F0000018, 16311F0000019, 16311F0000020, 16311F0000021, 16311F0000022, 16311F0000022, 16311F0000023, 16311F0000024, 16311F0000025, 16311F0000026, 16311F0000027, 16311F0000028, 16311F0000029, 16311F0000030, 16311F0000031, 16311F0000032, 16311F0000033, 16311F0000034, 16311F0000035, 16311F0000036, 16311F0000037, 16311F0000038, 16311F0000039, 16311F0000040, 16311F0000041, 16311F0000042, 16311F0000043 and 16311F0000044.

SECTION 2

That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Residential Single Family 3 (R-3) District**. The property is approximately 25 acres, located in the Burton Oaks Subdivision, which is lying north of the intersection of Burton Road and Priyas Street.

The Burton Oaks subdivision portion of the zoning site is also depicted in Final Plat “Burton Oaks Subdivision Phases 1A & 1B, as recorded in PB 22 PG 46 and PB 23 PG 13 of the Davidson County Register of Deeds Office. The zoning site is also known as Davidson County Tax Parcels 16311D00000011, 16311D00000001, 16311D00000002, 16311D00000003, 16311D00000004, 16311D00000005, 16311D00000006, 16311D00000007, 16311D00000008, 16311D00000009, 16311D00000010, 16311D00000011, 16311D00000011, 16311D00000028, 16311D00000029, 16311D00000030, 16311D00000031, 16311D00000032, 16311D00000033, 16311D00000034, 16311D00000035, 16311E00000012, 16311E00000013, 16311E00000014, 16311E00000015, 16311E00000017, 16311E00000018, 16311E00000019, 16311E00000020, 16311E00000021, 16311E00000022, 16311E00000023, 16311E00000024, 16311E00000025, 16311E00000026 and 16311E00000027

SECTION 3

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

SECTION 4

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

SECTION 5.

This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The 17th day of July, 2023

By: _____

Jay W. Wagner, Mayor

ATTEST:

Sandra R. Keeney, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 23-15
(Dale & Esther Enterprise, LLC)

From: Sushil Nepal, AICP
Planning & Development Director

Public Hearing: Yes

Meeting Date: July 17, 2023

Advertising Date: July 5, 2023, and
July 12, 2023

Attachments: A. Staff Report
B. Zoning Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by Dale & Esther Enterprise, LLC to rezone approximately 1.48 acres from a Conditional Use Limited Business (CU-LB) District and a Conditional Use General Business (CU-GB) District to a Conditional Zoning General Business (CZ-GB) District. The site lies at the northwestern corner of W. Lexington Avenue and Westchester Drive (800 W. Lexington Avenue and 724 Westchester Drive).

BACKGROUND:

The Planning and Zoning Commission reviewed this request at their June 27, 2023 public hearing. All members of the Commission were present, except for Ms. Angela Jiménez. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:

Speaking in favor of the request was the applicant's representative, Mr. Andy Harris, Attorney, Wyatt Early-Harris-Wheeler LLP, 1912 Eastchester Drive, Suite 400, High Point. Mr. Harris provided an overview of the proposal for rezoning to support expansion of the existing automotive repair facility. He explained that his client purchased this lot from the abutting apartment complex several years ago and as part of that purchase an access easement for exiting the site to Westchester Drive was also acquired. He stated that the primary purpose for rezoning is for these parcels to be combined and all the land area be under the same zoning district standards.

In conclusion, Mr. Harris noted that to ensure compatibility with other land uses at this intersection, conditions have been offered to restrict higher intensity commercial uses, to provide for higher landscaping standards and to restrict access to the existing drive from W. Lexington Avenue and to the exiting access easement acquired from the apartment complex.

There were no speakers in opposition to this request.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff Recommendation

Staff recommended *approval* of this request as outlined in the attached staff report.

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended *approval* of this request, as recommended by staff, by a vote of 8-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 8-0 to approve the following statement:

That Zoning Map Amendment 23-15 consistent with the City's adopted policy guidance because the requested CZ GB District, as restricted by the proposed conditional zoning ordinance, does not conflict with adopted policy guidance documents. Furthermore, as conditioned, the requested CZ-GB District would be reasonable as it would support expansion of an existing commercial use at an intensity level similar to uses upon other parcels at this intersection.

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

**STAFF REPORT
ZONING MAP AMENDMENT ZA-23-15
June 27, 2023**

Request	
Applicant: Dale & Esther Enterprise, LLC	Owner: Dale & Esther Enterprise, LLC
Zoning Proposal: To rezone approximately 1.48 acres	From: CU-GB Conditional Use General Business District
	CU-LB Conditional Use Limited Business District
	To: CZ-GB Conditional Zoning General Business District
Notices: • Applicant held a Citizen Information Meeting <i>(Yes)</i> • As required by Section 2.3.6 (Notification) of the Development Ordinance, the Planning and Development Department provided published, mailed and posted notice of this public hearing	

Site Information	
Location:	The site lies at the northwestern corner of W. Lexton Avenue and Westchester Drive <i>(800 W. Lexington Avenue and 724 Westchester Drive)</i> .
Tax Parcel Number:	Guilford County Tax Parcels 179335 and 179334
Site Acreage:	Approximately 1.48 acres
Current Land Use:	The western half of the site is developed with a 6,881 square-foot motor vehicle repair establishment. The eastern half of the site is undeveloped.
Physical Characteristics:	The site has moderate to severely sloping terrain, with the steeper topography lying along the northern and western boundaries of the site.
Water and Sewer Proximity:	A 12-inch City water line and a 8-inch City Sewer line lie adjacent to the site along W. Lexington Avenue and Westchester Drive.
General Drainage and Watershed:	The site drains in a northwesterly direction and is within the Yadkin Pee-Dee (non-water supply) watershed. Dependent upon the total acreage and development intensity, primary stormwater control measures may be required.
Overlay District:	None

Adjacent Property Zoning and Current Land Use			
North:	RM-26	Residential Multifamily – 26 District	Multifamily apartment complex <i>(access drive)</i>
South:	CZ-LB	Conditional Zoning Limited Business District	Convenience store with fuel sales <i>(across W. Lexington Ave)</i>
East:	LB	Limited Business District	Convenience store with fuel sales <i>(across Westchester Dr)</i>
West:	RM-26	Residential Multifamily – 26 District	Multifamily apartment complex

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 both Office and Local/Convenience Commercial land use designations. - The Office classification supports professional, personal and business service uses. - The Local/Convenience Commercial classification supports moderate-intensity convenience retail or service uses, generally serving small/local neighborhoods.
Land Use Plan Goals, Objectives & Policies:	The following objective of the Land Use Plan is relevant to this request: Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses.
Relevant Area Plan:	None applicable
Zoning History:	<u>Current Zoning Site:</u> The two parcels seeking rezoning obtained their current CU-GB and CU-LB zoning from two separated zoning applications. The CU-GB District zoning, for 800 W. Lexington Avenue, was established in 1999 under Zoning Case 99-08. The CU-LB District zoning, for 724 Westchester Drive, was established in 1991 under Zoning Case 91-05 which separated this parcel from the abutting apartment complex. <u>Surrounding Zoning Requests:</u> There has been no recent zoning activity in this area except for the convenience store with fuel sales establishment located at the southwest corner of W. Lexington Avenue and Westchester Drive. That site was granted a CZ-LB District zoning in 2012 under Zoning Case 12-10.

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	Classification		
	W. Lexton Avenue	Major Throughfare	294 ft.
	Westchester Drive	Major Throughfare	243 ft
Vehicular Access:	Via existing driveway access from W. Lexington Avenue.		
Traffic Counts: (Average Daily Trips)	W. Lexton Avenue	11,500 AADT (2021 NCDOT traffic counts)	
	Westchester Drive	27,500 AADT (2021 NCDOT traffic counts)	
		2021 NCDOT Traffic Counts	
Estimated Trip Generation:	No new development is proposed at this time. The current 6,881 square foot vehicle repair establishment generates approximately xxx daily trips during a 24-hour time period) with approximately xx AM peak-hour trips (6am – pam) and approximately xx PM peak-hour trips (4pm – 7pm).		
Traffic Impact Analysis (TIA):	Required		TIA Comments
	<u>Yes</u>	<u>No</u> X	A TIA is not required. This analysis is only required for developments that generate more than 150 trips within the AM or PM peak hours.

School District Comment

Not applicable to this zoning case.

Details of Proposal

This request is for two parcels located at the intersection of W. Lexington Avenue and Westchester Drive. The 800 W. Lexington Avenue parcel is developed with an existing repair facility that was constructed in 1999/2000. The abutting 724 Westchester Drive parcel is undeveloped and was initially part of the adjacent apartment complex, and was separated from that development under a 1991 zoning approval. The automotive repair facility began to park vehicles scheduled for repair on this abutting undeveloped parcel, which triggered a code enforcement citation. This application proposes to rezone the existing repair facility and the abutting undeveloped parcel to the CZ-GB District to allow expansion of their automotive repair establishment upon this abutting parcel. Accompanying this request is a conditional zoning ordinance with conditions pertaining to permitted & prohibited uses, site plan & landscape plan approval, lot combination, and vehicular access.

Staff Analysis

The adopted land use plan has supported neighborhood commercial or local/convenience commercial land uses for parcels at this intersection since 1983. The undeveloped parcel at 724 Westchester Drive is a last undeveloped parcel at this intersection, all other lands at the other four-quadrants of this intersection have been developed with neighborhood scale commercial and office uses under the GB, LB and TO Districts. The allowance of GB District uses, as restricted by the applicants Conditional Zoning Ordinance, for this last undeveloped parcel at this intersection would be consistent with land use policy established at this intersection.

Section 2.4.6.C of the Development Ordinance states that the advisability of a conditional zoning is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to approve or deny a conditional zoning, the City Council shall weigh the relevance of and consider the following issues outlined below. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Policy Guidance

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

The requested CZ GB District, as restricted by the proposed conditional zoning ordinance, does not conflict with adopted policy guidance documents.

Reasonableness/Public Interest:

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

As conditioned, the requested CZ-GB District would be reasonable as it would support expansion of an existing commercial use at an intensity level similar to uses upon other parcels at this intersection.

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 zoning site is situation at an intersection were commercial and a higher intensity multifamily use have coexisted since 2000. Conditions offered by the applicant to prohibit higher intensity commercial uses will 1) ensure expansion of the repair facility will continue to be compatible with the abutting multifamily use and 2) will ensure development will be of a scale and intensity similar to uses established upon other corners of this intersection.

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. Conditions offered by the applicant pertaining to landscaping next to the abutting multifamily development, landscaping along the Westchester Drive frontage of the site and restricting vehicular access points effectively mitigate adverse impacts to abutting lands.
Mitigation #2	Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimize land disturbance, preserve trees and protects habitat. The site is within the Yadkin Pee-Dee (non-water supply) watershed. Development, grading or site improvements exceeding one acre in area would 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 within an area currently served by City of High Point utilities and municipal services. The zoning submittal has no known adverse impacts on municipal services.
Mitigation #4	Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands. Staff has found no evidence that the requested CZ-GB District, as conditioned by the applicant, would adversely affect adjacent properties.

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.

Since adoption of the 1983 Land Use Plan, the City's land use policies have support lower intensity neighborhood commercial land uses at this intersection.

Promotes a Preferred Development Pattern

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

Limited intensity commercial uses have been in place at three of the corners of this intersection since the 1970s. As conditioned, the requested CZ-GB District would continue to promote this preferred and orderly development pattern.

Recommendation

Staff Recommends Approval:

The Planning and Development Department recommends approval of the request to rezone this 1.48 acre area to the CZ-GB District. As conditioned, the requested CZ-GB 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 Sushil Nepal AICP, Planning and Development Director.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-23-15
Applicant: Dale & Esther Enterprises LLC

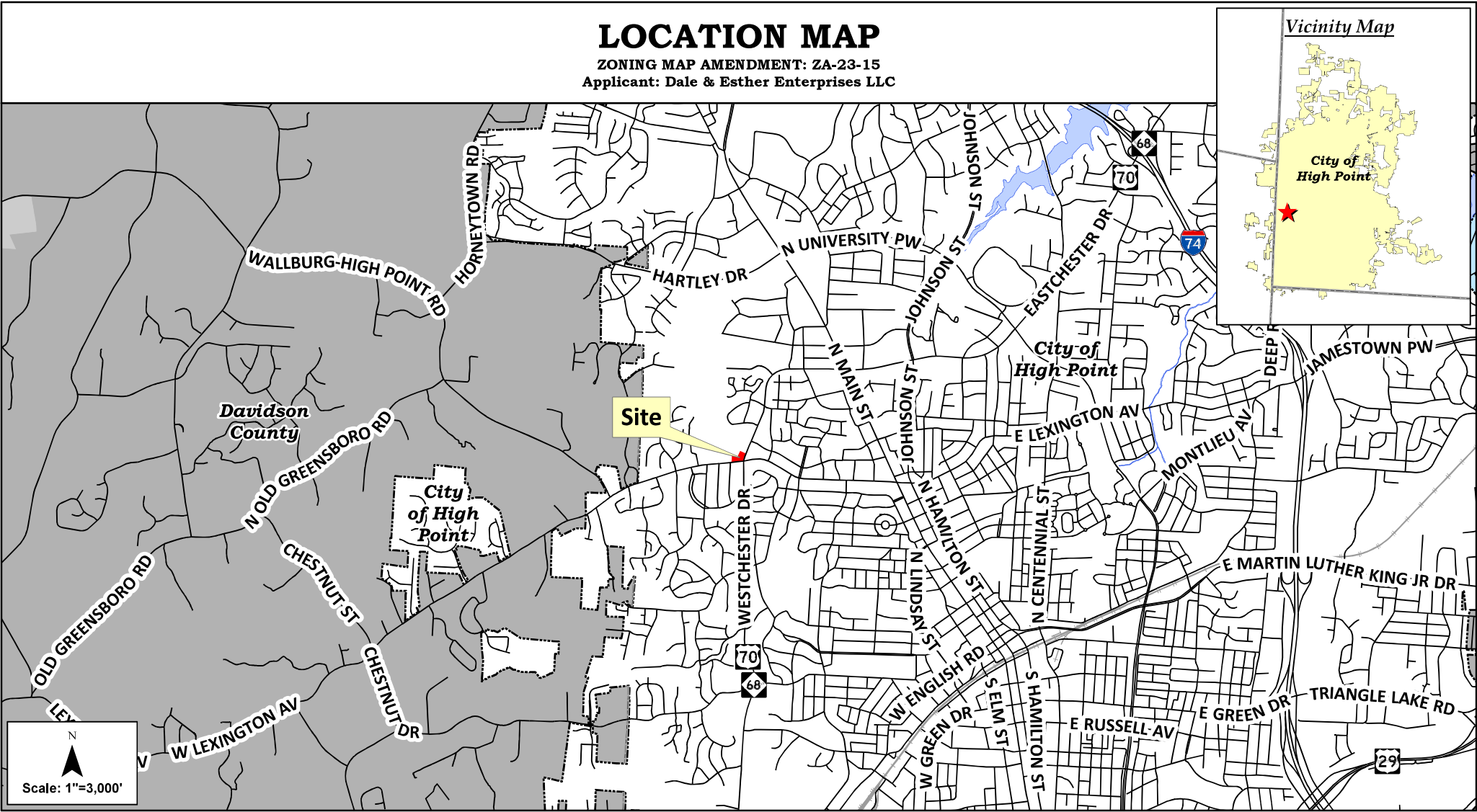
Vicinity Map

City of
High Point

Site

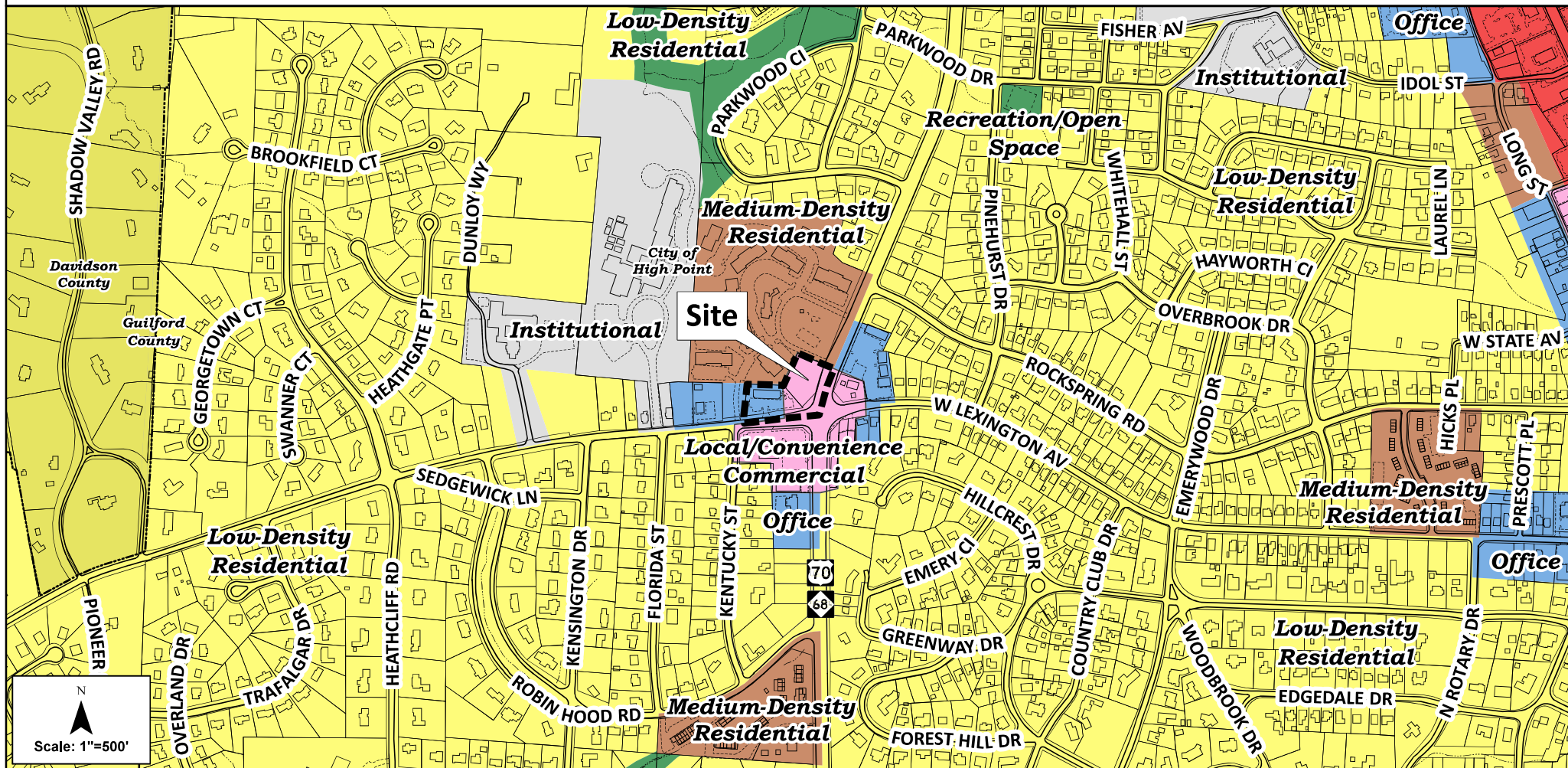
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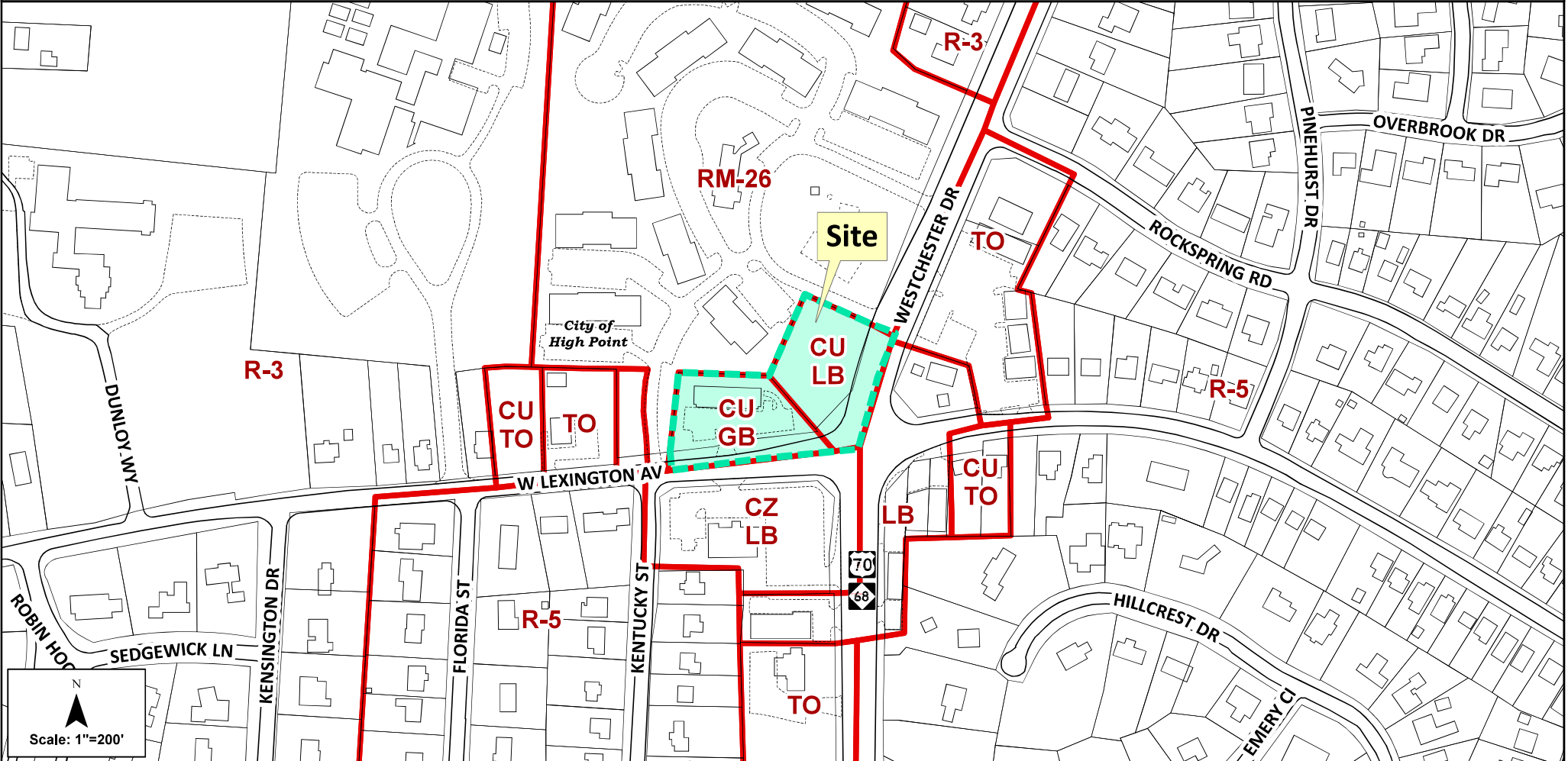


ZONING MAP AMENDMENT: ZA-23-15

LAND USE PLAN MAP

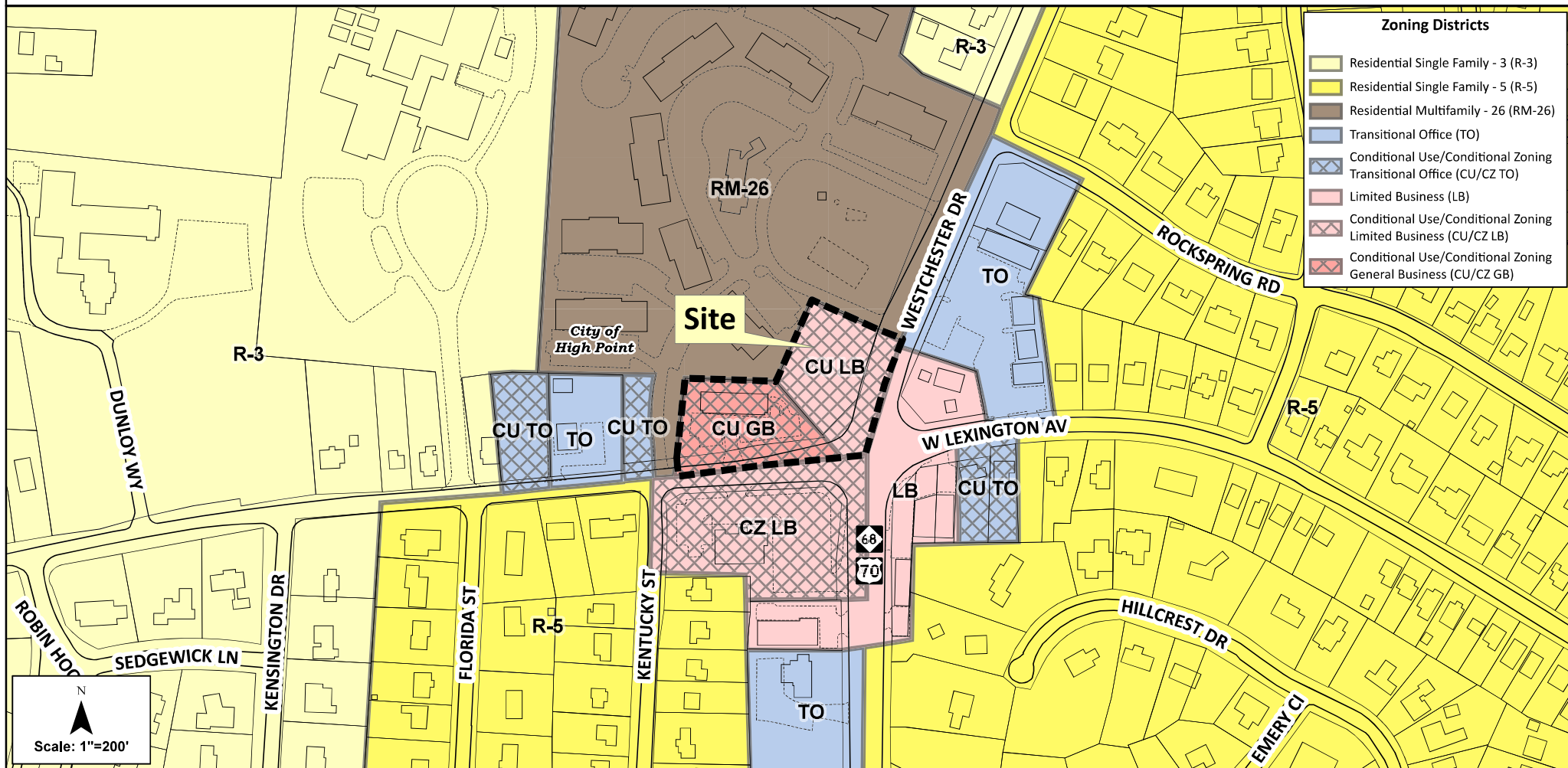


ZONING MAP AMENDMENT: ZA-23-15
ZONING MAP



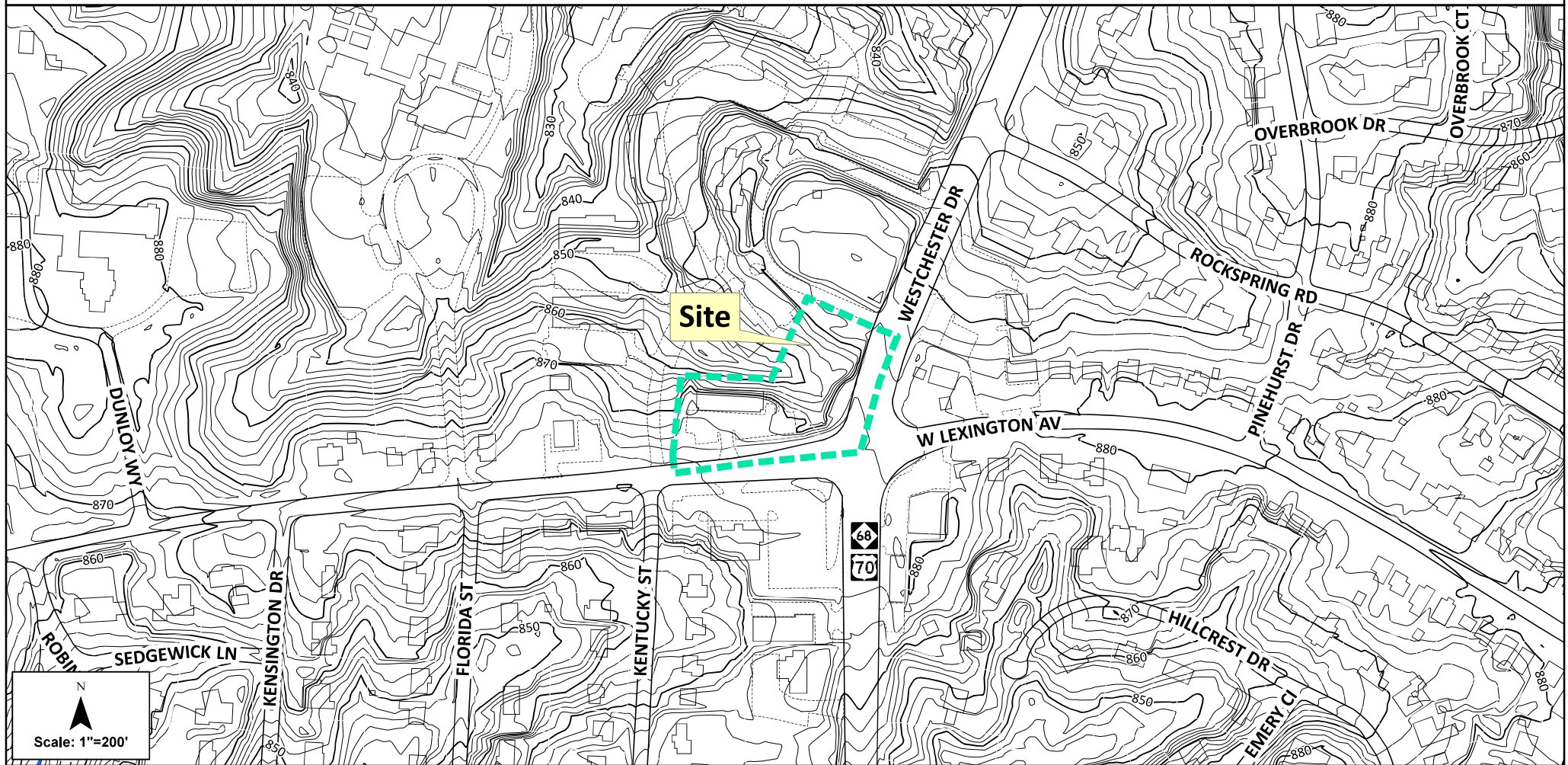
ZONING MAP AMENDMENT: ZA-23-15

COLOR-CODED ZONING MAP



ZONING MAP AMENDMENT: ZA-23-15

TOPOGRAPHY



ZONING MAP AMENDMENT: ZA-23-15

AERIAL PHOTOGRAPHY (FEB. 2022)



AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on June 27, 2023 and before the City Council of the City of High Point on July 15, 2023 regarding **Zoning Map Amendment Case 23-15 (ZA-23-15)** 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 June 17, 2023, for the Planning and Zoning Commission public hearing and on July 3, 2023 and July 10, 2023, for the City Council public hearing pursuant to Chapter 160D-602 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 **July 15, 2023**.

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 General Business (CZ-GB) District**. The property is approximately 1.48 acres, lying at the northwestern corner of W. Lexton Avenue and Westchester Drive. The property is addressed as 800 W. Lexington Avenue and 724 Westchester Drive and also known as Guilford County Tax Parcels 179335 and 179334.

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) Permitted Uses: Any principal use of the General Business (GB) District subject to the standards of the Development Ordinance, the specific conditions listed in this ordinance, and as further restrict by Condition Part I (Uses) b) and c) below.
- b) Restricted Uses: The following uses under the major or minor vehicular establishment use type shall be prohibited:

1. Vehicle sales associated with a dealership.
 2. Vehicle rental.
 3. Vehicle storage as a principal use (vehicle storage accessory to repair established is permitted).
 4. Vehicle towing & storage as a principal use (vehicle storage accessory to repair established is permitted).
- c) Prohibited Uses: The following uses enumerated in Principal Use Table (Table 4.1.9) of the Development Ordinance shall be prohibited.
1. Agricultural Use Classification
 - a. Agricultural Production (crops and livestock);
 2. Residential Use Classification
 - a. Live/work dwelling
 - b. Multi-family dwelling
 - c. Single-family attached dwelling
 - d. Triplex/quadplex
 - e. Social Service facility (Major and Minor)
 - f. Assisted Living Facility
 - g. Continuing Care Retirement Community
 - h. Long-Term care/skilled nursing facility
 3. Institutional Use Classification
 - a. Assembly, major and minor
 - b. Cemetery, Columbarium, mausoleum
 - c. Cultural facility, major and minor
 - d. Public Recreation facility
 - e. Public Safety facility, major
 - f. Other Post-secondary educational facility
 - g. School, major and minor
 - h. Medical care facility, major and minor
 - i. Park and Ride facility
 - j. Passenger Terminal
 - k. Taxi or limo service
 - l. Utility facility, minor
 4. Commercial Use Classification
 - a. Bar or nightclub, major and minor
 - b. Restaurant, major
 - c. Office, major
 - d. Parking, commercial
 - e. Personal Service, Major
 - f. Tattoo/body piercing
 - g. Amusement and entertainment
 - h. Amusement Park
 - i. Bulky item sales

- j. Convenience Store with fuel sales
 - k. Flea market/antique mall pawnshop
 - l. Retail Sales, Large
 - m. Retail Sale, major
 - n. Hotel or motel
 - o. R/V Park
5. Industrial Use Classification
- a. Motion Picture production
 - b. Self-storage, internal and external access
 - c. Warehouse and distribution

Part II. Conditions:

A. Development and Dimensional Requirements.

1. Site Plan and Landscape Plan Submittal and Approval:

a) Site Plan Approval:

- i. Site Plan: A Development Permit (site plan) shall be required to be submitted and approved. This plan shall formalize the grading, paving, vehicle circulation, vehicular parking, and stormwater control for Guilford County Tax Parcel 179334 (724 Westchester Drive). This plan shall be submitted by December 31, 2023 and approved no later than June 28, 2024.
- ii. Lot combination: As part of Development Permit (site plan) approval the two (2) lots associated with this zoning request shall be combined to form one parcel.

b) Landscape Plan Approval (landscaping, buffers and screening): A Development Permit (landscaping plan) shall be required to be submitted and approved. This plan shall be submitted by December 31, 2023 and approved no later than June 28, 2024. Landscaping from this plan shall be installed by December 31, 2024. At a minimum the landscaping shall consist of the following:

- i. A Type B Perimeter Landscape Yard (Semi-Opaque Landscape Yard), planted to the Type B rate, shall be installed along the western boundary of Guilford County Tax Parcel 179334 (724 Westchester Drive).
- ii. A Type C Perimeter Landscape Yard (Intermittent Landscape Yard), planted to the Type B rate, shall be installed along the entire length of the northern boundary of tax parcel 179334 (724 Westchester Drive), excluding the access drive between the properties.

- iii. A street yard with an average width of 10-feet and a minimum width of 8 feet shall be provided along the Westchester Drive frontage of the site. The minimum planting rate of this street yard shall consist of four (4) Understory trees per every 100 liner feet and 20 evergreen shrubs every 100 liner feet along the entire length of the eastern boundary of the site as it abuts the Westchester Drive right-of-way. The Planning Director may approve an alternate planting yard along the Westchester Drive frontage of the site to mitigate interference/conflicts between planting materials with adjacent overhead electrical lines.

2. Transportation :

- a) Access: Vehicular access shall be limited to the existing access drive on W. Lexington Avenue and through an access easement providing vehicular access to Westchester Drive over adjacent Westchester Keys Apartments property.
- b) Other Transportation Conditions The City of High Point Transportation Director and the North Carolina Department of Transportation (if applicable) shall approve the exact location and design of all access points 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 15th day of July, 2023

By: _____
Jay W. Wagner, Mayor

ATTEST:

Sandra R. Keeney, City Clerk

Citizens Information Meeting Report

Zoning Map Amendment 23-15

Submitted by: Mr. Andrew Harris, attorney for Wyatt-Early-Harris-Wheeler, on behalf of Dale & Esther Enterprise, LLC.

MEETING RECAP

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

From: R. Andrew Harris

Date: June 8, 2023

Re: Rezoning Case #ZA-23-15
Citizens Information Meeting, May 24, 2023

Rezoning Case #ZA-23-15, seeks to update the zoning on approximately 1.5 acres of property located at 800 West Lexington Avenue and 724 Westchester Drive, High Point, North Carolina 27262 to Conditional Use-General Business (CU-GB).

On May 24, 2024, we conducted a Citizen's Information Meeting in support of Rezoning Case #ZA-23-15 at our law offices located at 1912 Eastchester Drive, Suite 400, High Point, North Carolina 27265. Letters of invitation were mailed to 23 neighboring property owners on May 19, 2023.

The Sign-in sheet from the meeting along with the names and addresses of the persons that notices were sent and a copy of the notice itself are attached.

We had one person in attendance that was the property owner on the southeast corner of intersection between Westchester Drive and Lexington Avenue. He expressed support for the rezoning request. Additionally, in the letter to neighboring property owners, we also included an invitation for them to give me a call should they have any questions regarding the application. To this date, we have received no phone calls regarding the rezoning request.

Please Sign in.

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Steve Cargal

Steve Cargal

Cargal World Headquarters, LLC

711 W. Lexington Ave

High Point NC 27262

ALI, ARIF
1324 FLORIDA ST
HIGH POINT, NC 27262

ANDERSON, Z NEIL;ANDERSON, NANCY L
818 HILLCREST DR
HIGH POINT, NC 27262

BA, YAW
709 ROCKSPRING RD
HIGH POINT, NC 27262

BECK, J MICHAEL;BECK, JANE S
812 W LEXINGTON AVE
HIGH POINT, NC 27262

CARGAL WORLD HEADQUARTERSLLC
711 W LEXINGTON AVE
HIGH POINT, NC 27262

CARTER, ETHEL LUCILLE
1319 KENTUCKY ST
HIGH POINT, NC 27262

COOK, DAVID ALLEN;COOK, REGINA MARIE
1321 KENTUCKY ST
HIGH POINT, NC 27262

EVANS, ELLEN F
711 ROCKSPRING RD
HIGH POINT, NC 27262

GUILFORD COUNTY BOARD OF EDUCATION
712 N EUGENE ST
GREENSBORO, NC 27401

HIGH POINT UNIVERSITY
1 UNIVERSITY PKWY
HIGH POINT, NC 27268

HOOVER, ROBERT L
601 GATEWOOD AVE
HIGH POINT, NC 27262

LOFTIS, TIMOTHY SCOTT;FRITTS, REBECCA LEE
ANN
1320 KENTUCKY ST
HIGH POINT, NC 27262

MAMI LLC
1308 PRIMROSE LN
HIGH POINT, NC 27265

MMG PROPERTIES LLC
2019 EASTCHESTER DR
HIGH POINT, NC 27265

MOLDENHAUER, ZACHARY R
814 HILLCREST DR
HIGH POINT, NC 27262

PRETLOW, MARY KEEVER
314 HICKORY LN
HIGH POINT, NC 27265

SCHWANKE, ALISHA H;SCHWANKE, DAVID L
822 HILLCREST DR
HIGH POINT, NC 27262

SHRI NATH HOLDINGS LLC
2 SPRING HOPE CT
JAMESTOWN, NC 27282

TOWNSEND, JUDY SMITH
198 WESTBRIDGE RD
WINSTON SALEM, NC 27107

TRAN, HAO;DINH, HA
811 W LEXINGTON AVE
HIGH POINT, NC 27262

TUFAIL, SHOUKAT;BIBI, NAGINA
813 W LEXINGTON AVE
HIGH POINT, NC 27262

VAUGHAN, JOHN RANDALL;VAUGHAN, SHERRY W
1515 WALLBURG HIGH POINT RD
HIGH POINT, NC 27265

WESTCHESTER KEY APARTMENTS LLC
731 GAIL CHAMBERS RD
JACKSON, NJ 08572



WYATT EARLY HARRIS WHEELER
ATTORNEYS AND COUNSELLORS AT LAW

DAVID B. ASHCRAFT
FREDERICK G. SAWYER
JAMES R. HUNDLEY
JOHN D. BRYSON
SCOTT F. WYATT
MATTHEW C. JOBE
CORY A. RAYBORN
LEIGH ANNE KASIAS
R. ANDREW HARRIS
JONATHAN D. KEELER
DONAVAN J. HYLARIDES
KRISTIN S. CROWE
GRANT W. ALMOND

BRIAN M. KUPPELWEISER
HEATHER K. SISK
MOLLY R. CIACCIO

OF COUNSEL:
STANLEY F. HAMMER

RETIRED:
FRANK BURKHEAD WYATT
A. DOYLE EARLY, JR.
WILLIAM P. HARRIS
WILLIAM E. WHEELER

May 19, 2023

RE: Dale & Esther Enterprises, LLC Rezoning - 800 W. Lexington Ave, High Point, NC
Zoning Case ZA-23-15

I hope you are doing well.

My name is Andrew Harris and my Firm is counsel for Dale & Esther Enterprises, LLC, the owner of High Point Tire & Automotive located at 800 West Lexington Avenue, here in High Point.

We have filed an application on their behalf seeking to rezone their 2 lots (see attached map) and would like to invite you to a community meeting to be held on Wednesday, May 24, 2023, from 5:30 to 6:30pm (drop-in format) at our law offices located at **1912 Eastchester Drive, Suite 400, High Point, North Carolina 27265.**

The 2 lots currently carry different zoning classifications (CU-General Business and CU-Limited Business) and we are seeking to combine the lots into a single parcel and update the zoning district to CU-GB.

The rezoning application was submitted on May 15, 2023 and is to be considered at the next regular meeting of the City of High Point Planning & Zoning Commission which is scheduled for Tuesday, June 27, 2023 at 6:00pm. The meeting will be held in the City Council chambers.

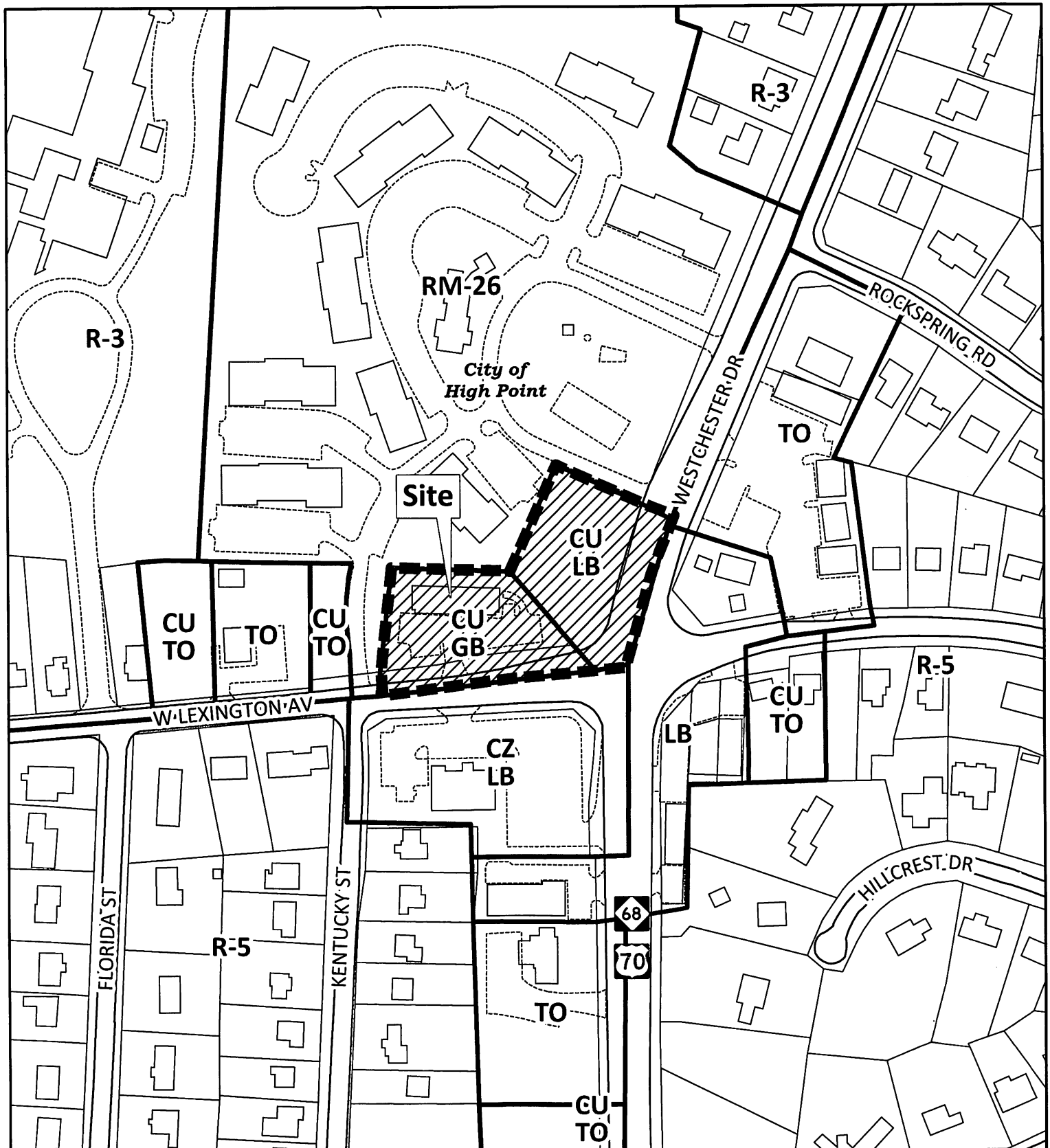
I have included with this letter, (i) a map which depicts the 2 lots along with their current zoning classifications and (ii) a "Citizen Information Meeting Statement" that has been prepared by the City of High Point and outlines the rezoning process. You are receiving this notice in that you own property that is located within 300 feet of the our client's property.

If you are unable to attend this meeting, please feel free to contact me directly and we can discuss any questions or comments via phone or meet at a later time/date.

Thank you for your time.

Sincerely,

Andrew Harris



ZONING MAP AMENDMENT ZA-23-15

From: Conditional Use Limited Business (CU LB),
Conditional Use General Business (CU GB)
To: Conditional Use General Business (CU GB)



Planning & Development Department

N



Scale: 1" = 200'

Existing Zoning Boundary
Subject Property Boundary



City of High Point
Citizen Information Meetings



Persons filing certain development applications with the City of High Point are required to hold a citizen information meeting. This requirement applies to applications for a Conditional Zoning District, Planned Development District, Special Use and a Zoning Map Amendment that proposes to establish a more intense zoning district.

The City of High Point finds that quality development is better achieved through an informed and cooperative process than an adversarial one. The purpose of the citizen information meeting is to allow the person filing an application, otherwise known as the applicant, the opportunity to inform citizens about their development proposal and to provide citizens the opportunity to ask questions and find out more about the proposal prior to any official public hearings.

The applicant's development proposal is officially presented to the Planning & Zoning Commission and City Council at their respective public hearings. At the public hearings, the Commission and Council hear comments and concerns from citizens regarding the proposal prior to making decisions. The public hearings are not the preferred setting for citizens to learn about a development proposal for the first time. It is difficult to gain understanding of a proposal and offer well thought out comments during the relatively short time of a public hearing. The citizen information meeting is important in that it can provide basic information and allow communication with the applicant before the public hearings, so that citizens may informatively develop their comments and any concerns, and later present them at the public hearings for consideration.

Applicants may vary the form and number of citizen information meetings they conduct; however, they are required to contact or otherwise notify owners of property located within 300 feet of the proposed site. Whatever form the meeting takes, those citizens participating are provided with this written statement from the City of High Point, which describes the purpose of the citizen information meeting, the application process and where additional information may be obtained from the City. In addition, the applicant must provide a description of the development proposal and are encouraged to share any other available information that would help citizens to better understand it.

After the application is filed with the City's Planning & Development Department, the applicant submits to the City a written summary of the citizen information meeting(s). At a minimum, this report records:

- The date, time, and location of the meeting;
- The method and date of notification about the meeting;
- A list of landowners notified about the meeting;
- A list of meeting attendees;
- If the meeting was conducted as a series of telephone calls;
- The description of the development proposal presented to the attendees; and
- A summary of attendee comments, ideas, and suggestions from citizens to be incorporated into the development proposal.

Before the public hearings are held, the City's Planning & Development Department mails notices to all owners of property located within 300-feet of the site. This notice provides a brief summary of the application; the time, date and place of the Planning & Zoning Commission public hearing; and contact information. A second notice is mailed prior to the City Council's public hearing with similar information. Also, signs are placed on the site giving notice of the request and the City's public hearings.

After hearing public comments and considering the development proposal, the Planning & Zoning Commission makes a recommendation to the City Council who, after holding their public hearing, decides what action should be taken on the proposal. Changes to the applicant's proposal can occur during this process in order to insure consistency with City policy and development regulations, and to minimize expected impacts that can be generated by the development or use of the site.

Development conditions can be adopted by the City Council for a Conditional Zoning District, Planned Development District, or Special Use. However, no condition can be included that:

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

Citizens are strongly encouraged to contact the City's Planning & Development Department and visit the website below for additional information on the City's zoning process, and for information about specific development proposals.

Contact:

Planning & Development Department 336-883-3328

www.buildhighpoint.com

FINANCE COMMITTEE

Chaired by Council Member Moore

Committee Members: Moore, Holmes, Jones, and Peters

June 15, 2023 – 4:00 P.M.

Council Chambers

211 S Hamilton Street

FINANCE COMMITTEE - Britt W. Moore, Chair

CALL TO ORDER

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

Present: Chair Britt Moore, Council Member Monica Peters, Michael Holmes, and Victor Jones

PRESENTATION OF ITEMS

2023-286 Consideration of a Resolution of the High Point City Council Authorizing Upset Bid Process for Sale of City Property Located at 810. E. Russell Avenue High Point, NC

City Council is requested to approve a resolution authorizing the upset bid process for sale of city property located at 810. E. Russell Avenue in the amount of \$7,500.00 in accordance with N.C.G.S. §160A-269.

Kim Thore, Right of Way Coordinator, stated this is a sale of property at 810 E. Russell Avenue which is a vacant lot that is approximately 0.23 acre. American Property Services Co. has offered \$7,500 and staff recommends authorizing the sale through the upset bid procedure.

In response to Chairman Moore, Ms. Thore stated the city has conducted business with American Property Services Co. which is based out of Greensboro and they build affordable housing.

Chairman Moore made a motion, seconded by Committee Member Holmes, to approve agenda item 2023-286.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

2023-287 Consideration of an Ordinance Amending the 2022-2023 Budget Ordinance of the City of High Point, North Carolina to Appropriate Interest Income Accumulated from American Rescue Plan Act (ARPA) Funds

City Council is requested to approve the budget ordinance amendment for the use of interest income accumulated from the ARPA funds. Total interest accumulated is \$127,000 and will be utilized for the third-floor replacement at the High Point Public Library (\$77,000) and for general Parks and Recreation improvements (\$50,000).

Bobby Fitzjohn, Finance Services Director, stated typically federal grants are awarded on a reimbursement bases which means the city spends the money first and then a

reimbursement is received. The ARPA funds received, were given to the city in advance and over time those funds have accrued \$127,00 in interest income. There are no restrictions regarding utilizing the interest and staff is recommending using the funds for one-time capital expenditures which includes the third floor replacement at the High Point Public Library in the amount of \$77,000 and general parks and recreation improvements in the amount of \$50,000.

In response to Committee Member Jones, Mr. Fitzjohn stated the funds for parks and recreation would be utilized for general equipment.

In response to Chairman Moore, Mr. Fitzjohn stated federal grants are awarded on a reimbursement bases and the city does not receive the money upfront so there is no interest accumulated on the grant funds. With the ARPA funds, the city did receive the funds and interest has accumulated and can be used for any governmental purpose as there is no requirement that interest needs to be returned to the federal government.

A motion was made by Chairman Moore, seconded by Committee Member Jones, to approve agenda item 2023-287.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

2023-288 Consideration of an Ordinance Amending the 2022-2023 Budget Ordinance of the City of High Point, North Carolina to allow proper accounting of the capital lease

City Council is requested to approve a budget ordinance amendment which is necessary to properly record the City's outstanding leases and subscription-based information technology arrangements (SBITAs).

Bobby Fitzjohn, Finance Services Director, stated there are certain transactions that occur during the year that the city must treat as a capital purchase. This year the Governmental Accounting Standards Board is requiring that subscription-based information technology arrangements be considered as if the city is purchasing a piece of equipment. This would be things like entering into agreements for software such as Microsoft Office 365, Rubicon software for tracking city service trucks etc. This ordinance will allow financial services to properly record leases that have previously been entered.

A motion was made by Chairman Moore, seconded by Committee Member Holmes, to approve agenda item 2023-288.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

2023-289 Consideration of an Ordinance Amending Title 11 Chapter 2 Section 11-2-44 of the High Point City Code Regarding Method of Determining Fare

City Council is requested to approve an ordinance to update and increase taxicab fares.

Eric Olmedo, Assistant City Manager, stated the taxi rates in High Point are set by the City Council. Representatives from both companies have requested that Council consider raising rates. Rates have not been raised since 2008 and based on current gas prices, insurance cost, as well as maintenance on the vehicles the company is asking the City to raise the rate to match Greensboro's rates. He noted the pick-up fee would increase to \$3.80, fare per mile would increase to \$0.40, and waiting per hour would increase to \$24.00.

In response to Committee Member Holmes, Mr. Olmedo stated the clientele of those utilizing the taxi companies are older and they are generally taking trips to medical facilities, do not use credit cards, and have no desire to use public transportation. He noted that not having the taxicab services in High Point would be more detrimental than raising the rates to keep up with cost.

In response to Committee Member Jones, Mr. Olmedo stated the rates are not to exceed the proposed rates, and the company could charge less if needed.

A motion was made by Chairman Moore, seconded by Committee Member Jones, to approve agenda item 2023-289.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

2023-290 Consideration of a Request to Approve an Extension of the Pass-Through Grant Agreement to the High Point Chamber Foundation for the THRIVE Minority Entrepreneurship Initiative

City Council is requested to approve an extension of the Pass-Through Grant Agreement to the new completion date of July 1, 2026 and authorize appropriate City Officials to amend the Pass Through Agreement with the High Point Chamber Foundation.

Eric Olmedo, Assistant City Manager, stated last year the city received a \$1.0 million grant from the State of North Carolina, and the city passed it through to the High Point Chamber Foundation for their THRIVE Minority Entrepreneurship Initiative. In the original documents the city asked that it be effective through June 2026, however, when it was finalized, it was for one year. The city has received the funds and has worked with the state to make sure the city can have an agreement with the High Point Chamber Foundation to extend the Pass-Through Grant Agreement to July 1, 2026, and the state approved. The High Point Chamber Foundation has spent \$154,730.42 and has a remaining amount of \$845,269.58 to spend.

A motion was made by Chairman Moore, seconded by Committee Holmes, to approve agenda item 2023-291.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

2023-291 Consideration of a Contract with Solutions of America in the amount of \$96,025 for Security Services at the City of High Point Public Library

City Council is requested to award a contract for Security Services with Solutions of America in the amount of \$96,025 per year, for a three-year period beginning after July 1, 2023 and authorize the appropriate City Official(s) to execute the necessary documents.

Mary Sizemore, Library Director, stated this item is a contract to provide unarmed guards for the Library during operating hours and for special after hour events. There were six bids received and Security Solutions of America was selected. This contract is for three years in the amount of \$96,025 beginning July 1, 2023, with the option of two additional one year periods. Ms. Sizemore noted that the Library budgeted \$99,000 for the fiscal year and the current amount is under budget.

In response to Chairman Moore, Ms. Sizemore stated the total amount is \$96,025 and there are generally two guards onsite with the exception of Friday-Sunday in which there is one guard.

A motion was made by Chairman Moore, seconded by Committee Member Holmes, to approve agenda item 2023-291.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

2023-292 Consideration of a Contract Extension with EZGO for the Golf Cart Lease Program for Oak Hollow and Blair Park Golf Courses

City Council is requested to authorize a 59-month contract extension with EZGO for the Golf Cart Lease Program in the amount of \$1,023,403.97 and authorize the appropriate City Official(s) to execute all necessary documents.

Lee Tillery, Parks and Recreation Director, stated this is a lease contract extension proposal from EZGO for the golf carts and other utility vehicles for both golf courses. The city has conducted business with EZGO for the past nine years, and for the past six years there has not been a price increase until now. This is a 59-month contract extension which will includes 120 golf carts for both golf courses, two ranger carts, along with beverage and shuttle carts. He noted a notable change is the move to lithium batteries for all 120 carts which utilizes 50% less electricity, last three times longer than previous batteries, and come with a 5-year warranty with unlimited use. The company will also provide new charging stations at each location and noted the carts are much lighter than the current carts which will be less wear and tear on the golf courses. He stated the new lease payments will begin upon arrival of the new fleet in April or May of 2024. He noted with the increase of the cost of the golf carts there would be a need to increase rental fees for the 2024-2025 budget year and the annual cost of the contract for both golf courses will be \$208,149.96

In response to questions, Mr. Tillery spoke to current golf cart fees compared to other golf courses in the area as well as safety factors.

A motion was made by Chairman Moore, seconded by Committee Member Jones, to approve agenda item 2023-292.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

2023-293 Consideration of a Contract with HH Architecture in the amount of \$115,000 for Pre-Design Services for the New Center for Active Adults

City Council is requested to authorize the appropriate City Official to execute a scope of services task order with HH Architecture in the amount of \$115,000 and approve the Capital Project Budget Ordinance.

Lee Tillery, Parks and Recreation Director, stated this item is regarding a contract with HH Architecture which is on the city's master list of architects noting they have extensive experience with senior centers. He explained this phase would involve reviewing the project and building concepts, programming requirements, design, and in the end the city will receive a cost estimate. He noted the company has a sub consultant which is Dewberry which will review the site and civil issues such as location of building, parking, and anything dealing with the land and developmental restraints, storm water, and the outdoor amenities. He stated a Senior Center Consultant which is Lifespan Design Studio will facilitate the design which would be the equivalent of a site master plan and meet with the community and the seniors at the center to get an idea of what they want.

He stated the company will present the city with three different options and will be able to provide a better cost estimate.

In response to Chairman Moore, Mr. Tillery stated this information should be provided to the city within six to seven weeks.

A motion was made by Chairman Moore, seconded by Committee Member Holmes, to approve agenda item 2023-293.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

In response to Chairman Moore, Mr. Tillery provided an update regarding a recent meeting concerning the overlook and Eastchester.

2023-294 Consideration of a Municipal Agreement with North Carolina Department of Transportation (NCDOT) for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Funding to Construct Improvements to Elm Street and Construct Phases 1-3 of the Southwest Heritage Greenway

City Council is requested to approve the Municipal Agreement with NCDOT for RAISE funding for improvements to Elm Street and Phases 1-3 of the Southwest Heritage Greenway for a total cost of \$28,489,089 in which the City will budget and get reimbursed as work is completed.

Greg Venable, Director of Transportation, stated this is a Municipal Agreement with North Carolina Department of Transportation for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) funding to construct improvements to Elm Street and Phases 1-3 of the Southwest Heritage Greenway. He stated High Point submitted this project for consideration along with NCDOT and the Southwest Renewal Foundation and was awarded 2021 RAISE funding by the United States Department of Transportation (USDOT). Construction is anticipated to begin in the fall of 2024 with an estimated completion date of October 31, 2028. The total cost of project is \$28,489,089. Of this amount, USDOT is responsible for \$19,801,253, the city received and will utilize \$1,500,00 in Community Project Funding/Congressionally Directed Spending from the US Department of Housing and Urban Development as well as \$200,000 in Spot Safety Program funds from NCDOT. The city is responsible for the remaining cost of \$6,987,836. He stated the City Council approved FHWA's Three-Party Agreement in January 2023 to seek funding authorization and this Municipal Agreement is necessary to submit for reimbursement.

A motion was made by Chairman Moore, seconded by Committee Member Jones, to approve agenda item 2023-294.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

2023-295 Consideration of a Contract with Alta Engineering SE, PLLC (ALTA) in the amount of \$2,862,495.84 for Professional Engineering and Design Services for Improvements for High Point RISE along Elm Street and Phases 1-3 of the Southwest Heritage Greenway

City Council is requested to award a contract with ALTA for the proposed project, approve the budget ordinance for the RAISE Grant, and authorize the appropriate City Official(s) to execute the necessary documents.

Greg Venable, Transportation Director, stated this is a contract with Ata Engineering for professional engineering and design services related to phases 1-3 of the Southwest Heritage Greenway and Elm Street. A request for qualifications were released in February 2023 in which three responses were received an Alta was selected. He stated the design work associated with each phase can happen simultaneously with the understanding that Elm Street will be let for construction first. The award contract will be for 15 months. Alta will provide professional design services for a lump sum fee of \$2,862,495.84. A budget ordinance amendment appropriating the federal and state grant awards are included with this item. Mr. Venable noted the funds for the water and sewer

and electric items for this project will be covered by existing capital appropriations and future Capital Improvements Program allocations.

A motion was made by Chairman Moore, seconded by Committee Member Holmes, to approve agenda item 2023-295.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

2023-296 Consideration of Waterview Pump Station Forcemain Extension Change Order No. 3 to Baker Underground Inc. in the Amount of \$165,610.39

City Council is requested to approve Change Order No. 3 to Baker Underground Inc. in the amount of \$165,610.39 and approve a 45-day extension to the contract end date, which will be July 21, 2023.

Derrick Boone, Public Service Assistant Director, stated the original contract for the Waterview Pump Station forcemain extension project was awarded to Banker Underground in May of 2022. The city is nearing the end of the project and there is a need for Change Order #3 which includes adding 45 days to the contract, stormwater drainage improvements and other additional cost. He noted this would be the last Change Order for this project and asked that Change Order No. 3 be approved in the amount of \$165,610.39, and a 45-day extension to the end of the contract date.

A motion was made by Chairman Moore, seconded by Committee Member Holmes, to approve agenda item 2023-296.

Motion carried with the following vote:

Aye: Chair Moore, Committee Member Holmes, and Committee Member Jones

Absent: Committee Member Peters

ADJOURNMENT

There being no further business to come before the Committee, the meeting adjourned at 4:34 p.m.

Respectfully Submitted,

Britt Moore, Chairman

Attest:

Sandra Keeney
City Clerk

DRAFT

FINANCE COMMITTEE
Chaired by Council Member Moore
Committee Members: Moore, Holmes, Jones, and Peters
DECEMBER 1, 2022 – 4:00 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING

MINUTES

CALL TO ORDER

Chairman Moore called the meeting to order at 4:01 p.m.

Following roll call by Chairman Moore, the following Committee Members were **Present (3)**:

Chairman Britt W. Moore
Committee Member Victor Jones
Mayor Jay Wanger (Alternate Voting Committee Member)

Absent (2):
Committee Member Monica Peters
Committee Member Michael Holmes

Staff Members Present:

Tasha Logan Ford, City Manager; Greg Ferguson, Deputy City Manager; Damon Dequenne, Assistant City Manager; Meghan Maguire, Deputy City Attorney; Jeron Hollis, Managing Director; Bobby Fitzjohn, Director of Financial Services; Stephen Hawryluk, Budget & Performance Manager; Kevin Rogers, Fleet Services Director; Nena Wilson, Interim Community Development Director; Mary S. Brooks, Interim City Clerk

PRESENTATION OF ITEMS

2022-566 Equipment for Surplus - Landfill Operations Division

City Council is requested to approve the listed Landfill Operations Division equipment as surplus and sold through the online auction process.

2006 Caterpillar D7R II Dozer

2006 Caterpillar 325DL Excavator

2008 CMI Terex TC550 Compactor

2011 CMI Terex TC550 Compactor

2005 CMI Terex 390E Compactor

Kevin Rogers, Fleet Services Director reported identified equipment that was currently being used for as either spare units or for parts and that they were no longer needed; that staff would like to deem the equipment as surplus and sell them through the online auction process; said that the revenue would be captured in the 2022-23 budget; and that the Fleet Services Department is recommending approval to deem the identified equipment as surplus and sell them through the online auction process.

Chairman Moore moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Mayor Wagner (Alternate) made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

2022-567 Environmental Services Positions Reallocation

City Council is requested to approve the reallocation of three (3) part time Environmental Services Worker positions to two (2) full time Environmental Services Special Route Operator positions to allow for a consistent and ease of scheduling while utilizing non-CDL equipment to meet the needs of downtown and other collection needs.

Robby Stone, Public Services Director reported that this request was to reallocate three part time Environmental Services Worker positions to two full time Environmental Services Special Route Operator positions; outlined the criteria for the job descriptions; explained that the part time positions were limited to a maximum number of hours worked annually; spoke to the benefits for the requested positions; the two full time Special Route Operator positions were anticipated to have an annual cost of \$93,258 which is approximately \$1,600 less than salary costs for three part time worker positions; and that funds are available in the FY 2022-2023 budget. The Public Services Department is recommending approving the reallocation of three part time Environmental Services Worker positions to two full time Environmental Services Special Route Operator positions to allow for a consistent and ease

of scheduling while utilizing non-CDL equipment to meet the needs of downtown and other collection needs.

Chairman Moore moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Mayor Wagner (Alternate) made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

2022-568 Contract Renewal - Sole Source - Computerized Maintenance Management System (CMMS)-Accruent

City Council is requested to approve a sole source contract renewal with Accruent in the amount of \$52,560.86 for the computerized maintenance management system (CMMS) software that centralizes maintenance information and facilitates the processes of maintenance operations.

Robby Stone, Public Services Director reported that a computerized maintenance management system (CMMS) is software that centralized maintenance information and facilitates the processes of maintenance operations; the Water and Sewer Plant Maintenance Division utilizes Accruent CMMS software for tracking the operation, maintenance, and replacement of equipment at the water and wastewater facilities; this is a one-year contract renewal; and that funding is available in the 2022-2023 Budget. The Public Services Department is recommending that Accruent be approved as a sole source vendor for the annual renewal of the CMMS software for \$52,560.86.

Chairman Moore moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Committee Member Jones made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

2022-569 Contract - Kemp Construction, Inc. - Eastside Wastewater Treatment Plant (WWTP) Final Clarifier #3

City Council is requested to award a contract to Kemp Construction, Inc. in the amount of \$106,524 to install replacement parts that have been pre-purchased from Evoqua Water Technologies for the repair of final clarifier #3 at the Eastside Wastewater Treatment Plant (WWTP).

Robby Stone, Public Services Director reported that this was a request to hire a contractor to install replacement parts that had been pre-purchased from Evoqua Water Technologies for the repair of final clarifier #3 at the Eastside Wastewater Treatment Plant (WWTP); said that the WWTP had four final clarifiers that are downstream of the Biological and Nutrient Removal Process (BNR); final clarifier #3 needs a replacement drive assembly, Unitube Tow Bro Header, and additional miscellaneous parts; due to the scope of the work, it was necessary to hire a contractor to install the replacement parts; and that funds for this project are available in the FY 2022-2023 budget. The Public Services Department is recommending approval and asks for City Council to award the contract to the lowest bidder, Kemp Construction Inc., in the amount of \$106,524.00.

Committee Member Jones moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Chairman Moore made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

2022-570 Contract(s) Chandler Concrete Co. (Primary) Childers Concrete Co. (Secondary) Citywide (Public Services)

City Council is requested to award a contract to Chandler Concrete Co. in the amount of \$153,037.50 (Primary) & Childers Concrete Co. \$173,875.00 (Secondary) to provide concrete materials to city crews allowing the availability of materials to be supplied when performing maintenance functions that require various different types of concrete such as sidewalk, curb/gutter and related repairs to the stormwater drainage system, etc. within the jurisdictional limits of the City.

Robby Stone, Public Services Director reported that the City continues to budget on an annual basis for suppliers to provide concrete materials to city crews; said that this would allow the availability of materials to be supplied when performing maintenance functions that required various different types of concrete such as sidewalk, curb/gutter and related repairs to the stormwater drainage system, etc. within the jurisdictional limits of the city; on Friday, September 23rd, 2022, the City of High Point held the bid opening where two bids were received, which came from Chandler Concrete Co. in the amount of \$153,037.50 and

Childers Concrete Co. in the amount of \$173,875.00; this contract had an availability date upon a notice to proceed, or execution of contracts by the City of High Point and Chandler Concrete Co. (Primary) & Childers Concrete Co. (Secondary), whichever occurs first, with a contract completion date of December 30th, 2023; and that funds for this contract are available in the FY 2022-2023 budget. The Public Services Department is recommending approval of the contract and that the appropriate City official and/or employee be authorized to execute all necessary documents to award the contract to Chandler Concrete Co. (Primary) in the amount of \$153,037.50 and Childers Concrete Co. (Secondary) in the amount of \$173,875.00.

Chairman Moore moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Committee Member Jones made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

2022-571

Contract - Oltrin Solutions / Trinity Manufacturing, Inc. - Sodium Hypochlorite

City Council is requested to award a contract to Oltrin Solutions / Trinity Manufacturing Inc. in the amount of \$437,580 for the supply of Sodium Hypochlorite chemical product used at the City's water and wastewater treatment facilities for treatment processes to each of the following plants: Ward Water Treatment Plant (WTP), Eastside Wastewater Treatment Plant (WWTP), Westside Wastewater Treatment Plant (WWTP).

Robby Stone, Public Services Director reported that the chemical product Sodium Hypochlorite was used at the City's water and wastewater treatment facilities for treatment processes; explained that it was used for the disinfection of drinking water at the water plant and for odor control at the wastewater treatment plants; this contract is for the supply of Sodium Hypochlorite to each of the following plants: Ward Water Treatment Plant (WTP), Eastside Wastewater Treatment Plant (WWTP), Westside Wastewater Treatment Plant (WWTP); said that bids for Sodium Hypochlorite were received on November 17, 2022; Oltrin Solutions / Trinity Manufacturing Inc. was the lowest responsive bidder at \$1.95/gallon; and that funds for this project are available in the FY 2022-2023 budget. The Public Services Department is recommending awarding the contract to Oltrin Solutions / Trinity Manufacturing Inc. in the amount of \$437,580.00.

Chairman Moore moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Committee Member Jones made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

2022-572 North Carolina Department of Transportation (NCDOT) - Reimbursement Schedule C

City Council is requested to approve the municipal agreements with the North Carolina Department of Transportation (NCDOT) schedule C to allow the City to be reimbursed for costs associated with the operation of the High Point Signal System. Reimbursement for costs associated with Schedule C are capped at \$300,000 per year. These new schedules cover preventive maintenance and the replacement of damaged, inoperative, or obsolete equipment and include updated pricing for equipment, materials, and labor, and both agreements will be retroactive to July 1, 2022 and effective for one (1) year, and may be renewed annually by the City Manager for up to five (5) additional years before a new agreement is required.

Greg Venable, Transportation Director reported that the North Carolina Department of Transportation (NCDOT) had presented the City with a new reimbursement Schedule C; that the Schedule C municipal agreement covers the maintenance costs of state-owned traffic signals that are operated with the City's traffic control system; the agreement applied to preventative and routine maintenance, component testing, repair, and replacement, and construction activities associated with signalized intersection upgrades and rebuilds; the last Schedule C revision was in 2014; the agreement would be retroactive to July 1, 2022 and effective for one (1) year, and may be renewed annually by the City Manager for up to five (5) additional years before a new agreement is required. Schedule C allows the city to be reimbursed for costs associated with the operation and maintenance of High Point traffic signals; reimbursement for costs associated with Schedule C were capped at \$300,000 per year; and that these funds are included in the General Fund for Transportation Operations and the prior year reimbursements for Schedule C were approximately \$258,000. The Transportation Department requests City Council's approval of the Municipal Agreement - Schedule C with the North Carolina Department of Transportation (NCDOT).

Chairman Moore moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Committee Member Jones made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

2022-573 North Carolina Department of Transportation (NCDOT) - Reimbursement Schedule D

City Council is requested to approve the municipal agreements with the North Carolina Department of Transportation (NCDOT) schedule D to allow the City to be reimbursed for costs associated with the operation of the High Point Signal System. The base amount for costs to be reimbursed that are associated with Schedule D are \$141,000 per year. These new schedules cover preventive maintenance and the replacement of damaged, inoperative, or obsolete equipment and include updated pricing for equipment, materials, and labor, and both agreements will be retroactive to July 1, 2022 and effective for one (1) year, and may be renewed annually by the City Manager for up to five (5) additional years before a new agreement is required.

Greg Venable, Transportation Director reported that the North Carolina Department of Transportation (NCDOT) had presented the city with a new reimbursement Schedule D; said that the Schedule D municipal agreement covered the operation and maintenance of the High Point Signal System; this agreement applied to the electronic system components, computer terminals and workstations, a dedicated fiber optic communications network, and closed-circuit TV cameras use to monitor system operations and performance; outlined the current city's signal system; said that the new schedule covers preventive maintenance and the replacement of damaged, inoperative, or obsolete equipment; the application of the agreement would be retroactive to July 1, 2022, and effective for one (1) year, and may be renewed annually by the City Manager for up to five (5) additional years before a new agreement is required. Schedule D allows the city to be reimbursed for costs associated with the operation of the High Point Signal System; the base amount for costs to be reimbursed that were associated with Schedule D are \$141,000 per year; costs for expenses above the base amount of Schedule D were reimbursed at a pro-rated amount equal to the ratio of state to city signals within the system; and that funds are included in the General Fund for Transportation Operations and the prior year reimbursements for Schedule D were approximately \$147,000. The Transportation Department requests City Council's approval of the Municipal Agreement – Schedule D with the North Carolina Department of Transportation (NCDOT).

Chairman Moore moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Committee Member Jones made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

2022-574 Master Professional Service Agreements for Architectural Services with ADW, Clark Patterson Lee, Creech & Associates, Davis Kane, ESPA, Freeman Kennett, HH, Lindsey, McAdams, SEH, SCN, Stimmel, Summit, & Wooten

City Council is requested to authorize the City Manager and the appropriate city officials to execute Master Professional Service Agreements for architectural services with ADW, Clark Patterson Lee, Creech & Associates, Davis Kane, ESPA, Freeman Kennett, HH, Lindsey, McAdams, SEH, SCN, Stimmel, Summit, and Wooten to provide such services for City departments on an as needed basis through five (5) year master agreements.

Bobby Fitzjohn, Financial Services Director reported that the Financial Services Department is recommending that the City Council approve the selection of fourteen (14) Architectural and Design Firms to provide such services for City departments on an as needed basis through five (5) year master agreements; on November 9, 2022, proposals were received from qualified Consultants to provide professional services to support various City Departments on an on-call basis; said that a Master Agreement ("Agreement") would be entered in to with the selected Consultant(s) to supply services in the following areas of work: basic architecture; landscape architecture; interior design; planning; structural; mechanical, civil; electrical services; and or surveying; consultations; presentations or related services incidental thereto; fees would be negotiated with the selected Consultant after which a Supplemental Agreement would be prepared for the project; proposals were received from fourteen (14) qualified Firms/Consultants; a selection committee comprised of staff from Purchasing, Information Services, and Parks and Recreation, reviewed the proposals and determined that all Fourteen (14) Firms/Consultants were qualified to perform the required services; the firms have a varying range of disciplines to include new construction build, fire department projects, landscape projects, consulting etc.; based on the reviews and recommendations from the committee members, it was recommended that Master Agreements be entered into with all of the following Firms/Consultants: ADW, Clark Patterson Lee, Creech & Associates, Davis Kane, ESPA, Freeman Kennett, HH, Lindsey, McAdams, SEH, SCN, Stimmel, Summit, and Wooten; and that funds were budgeted annually as well as in capital project ordinances when adopted. Staff is recommending approval to authorize the City Manager and the appropriate city officials to execute Master Professional Service Agreements for architectural services with ADW, Clark Patterson Lee, Creech & Associates, Davis Kane, ESPA, Freeman Kennett, HH, Lindsey, McAdams, SEH, SCN, Stimmel, Summit, and Wooten.

Chairman Moore moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Committee Member Jones made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

Mr. Fitzjohn recognized Erik Conti in attendance who would be retiring; and voiced appreciation for his service to the city.

Chairman Moore voiced appreciation to Mr. Conti for his dedication and service.

2022-575 Contract - Change Order No.2 - KBS Construction, Inc. - Upper Piedmont Lake Dredging and Dam Maintenance

City Council is requested to approve Change Order No. 2 to KBS Earthworks Inc. in the amount of \$119,496.00 which is for removal of approximately 1,300 cubic yards of additional sediment to restore the stormwater storage and collection capacity within the Upper Piedmont Lake to its original design.

Robby Stone, Public Services Director reported this request was to approve Change Order Number 2 in the amount of \$119,496.00 which was for removal of approximately 1,300 cubic yards of additional sediment from the Upper Piedmont Lake; said that this would restore the stormwater storage and collection capacity within the Upper Piedmont Lake to its original design; this project was currently under construction and was awarded to KBS Construction Inc. during on August 15, 2022, by City Council in the amount of \$384,377.50, and that the Piedmont Lake and Upper Piedmont Lake Dam system was constructed in 1993; City Staff approved Change Order Number 1 which re-directed the disposal of lake sediment from the Kersey Valley Landfill to the Kearns Street Land Clearing and Inert Debris disposal site in the amount of \$67,827.37.; Schnabel Engineering serves as the consulting engineer for this project; and that funds for this project are available in the FY 2022-2023 budget. Public Services is recommending that Council approve Change Order No. 2 to KBS Earthworks Inc. in the amount of \$119,496.00.

Chairman Moore moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Mayor Wagner (Alternate) made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

2022-576 Contract - Community Housing Solutions (CHS) - Cedrow Affordable Housing Project

City Council is requested to award a contact to Community Housing Solutions (CHS) in the amount of \$1,486,886.56 to construct six affordable homes in the Cedrow Affordable Housing Project and that the appropriate City official and/or employee be authorized to execute all necessary documents.

Nena Wilson, Interim Community Development Director reported that the Community Development and Housing Department proposed to execute a contract with Community Housing Solutions (CHS) in the amount of \$1,486,886.56 to construct six affordable homes in the Cedrow Affordable Housing Project; said that construction was expected to begin after January 1st; CHS had been a Community Housing Development Organization (CHDO) with the City of High Point since 2015; since that time, they have constructed and sold 11 homes in the Southside and Cedrow communities; said that CHDO is a private nonprofit, community-based service organization whose primary purpose was to provide and develop decent, safe, and affordable housing for the community it served; CHS had met HUD requirements for designation as a CHDO based on their mission, housing development experience, and governing board composition, and had therefore been certified by the department; in addition to meeting CHDO requirements, CHS had demonstrated the organizational capacity and willingness to be a valued partner to the City of High Point as we work together to build much needed affordable housing in our community. Ms. Wilson stated that the funding source for this project would be federal HOME funds and there were sufficient funds in the FY2022-23 budget. The Community Development and Housing Department is recommending approval of the contract and that the appropriate City official and/or employee be authorized to execute all necessary documents

Chairman Moore moved to forward this matter to the City Council with a favorable recommendation and place it on the December 5, 2022, City Council Finance Committee Consent Agenda for approval. Mayor Wagner (Alternate) made a second to the motion. Following a roll call vote by Chairman Moore, the motion carried by the following 3-0 unanimous vote:

Aye (3): Chairman Moore, Committee Member Jones, and Mayor Wagner (Alternate)

Absent (2): Committee Member Peters, and Committee Member Holmes

ADJOURNMENT

The meeting was adjourned at 4:18 p.m. upon motion by Chairman Moore and second by Committee Member Jones.

Respectfully Submitted,

Britt W. Moore, Chairman
Finance Committee

Attest:

Mary S. Brooks, CMC
Interim City Clerk

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
DECEMBER 5, 2022 – 4:30 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

MINUTES

CALL TO ORDER and ROLL CALL

Mayor Wagner called the meeting to order at 4:51 p.m.

Upon call of the roll, the following Council Members were Present (7):

Mayor Jay W. Wagner; Mayor Pro Tem Monica L. Peters, Ward 3; Council Member Tyrone Johnson, At Large [arrived at 5:29 p.m.]; Council Member Cyril Jefferson, Ward 1; Council Member Wesley Hudson, Ward 4 Council Member Victor Jones, Ward 5; and Council Member Michael Holmes, Ward 6 [arrived at 5:31 p.m.]

Absent (2): Council Member Britt W. Moore, At Large Council Member Christopher Williams, Ward 2

Staff Present:

Tasha Logan Ford, City Manager; Greg Ferguson, Deputy City Manager; Eric Olmedo, Assistant City Manager; Damon Dequenne, Assistant City Manager; JoAnne Carlyle, City Attorney; Meghan Maguire, Assistant City Attorney; Sandy Dunbeck, Economic Development Director; Montanna Brown, Economic Development Manager; and Mary S. Brooks, Interim City Clerk

PRESENTATION OF ITEMS

2022-580 Closed Session-Economic Development and Personnel

Council is requested to go into Closed Session Pursuant to N.C. General Statute §143-318.11(a)(4) for Economic Development; and Closed Session Pursuant to N.C. General Statute §143-318.11(a)(6) for Personnel.

Council Member Hudson moved to enter Closed Session pursuant to N.C.G.S. §143-318.11(a)(4) for Economic Development at 4:52 p.m.; seconded by Council Member Jones the motion passed by an 5-0 unanimous vote.

Aye (5): Mayor Wagner, Mayor Pro Tem Peters, Council Member Jefferson, and Council Member Hudson, and Council Member Jones

Absent (4): Council Member Moore, Council Member Williams, Council Member Johnson, and Council Member Holmes

Note: Council Members Johnson and Holmes arrived after the motion to go into closed session, and that the Special Meeting recessed to have the regular meeting, and reconvened afterwards.

Upon reconvening into Open Session at 8:05 p.m., no action taken as a result of the Closed Session.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 8:06 p.m.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Mary S. Brooks, CMC
Interim City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Appointment – Human Relations Commission

From: City Clerk's Office

Meeting Date: July 17, 2023

Public Hearing: N/A

Advertising Date /
Advertised By: N/A

Attachments: Application

PURPOSE:

To confirm appointment to the Human Relations Commission.

BACKGROUND:

Council Member Tyrone Johnson is recommending the appointment of Tajia Lagomarsino to the Human Relations Commission. This appointment will be effective immediately and will expire November 1, 2025.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the appointment of Tajia Lagomarsino to the Human Relations Commission.

**HIGH POINT CITY COUNCIL
REGULAR MEETING
June 20, 2023 – 5:30 P.M.
Council Chambers – Municipal Building
211 S. Hamilton Street**

ROLL CALL, MOMENT OF SILENCE, AND PLEDGE OF ALLEGIANCE

Mayor Wagner called the meeting to order at 5:30 p.m. He welcomed and thanked everyone for coming to participate in local government and called for a moment of silence, followed by the Pledge of Allegiance.

Present: Council Member Britt Moore, Council Member Christopher Williams, Council Member Cyril Jefferson, Mayor Jay Wagner, Council Member Michael Holmes, Council Member Monica Peters, Council Member Tyrone Johnson, Council Member Victor Jones, and Mayor Pro Tem Wesley Hudson

RECOGNITIONS AND PRESENTATIONS

2023-297 Proclamation - Parks & Recreation Month

Mayor Wagner will present a proclamation to staff recognizing July 2023 as Parks & Recreation month in the City of High Point.

Mayor Wagner read the Proclamation into the record and presented it to Lee Tillery, Parks and Recreation Director and Tracey Pegram Assistant Parks and Recreation Director.

FINANCE COMMITTEE - Britt Moore, Chair

CONSENT AGENDA ITEMS

Council Member Moore stated the Finance Committee met at the allotted time and recommended all items move forward with a favorable recommendation.

Council Member Moore made a motion, seconded by Council Member Holmes, to approve the Finance Committee Consent Agenda.

Motion carried with the following vote:

Aye: Mayor Wagner, Mayor Pro Tem Hudson, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Peters, Council Member Jones, and Member Holmes

2023-286 Consideration of a Resolution of the High Point City Council Authorizing Upset Bid Process for Sale of City Property Located at 810. E. Russell Avenue High Point, NC

City Council is requested to approve a resolution authorizing the upset bid process for sale of city property located at 810. E. Russell Avenue in the amount of \$7,500.00 in accordance with N.C.G.S. §160A-269.

Approved by the Consent Vote.

2023-287 Consideration of an Ordinance Amending the 2022-2023 Budget Ordinance of the City of High Point, North Carolina to Appropriate Interest Income Accumulated from American Rescue Plan Act (ARPA) Funds

City Council is requested to approve the budget ordinance amendment for the use of interest income accumulated from the ARPA funds. Total interest accumulated is \$127,000 and will be utilized for the third-floor replacement at the High Point Public Library (\$77,000) and for general Parks and Recreation improvements (\$50,000).

Approved by the Consent Vote.

2023-288 Consideration of an Ordinance Amending the 2022-2023 Budget Ordinance of the City of High Point, North Carolina to allow proper accounting of the capital lease

City Council is requested to approve a budget ordinance amendment which is necessary to properly record the City's outstanding leases and subscription-based information technology arrangements (SBITAs).

Approved by the Consent Vote.

2023-289 Consideration of an Ordinance Amending Title 11 Chapter 2 Section 11-2-44 of the High Point City Code Regarding Method of Determining Fare

City Council is requested to approve an ordinance to update and increase taxicab fares.

Approved by the Consent Vote.

2023-290 Consideration of a Request to Approve an Extension of the Pass-Through Grant Agreement to the High Point Chamber Foundation for the THRIVE Minority Entrepreneurship Initiative

City Council is requested to approve an extension of the Pass-Through Grant Agreement to the new completion date of July 1, 2026, and authorize appropriate City Officials to amend the Pass-Through Agreement with the High Point Chamber Foundation.

Approved by the Consent Vote.

2023-291 Consideration of a Contract with Solutions of America in the amount of \$96,025 for Security Services at the City of High Point Public Library

City Council is requested to award a contract for Security Services with Solutions of America in the amount of \$96,025 per year, for a three-year period beginning after July 1, 2023, and authorize the appropriate City Official(s) to execute the necessary documents.

Approved by the Consent Vote.

2023-292 Consideration of a Contract Extension with EZGO for the Golf Cart Lease Program for Oak Hollow and Blair Park Golf Courses

City Council is requested to authorize a 59-month contract extension with EZGO for the Golf Cart Lease Program in the amount of \$1,023,403.97 and authorize the appropriate City Official(s) to execute all necessary documents.

Approved by the Consent Vote.

2023-293 Consideration of a Contract with HH Architecture in the amount of \$115,000 for Pre-Design Services for the New Center for Active Adults

City Council is requested to authorize the appropriate City Official to execute a scope of services task order with HH Architecture in the amount of \$115,000 and approve the Capital Project Budget Ordinance.

Approved by the Consent Vote.

2023-294 Consideration of a Municipal Agreement with North Carolina Department of Transportation (NCDOT) for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Funding to Construct Improvements to Elm Street and Construct Phases 1-3 of the Southwest Heritage Greenway

City Council is requested to approve the Municipal Agreement with NCDOT for RAISE funding for improvements to Elm Street and Phases 1-3 of the Southwest Heritage Greenway for a total cost of \$28,489,089 in which the city will budget and get reimbursed as work is completed.

Approved by the Consent Vote.

2023-295 Consideration of a Contract with Alta Engineering SE, PLLC (ALTA) in the amount of \$2,862,495.84 for Professional Engineering and Design Services for Improvements for High Point RISE along Elm Street and Phases 1-3 of the Southwest Heritage Greenway

City Council is requested to award a contract with ALTA for the proposed project, approve the budget ordinance for the RAISE Grant, and authorize the appropriate City Official(s) to execute the necessary documents.

Approved by the Consent Vote.

2023-296 Consideration of Waterview Pump Station Forcemain Extension Change Order No. 3 to Baker Underground Inc. in the Amount of \$165,610.39

City Council is requested to approve Change Order No. 3 to Baker Underground Inc. in the amount of \$165,610.39 and approve a 45-day extension to the contract end date, which will be July 21, 2023.

Approved by the Consent Vote.

COMMUNITY DEVELOPMENT COMMITTEE - Council Member Williams, Chair

CONSENT AGENDA ITEMS

Council Member Williams made a motion, seconded by Council Member Johnson, to remove agenda item 2023-271 from consideration.

Motion carried with the following vote:

Aye: Mayor Wagner, Mayor Pro Tem Hudson, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Peters, Council Member Jones, and Member Holmes

A motion was made by Council Member Williams seconded by Council Member Moore, to remove agenda item 2023-196 from pending and place it on the Community Development Consent Agenda.

Motion carried with the following vote:

Aye: Mayor Wagner, Mayor Pro Tem Hudson, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Peters, Council Member Jones, and Member Holmes

Council Member Williams made a motion, seconded by Council Member Johnson, to approve the Consent Agenda which contains agenda items: 2023-268 for demolition of 406 Cable Street, 2023-269 demolition of 1205 Filbert Place, and 2023-196 demolition of 411 W. Willis Avenue.

Council Member Williams asked if anyone was present to speak regarding the demolitions.

No one was present.

Motion carried with the following vote:

Aye: Mayor Wagner, Mayor Pro Tem Hudson, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Peters, Council Member Jones, and Member Holmes

2023-268 Consideration of an Ordinance to Demolish a Dwelling Located at 406 Cable Street

City Council is requested to approve and ordinance ordering the building inspector to effectuate the demolition of a dwelling at 406 Cable St.

Approved by the Consent Vote.

2023-269 Consideration of an Ordinance to Demolish a Dwelling Located at 1205 Filbert Place

City Council is requested to approve an ordinance ordering the building inspector to effectuate the demolition of a dwelling at 1205 Filbert Place.

Approved by the Consent Vote.

2023-271 Consideration of a Resolution of the High Point City Council Approving Conveyance of Real Property to a Nonprofit Corporation

City Council is requested to approve a resolution conveying properties to Habitat for Humanity of High Point, Archdale & Trinity in the South Side community, and that the appropriate City official and/or employee be authorized to execute all necessary documents.

Removed from consideration.

Discussion and vote for this item can be found under the Community Development Consent Agenda header.

PENDING ITEMS**2023-196 Consideration of an Ordinance to Demolish a Dwelling Located at 411 W. Willis Avenue**

City Council is requested to approve an ordinance ordering the building inspector to effectuate the demolition of a dwelling at 411 W. Willis Avenue. (This item was placed in pending at the May 18, City Council Meeting.)

Discussion for this item can be found under the Community Development Consent Agenda header.

Approved by the Consent Vote.

PLANNING & DEVELOPMENT - Mayor Jay W. Wagner**PUBLIC HEARINGS**

Mayor Wagner stated that speakers for the Public Hearing items would be limited to three minutes per person, the time limit would be strictly enforced, and disruptions to the meeting would not be tolerated.

2023-283 City of High Point, Zoning Map Amendment 23-13

A request by the High Point City Council to rezone the Burton Run Subdivision, totaling approximately 60.35 acres, from the Residential Multifamily - 16 (RM-16) District and the Residential Multifamily - 26 (RM-26) District to the Single Family Residential - 5 (R-5) District. The Burton Run Subdivision is located north of the intersection of Burton Avenue and Burton Run Road.

Herb Shannon, Senior Planner, with the Planning and Development Department, provided the staff report for this item.

Mayor Wagner opened the public hearing.

Mr. Shannon stated Zoning Map Amendment case 23-13 is a request that is part of the city's ongoing comprehensive zoning map amendment project where staff is evaluating land throughout the city. He spoke to the logistics of the request and reviewed details within the staff report. He noted that staff recommends this subdivision be rezoned to the R-5 District to preserve the single-family character of this neighborhood.

Mayor Wagner asked if anyone was present to speak for or against this item. Seeing none, he closed the public hearing.

Mayor Wagner made a motion, seconded by Council Member Jones, to approve agenda item 2023-283 and that it is consistent with the city's adopted plans and reasonable in the public interest for the reasons stated by the Planning and Zoning Board in the staff report.

Motion carried with the following vote:

Aye: Mayor Wagner, Mayor Pro Tem Hudson, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Peters, Council Member Jones, and Member Holmes

Consistency and Reasonableness Statements

That Zoning Map Amendment 23-13 is consistent with the City's adopted policy guidance because the zoning map amendment is supported by Goal #1 of the Land Use Plan, which speaks to encouraging development that enhances and preserve established neighborhoods. Furthermore, the amendments are needed to match the manner in which these neighborhoods have developed.

2023-284 Stack Family LLC and Ronaldo Perdue, Annexation 23-02

A request by Stack Family LLC and Ronaldo Perdue, to consider a voluntary non-contiguous annexation of approximately 30.39 acres. The proposed annexation site is located at the southwest corner of S. Bunker Hill Road and Boylston Road. The site is addressed as 8871 & 8869 Boylston Road and 721 S. Bunker Hill Road and also known as Guilford County Tax Parcel 168991, 169142 and 169021.

Mayor Wagner opened the public hearing.

Herb Shannon, Senior Planner, with the Planning and Development Department, stated agenda item 2023-284 and agenda item 2023-285 are related and staff will do a combined presentation but noted the items would need to be voted on separately. He reviewed and provided information from the staff reports for both the annexation and rezoning agenda items.

Mr. Shannon answered questions regarding the proposed use of the property, taxes, airport overlay, and noted High Point is approximately 50 square miles within the city limits but the planning area is much larger.

Proponents:

Dr. Whitney Oakley, Guilford County Schools Superintendent, 712 N. Eugene St. Greensboro

Dr. Oakley, thanked Council for the opportunity to share Guilford County School's plan for the Katherine G. Johnson for Science and Math Elementary and Middle School, spoke to the 2019 Facilities Master Plan which included the construction of seven new schools that were in growing areas of the county. She provided an overview of the logistics of the school; location, traffic impact analysis, safety of students, construction and design, and noted communications would be provided to the public regarding each phase of the project as information becomes available.

Amanda Hodierne, Attorney, Isaacson-Sheridan, 804 Green Valley Road Suite 200, Greensboro

Attorney Hodierne provided a PowerPoint presentation which is a permanent part of these proceedings.

Attorney Hodierne stated she is speaking on behalf of Guilford County Schools as they are the contract purchaser for this site. She spoke to site considerations, airport overlay zones for High Point, provided a proposed conceptual building plan, draft recommended transportation improvements, property values, history of development patterns, and community outreach.

Dr. Oakley and Attorney Hodierne answered questions from the Mayor and City Council regarding future enrollments, what grades are needed for future schools, cost of construction, the search for property for the new school, the process for Guilford County Schools if the project was not approved, explained space needs, provided information regarding why the property beside Colfax Elementary was not considered, the use of eminent domain, as well as future redistricting and enrollment.

Mr. Shannon spoke to the current zoning as well as options within the zoning.

Ms. Dionne Brown, transportation representative, answered questions regarding mediation of future traffic impacts.

Dr. Oakley spoke to lighting on the athletic fields, middle school athletics, and rental options of the athletic fields to other organizations.

John Simmons, Senior Executive Director, Facilities/Maintenance with Guilford County Schools, spoke to lighting on the athletic fields noting all new construction fields are LED lights.

Mr. Shannon spoke to the city's development ordinance noting a lighting plan would need to be submitted.

Mayor Wagner stated each speaker will be allowed three minutes each to speak and the timer would be enforced.

Some opponents provided handouts and a PowerPoint presentation to the Mayor and City Council which are a permanent part of these proceedings.

Opponents:

Julie Eschweiler, 423, Gray Lane, Colfax spoke in opposition of this item noting concerns with the easement.

Chris Eschweiler, 423 Gray Lane, Colfax, spoke in opposition of this item noting concerns with safety of the proposed site.

Dr. Patricia Schreiber, 1717 Bunker Hill Sandy Ridge Road, Colfax, spoke in opposition of this item noting concerns that this proposed zoning does not align with previous land use plans.

Tommy Hodgin, 460 Dilworth Road, Kernersville, spoke in opposition of this item noting concerns with response times for emergency personal.

Regan Sears, 905 Quailmeadow Lane, Colfax, spoke in opposition of this item noting concerns with response times for emergency personal.

Courtney Smith Pope, 712 S. Bunker Hill Road, Colfax, spoke in opposition of this item noting concerns with safety regarding road conditions and decreased enrollment.

Anne Blankenship, 8826 Boylston Road, Colfax, spoke in opposition of this item noting concerns with environmental impacts.

Evan Booth, 807 Westbourne Grove Court, Colfax, spoke in opposition of this item. He provided a traffic simulator regarding traffic patterns and noted traffic and safety concerns.

Amy Purcell, 416 Gray Lane, Colfax, spoke in opposition of this item, noting concerns with enrollment, neighborhood communications by Guilford County Schools, and transparency issues.

Tom Lambeth, 416 Gray Lane, Colfax, spoke in opposition of this item and spoke to being a sustainable community, noting environmental concerns, and quality of life impacts.

Patricia Derrick, 8861 Boylston Road, Colfax, spoke in opposition of this item, spoke to previous land use plans, quality of life impacts, and funding and resources for the new school.

Michael Logan, 5202 Rambling Road, Greensboro, spoke in opposition of this item noting concerns that the school would not be a community school, low enrollment, and condition of schools currently in High Point.

Lori Sterling, 941 Maple Creek Drive, Colfax, spoke in opposition of this item noting concerns with annexation process, safety concerns, noise pollution, the proposed school would not be a community school, and low enrollment.

Kay Sterling, 8731 Bame Road, Colfax, spoke in opposition of this item noting concerns with building a new school when only classroom space is needed, lack of communication and transparency regarding the annexation and the plan for the proposed school, lack of communication by the Guilford County Board of Education, and land use plans.

Dr. Robin Sowell, 813. Bunker Hill Road, Colfax, spoke in opposition of this item noting concerns with annexation and rezoning process, location of the proposed school, and transportation.

George Jackson 9163 Idol Cox Road, Colfax, spoke in opposition of this item noting he is against this annexation.

Mike Rogers 408 Gray Lane, Colfax, spoke in opposition of this item noting concerns with location as it relates to Gray Lane and easement concerns.

Jose Mendoza, 5014 Philly Lane, Colfax, spoke in opposition of this item noting concerns with quality-of-life impacts and traffic issue.

Patrick Sterling, 941 Maple Creek Drive, Colfax, spoke in opposition of this item noting concerns with annexation into High Point, lack of representation for Colfax, property taxes, and past court decision for other municipalities regarding annexations.

Beverly Grey, 408 Gray Lane, Colfax, spoke in opposition of this item noting concerns with placements of athletic fields, tax revenue, conditions of current High Point Schools, and enrollment.

Robin White, Sam Court, Colfax, spoke in opposition of this item noting traffic concerns, low enrollment, and lack of data to support a new school.

Mayor Wagner asked if anyone else would like to speak regarding this item. Seeing none, he closed the Public Hearing.

Curtis Cheeks, Deputy Chief of Police, spoke to response times to the proposed location of the new school noting there would be collaboration with other government entities if a catastrophic event occurred, and Special Resource Officers.

Meghan Maguire, City Attorney, spoke to protocols of government entities regarding what can and cannot be discussed publicly, and noted that second amendment rights that were mentioned earlier regarding the easement is not something Council could consider as that would be between the landowners.

Attorney. Hodierne confirmed that Guilford County would be the property owners and spoke to leases regarding other uses of the athletic facility by outside entities, discussed problem with other sites that were considered and explained the difference between a magnet school and neighborhood school, and the appeal process.

Dr. Oakley spoke to enrollment verses capacity of Guilford County Schools and the future projections noting every year they are recalculated, confirmed the proposed school would be staffed just like a middle school with additional elementary support, and spoke to the option of placing permanent structures where mobile classroom currently are at other county schools.

Council Member Moore stated he is not a fan of emanate domain, the only reason it was brought up is because the city is a function of government. It is a tool that could be considered especially when there is not an infinite amount of land being made. It was only to make that point and was not a suggestion.

Mr. Shannon spoke to the property being in the city of High Point's Extra Territorial Jurisdiction (ETJ) noting this property is not. He explained the annexation process with other government entities regarding this property location.

Attorney Maguire spoke to questions regarding contract zoning, noting this request does not meet the definition of contract zoning or spot zoning.

Mayor Pro Tempore Hudson made a motion, seconded by Council Member Jefferson, to approve annexation 23-02 and Map Amendment 23-12 and include the consistency statement from Planning and Zoning.

Mayor Wagner stated these items would need to be voted on separately and ruled the motion out of order.

Mayor Pro Tempore Hudson made a motion, seconded by Council Member Jefferson, to approve annexation 23-02 and include the consistency statement from Planning and Zoning.

City Attorney Maguire stated the consistency statement from Planning and Zoning is not needed for this item but would be needed for the second vote.

Mayor Wagner stated the consistency statement will be disregarded.

Council Member Jefferson thanked everyone for showing up and speaking and spoke to enrollment and redistricting issues as it relates to poverty and population growth.

Council Member Holmes thanked everyone for coming out and shared his story regarding deciding where his kids went to school.

Council Member Jones spoke to the five finding of facts regarding this request and the legal aspects of denying the request.

In response to Council Member Moore, Mr. Shannon confirmed that the zoning would be institutional. Attorney Hodierne confirmed the school would not be a choice school, there were 14 other locations that were considered, and those other locations were not provided to Council.

Motion carried with the following vote:

Aye: Council Member Holmes, Council Member Johnson, Mayor Pro Tempore Hudson, Council Member Williams, Council Member Peters, Council Member Jones, and Council Member Jefferson

Nay: Council Member Moore and Mayor Wagner

2023-285 Guilford County Schools, Zoning Map Amendment 23-12

A request by Guilford County Schools to rezone approximately 30.39 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, to a Conditional Zoning Institutional (CZ-I) District. The site lies at the southwest corner of S. Bunker Hill Road and Boylston Road.

Public Hearing and discussions for this item can be found under item 2023-284.

Mayor Pro Tempore Hudson made a motion, seconded by Council Member Jefferson, to approve Zoning Map Amendment 23-12 and include the consistency statement from Planning and Zoning.

Motion carried with the following vote:

Council Member Jones stated he could not find reasons to vote no on the annexation, but he feels there are challenges with the actual rezoning.

Motion carried with the following vote:

Aye: Council Member Williams, Council Member Jefferson, Council Member Holmes, Council Member Peters, Council Member Johnson, and Mayor Pro Tem Hudson

Nay: Council Member Moore, Mayor Wagner, and Council Member Jones

Consistency and Reasonableness Statements

That Zoning Map Amendment 23-12 is consistent with the City's adopted policy guidance because with the establishment of City utilities in this portion of the City's planning area and conditions offered by the applicant, the requested CZ-I District does not conflict with the Land Use Plan, the Northwest Area Plan, or other policy guidance documents. Furthermore, the Northwest Area Plan supports residential uses in this portion of the City's planning area, and it is not unusual for educational uses to be located in residential areas. Based upon conditions offered by the applicant, the requested CZ-I District is reasonable and in the overall public interest.

GENERAL BUSINESS AGENDA

2023-299 Consideration of an Appointment to the Citizens Advisory Council

City Council is requested to approve the recommendation by Council Member Holmes to appoint Victor Vincent to the Citizens Advisory Council. Term will be effective immediately and will expire May 31, 2024.

Council Member Holmes stated he is pleased to announce Victor Vincent as his appointee to the Citizens Advisory Council noting Mr. Vincent has a long history of working within the Community.

A motion was made by Council Member Holmes, seconded by Mayor Pro Tempore Hudson, to approve the appointment of Victor Vincent to the Citizens Advisory Council.

Motion carried with the following vote:

Aye: Mayor Wagner, Mayor Pro Tem Hudson, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Peters, Council Member Jones, and Member Holmes

2023-298 Consideration of Approval of Minutes

City Council is requested to approve the following minutes:

Finance Committee Minutes - June 1, 2023, at 4:00 p.m.

Special Meeting of the High Point City Council - June 5, 2023, at 4:30 p.m.

Regular Meeting of the High Point City Council - June 5, 2023, at 4:00 p.m.

Community Development Committee Minutes - June 6, 2023, at 4:00 p.m.

Council Member Moore made a motion, seconded by Council Member Jones, to approve agenda item 2023-298.

Motion carried with the following vote:

Aye: Mayor Wagner, Mayor Pro Tem Hudson, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Williams, Council Member Peters, Council Member Jones, and Member Holmes

ADJOURNMENT

Council Member Holmes stated that Council received a nice bag with the new city logo and thanked staff for their hard work regarding the new branding process.

Council Member Moore asked that people continue to share their experience and participate downtown.

Mayor Wagner thanked everyone for the birthday wishes and reminded everyone to remember what Independence Day means and noted he enjoyed watching the ceremonies for Juneteenth.

There being no further business to come before the City Council, the meeting adjourned at 8:24 p.m.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Sandra Keeney
City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Historic Marker Request
(Rev. Daniel Brooks)

From: Sushil Nepal, Planning & Development
Director

Meeting Date: July 17, 2023

Public Hearing: No

Advertising Date: NA

Advertised By: NA

Attachments: A. Historic Preservation Commission Recommendation
B. Staff Report

PURPOSE:

A request by the Southwest Renewal Foundation of High Point for approval of a historic marker to recognize Reverend Daniel Brooks that is proposed to be located adjacent to the Southwest High Point Heritage Greenway, on the north side of Vail Avenue, two blocks west of where the Brooks Memorial Methodist Church once stood in the Southside Neighborhood.

BACKGROUND:

The Historic Preservation Commission is designated by the Historic Marker Policy to review and evaluate all proposed roadside historic markers prior to consideration by City Council. This roadside historic marker request is the eleventh request under the City's roadside Historic Marker Policy.

BUDGET IMPACT:

The Southwest Renewal Foundation of High Point is purchasing this marker.

RECOMMENDATION / ACTION REQUESTED:

- A. Staff recommended approval of this request as outlined in the attached staff report.
- B. On June 14, 2023, the Historic Preservation Commission recommended approval of this request by a vote of 7-0.

HISTORIC PRESERVATION COMMISSION RECOMMENDATION

Historic Marker Request recognizing Reverend Daniel Brooks

At its June 14, 2023 meeting, the Historic Preservation Commission reviewed a request for a historic marker recognizing Reverend Daniel Brooks. Seven members of the Commission were present. Mr. David Fencl, Senior Planner, presented the request and recommended approval of the request as outlined in the staff report.

The Historic Preservation Commission determined that the proposed marker met the minimum evaluation criteria of the Historic Marker Policy, which includes the individual's significance occurred at least 50 years before the request, no other public or private markers recognize Daniel Brooks, and the location of the proposed marker is within the corporate limits. The Historic Preservation Commission also determined that the proposed marker will be consistent in appearance with several existing City markers and recommended approval of the historic marker request, as recommended by staff, by a vote of 7-0.

To: Historic Preservation Commission Members

From: David Fencl, Senior Planner

Meeting Date: June 14, 2023

Subject: Rev. Daniel Brooks Historic Marker Request by the Southwest Renewal Foundation of High Point, Inc.

PURPOSE:

The Historic Preservation Commission (HPC) is designated by the Historic Marker Policy to review all requests for historic markers to be located in public street rights-of-way. The HPC shall first determine whether the request meets the minimum evaluation criteria outlined in the policy, and if the request meets the minimum evaluation criteria, the HPC shall then evaluate the request based on relevant criteria as determined by the HPC.

The following criteria must be present and factually correct in order for the HPC to review any request for placement of a marker:

1. Any site or event requested to be recognized must be at least 50 years old and for any individual to be recognized with a marker, the individual's contribution that is the subject of the request must have occurred as least 50 years before the request.
2. There may not be any current markers, public or private, currently recognizing the site or event within the City of High Point.
3. The location requested to be recognized must be within the corporate limits of the City of High Point and within public view.

Requests for markers shall be evaluated based on relevant criteria as determined by the HPC, including the following:

1. Is each historical claim by the applicant presenting the request supported by documentation or other evidence of the claim's validity? Documentation should consist of primary sources that were created at the time of the event and may include tax records, deeds, newspaper articles, meeting minutes, photographs, etc. Secondary sources may be submitted to help provide context and justify the significance of the event, person, or location.
2. In an attempt to avoid repetition and promote diversity in the recognitions, is the requested site, event or individual closely related to a site, event or individual accomplishment that has already been recognized with a Marker?
3. Has the site, event, or individual contribution maintained its significance over time?

4. Is the site, event or individual recognized outside of High Point at state wide, national, or international levels?
5. Marker proposals will be rejected if the Commission cannot authenticate or verify the historical information to its satisfaction. The Commission shall make the deciding rule if there is conflicting evidence.

STAFF ANALYSIS:

According to the information supplied with this Historic Marker Request, Reverend Daniel Brooks was born during the era of slavery in 1837 and grew to prominence in early High Point as a local religious and civic leader throughout the late 19th and early 20th centuries until his death in 1933 at 95 years of age.

Brooks was born in Rutherford County, NC and volunteered to join the Confederate Army in 1861 as a free man of color. Surviving the Civil War, Brooks moved to High Point in the late 19th century. He served multiple terms as a commissioner for public schools and helped the school board negotiate purchase of the land for William Penn School. Reverend Brooks started the Brooks Memorial Methodist Church in the early 20th century in the Southside Neighborhood. Brooks was known to have worked across racial lines to build community. The first public project to provide affordable housing for blacks in High Point in 1941 was named after Daniel Brooks. Brooks' name survived until 2019 when the public housing project bearing his name was demolished for the Legacy Ridge Apartments that are currently under construction. Brooks is buried in the "colored" section of the City's Oakwood Cemetery.

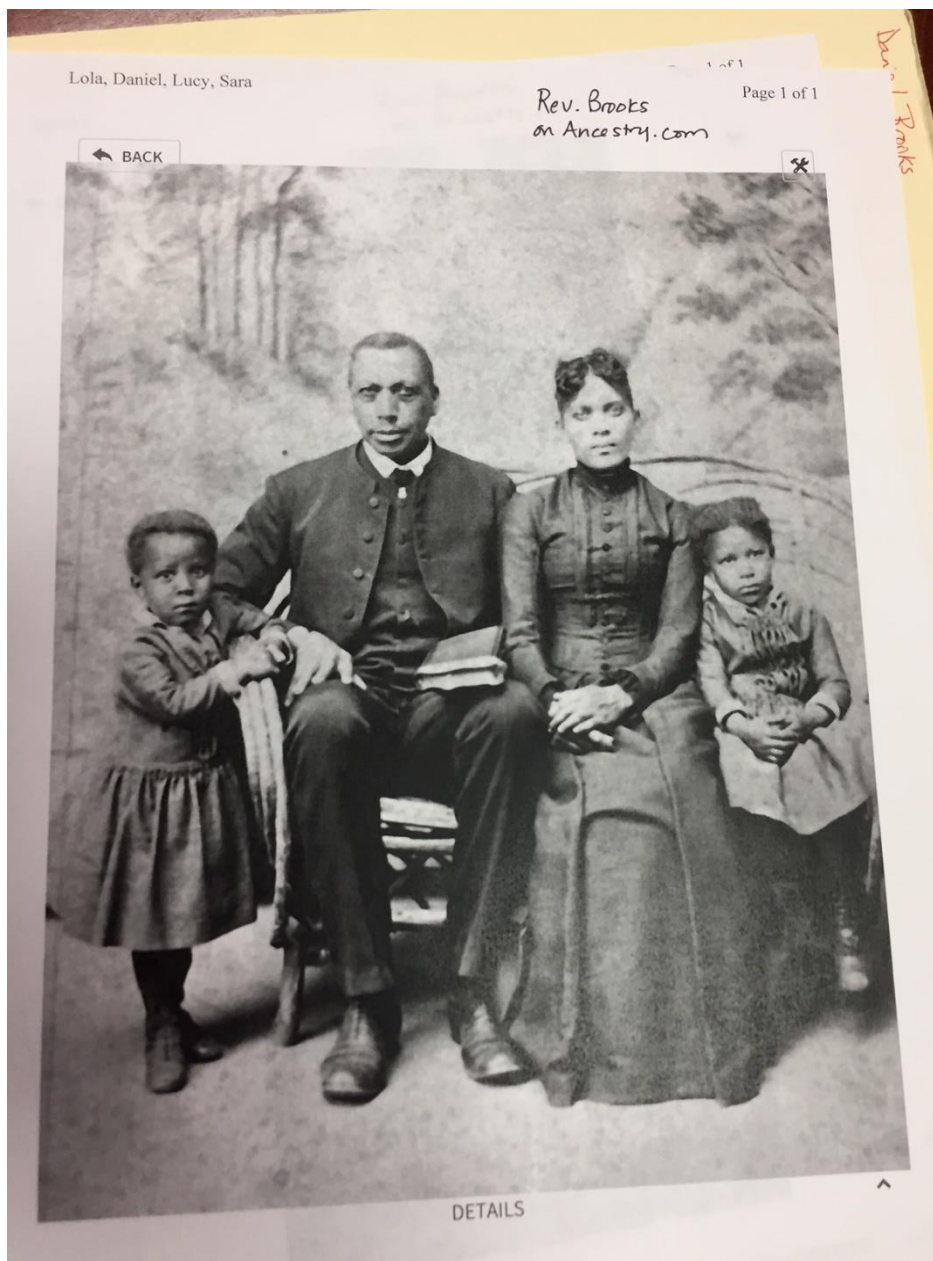
The historic marker commemorating Reverend Daniel Brooks is proposed to be erected adjacent to the Southwest High Point Heritage Greenway, on the north side of Vail Avenue, two blocks west of where the Brooks Memorial Methodist Church once stood in the Southside Neighborhood.

Staff believes that this historic marker request meets the minimum evaluation criteria due to the period of Rev. Daniel Brooks' activity in High Point being more than 50 years ago, there are no other historic markers recognizing Rev. Brooks in High Point and the marker's proposed location is within the City of High Point and within public view. The applicant has submitted information that documents Rev. Brooks' significance.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the Historic Preservation Commission recommend approval of the historic marker request recognizing Reverend Daniel Brooks. This historic marker request meets the minimum evaluation criteria, and with the documentation submitted, staff believes this request meets all of the relevant evaluation criteria of the Historic Marker Policy.

Attachments: Rev. Daniel Brooks Historic Marker Request and Documentation



HISTORIC MARKER REQUEST

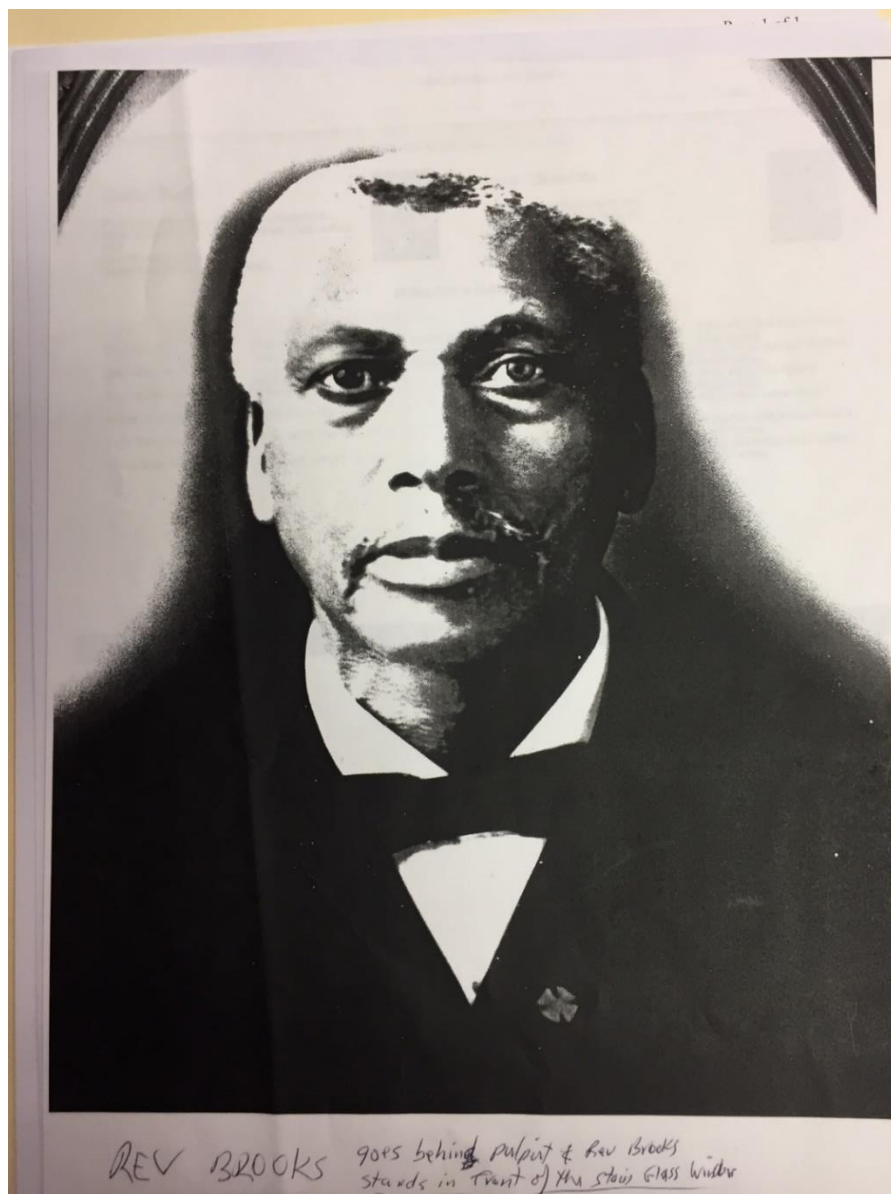
The REV. DANIEL BROOKS

ABSTRACT

Born during the era of slavery in 1837, the Rev. Daniel Brooks grew to prominence in early High Point as a local religious and civic leader throughout the late 19th and early 20th centuries until his death at 95 years of age in 1933. Brooks worked across racial lines to build community. The first public project to provide affordable housing for blacks in High Point in 1941 was named after Daniel Brooks. His name survived until 2019 when this public housing project was demolished and renamed Legacy Ridge.

REQUEST: Southwest Renewal Foundation of High Point requests to design and fund a historic marker commemorating the Rev. Daniel Brooks for placement on the Southwest High Point Heritage Greenway, two blocks west of where the Brooks Memorial Methodist Church once stood at 707 Fairview Street in the historically black Southside Neighborhood.

SWRF MISSION: Raising Quality of Life, Fostering Public and Environmental Health, and Attracting Business to Create Jobs in historic inner-city southwest High Point.



Reverend Daniel Brooks

Born Sep 15, 1837 in Rutherford County, NC

Died May 12, 1933 in High Point, NC

Beloved Minister of Brooks Memorial Methodist Church (now gone)

Organized in 1907 and stood 2 blocks east at 707 Fairview Street

Civil War Veteran, Community Activist and City Leader

Gone but Not Forgotten



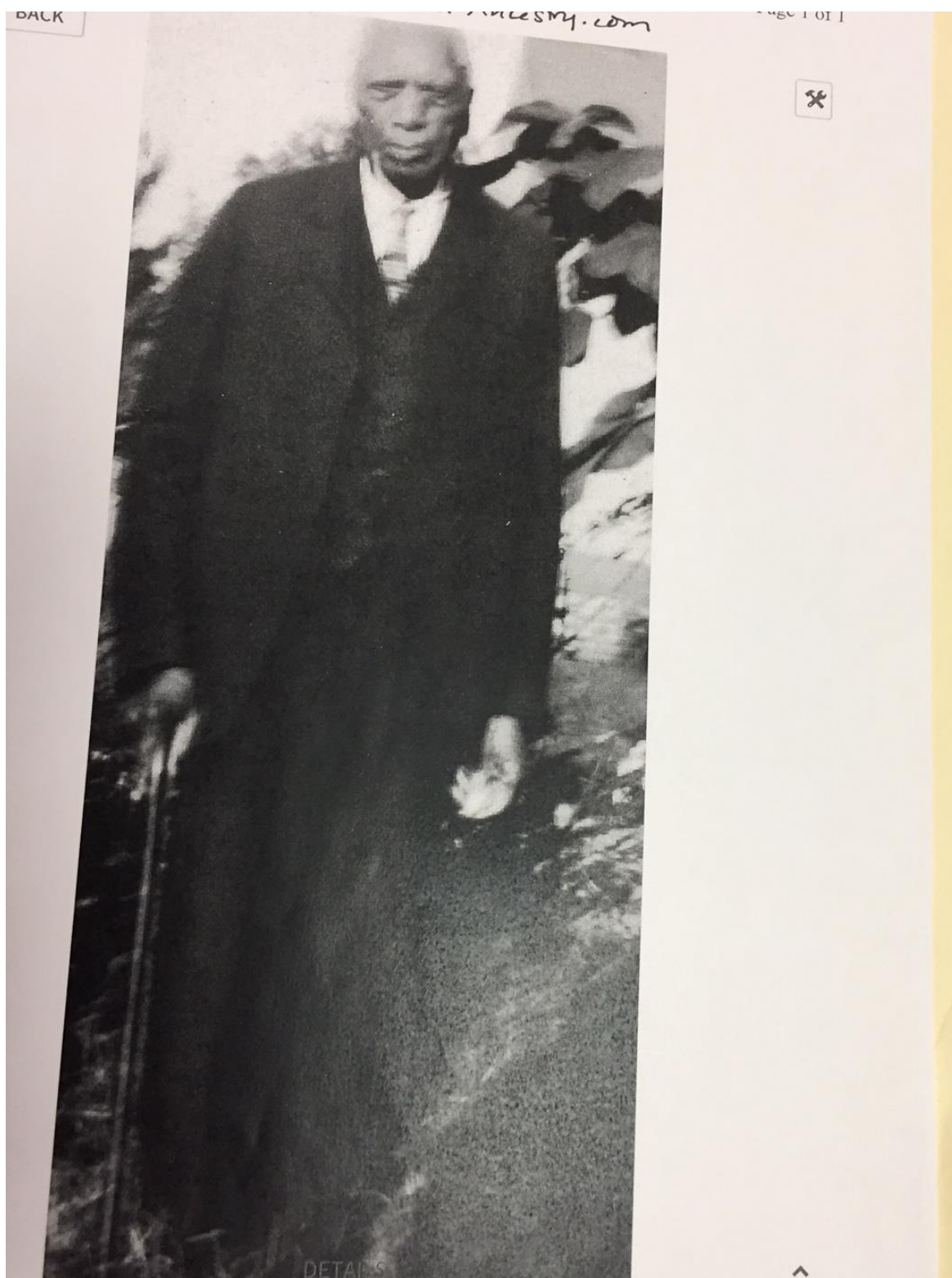
Brooks Memorial Methodist Church (built in 1907 -- demolished in 2012)

An excellent example of historic church vernacular architecture in the South

“The simple Gothic-inspired frame church stands as one of the oldest buildings associated with the traditionally African American Southside neighborhood. The temple form structure features a distinctive tower attached to the gabled main façade. Other details include pointed arch windows, clapboard siding and exposed eaves that relate the sanctuary to traditional rural churches of the South.”*

During the Federal Urban Renewal Program in High Point in the last 1960s through early 1970s, much of the historic fabric of the Southside Neighborhood was demolished in the name of “blight removal.” Brooks’ church building was a rare survivor until the early 21st Century.

****Benjamin Briggs, The Architecture of High Point, North Carolina, A History and Guide to the City’s Homes, Churches and Public Buildings (Charleston, SC: The History Press, 2008) pp.143-144.***



Rev. Daniel Brooks in his later years

SWRF will commission SEWAH STUDIOS to create this historic marker. Sewah is the same foundry that produces North Carolina's Roadside Historic Markers. This will be the 4th historic marker sponsored by the **SWRF** produced by Sewah. The requested marker will be in the same model as the others according to the City of High Point Historic Marker Guidelines (Georgia-style marker; black background with silver lettering). **SWRF** would like to follow NC's guidelines of keeping the number of descriptive words on the marker 26-30 words, and recognizing **SWRF's** contributions in smaller font at the bottom of the marker. Please see images of **SWRF** -sponsored historic markers that follow:



Dedicated on Peace Day, September 19, 2019



Dedicated on Valentine's Day, February 14, 2019



Dedicated in 2016

DANIEL BROOKS BIOGRAPHY

Daniel Brooks was born in Rutherford County, NC, in 1837. In 1841 parts of Rutherford and Lincoln counties were combined to form Cleveland County. Daniel's early life is picked up again in primary records when, in his twenties, as a free man of color, he volunteered in Cleveland County to join the Confederate Army after the outbreak of the Civil War in 1861.

In a primary document captured by Earl Ijames, a curator at the NC Museum of History in Raleigh, who did extensive research at the NC Department of Archives, Ijames found Brooks is quoted as saying he would rather volunteer for the South than be conscripted into the Confederate Army. (See video clip on Brooks' early life as part of Ijames lecture entitled, *Confederates of Color Before and After the Emancipation Proclamation*, <https://www.youtube.com/watch?v=FfGWEaF9PN8&feature=youtu.be> 7:25 – 10:85) See also [Whose legacy?: Opposition to renaming of historic homes dropped | News | yesweekly.com](#)

Daniel survived the war and in the late 19th century moved to High Point, NC, which before the 1890s was known foremost for its fruits and vegetables as a small rural southern town of less than 2000 population.

Daniel's life is picked up again in the early 20th century as the pastor of the Brooks Memorial Methodist Church in the Southside Neighborhood in High Point. Brooks' church started out at 610 Fairview at a congregant's home and moved into a new church building at 707 Fairview (now gone) in 1907.

Over time, the Rev. Daniel Brooks became known throughout High Point as a religious and civic leader who crossed racial lines to build community. According to the High Point Museum, Brooks served multiple terms as a commissioner for public schools and helped the school board in 1910 negotiate the land for William Penn High School. (Ibid)

Eight years after his death in 1933, the first black-only public housing built in High Point at 1410 West Avenue was christened the Daniel Brooks Homes in 1941. A portrait of Brooks hung in the High Point City Hall until 1985 when it was removed. Today, the portrait's whereabouts is now unknown. (Ibid)

The Daniel Brooks Homes (also known as Daniel Brooks Apartments) were demolished in 2019 to make way for a new housing development. A petition of over 400 names plead with the Housing Authority to keep Brooks' name on the new development, but when his Confederate participation became public, the petition was dropped. (Ibid)

Today, Brooks body rests in a grave in High Point's oldest cemetery, Oakwood (since 1859), in the "colored" section next to members of the Confederate Army who died at the Barbee Hotel in High Point during the Civil War (along with their nurse, Laura Wesson, also buried in Oakwood). At Brooks death in 1933, High Point had already joined Jim Crow culture by dedicating a separate cemetery in High Point for blacks in 1910—Green Hill. Brooks burial in Oakwood Cemetery is another sign of his stature and respect among whites and blacks in his adopted hometown of High Point.

PROPOSED MARKER LOCATION

510 VAIL AVENUE



Parcel Number	172886	Total Out Building Value	0
PIN	7800101428	Total Land Value	9000
Owner	CITY OF HIGH POINT	Total Deferred Value	0
Mail Address	PO BOX 230	Bldg Card	
Mail City	HIGH POINT	Appraisal Model Code	
Mail State	NC	Deed Data	1/1/1900
Mail Zip	27261	Neighborhood	7709B08
Property Address	510 VAIL AVE	Property Type	GOV OWNED
Legal Description	510 VAIL ST	Structure Size	
Deed	002848-00516	Lot Size	0.25
Plat		Year Built	
Condo		Bedrooms	
Total Assessed	9000	Bathrooms	
Total Building Value	0	Grade	



Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.

Map Scale
1 inch = 63 feet
5/22/2023

CONTACT INFORMATION



***Raising the Quality of Life in Inner-City Southwest High Point
Promoting Public and Environmental Health
Attracting Business to Create Jobs***

Our icon is an abstract of Richland Creek that runs throughout southwest High Point. Clean and plentiful water is golden, symbolizing spirit, health, and prosperity for all life.

***Dorothy Darr, Executive Director
Southwest Renewal Foundation of High Point, Inc.
501 W. High Avenue
Post Office Box 778, High Point, NC 27260***

***www.highpointswest.org
dorothy1@northstate.net
info@highpointswest.org
336-887-5130 / 336-689-8122***

RECOMMENDED INSCRIPTION:

Reverend Daniel Brooks

(1837 – 1933)

Beloved Minister of Brooks Memorial Methodist Church which stood at 707 Fairview Street (now gone). Brooks served in the Civil War and as a Religious, Educational, and Civic Leader who worked across racial lines to build community.

Erected by the Southwest Renewal Foundation of High Point, Inc. in partnership with the High Point Historic Preservation Commission, Supporting Citizens, and the City of High Point.

Thanksgiving Day, November 23, 2023

**HIGH POINT CITY COUNCIL
SPECIAL MEETING
June 20, 2023 – 4:30 P.M.
3rd Floor Conference Room – Municipal Building
211 S. Hamilton Street**

CALL TO ORDER, ROLL CALL

Mayor Wagner called the meeting to order at 4:31 p.m.

Present: Mayor Jay W. Wagner; Mayor Pro Tempore S. Wesley Hudson, Ward 4; Council Member Tyrone E. Johnson At Large (arrived at 5:16 p.m.); Council Member Britt W. Moore, At Large; Council Member Cyril A. Jefferson, Ward 1; Council Member Christopher Williams, Ward 2; Council Member Monica Peters, Ward 3 (arrived at 4:39 p.m.); Council Member Victor A. Jones, Ward 5; and Council Member Michael A. Holmes, Ward 6 (arrived at 4:34 p.m.)

PRESENTATION OF ITEM

2023-300 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.

Council Member Jefferson made a motion, seconded by Council Member Williams, to go into Closed Session Pursuant to N.C. General Statute §143-318.11(a)(3) for Attorney-Client Privilege.

Motion carried with the following vote:

Present: Mayor Jay W. Wagner; Mayor Pro Tempore S. Wesley Hudson, Ward 4; Council Member Britt W. Moore, At Large Council Member; Cyril A. Jefferson, Ward 1(left at 12:00 p.m.); Council Member Christopher Williams, Ward 2; Council Member Monica Peters, Ward 3; and Council Member Victor A. Jones, Ward 5

Absent: Council Member Tyrone E. Johnson, At Large and Council Member Michael A. Holmes, Ward 6.

Closed Session began at 4:31 p.m.

Mayor Pro Tempore Hudson made a motion, seconded by Council Member Holmes, to end Closed Session and resume Regular Session.

Motion carried with the following vote:

Present: Mayor Jay W. Wagner; Mayor Pro Tempore S. Wesley Hudson, Ward 4; Council Member Tyrone E. Johnson, At Large; Council Member Britt W. Moore, At Large Council

Member; Cyril A. Jefferson, Ward 1(left at 12:00 p.m.); Council Member Christopher Williams, Ward 2; Council Member Monica Peters, Ward 3; Council Member Victor A. Jones, Ward 5; and Council Member Michael A. Holmes, Ward 6.

Regular Session resumed at 5:16 p.m.

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 5:16 p.m.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Sandra Keeney
City Clerk

Profile

Kara

First Name

Blue

Last Name

kara@gemcapdevelopment.com

Email Address

535 Gatewood Ave

Street Address

Suite or Apt

High Point

City

NC

State

27262

Postal Code

Home: (336) 416-9055

Primary Phone

Alternate Phone

GEMCAP Development

Employer

Which Boards would you like to apply for?

Planning & Zoning Commission: Submitted

Ward you reside in?

4

Interests & Experiences

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

I am a commercial real estate developer, active in the southeast. In addition to work experience, I hold a master's degree in real estate development. My expertise paired with a strong desire to see High Point grow in an intentional way make me the perfect candidate for Planning and Zoning. High Point Involvement: Main in Color, Co-Founder The Guild of Family Services, Board Member High Point Young Professionals, Committee Member Junior League, Member A Simple Gesture, recurring participant

[Kara_Blue_Resume_NAIOP_2023.pdf](#)

Upload a Resume

Have you participated in Leadership High Point?

☐ Yes ☒ No

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

Gender *

☒ Female

KARA BLUE

336 416 9055 kara@gemcapdevelopment.com

EDUCATION

University of North Carolina at Charlotte

Master of Science

Real Estate Finance and Development

(Fall 2017-Spring 2019)

Appalachian State University

Bachelor of Science

Major in Communication; Minor in Leadership

(Fall 2008-Spring 2012)

PROFESSIONAL EXPERIENCE

GEMCAP Development – Winston Salem, NC

(09/2021-current)

Development Manager; Identify development opportunities
Conduct extensive market research and analysis to identify sites
Underwrite deals by analyzing financial data and assessing risk
Negotiate favorable terms for land acquisitions and leases
Identify and pursue valuable business opportunities to generate new company revenue
Nurture coalitions with other industry professionals with common objectives
Effectively resolve conflict during the development process

The Providence Group – Charlotte, NC

(10/2018-08/2021)

Property/Project Manager; Optimist Hall

Independently manage day to day of historic mixed-use redevelopment

Assist ownership, design + construction teams with \$50M project

Oversee daily onsite team including building engineer, contracted security + janitorial staff

Request bids, select vendors + generate contracts for all service providers

Inspect construction/building projects and follow up on all punch list items

Manage projects including new electrical service, parking lot paving, building automation system install, fire panel relocation, among others

Navigate landmark commission and state historic preservation officers' requirements

Childress Klein – Charlotte, NC

(09/2013-10/2018)

Property Manager; Manage approx. 1 million square feet of Class A office space

Correspond and maintain relations with 15+ tenants

Manage construction projects, including new tenant build outs

Devise and manage annual operating budgets for 7 properties

Create monthly operational/financial reports for 7 properties

Obtain estimates/bids for property repairs + oversee work

Assist leasing team in maximizing efforts to market property to prospective tenants

Assistant Property Manager; Assisting suburban portfolio of approx. 1.5 million square feet

Detail verification of all invoice amounts and information to ensure proper coding

Schedule third party services, i.e. janitorial services, pest control, waste management, etc.

CURRENT ORGANIZATION AFFILIATIONS & DESIGNATIONS

**North Carolina Real Estate
Commission** *Broker*

CCIM Institute *Candidate*

NAIOP *Developing Leader Chair;
Golf Tournament & Membership*

BOMA *Real Property
Administrator*

**Childress Klein Center for Real
Estate** *Alumni Board Member*

**International Council of
Shopping Centers** *Member*

**Young Professionals | High
Point Chamber of Commerce**
*Board Member; Community &
Service Chair*

**The Guild | Family Services of
the Piedmont** *Board Member*

Trellis Supportive Care
Leadership Council Member

**Main in Color | Art + Design
Festival in Downtown High
Point** *Co-Founder*

Profile

Tajia

First Name

Lagomarsino

Last Name

wheresoulsrevive@gmail.com

Email Address

241 NorthPoint Ave unit d

Street Address

Suite or Apt

High point

City

NC

State

27262

Postal Code

Mobile: (201) 679-3583

Primary Phone

Alternate Phone

Stock and Grain

Employer

Which Boards would you like to apply for?

Human Relations Commission: Submitted

Ward you reside in?

4

Interests & Experiences

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

High Point/ Cary Jaycees 2022-present United Nations YP- 2022- Present Army National Guard 2016-2020



Upload a Resume

Have you participated in Leadership High Point?☒ Yes ☐ No

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

2023

Gender *

☒ Female

TAJIA LAGOMARSINO

DEAR RASE MCCRAY,

I AM WRITING TO EXPRESS MY STRONG INTEREST IN THE HUMAN RELATIONS COMMISSIONER POSITION WITHIN THE HIGH POINT CITY COUNCIL. AS A DRIVEN AND AMBITIOUS INDIVIDUAL WITH A GENUINE PASSION FOR CREATING POSITIVE CHANGE IN THE WORLD, I AM EAGER TO CONTRIBUTE MY SKILLS AND EXPERIENCE TO SERVE THE COMMUNITY AND ADVOCATE FOR THE RIGHTS AND WELL-BEING OF ITS RESIDENTS.

MY BACKGROUND AND EXPERIENCES HAVE EQUIPPED ME WITH THE NECESSARY QUALITIES AND CAPABILITIES TO EXCEL IN THIS ROLE. I HAVE BEEN ACTIVELY INVOLVED IN INTERNATIONAL PROJECTS IN AFRICA, WHERE I HAVE HONED MY COMMUNICATION AND COLLABORATION SKILLS IN DIVERSE CULTURAL ENVIRONMENTS. THIS EXPOSURE HAS INSTILLED IN ME A DEEP APPRECIATION FOR UNDERSTANDING DIFFERENT PERSPECTIVES AND WORKING TOWARDS COMMON GOALS.

ADDITIONALLY, I HAVE ORGANIZED AND HOSTED NETWORKING EVENTS WITH THE AIM OF FOSTERING CONNECTIONS AND BRINGING INDIVIDUALS TOGETHER TO CREATE MEANINGFUL PARTNERSHIPS. THESE EVENTS HAVE PROVIDED ME WITH A STRONG UNDERSTANDING OF COMMUNITY DYNAMICS AND THE IMPORTANCE OF INCLUSIVE COLLABORATION.

IF GIVEN THE OPPORTUNITY TO SERVE AS A COMMISSIONER, I AM COMMITTED TO PRIORITIZING THE NEEDS AND INTERESTS OF THE RESIDENTS OF HIGH POINT. WITH MY STRONG INTERPERSONAL SKILLS, ABILITY TO LISTEN ATTENTIVELY, AND DEDICATION TO PUBLIC SERVICE, I AM CONFIDENT IN MY CAPACITY TO EFFECTIVELY REPRESENT THE VOICES OF THE PEOPLE.

FURTHERMORE, MY MILITARY EXPERIENCE, HOSPITALITY AND ENTREPRENEURSHIP BACKGROUND HAS EQUIPPED ME WITH A SOLID FOUNDATION IN CRITICAL THINKING, PROBLEM-SOLVING, AND POLICY ANALYSIS. I POSSESS A KEEN EYE FOR DETAIL, A STRATEGIC MINDSET, AND THE ABILITY TO MAKE INFORMED DECISIONS THAT ALIGN WITH THE BEST INTERESTS OF THE COMMUNITY.

I AM ENTHUSIASTIC ABOUT THE OPPORTUNITY TO CONTRIBUTE TO THE HIGH POINT CITY COUNCIL AND TO COLLABORATE WITH LIKE-MINDED INDIVIDUALS WHO ARE DEDICATED TO IMPROVING THE LIVES OF OUR FELLOW CITIZENS. I WOULD BE HONORED TO BRING MY SKILLS, DEDICATION, AND PASSION TO THE COMMISSIONER POSITION AND WORK ALONGSIDE THE COUNCIL TO SHAPE THE FUTURE OF OUR COMMUNITY.

THANK YOU FOR CONSIDERING MY APPLICATION. I AM EAGER TO FURTHER DISCUSS HOW MY QUALIFICATIONS ALIGN WITH THE REQUIREMENTS OF THE COMMISSIONER POSITION. I AM AVAILABLE AT YOUR CONVENIENCE FOR AN INTERVIEW TO ELABORATE ON MY IDEAS AND POTENTIAL CONTRIBUTIONS.

I LOOK FORWARD TO THE POSSIBILITY OF JOINING THE HIGH POINT CITY COUNCIL AND MAKING A POSITIVE IMPACT ON THE LIVES OF THE RESIDENTS WE SERVE. THANK YOU FOR YOUR TIME AND CONSIDERATION.



TAJIA LYNN LAGOMARSINO

TAJIA LYNN LAGOMARSINO

ENTREPRENEUR/ ARTIST/ BARTENDER/ VETERAN

AS A DRIVEN, AMBITIOUS, AND HARDWORKING INDIVIDUAL, I BRING A STRONG MISSION MINDSET TO EVERYTHING I DO. WITH A DEEP DESIRE TO CHANGE THE WORLD AND BE OF SERVICE TO OTHERS, I AM DEDICATED TO MAKING A MEANINGFUL IMPACT. AT 25 YEARS OLD, I AM A PROUD VETERAN, BRINGING THE DISCIPLINE AND DETERMINATION ACQUIRED THROUGH MY MILITARY EXPERIENCE TO MY PROFESSIONAL ENDEAVORS. AS A GRADUATE OF THE HIGH POINT LEADERSHIP CLASS OF 2023, I HAVE HONED MY LEADERSHIP SKILLS AND DEVELOPED A SOLID FOUNDATION IN EFFECTIVE DECISION-MAKING AND PROBLEM-SOLVING. WITH A PASSION FOR CONTINUOUS GROWTH AND A COMMITMENT TO EXCELLENCE, I AM POISED TO MAKE A SIGNIFICANT CONTRIBUTION IN ANY ENVIRONMENT I FIND MYSELF IN.



WORK EXPERIENCE

WHERE SOULS REVIVE LLC / APRIL 2021/ PRESENT

EVENT PLANNER

SUCCESSFULLY SPEARHEADED END-TO-END EVENT MANAGEMENT, FROM BUDGETING AND VENDOR SELECTION TO LOGISTICS COORDINATION, RESULTING IN SEAMLESS EXECUTION OF HIGHLY SUCCESSFUL AND MEMORABLE EVENTS WHILE LEADING CROSS-FUNCTIONAL TEAMS TO DELIVER EXCEPTIONAL OUTCOMES WITHIN TIGHT DEADLINES AND BUDGET CONSTRAINTS.

STOCK & GRAIN / JUNE 2023 / PRESENT

BARTENDER

DYNAMIC BARTENDER WITH EXPERTISE IN CRAFTING AN EXTENSIVE VARIETY OF COCKTAILS, PROVIDING OUTSTANDING CUSTOMER SERVICE, AND CULTIVATING A VIBRANT AND INVITING ATMOSPHERE. ADEPT AT EFFICIENTLY MIXING, GARNISHING, AND SERVING DRINKS WHILE MAINTAINING INVENTORY CONTROL AND UPHOLDING STRICT HYGIENE AND SAFETY PROTOCOLS.

SKILLS

⚡ PHOTOGRAPHY ⚡ PHOTOSHOP ⚡ COMMUNICATION
⚡ LEADERSHIP ⚡ MANAGEMENT ⚡ ACCOUNTABILITY

CONTACT

📞 201-679-3583

✉ TAJIALYNN@ICLOUD.COM

EDUCATION

SADDLE BROOK HIGH SCHOOL
GENERAL STUDIES/ 2016

QUATERMASTERS (ARMY NG)
CULINARY ARTS / 2017

GOOGLE
DIGITAL MARKETING / PRESENT
CYBER SECURITY /PRESENT

CITY OF HIGH POINT

AGENDA ITEM



Title: Annexation Utility Connection Exemption Request
(449 May Kennedy Road)

From: Sushil Nepal, AICP
Planning & Development Director

Meeting Date: July 17, 2023

Public Hearing: Yes

Advertising Date: Not applicable

Attachments: A. Memorandum
B. Maps

Advertised By: Not applicable

PURPOSE:

A request by William and Laura Davis to allow a parcel exceeding three acres to be exempted from annexation policy for connection to City of High Point sewer service.

BACKGROUND:

It is the policy of the City of High Point to provide water and sewer utility services only to properties within the City's corporate limits. Thus, an annexation petition is required to be approved to provide utility service. A property that is located outside the corporate limits, and within the City's planning area, may apply for an exception to this policy (*City of High Point Water and Sewer Utility Extension Policy*) if it is not in the City's economic interest to annex and provide full City services at this time.

This is an administrative review and approval by the Technical Review Committee (TRC). However, City Council approval is required for a parcel over three acres. Such a request has been submitted for a 4.5 acre parcel located at 449 Mae Kennedy Road.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends that it is not in the City's economic interest to provide full City Services at this time, and that City Council authorize an issuance of public sewer service to this site that currently exceeds three acres in area. This approval is subject to the property owner recording a City of High Point Annexation Agreement at the Davidson County Register of Deeds office and is included in the agenda packet.



MEMORADUM

DATE: July 17, 2023

TO: Jay Wagner, Mayor
High Point City Council Members

FROM: Herbert Shannon, Senior Planner

SUBJECT: Annexation Utility Connection Exemption - 449 May Kennedy Road
(lying along the north side of Burton Road, 425± feet west of the Guilford/Davidson County line).

It is the policy of the City of High Point to provide water and sewer utility services only to properties within the City's corporate limits. Thus, an annexation petition is required to be approved to provide utility service. A property that is located outside the corporate limits and within the City's planning area, may apply for an exception to this policy (*City of High Point Water and Sewer Utility Extension Policy*).

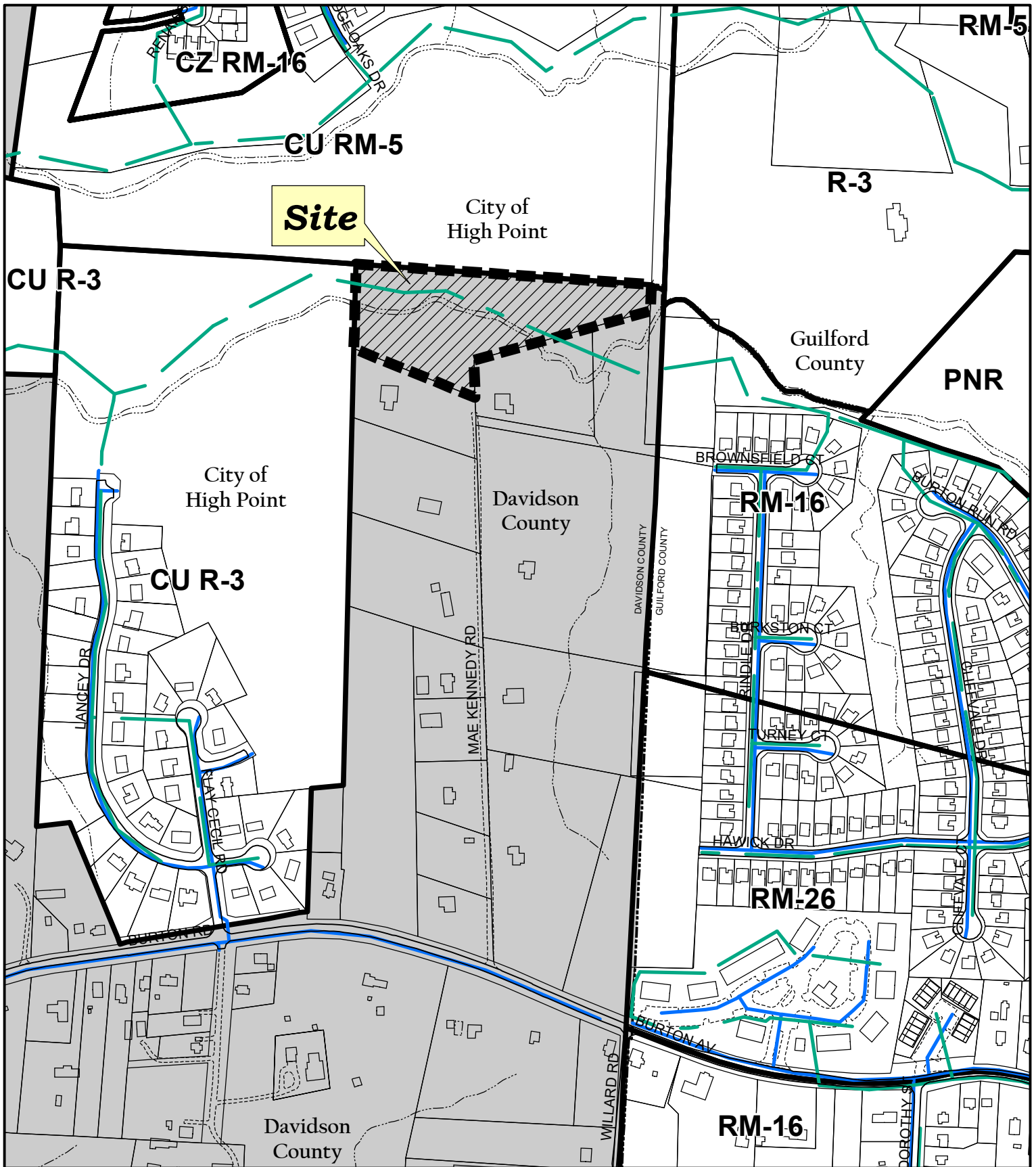
This exception is an administrative review and approval, that is conducted by the City's Technical Review Committee (TRC). Such approvals have typically been for a single family dwelling where their current well or septic tank has failed, and it is not in the City's economic interest to provide full City Services (such as weekly solid waste pick-up) for one home in the fringe portion of the City's planning area. If such a request is approved, the property owner must sign an annexation agreement that is recorded at the county register of deeds office. This agreement states that the property owner (current or future), must be annexed when requested by the City. The administrative approval of such an exemption by the TRC is limited to property that is three acres or less in size. City Council approval is required for larger parcels, with the council finding that such a request is not in conflict with the City's interests.

Such a request has been submitted for a 4.5 acre parcel located at 449 Mae Kennedy Road. The TRC has recommended approval of this annexation exemption because:

1. Mae Kennedy Road is not a publicly maintained right-of-way, it is a graveled access easement.
2. It is not in the City's interest to have city vehicles (weekly solid waste pick-up) transverse a graveled easement. Also, there is no paved cul-da-sac or turn-around area for large vehicles at the northern terminus of this easement where the parcel is located.
3. Although the site is over 3 acres in area, it is impacted by a major stream and flood plain area, that limits placement of a single family home to the southern one-acre portion of this parcel.

Recommendation:

Staff recommends that it is not in the City's economic interest to provide full City Services at this time, and that City Council authorize an issuance of public sewer service to this site that currently exceeds three acres in area. This approval is subject to the property owner recording a City of High Point Annexation Agreement at the Davidson County Register of Deeds office and is included in the agenda packet.



WATER & SEWER EXEMPTION REQUEST

Address: 449 Mae Kennedy Road

Applicant: William and Laura Davis

Existing Zoning Boundary Subject
Property Boundary



**Planning & Development
 Department**

City of High Point



Scale: 1"=300'

G:/Planning/Secure/ba-pz/
 2022/MXDswc-Mae Kennedy Rd

CITY OF HIGH POINT
GUILFORD COUNTY
NORTH CAROLINA

DECLARATION OF COVENANTS
AND
ANNEXATION AGREEMENT

THIS DECLARATION AND AGREEMENT, MADE THIS THE 12 day of June, 2023, by and between WILLIAM ZACHARY DAVIS AND LAURA ADRIAN DAVIS (Property Owners) (Hereinafter referred to as "owner"), and the City of High Point, a Municipal Corporation, of the State of North Carolina, (Hereinafter referred to as "City"):

WITNESSETH

WHEREAS, the Owner is seized in fee simple of certain real property located outside the corporate limits of the City of High Point; and

WHEREAS, the Owner desires to have the City provide sewer service to the below described property; and

WHEREAS, the City agrees to provide sewer service to the Owner pursuant Sections 8-2-26 and 8-2-69 or as amended of the City of High Point Code of Ordinances and the Water and Sewer Utility Extension Policy of the City of High Point.

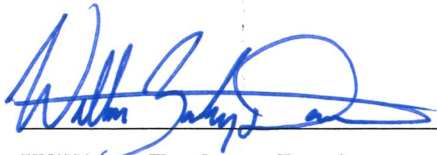
NOW, THEREFORE, the Owner, in consideration of the mutual covenants contained herein, hereby declares and agrees that following described real property is and shall be held, transferred, sold, and conveyed subject to covenants and agreements hereinafter set forth. The property being more particularly described as follows:

All that certain lot or parcel of land situated in Thomasville Township, Davidson County, North Carolina, and more particularly described as follows:

Davidson County Tax Parcel: 16-311-0-000-0015
Deed Book 2562 Page 480 - 482
Total Acreage: 4.54 acres

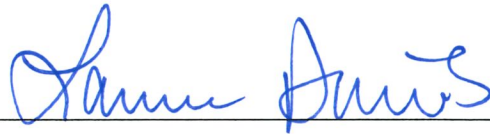
1. The City to provide sewer service to the owner under the terms, conditions, and restrictions of the North Carolina General Statutes and the City of High Point Ordinances and policies then in existence; and
2. The Owner agrees and declares his/her intentions to be annexed into the City of High Point at such future date as said property shall become contiguous to the municipal limits of the City of High Point or at the time the City Council determines in its sole discretion that the City can provide municipal services to the property. The Owner shall execute any and all documents required to accomplish the annexation.
3. The Owner agrees that the property shall not be further divided or subdivided to create more lots or principal building sites until the property is within the corporate limits of the City of High Point.
4. The Owner agrees that, following thirty (30) days notice from the City, the sewer service shall be terminated by the City if the Owner shall fail to perform the above covenants or agreements as they become due.
5. The Owner agrees to not oppose or support opposition to an annexation initiated by the City of High Point that includes any or all the property to which sewer service was provided by the City of High Point in lieu of annexation.
6. The Owner acknowledges that sewer service shall be provided based on the City's outside rate schedule.
7. The designation "Owner" as used herein shall include the parties, heirs, successors, and assigns and shall include singular, plural, masculine, feminine, or neuter as required by context.

IN WITNESS WHEREOF, the Owner has hereunto set his/her hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.



William Zachary Davis

Property Owner(s)



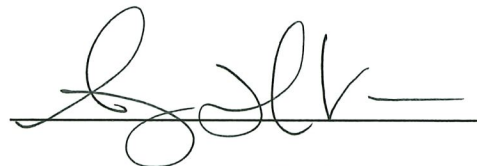
Laura Adrian Davis

Property Owner(s)

COUNTY OF Davidson

STATE OF North Carolina

I, Amy H Vann, a notary public of said county, do hereby certify that the above signed owner(s) personally appeared before me this day and acknowledged the execution of the forgoing instrument. Witness my hand and official stamp or seal, this 12th day of June, 2023 .



Notary Public

My Commission expires: December 14, 2025

City of High Point
Water and Sewer Utility Extension Policy

I. Authority

Sections 8-2-26 and 8-2-69 of the High Point City Code authorize the provision of water and sewer utility services outside the City of High Point corporate limits under specified circumstances and with the approval of the City Council. This policy establishes the process by which such provision for services may be approved.

II. Purpose

This water and sewer utility extension policy is established to ensure a utility infrastructure that is efficient and operates in the best interests of the City and its residents.

III. General Policy

It is the general policy of the City of High Point to provide water and sewer utility services only to properties within the City's corporate limits and to allow the extension of such lines to serve properties only within the corporate limits. For water or sewer service to be provided to a property outside the corporate limits and within the City's planning area, as defined by the City's adopted Land Use Plan, the owner(s) of the property shall petition for voluntary annexation. An exception to this policy may be approved as provided herein.

IV. Exception to the General Policy

A property that is located outside the corporate limits and within the City's planning area may be connected to City water and sewer lines for service without annexation when the owner(s) apply for an exception to the general policy and it is approved as follows.

A. Conditions for Approval

The City's Technical Review Committee (TRC) determines that the property meets one of the following conditions:

1. Annexation of the property is prohibited due to statutory or legal constraints; or
2. The City is unable to effectively deliver all services (other than water and sewer) to the property; or
3. The location of the property, relative to the location of the primary corporate limits and City services, makes the delivery of City services to the property impractical due to costs or physical constraints.

B. Requirements

All the following requirements are met:

1. All plumbing fixtures and facilities shall comply with the appropriate building codes and/or County Health Department regulations.

2. The use of the property is limited to one dwelling unit or nonresidential establishment located on a property that is three acres or less in size. However, upon a written request by the owner(s), the City Council may approve service to a larger property or for more than one dwelling unit on a property if the City Council determines that such actions are not in conflict with City interests.
3. The owner(s) execute a written agreement with the City, in accordance with Section IV C., Written Agreement, committing to submit a voluntary annexation petition and the Planning & Development Department records the agreement in the respective office of the county register of deeds.

C. Written Agreement

The owner(s) must execute a written agreement with the City prior to a property receiving services that states while the property remains outside the corporate limits:

1. The property shall be subject to the City's outside rate schedule for water and sewer service;
2. The property shall not be further divided to create more lots or principal building sites;
3. The owner(s), or their successors or assigns, upon sufficient notice by the City, shall execute all documents required to accomplish voluntary annexation;
4. If following notice, the owner(s) fail to execute action to accomplish voluntary annexation, then the City shall terminate service to the property; and
5. The owner(s) shall not oppose or support opposition to an annexation initiated by the City that includes the property to which City water and sewer service was provided pursuant to this policy.

D. Service Connection

Connections to City water or sewer lines shall not be authorized until the Technical Review Committee approves the requested exception in accordance with this policy and the written agreement is executed and properly recorded.

E. Notification

The Planning & Development Department shall provide written notification of the Technical Review Committee's decision to the property owner(s), City Manager's Office, and the Public Services Department.

F. Appeal

If a request for an exception to the is denied by the Technical Review Committee, the owner(s) may appeal the decision to City Council for review and consideration in accordance with this policy, provided the appeal is submitted in writing to the City Clerk within 30 days of the decision.

V. Randleman Lake Water Supply Watershed

High density or intensive development is prohibited in most of the Randleman Lake Watershed Critical Area through the adoption of the "Deep River I Watershed Assessment and Stormwater Plan" and the NC Environmental Management Commission's approval of the City's alternative high-density option regulations, which is part of the City's watershed protection standards. As required by the State approved plan, the City cannot allow the extension of water and sewer lines for new development in the Randleman Lake Watershed Critical Area except in portions of the Richland Creek and Business 85/Riverdale Road sub-basins, as provided for in Section 6.2., Watershed Protection, of the High Point Development Ordinance. And, where such utility lines are present in the Randleman Lake Watershed Critical Area, service for new development is not allowed. However, a connection to the City's water and sewer lines for an existing dwelling or nonresidential establishment may be approved in accordance with Section III, General Policy or Section IV, Exception to the General Policy.

VI. Service to Government Property and Other Jurisdictions

Nothing in Section III, General Policy, shall preclude the City Council from approving the provision of water and sewer utility services to serve governmental property or to serve areas outside the City's planning area.

Approved this 4th day of October 2001
High Point City Council

Amended December 19, 2002
Amended August 20, 2018

CITY OF HIGH POINT

AGENDA ITEM



Title: Boards and Commission – Appointment to Planning and Zoning Commission

From: City Clerk's Office

Meeting Date: July 17, 2023

Public Hearing: N/A

Advertising Date / N/A

Advertised By:

Attachments: Application

PURPOSE:

Confirm the appointment of Kara Blue to the Planning and Zoning Commission:

Council Member Jefferson is recommending the appointment of Kara Blue to the Planning and Zoning Commission. Appointment will be effective immediately and will expire on June 30, 2026.

BACKGROUND:

Recommendation for Appointment to the Planning and Zoning Commission.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the appointment of Kara Blue to the Planning and Zoning Commission. Appointment effective immediately and will expire on June 30, 2026.

COMMUNITY DEVELOPMENT & HOUSING

Thanena S. Wilson
Director



To: Greg Ferguson, Deputy City Manager

From: Thanena Wilson, Director, Community Development & Housing

Date: July 11, 2023

Re: Strategic Plan Update for Proactive Codes Enforcement

This report summarizes Local Codes Enforcement activities for the month of June 2023.

Minimum Housing

- 17 New Citizen Complaints
- 5 City-initiated Cases
- Demolition Ordinances
 - 6 properties with contracts out for demolition
 - 3 properties with demolition ordinances passed waiting for the appeal period to expire
 - 3 Owner-initiated demolitions (*1707 Welborn St and 2315 E. Green Dr, 411 W Willis Ave*)
 - 6 Units pending owner repairs
(*1105 Forrest St, 613 Manley St, 524 Cross St, 1222 Carter St, 1004 Prospect St and 337 Wingo St*)

Public Nuisance

- 136 New Citizen Complaints
- 98 New City-initiated Cases
- 191 Cases Abated
 - 72 City-abated
 - 119 Owner-abated

Zoning

- 18 New Citizen Complaints
- 40 City-initiated Cases

Total Active Cases (492)

- 235 Minimum Housing
- 139 Public Nuisance
- 118 Zoning

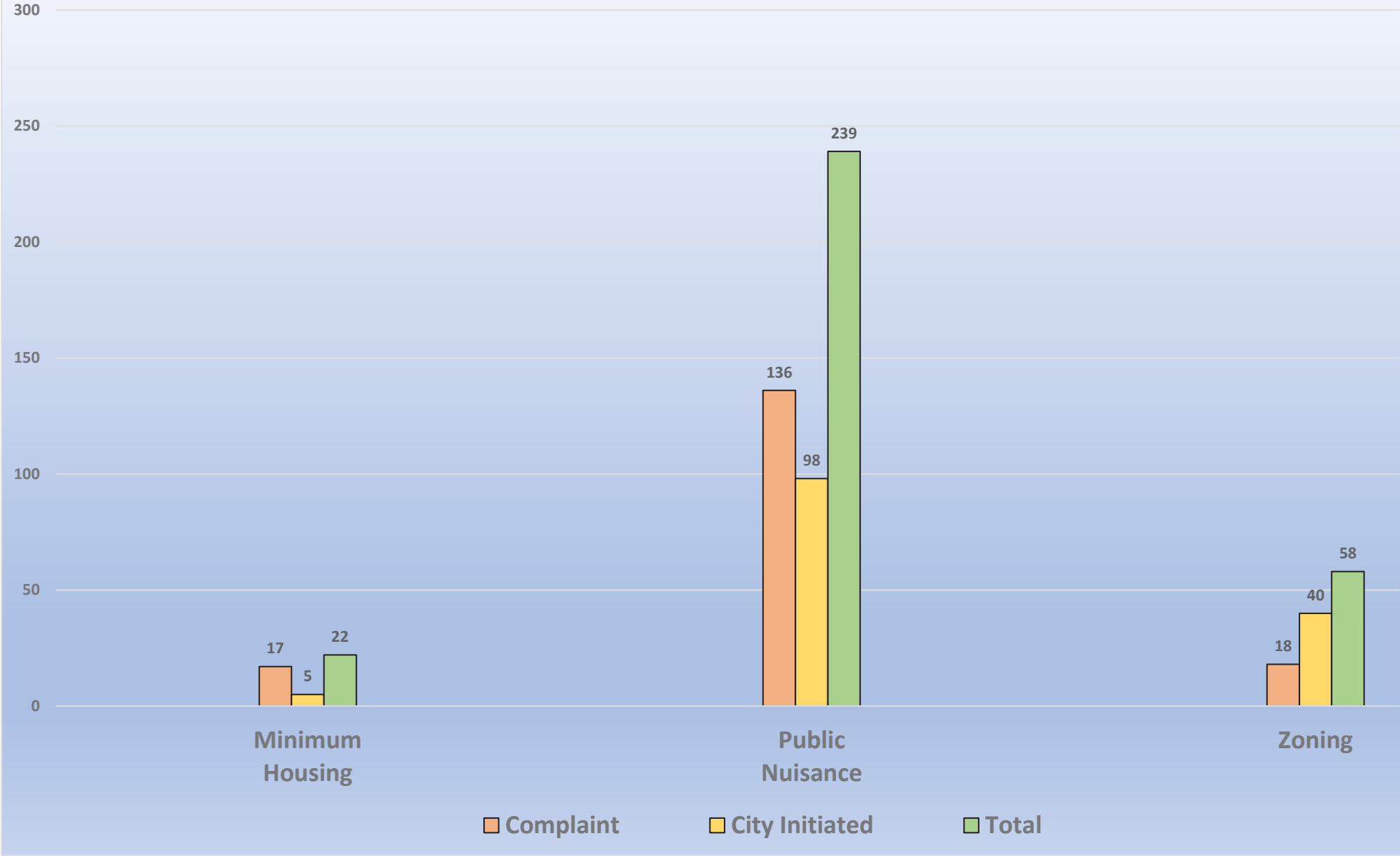
Attachments: 1) Monthly report table
2) Photos – 811 Runyon Dr

Phone
336.883.3351

Fax
336.883.3355

[illegible]

New Cases June 2023















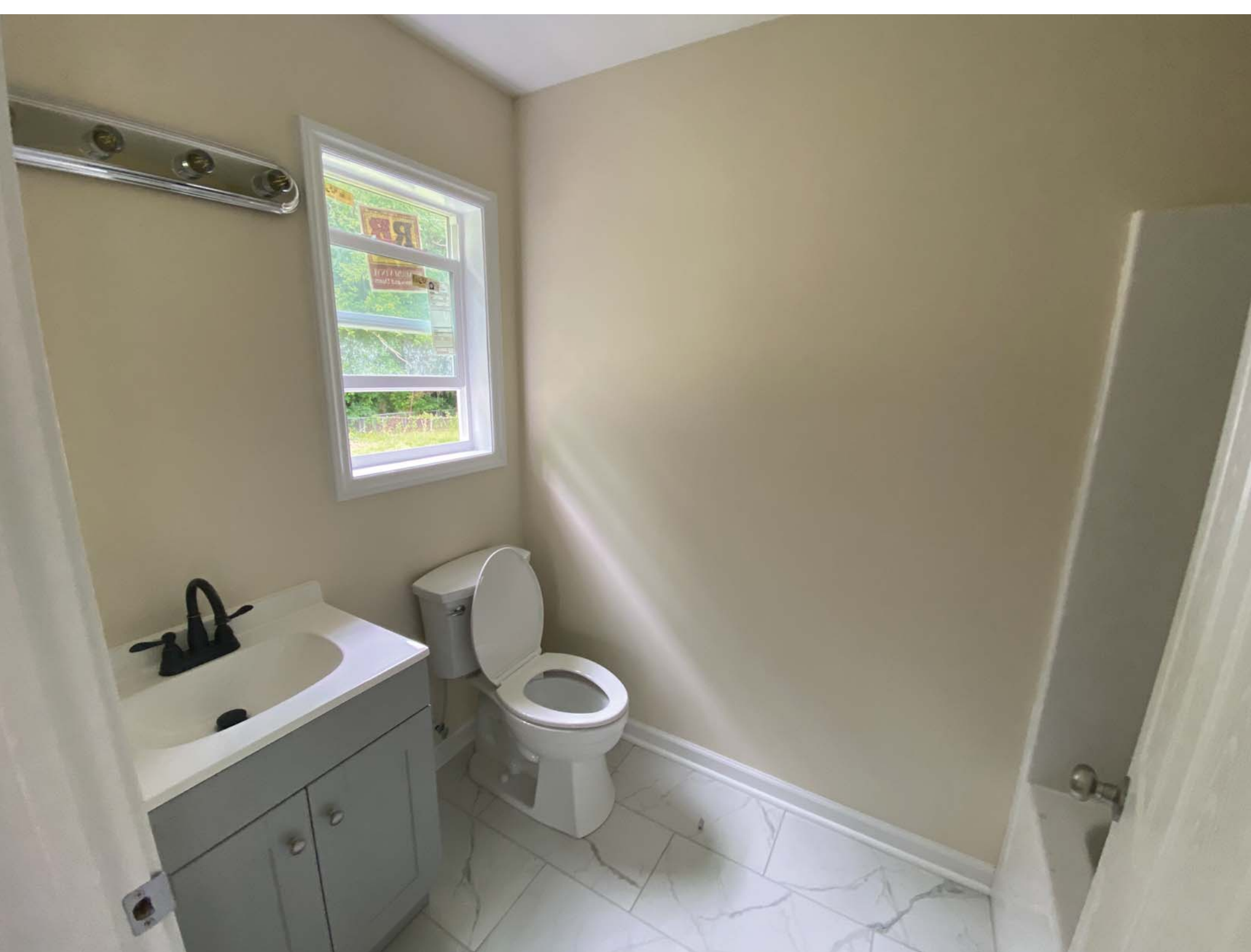




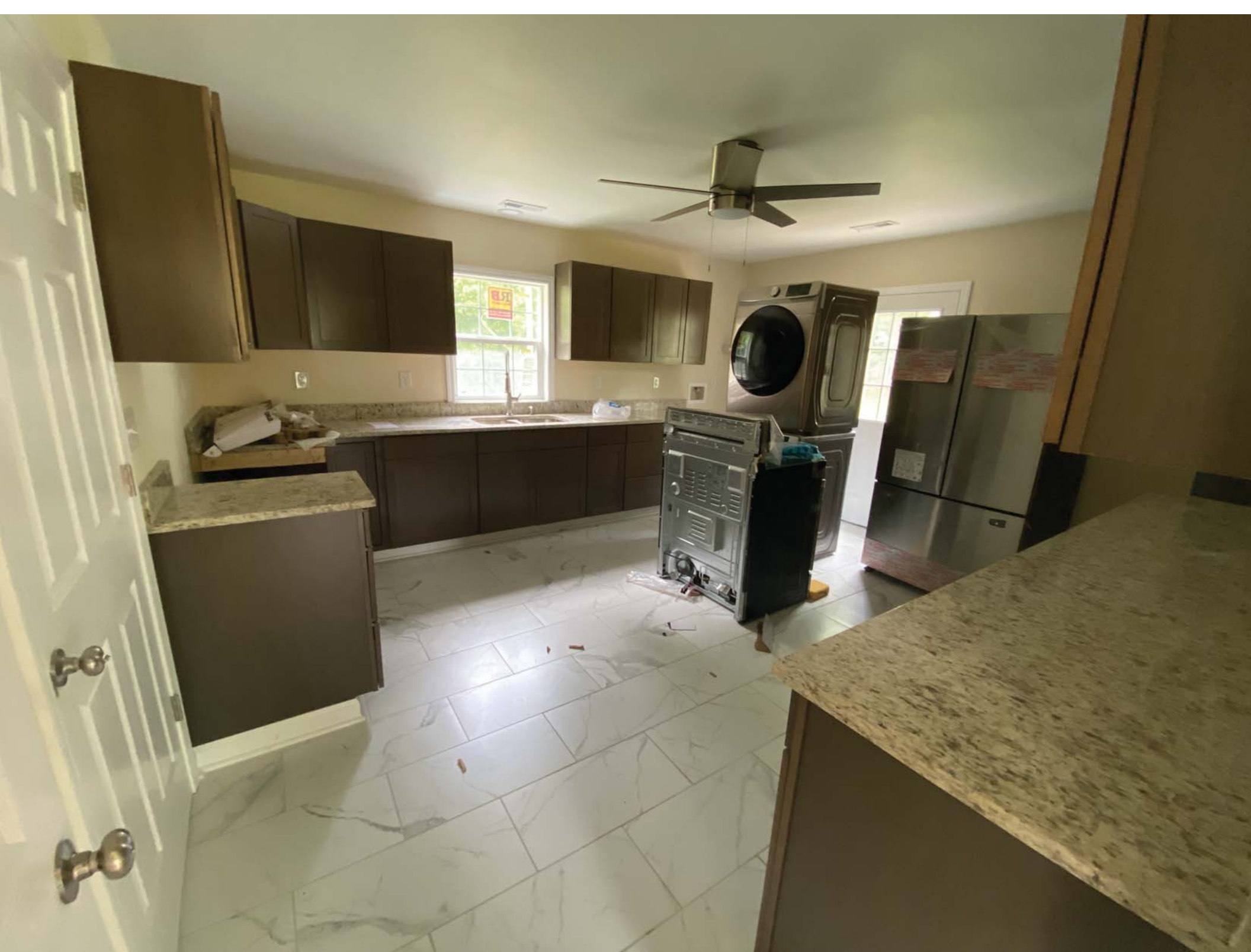












**HIGH POINT CITY COUNCIL
SPECIAL MEETING
MAY 10, 2023 – 4:00 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

MINUTES

CALL TO ORDER and ROLL CALL

Mayor Wagner called the meeting to order at 4:11 p.m.

Upon call of the roll, the following Council Members were Present (6):

Mayor Jay W. Wagner; Council Member Britt W. Moore, At Large; Council Member Cyril Jefferson, Ward 1[arrived at 4:34 p.m.]; Council Member Christopher Williams, Ward 2; Council Member Monica L. Peters, Ward 3; and Council Member Victor Jones, Ward 5

Absent:

Mayor Pro Tem Wesley Hudson, Ward 4; Council Member Tyrone Johnson, At Large; and Council Member Michael Holmes, Ward 6

Staff Present:

Tasha Logan Ford, City Manager; Greg Ferguson, Deputy City Manager; Eric Olmedo, Assistant City Manager; Damon, Dequenne, Assistant City Manager; Meghan Maguire, City Attorney; Sandra Keeney, City Clerk; and Mary S. Brooks, Deputy City Clerk

PRESENTATION OF ITEMS

2023-214 Budget Review- Proposed City of High Point FY 2023-2024 Annual Budget

Staff will provide an overview of the proposed FY 2023-2024 Annual Budget for the City of High Point.

Eric Olmedo, Assistant City Manager welcomed and recognized Cynthia Barnes in attendance as the City's M/WBE Coordinator; and introduced Stephen Hawryluk, Budget and Performance Manager to provide an overview of the proposed FY 2023-2024 Annual Budget for the City of High Point.

Mr. Hawryluk extended greetings; said that he will be discussing the Marketing/Branding Funding, Opioid Funds Update, Fee Schedule, Capital Improvement Plan (CIP), and the next steps for the proposed FY 2023-2024 Annual Budget for the City of High Point as followed:

- *Marketing and Branding funding: proposed budget of \$250,000; outlined the implementation plan (collaboration and brand management, internal*

communication, built environment), and spoke to other/future funding such as existing departmental budgets, and regular replacement/maintenance schedule.

- *Opioid fund update: settlement fund created in June 2022; required to update annually; received to date - \$172,000; settlement was \$2,394,023 allocated that will be received in increments between 2022 and 2038; opioid settlement fund \$2,394,023; outlined what the funds could be used for; specific uses to be determined; and spoke to the prerequisites on how funds will be spent.*
- *Proposed Fee Schedule: proposed 4% increase (water/sewer) due to higher operating costs; no increase in electric rates; Parks and Recreation will be no change in competition swimming lane rental, reduce from 8 lanes to 6 lanes; for Customer Service increase in service fee, extra trip fees, meter tampering/investigation charge, and for electric service; discussed the parking fee changes increase; Public Services increase for cemeteries services; Public Services increase in red box rental, roll out container, and solid waste fees; outlined the monthly impact these changes would have on customers.*

Mayor Wagner inquired on the expiration of the revenue bonds from the early 2000s; and inquired on the competition swimming lane rental from different entities. Mr. Fitzjohn responded that the initial bonds were phasing out and being replaced by other bonds; and that revenue bonds dated back in the early 2000s were not a part of the current model which extends between ten to fifteen years out. Mr. Hawryluk responded that staff would look into and confirm the competition swimming lane rental process.

Discussion took place regarding red box rental fees.

Mr. Hawryluk continued discussion on the following regarding the proposed city's budget.

- *Capital Improvement Plan (CIP): provided a list of projects from the funding sources as followed: General Capital, Water/Sewer, Electric, Transit, Solid Waste, and Stormwater; and outlined each funding source's projects.*

Mayor Wagner inquired on the distance of lines to be used for the 'Replace Obsolete Water/Sewer Lines' Projects. Damon Dequenne, Assistant City Manager responded that staff would follow up with that information.

Council Member Peters asked for a list of the Obsolete Water and Sewer Lines projects. Tasha Logan Ford, City Manager responded that staff would provide that information.

Council Member Moore asked if the demolition for Ward Street scheduled yet. Mr. Hawryluk responded that staff would provide that information after confirmation.

Council Member Jefferson arrived at the meeting at 4:34 p.m.

Mr. Hawryluk continued discussion on the following regarding the proposed city's budget.

- *Next Steps:*
 - ✓ *Monday, May 15, 2023, 5:30 p.m.-Public Hearing at council meeting.*
 - ✓ *Thursday, May 18, 2023, 4-5:30 p.m.-Budget Work Session. Market authority and visit highpoint present their annual budgets.*
 - ✓ *Wednesday, May 24, 2023, 4-5:30 p.m.-Budget Work Session (if necessary).*

Council Discussion/Questions

Council Member Williams asked staff to reevaluate council's base pay; and to evaluate council's pay every term (four years) moving forward. Ms. Logan Ford responded and spoke to the salary comparisons from other cities; noted that the last salary adjustment was in 2008; and that staff would conduct a comparison analysis.

Council Member Williams inquired on the next steps regarding the Mentorship Coordinator Position; and stated that agencies were requesting this expertise. Ms. Logan Ford said that staff had a proposal that would be shared before the Finance Committee to allocate funding; asked Council Member Williams to confirm which source of funds to use for said position. Council Member Williams responded to use the ARPA funds.

It was the consensus of council to bring the Mentorship Coordinator Position before the Finance Department to allocate funding.

Council Member Jefferson inquired on the funding for the Transit HUB project in the amount of \$250,000; and asked was the location confirmed for the HUBs. Mr. Hawryluk explained and provided a breakdown regarding the cost for the HUB project; and Ms. Logan Ford responded that a location was not confirmed for the HUB.

Council Member Peters requested to have Jacobs Place included with the West Green in the water and sewer project. Ms. Logan Ford responded that staff would evaluate coordinating the two projects.

Council Member Williams asked how many miles were paved in the budget. Ms. Logan Ford responded that staff would provide that information.

Council Member Jefferson asked if the proposed budget include and solutions regarding recruiting CDL drivers. Damon Dequenne, Assistant City Manager replied, "yes"; said that staff conducted an interim evaluation regarding salary; city is actively working with GTCC to train future drivers, mechanic; and that with assistance from the Financial

Services Department, the city was able to change insurance companies due to the previous restrictions that required two years' experience.

Mayor Wagner advised that the public hearing, to receive feedback, for the proposed budget would be on Monday, May 15th; and that a budget work session would be held on May 18th to receive annual budget reports from Visit High Point, and the Market Authority.

Council Members Williams and Jefferson requested that Forward High Point provide a budget update to council. Ms. Logan Ford noted that Forward High Point's budget was not a part of the city's budget process; and that Forward High Point would present their budget at the May 18th budget work session.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 4:49 p.m. upon motion duly made by Council Member Moore and second by Council Member Williams.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Mary S. Brooks, CMC
Deputy City Clerk

AN ORDINANCE AMENDING “THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE,” PURSUANT TO SECTION 2.4.6, CONDITIONAL ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on March 28, 2023; April 25, 2023; and June 27, 2023 and before the City Council of the City of High Point on May 15, 2023 and July 17, 2023 regarding **Zoning Map Amendment Case 23-08 (ZA-23-08)** 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 March 18, 2023 and June 17, 2023, for the Planning and Zoning Commission public hearing and on May 3 & 10, 2023 and July 5 & 12, 2023, for the City Council public hearing pursuant to Chapter 160D-602 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 **May 15, 2023**.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Conditional Zoning Residential Multifamily - 16 District (CZ RM-16) District**. The property is approximately 9.7 acres, located west of the intersection of Penny Road and East Fork Road (1711 and 1701 Penny Road). The property is also known as Guilford County Tax Parcel 187199.

SECTION 2

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

Part I. **USES:** Any uses allowed in the Residential Multifamily – 16 (RM-16) District shall be permitted, subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Multifamily Dwelling Use Type Development Standards:

- a. Penny Road Setback: A minimum building setback of 250 feet shall be required from the Penny Road right-of-way line for multifamily building(s). This higher setback standard shall not apply to accessory structures associated with a multifamily development.
- b. The following development and dimensional standards shall apply to multifamily structures that are developed on that portion of the property south of the Duke Energy Transmission Line Easement.
 - i. A maximum of 33 dwelling units shall be allowed.
 - ii. A minimum building setback of 30 feet shall be provided from the southern property line of the zoning site.
 - iii. A maximum building height of 50 feet shall be allowed, and buildings shall be of pitched roof construction.
 - iv. A maximum building length of 200 feet.

B. Landscaping, Buffers and Screening.

1. Northeastern boundary of the site (abutting Guilford County Tax Parcel 196594 - a Guilford County Historic Landmark Property): Adjacent to tax parcel 196594 (1753 Penny Road) on the northern property boundary of the zoning site, a Type C perimeter landscape yard, of greater than 50% evergreen will be established. In the event the R-3 zoning of tax parcel 196594 is changed to a multifamily or non-single family zoning district and the Guilford County Landmark historic designation is removed, this higher landscaping standards shall not apply.
2. Southern boundary of the site (abutting the Eagle Glen subdivision): Along the southern boundary of the zoning site, adjacent to the Eagle Glen Subdivision, a Type C perimeter landscape yard, of greater than 50% evergreen, shall be established. This planting yard shall not encroach into the Duke Energy Transmission Line Easement.

An alternate landscaping/buffering/screening plan may be approved by the Planning and Development Director. In addition to the guidelines noted in Section 5.5.13 (Alternate Landscape Plan) of the Development Ordinance, landscaping, buffering, and screening:

- a) Shall not be less than 15 feet in width;
- b) Shall function as a partial opaque screen and shall create a sense of spatial separation between the zoning site and adjacent residential uses to the south; and

- c) May include an opaque screening as outlined in Section 5.6.6 (Screening Method) of the Development Ordinance but said opaque screening shall not be the only buffering method.
 - 3. Penny Road Street Planting Yard: A minimum 10 foot wide Street Yard shall be installed along the Penny Road frontage of the site. This Streetyard planting area shall be established within a common area and shall be exclusive of any utility easements, except for perpendicular crossings by utilities, roadways (public and private streets) and vehicular access driveway.
 - 4. Along the southern property boundary, a 6 foot high opaque screening fence will be erected adjacent to any multifamily building (between the building and the southern property line). The fence shall extend a minimum of 10 feet beyond the side walls of the building.
- C. Pedestrian Access: As a part of development permit approval, the property owner shall install a minimum five (5) foot wide concrete or asphalt pedestrian connection from the internal pedestrian circulation area(s), within the zoning site to the perimeter sidewalk along Penny Road.
- D. Transportation Conditions.
- 1. Access:
 - a) Location and number of vehicular access points: If more than 50 dwelling units are permitted, as part of development permit approval, two physical vehicular access connections shall be required to be installed to an improved public/private street or existing improved access drive corridor. One of the required access points shall align with Penny Road/East Fork Road intersection. Right and left turn lanes, with appropriate storage and taper, shall be provided on Penny Road.
 - b) If more than 50 dwelling units are approved, the developer shall be responsible for signal modifications at the site access at Penny Road/East Fork Road.

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.

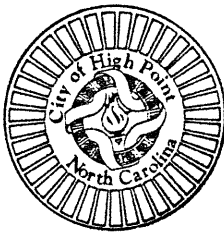
SECTION 6.

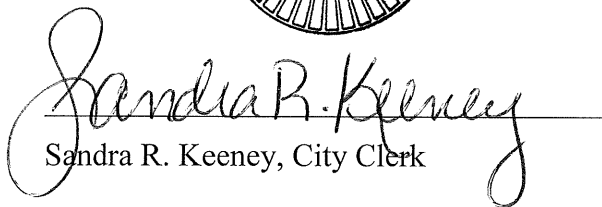
This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina

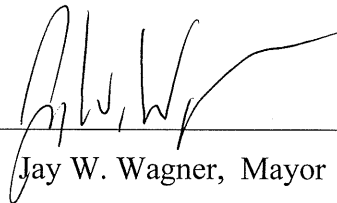
The 17th day of July, 2023

ATTEST:




Sandra R. Keeney, City Clerk

By: _____


Jay W. Wagner, Mayor