# City of High Point

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

# Meeting Agenda

**Monday, May 19, 2014**

**5:30 PM**

**Council Chambers**

## <u>City Council</u>

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

## ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

## CONSENT AGENDA ITEMS

## FINANCE COMMITTEE - Council Member Moore, Chair

140133 Budget Ordinance Amendment - Piedmont Triad Regional Water Authority
Adoption of an ordinance amending the 2013-2014 Budget Ordinance to appropriate funds in the amount of $445,560.00 for the Piedmont Triad Regional Water Authority (PTRWA) Hydro Lawsuit Settlement.

140134 Contract - Bid No. 56 - Voltage Regulators
Approval of contract awarding Bid No.56 for the purchase of twenty-one (21) voltage regulators. Purchasing and the Electric Department recommends that contract be awarded to HD Supply in the amount of $283,161.00 which is the lowest responsive and responsible bid meeting specifications.

140135 Contract - Arcadis - Country Club/Rockford/Westwood Stormwater Project
Consideration and approval of contract to ARCADIS G & M of North Carolina, Inc., for the design and construction services of the stormwater improvements on Country Club Drive, Rockford Road and Westwood/Gatewood Avenue. Contract in an amount not to exceed $173,000.00.

140146 Grant Application - Recreational Trails Program Grant - Deep River Greenway
The Parks and Recreation Department is requesting City Council approval of the filing of the Recreational Trails Program Grant Application to help assist with the construction of the Deep River Greenway.

140136 Presentation of the Proposed 2014-2015 City of High Point Annual Budget
The City Manager will present the proposed 2014-2015 City of High Point Annual Budget to City Council and ask Council to establish public hearing dates to receive comments on the budget for Monday, June 2nd at 6:15 pm and Thursday, June 5th at 9:00 am.

## Pending Items

140101 Property Tax Early Payment Reduction
City Council is requested to ratify the reduction in the property tax early payment discount rate from 1.0% to 0.5%.

## COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

140137 Resolution of Intent - Street Abandonment Case 14-03
Approval of a Resolution of Intent that establishes a public hearing date of Monday June 16, 2014 at 6:15 p.m. to consider a request by the Technical Review Committee to abandon excess right-of-way lying along the north side of Vail Avenue, between George Place and Cassell Street.

140138 Resolution of Intent - Street Abandonment Case 14-04
Approval of a Resolution of Intent that establishes a public hearing date of Monday, June 16, 2014 at 6:15 p.m. to consider a request by the Technical Review Committee to abandon an unimproved alley lying along the south side of W. English Road, between N. Lindsay Street and Oakwood Street.

140139 Comprehensive Planning Committee - Report of Meeting - May 8, 2014
Council is requested to confirm receipt of the report from the Comprehensive Planning Committee meeting held Thursday, May 8, 2014 at 9:00 a.m.

140110 Ordinance - Annexation Case ANX14-03 - Michael & Tonya Curtis
A request by Michael & Tonya Curtis to consider a voluntary contiguous annexation of approximately 1.6 acres. The area to be annexed is lying along the south side of Tangle Lane, approximately 1,900 feet west of Penny Road. The public hearing on this item was held Monday, April 21st and City Council delayed action at the May 5th meeting to allow the petitioner additional time to consider if he wanted to proceed with the request for annexation or withdrawal of the request.

## PUBLIC HEARINGS - 6:15 P.M.

## COMPREHENSIVE PLANNING COMMITTEE - Council Member Smothers, Chair

140140 Ordinance - Gary Walter Idol and Pamela Idol - Annexation Case ANX14-04
A request by Gary Walter Idol and Pamela Idol to consider a voluntary non-contiguous annexation of an approximately 1.5 acre parcel lying along the east side of NC Highway 66, approximately 1,175 feet north of I-74.

140141 Ordinance - Carolina Investment Properties, Inc. - Amendment to Zoning Case 14-01
A request by Carolina Investment Properties, Inc. to amend Conditional Zoning Case 14-01 to:
a. Add approximately 1.5 acres; and
b. Rezone approximately 1.5 acres from a Residential Single Family-20 (RS-20) District, within Forsyth County's zoning jurisdiction, to the Conditional Zoning Light Industrial (CZ-LI) District of Zoning Case 14-01. The property is lying along the east side of NC Highway 66, approximately 1,175 feet north of I-74 (2775 Highway 66 South).

Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

140142 Ordinance - Hartley Ridge, LLC - Zoning Case 14-04
A request by Hartley Ridge, LLC to rezone approximately 10.6 acres from a Conditional Use Residential Multifamily 12 (CU RM-12) District to a Conditional Zoning Residential Multifamily 12 (CZ RM-12) District. The site is lying south of W. Hartley Drive and east of Ingleside Drive. (Petitioner is requesting that this item be withdrawn)

140143 Ordinance - International Market Centers - Text Amendment Case 14-04
A request to by International Market Centers to amend Section 9-5-16 of the Development Ordinance to allow video wall signs in the Central Business (CB) zoning district.

## BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

140111 Boards and Commissions - Vacancy Report
Attached is the current list of vacancies for all Boards and Commissions.

## APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

140144 Minutes to be approved
Comprehensive Planning Committee Meeting: April 29th @ 8:30 a.m.
Finance Committee Meeting: Monday, May 5th @ 4:30 p.m.
Regular Council Meeting: Monday, May 5th @ 5:30/6:15 p.m.
Comprehensive Planning Committee Meeting: Thursday, May 8th @ 9:00 a.m.
Community Housing and Neighborhood Development Committee Meeting: Tuesday, May 13th @ 10:00 a.m.

## ADJOURNMENT

City of High Point
Budget & Evaluation Office

May 19, 2014

MEMORANDUM

TO: Strib Boynton
City Manager

FROM: Eric Olmedo
Budget & Performance Manager

SUBJECT: Agenda Item for City Council

The City received a refund from the Piedmont Triad Regional Water Authority in June 2011 in the amount of $746,152.34 upon completion of the Authority's capital projects. The City participated in these projects, and this amount represented the overpayment the City made based on PTRWA's estimated costs.

At the time the refund was received, it was determined the City would reserve this amount in fund balance due to a possible settlement payment from the Hydro Lawsuit that was being litigated in court.

The Water Authority reached a settlement in the amount of $2,350,000 on April 1, 2014. The City of High Point's share of this settlement is $445,560.

Upon approval of the attached budget amendment, funding from Appropriated Fund Balance will be transferred to pay this settlement amount. Please let me know if you have any questions.

cc: Pat Pate
Randy McCaslin
Jeff Moore

Attachments: Budget Amendment

P.O. 230, 211 South Hamilton Street, High Point, NC 27261 USA
Fax: 336.822-7065 Phone: 336.883.3018 TDD: 336.883.8517

# PIEDMONT TRIAD REGIONAL WATER AUTHORITY

MEMORANDUM

To: Strib Boynton

From: Greg Flory

Date: April 22, 2014

Re: Hydro Lawsuit Settlement

Strib,

Enclosed is a copy of the Settlement Memorandum Agreement ('SMA') for the Hydro Lawsuit, a copy of the Press Release that was distributed upon Board approval of the agreement and a copy of the invoice for High Point's portion of the settlement. The SMA spells out the specific terms reached during mediation on April 1st. Key items in the SMA are the settlement amount of $2,350,000.00 and the requirement for a general release by the plaintiffs for all claims past, present and future against the Authority. The settlement is for all claims of damages up to the 48 MGD Safe Yield of the reservoir. It is inclusive of all of the plaintiffs' attorney and expert witness fees and any applicable interest charges that would have been allowed under the inverse condemnation statute. The agreement encompasses all known facilities between Randleman Dam and the confluence of the Haw and Deep Rivers. This means that any future exposure for damages caused by the transfer of water out of one basin to another, the significant damage component in the case, should be limited.

The invoice for High Point's portion of the settlement was calculated based on your percent ownership in the Authority as specified in the Joint Governmental Agreements. Based on High Point's 19% ownership in the Authority, the impact amount was calculated to be $445,560.00. You will note the agreement requires a settlement payment of June 1st, so we have based the invoice due date with this in mind. Should the date not allow enough time for your approval process, please let me know.

If you, or the City Council, have any questions on this matter, please do not hesitate to give me a call.

Thank you,

Greg Flory

Mailing Address: P.O. Box 1326 • Randleman, NC 27317
Physical Address: 7297 Adams Farm Road • Randleman, NC 27317
Telephone: (336) 498-5510 • Fax: (336) 498-1903

"AN ORDINANCE AMENDING THE 2013-2014 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO APPROPRIATE FUNDS FOR THE HYDRO LAWSUIT SETTLEMENT

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

Section 1. The City of High Point received a refund in the amount of $746,152.34 in June 2011 from the Piedmont Triad Regional Water Authority upon the closeout of their capital projects accounts.

Section 2. These funds have been set aside in fund balance in order to pay any potential settlement from the Hydro Lawsuit. The Piedmont Triad Regional Water Authority has settled this suit and the City of High Point's share is $445,560.

Section 3. In order to appropriate these funds, the 2013-2014 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That the Water-Sewer Fund expenditures be amended as follows:

| | |
|---|---|
| Miscellaneous Services and Charges | $ 445,560 |

(B) That the Water – Sewer Fund – revenues be amended as follows:

| | |
|---|---|
| Appropriated Fund Balance | $ 445,560 |

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

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

Adopted this 19th day of May, 2014

# NOTICE OF APPROVED AMENDMENT
# TO THE CODE OF ORDINANCES
# OF THE CITY OF HIGH POINT, NORTH CAROLINA

**TEXT AMENDMENT: 14-04**
Ordinance # 1762/14-40
APPLICANT: International Market Centers

AN ORDINANCE AMENDING TITLE 9 OF THE CODE OF ORDINANCES, PURSUANT TO SECTION 9-3-15, TEXT AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

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

**WHEREAS**, public hearings were held before the Planning and Zoning Commission on April 22, 2014 and before the City Council on May 19, 2014 regarding **Text Amendment 14-04;** and

**WHEREAS**, notice of the public hearings was published in the High Point Enterprise on April 13, 2014 for the Planning and Zoning Commission public hearing and May 7, 2014 and May 14, 2014 for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

**WHEREAS**, this amendment was adopted by the City Council of the City of High Point on June 2, 2014;

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

An amendment affecting Article D *Sign Regulations,* Section 9-5-16 *General Regulations;* and Section 9-2-2 *Definitions* regarding video wall signs in the Central Business (CB) zoning district.

## SECTION 1.

**Part A.** Chapter 2, *Definitions,* Section 9-2-2(k) entitled *Signs*, is hereby amended to add the following definition, which shall be numbered as (42):

**(42) Video Wall Sign: A video wall sign consists of multiple computer monitors, video projectors, or television sets tiled together contiguously or overlapped in order to form one large screen. Typical display technologies include LCD panels, LED arrays, DLP tiles, and rear projection screens. Such signs may display static text, images or photos; electronic changeable copy including the**

**use of changing light to depict action or create special effects; video; or any combination thereof.**

**Part B.** The definitions of Wall Sign, Warning Sign, and Window Sign shall be renumbered as (43), (44), and (45) respectively.

**SECTION 2.**

Section 9-5-16(b), *Prohibited Signs,* is hereby amended as follows:

**Part A.** (2) Animated signs**, except video wall signs that use changing light to depict action or create special effects.**

**Part B.** **(4) Video Wall signs, except as permitted in the Central Business (CB) zoning district.**

**Part C.** Existing paragraphs (4) through (11) of this section shall be renumbered as **(5)** through **(12)** respectively

**SECTION 3.**

**Part A.** A new section 9-5-16(h) shall be added and shall read as follows:

(h) **Video Wall Signs**

1. **Where Allowed: Video wall signs shall be permitted only for Market showrooms in the Central Business (CB) district.**

2. **Location: It is intended that video wall signs be pedestrian oriented. A Video wall sign shall be located flat against a building wall that is parallel to a street, or that faces the interior of a lot. No part of a video wall sign shall be closer than twenty-five (25) feet from intersecting street right-of-ways.**

3. **Projection and Height: A video wall sign cabinet shall not project from the wall more than eighteen (18) inches, and its height shall not be more than fifteen (15) feet above ground level. Screens shall not be angled and shall be parallel to the wall.**

3. **Size: The area of a video wall sign shall be counted toward the maximum allowable wall signage, and shall not exceed**

**25% of the maximum allowable wall signage or sixty (60) square feet, whichever is less.**

4. **Number: No more than one (1) video wall sign shall be permitted per zone lot.**

5. **Brightness:**
   a. **Maximum brightness levels for video wall signs shall not exceed 5,000 nits during daylight hours and shall not exceed 1,000 nits between dusk and dawn, as measured from the sign face.**
   b. **Prior to the issuance of a sign permit, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 5,000 nits.**
   c. **All video wall signs shall have a light sensing device that will adjust the brightness in real-time as ambient light conditions change, so that the sign does not exceed the maximum brightness levels allowed by this section.**

**Part B.** The current sections 9-5-16(h) through (p) will be re-labeled as sections **(i) Signs for Historic Structures or Properties**, through **(q) Variances**, in the same order.

**SECTION 4.**

**Part A.** Section 9-5-16(e), *Signs Requiring a Permit*, is hereby amended as follows:

**(e) Signs Requiring a Permit**

All signs except those listed in ~~Sub~~**S**ections 9-5-16(c) and (d) above, shall not be installed until a sign permit has been obtained. The size, height, permitted illumination, setback, and number of signs permitted is specified in Tables 5-16-2 and 5-16-3, ~~and~~ ~~Sub~~**S**ection 9-5-16(f) (Outdoor Advertising Signs (Billboards)), ~~and~~ **,** ~~Sub~~**S**ection 9-5-16(g) (Electronic Changeable Copy Signs)**, and Section 9-5-16(h) (Video Wall Signs).** Unless otherwise specified, all signs shall be restricted to on-site locations. For the purposes of sign permitting, an Integrated Multiple Use Development (IMUD) shall be considered a single zone lot.

**Part B.** Section 9-5-16(f)(12), *Nonconforming Signs,* shall be amended to read as follows:

(12) Nonconforming Signs: Nonconforming outdoor advertising signs may be continued in accordance with the provisions of ~~Sub~~**S**ection 9-5-16~~(m)~~**(n) (Nonconforming Signs)**.

**Part C.** Section 9-5-16~~(m)~~**(n)**~~(4)~~**(10)** *Annexation, Map Amendment or Text Amendment*, shall be amended to read as follows:

(10) Annexation, Map Amendment or Text Amendment: Any sign that is made nonconforming by reason of annexation, zoning map amendment, or any subsequent amendment to the text of this Ordinance, shall be removed or brought into compliance as provided in ~~Sub~~**S**ection 9-5-16~~(m)~~**(n)**(1) (Signs Existing on Effective Date).

**SECTION 5.**

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 6.**

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

**SECTION 7.**

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The 2nd day of June, 2014
Lisa B. Vierling, City Clerk

Publish four (4) consecutive weeks: **<u>May 23 & 30, 2014 and June 6 & 13, 2014</u>**

# <u>RESOLUTION OF INTENT TO CONSIDER STREET ABANDONMENTS</u>
**(Case # SA14-03)**

WHEREAS, the City Council has been petitioned to abandon excess road right-of-way lying along the north side of Vail Avenue, between George Place and Cassell Street;

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to abandon the above right-of-way and calling a public hearing on the question;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the right-of-ways above described and sets Monday, June 16, 2014, at 6:15 p.m. as the date for said public hearing before the Council in the Council Chambers of the Municipal Building in High Point.

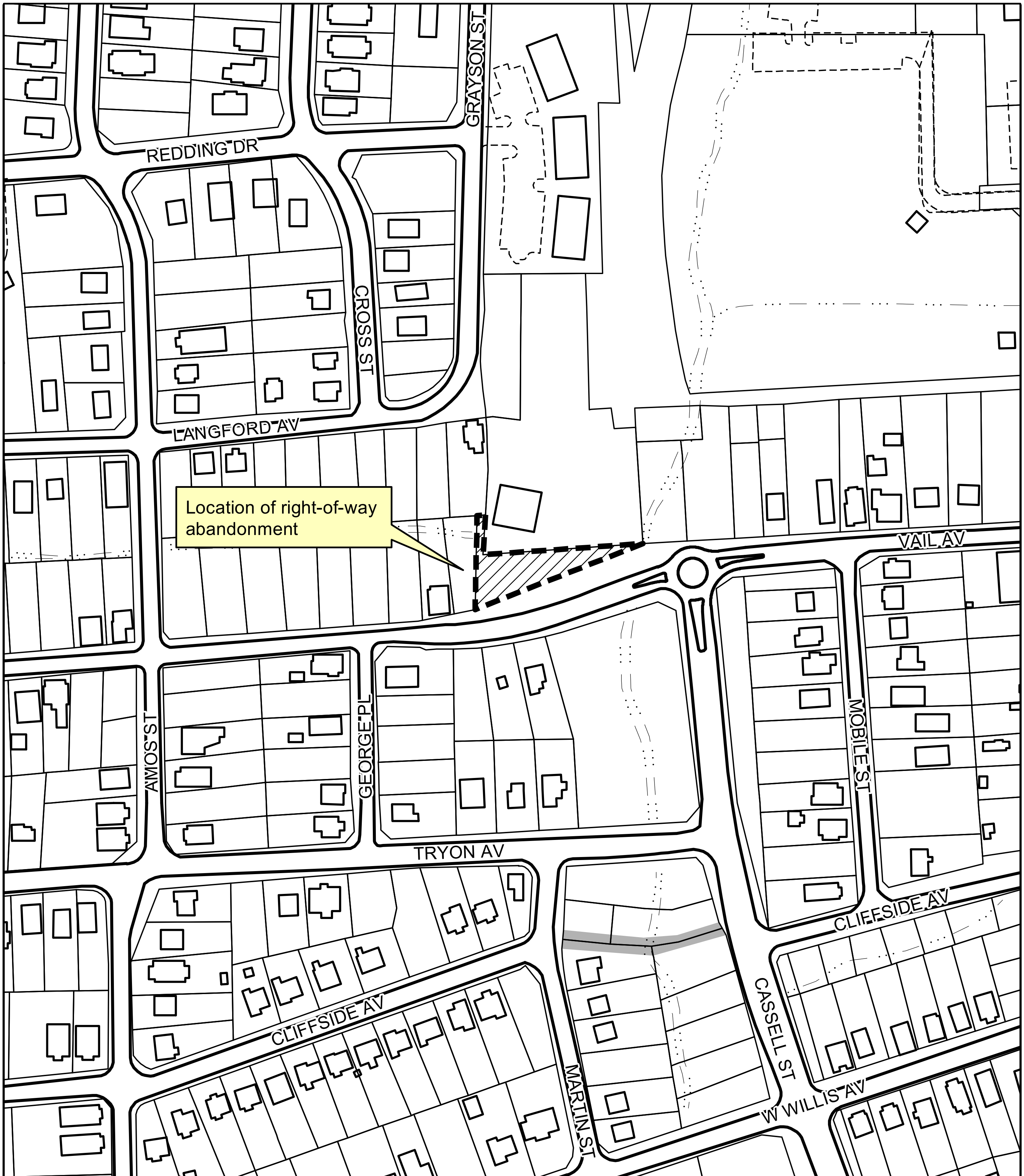
Persons wishing to be heard either for or against the said right-of-way abandonment are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call (336) 883-3298 or TDD# (336) 883-8517.

Further information pertaining to this request is available at the Planning and Development Department in Room 316 of the Municipal Office Building, 211 South Hamilton Street, High Point, North Carolina, (336) 883-3328 or FAX (336) 883-3056.

By Order of the City Council
This the 19th day of May 2014.

Lisa B. Vierling, City Clerk

<u>Petition Submitted By</u>: City of High Point




## STREET ABANDONMENT REQUEST SA14-03

Applicant: City of High Point
Area: 0.27 acres

Location of requested street abandonment

Previously abandoned right-of-ways

**Department of Planning and Development**

**City of High Point**

**Date: May 9, 2014**

**Scale: 1"=200'**

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on February 25, 2014 and before the City Council of the City of High Point on March 17, 2014 regarding Zoning Case 14-01 a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on February 16, 2014, for the Planning and Zoning Commission public hearing and on March 5, 2014 and March 12, 2014, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on May 19, 2014.

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 Light Industrial (CZ-LI) District.** The property is approximately 131.06 acres and lying along east of NC Hwy 66, north of US 311. The property is also known as Forsyth County Tax Parcels 6883-71-8712.00, 6883-92-3597.00, 6833-92-0085.00, 6883-82-1000.00, 6893-03-3544.00, 6893-93-5015.00, and 6893-02-8681.00.

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 of the land uses allowed in the Light Industrial (LI) District shall be permitted, with the exceptions listed below, subject to the development and dimensional requirements of the Development Ordinance and subject to the specific conditions of this ordinance.

A. Prohibited Uses: The following uses, enumerated in Table 4-5-1, Permitted Use Schedule of the Development Ordinance, shall be prohibited:
   1. All residential uses

2. Recreational Uses
   a. Amusement or Water Parks, Fairgrounds
   b. Bowling Centers
   c. Car Tracks (Raceways), Indoor Miniature
   d. Country Clubs with Golf Courses
   e. Go-cart Raceways
   f. Golf Courses
   g. Golf Driving Ranges

3. Business, Professional & Personal Services Uses
   a. Automobile repair services, major
   b. Automobile repair services, minor
   c. Automobile towing and storage services (Ref. SIC 7549)
   d. Boat repairs and boat and ship building (Ref. SIC 3730)
   e. Truck driving schools (Ref. SIC 8249)

4. All retail trade uses shall be prohibited.

5. Wholesale Trade
   a. Farm supplied (other (Ref. SIC 5191)
   b. Forest products (Ref. SIC 5099)
   c. Lumber and millwork (Ref. SIC 5031)
   d. Lumber and other construction materials (Ref. SIC 5030)
   e. Motor vehicles (Ref. SIC 5012)

6. Transportation, Warehousing and Utilities Uses
   a. Demolition debris landfills, minor
   b. Heliports (Ref SIC 4522)
   c. Railroad terminals or yards (Ref 4010)
   d. Recycling processing centers
   e. Taxi terminals (Ref. SIC 4121)
   f. Trucking or freight terminals (Ref. SIC 4213)
   g. Utility equipment and storage yards
   h. Warehouses (self-storage (Ref. SIC 4225)
   i. Moving and storage services (Ref. SIC 4214)

7. Manufacturing and Industrial Uses
   a. Fats and oils plant (Ref. SIC 2070)
   b. Motorcycle assembly (Ref. SIC 3751)
   c. Manufactured housing and wood buildings (Ref. SIC 2450)

8. Other Uses
   a. Storage containers, portable, as a principal use

Part II. CONDITIONS

A. General Development Standards

1. Lot Combination: All tax parcels comprising the rezoning site shall be combined into one lot prior to development and/or re-subdivision.

2. Building Standards:
   a. The use of vinyl siding or prefinished standard corrugated metal siding is prohibited.
   b. The use of high intensity metallic, or fluorescent colors on any façade is prohibited.

3. Signage: Only monument type freestanding signs shall be permitted. Freestanding sign height shall be a maximum of 15-feet along thoroughfares, and 8-feet along all other streets and private drives. This condition does not apply to directional signs.

4. Outdoor Display of Goods: Outdoor display of goods shall be prohibited.

5. Landscaping: A minimum 20-foot wide street planting yard shall be installed along NC Hwy 66, planted to the Type C Planting Yard standards.

6. Transportation:
   a. Right-of-way Dedication and Improvements:
      1) The property owner shall dedicate a minimum of seventy-five (75) feet of right-of-way, as measured from the existing centerline of NC Hwy 66, along the entire frontage of the zoning site.

   b. Other Transportation Conditions: The location, design, and construction of all driveways and other transportation improvements shall be subject to the requirements of the City of High Point Driveway Ordinance. The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all improvements and construction thereof.

7. Lighting
   a. Freestanding exterior lighting fixtures (not including lighting attached to the principal structure) shall be required to be full cutoff luminaire fixtures. Free standing exterior light fixtures shall be directed inward and downward into the site and include the use of shields to direct light and glare away from adjacent residential uses. "Sagged glass" or any formed lens which drops down below the bottom of the luminaire housing shall not be permitted.

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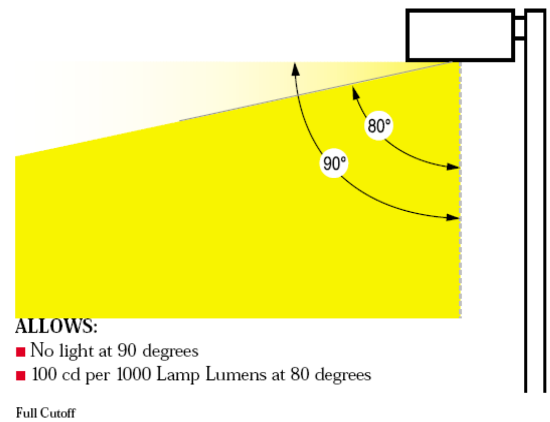
**Example of a full cutoff luminaire .**

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**full cutoff luminaire:** IESNA classification that describes a luminaire having a light distribution in which zero candela intensity occurs at or above an angle of 90° above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10%) at or above a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

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b. Lighting intensity and glare from lighting shall not exceed zero-foot candle as measured at the property line of the zoning site. As part of construction plan approval, the property owners shall submit a lighting plan that meets these standards for review and approval by the Planning & Development Director.

B. Additional Development Standards for Phase I of the zoning site.

1. Conditional Zoning Plan: Development of Phase I shall be in conformance with the associated Conditional Zoning Plan in regards to perimeter landscaping, location and setback of development (building and parking). *[Exhibit #2 Conditional Zoning Plan]*

2. Landscaping
   a. Landscaping shall be installed as required by the City of High Point Development Ordinance, as conditioned by the Conditional Zoning Plan, and this ordinance
   b. Buffer Standard I *(as depicted on Conditional Zoning Plan):* Minimum width shall be 50 feet, and shall meet the Type A Planting Yard rate of the Development Ordinance.
   c. Buffer Standards II *(as depicted on Conditional Zoning Plan)*: Minimum width shall be 50 feet and at a minimum shall meet the following planting rate i) 8 canopy trees every 100 linear feet; ii) 9 understory trees every 100 linear feet; iii) shrubs are not required; and planting materials shall consist of minimum 50% evergreen species

3. Transportation Conditions
   a. Access:
      1) Phase I of the rezoning site shall be allowed one points of access to NC Hwy 66.

2) Access to Moore Farm Road shall be prohibited.
3) Access to Welbourne Road (also known as Oakwood Drive) shall be prohibited.

b. Roadway and Improvements:

1) NC 66 @ Site Access Point
   i. The property owner shall install a northbound right tum lane at this intersection with a minimum of one-hundred twenty-five (125) feet of storage and appropriate bay taper, and a southbound left tum lane with a minimum of one-hundred 100 feet of storage and appropriate bay taper. The property owner shall be responsible for the design and construction of a new traffic signal at this intersection.
   ii. All roadway and intersection improvements must be completed prior to the Issuance of Certificate of Occupancy for any building in Phase 1.

C. Additional Development Standards for Phase II of the zoning site.

1. Transportation Conditions.
   a. Access: Phase II of the rezoning site shall be allowed one point of access to NC Hwy 66. This access point shall serve the future development of parcels in Phase II.

2. Fencing Condition: For sites under 25 acres, chain-link fencing shall not be permitted between the road right-of-way and the building façade.

3. Parking and Loading Area Conditions

   a. Parking:
      1) No more than fifty percent (50%) of the off-street parking may be located between the primary building façade and the street it faces. This condition shall not apply when parking spaces for a use consist of 30 or fewer spaces.
      2) Where parking is between the building and the street, low-level landscaping shall be provided to visually screen and separate vehicles from the street. At a minimum said low-level landscaping shall consist of evergreen shrubs planted at a type and rate approved by the Planning Director.

   b. Loading and Service Areas:
      1) Loading and service areas shall be located towards the rear of buildings, or located internally within multi-building developments, and shall not face or be adjacent to public streets.

2) If located on the side of a building, it shall be screened from view by a wall or landscaping, or combination thereof, and shall not face or be adjacent to public streets.

4. Building Standards
   a. Building orientation: Buildings shall be oriented so that the primary façade faces the street from which the building derives its street address.
   b. Building facades: Building facades facing public streets shall not consist of long uninterrupted monolithic walls, but instead shall include architectural features that create visual interest and façade articulation such as but not limited to: offsets or projections interspersed throughout the length of the façade, changes in material, roof form, windows or wall treatments intended to simulate window openings, awnings, canopies, roof overhangs, or eaves.
   c. Building materials:
      1) Exterior building materials should be continued to the finished grade on any elevation.
      2) Building facades utilizing smooth-faced concrete block, unfinished or untreated tilt-up concrete panels, field-painted, shall be limited to building facades not facing a public street.

5. Screening of equipment (ground or roof mounted) and outdoor storage or use:
   a. Purpose and Intent: This section is intended to provide standards to mitigate negative impacts on adjacent property owners from viewing unsightly equipment, appurtenance or activities associated with permitted LI District uses. The intent is to filter views and to not have direct unobscured views of these areas, it is not intended to mandate 100% visual screening.
   b. Decorative screening and/or landscaping shall be installed to obscure from view, at a height of six (6) feet above ground level as seen from the centerline of any adjacent street, all trash rooms, trash-holding receptacles, roof mounted equipment or appurtenances, loading or service areas, mechanical or electrical equipment, or other unsightly building appurtenances.
   c. Outdoor storage (i) shall not cover an area greater than 25% of ground floor of principal building(s); (ii) shall be located between the rear building line and rear property line; and (iii) shall be screened from ground level view from adjacent properties and public streets.
   d. Outside manufacturing, processing, or assembly shall not be permitted.

SECTION 3

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

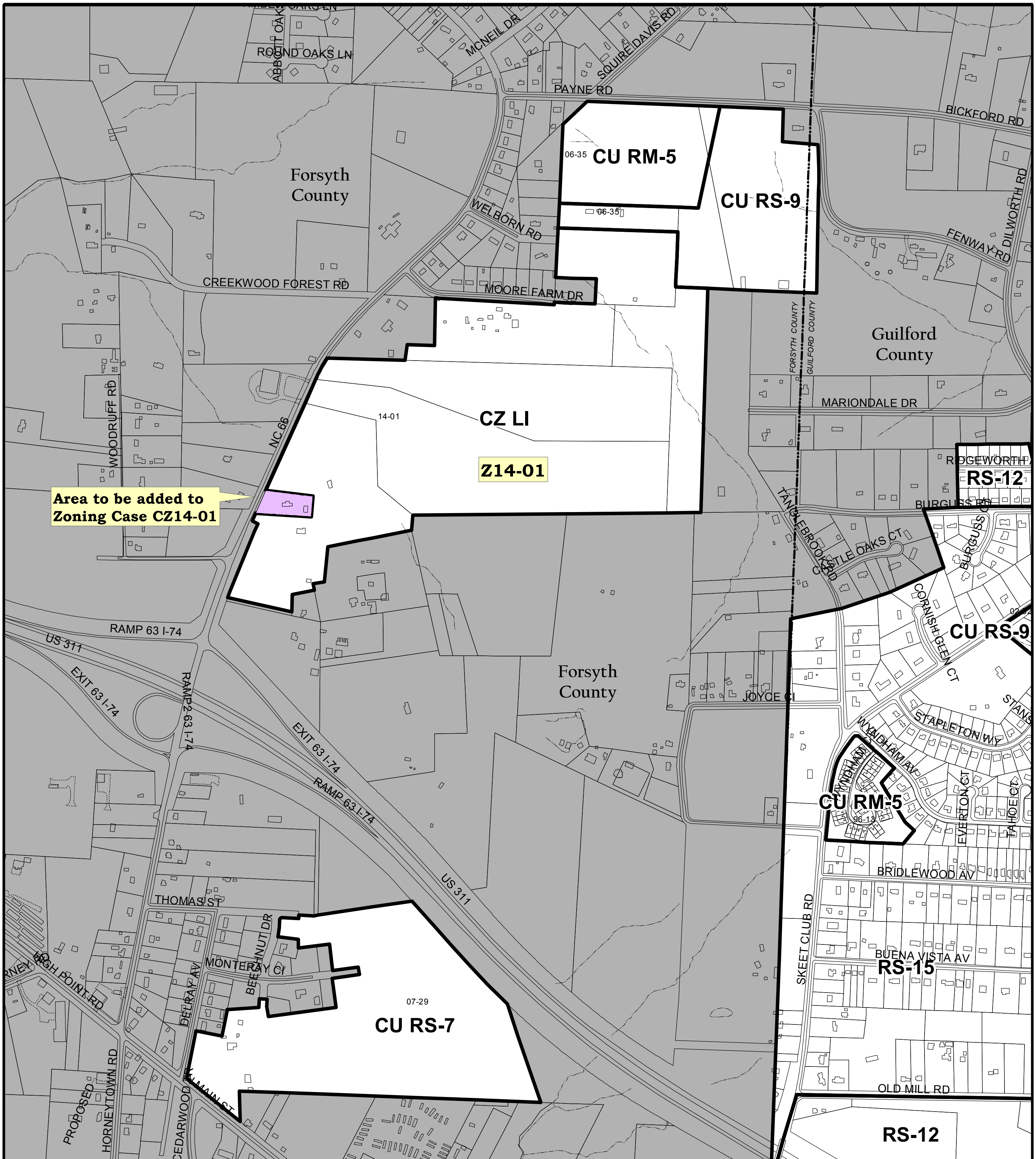
SECTION 4
Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.
This ordinance shall become effective upon the date of adoption.
**19th** day of **May, 2014.**

Lisa B. Vierling, City Clerk

| **Conditional Zoning Case 14-01 Supplemental Information** | |
|---|---|
| Initial Zoning Application | Adopted April 21, 2014 (Ordinance # 1751 / 14-29) |
| Amendment #1 May 2014 | Adopted May 19, 2014 (Ordinance # 1759 / 14-37) |




# AMENDMENT TO CZ14-01

**From: Residential Single Family-40 (Forsyth County)**
**To: Conditional Zoning Light Industrial**

**Existing Zoning Boundary**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: May 14, 2014**

N

**Scale: 1"=1000'**

G:/Planning/Secure/ba-pz/2014/pz/Az14-01.mxd

Publish four (4) consecutive weeks: **May 23 & 30, 2014 and June 6 & 13, 2014**

**RESOLUTION OF INTENT TO CONSIDER**
**STREET ABANDONMENTS**
**(Case # SA14-04)**

WHEREAS, the City Council has been petitioned to abandon an unimproved alley lying along the south side of W. English Road, between N. Lindsay Street and Oakwood Street;

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to abandon the above right-of-way and calling a public hearing on the question;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the right-of-ways above described and sets Monday, June 16, 2014, at 6:15 p.m. as the date for said public hearing before the Council in the Council Chambers of the Municipal Building in High Point.

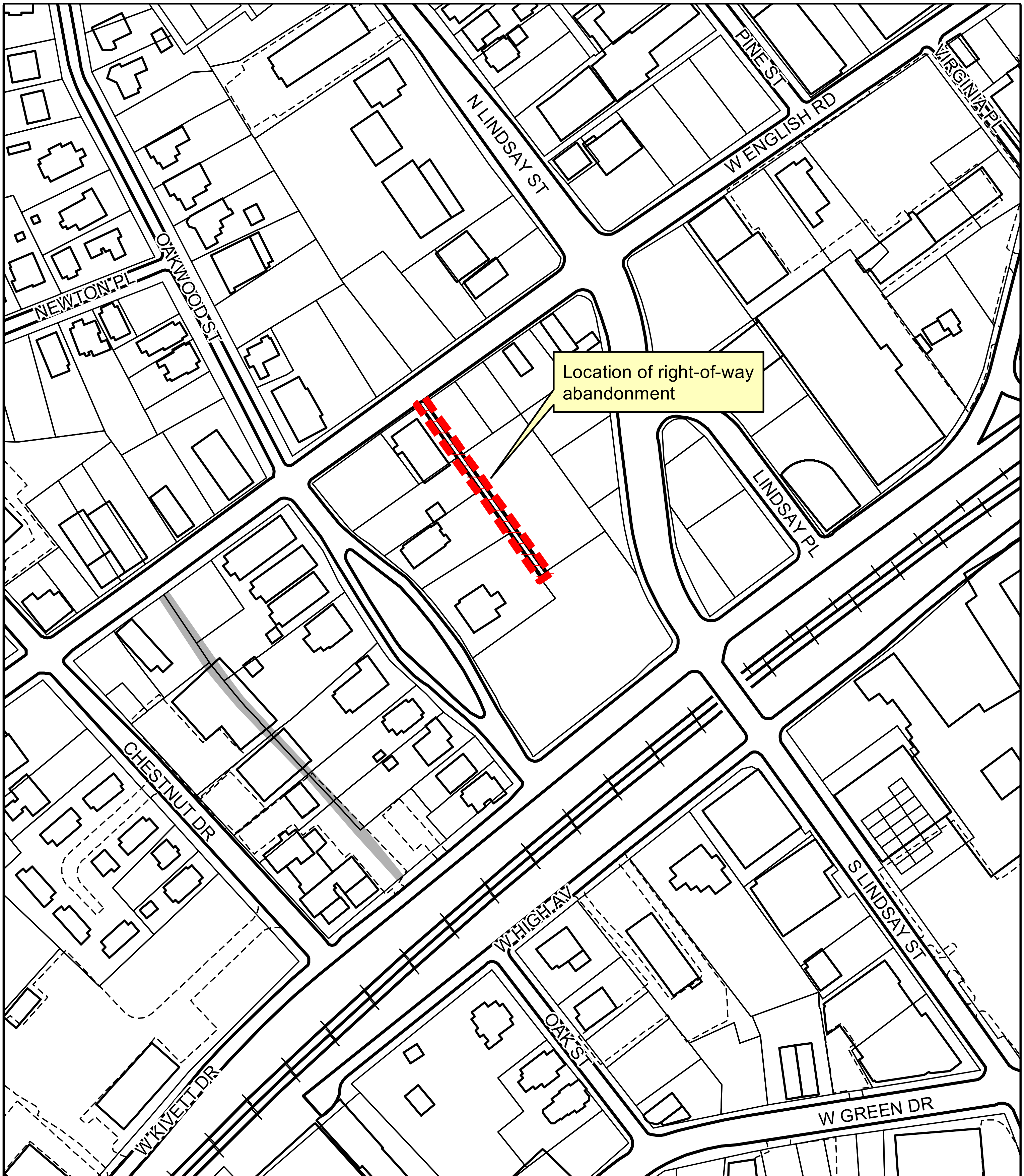
Persons wishing to be heard either for or against the said right-of-way abandonment are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call (336) 883-3298 or TDD# (336) 883-8517.

Further information pertaining to this request is available at the Planning and Development Department in Room 316 of the Municipal Office Building, 211 South Hamilton Street, High Point, North Carolina, (336) 883-3328 or FAX (336) 883-3056.

By Order of the City Council
This the 19th day of May 2014.

Lisa B. Vierling, City Clerk

Petition Submitted By: City of High Point




**STREET ABANDONMENT REQUEST SA14-04**

**Applicant: City of High Point**

**Area: 0.14 acres**

**Location of requested street abandonment**

**Previously abandoned right-of-ways**

**Department of Planning and Development**

**City of High Point**

**Date: May 9, 2014**

N

**Scale: 1"=200'**

G:/Planning/Secure/ba-pz/2014/pz/sa14-04.mxd

## THE HIGH POINT ENTERPRISE

*Affidavit of Publication*

State of North Carolina,
Guilford County

To Whom it May Concern:
this is to certify the
advertisement attached
hereto has been published in

*The High Point Enterprise*

On the following dates:

May 22, 2014

Sworn to on this 22nd day
of May, 2014

Lisa Robertson
High Point Enterprise Representative

Sworn to and Subscribed
before me this 22nd day
of May, 2014

Barbara M Daniels
Notary Public

BARBARA M DANIELS
NOTARY
MY
COMMISSION EXPIRES
2-1-17
PUBLIC
GUILFORD COUNTY, NC

**PUBLIC NOTICE**
**CITY OF HIGH POINT**
**BUDGET HEARING**

THE PUBLIC WILL TAKE NOTICE THAT THE PROPOSED BUDGET FOR THE CITY OF HIGH POINT FOR THE FISCAL YEAR 2014-2015 HAS BEEN FILED WITH THE CITY COUNCIL OF THE CITY OF HIGH POINT. THE PROPOSED BUDGET IS AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE CITY CLERK, 211 S. HAMILTON STREET, HIGH POINT, NORTH CAROLINA. A COPY OF THE PROPOSED BUDGET IS ALSO AVAILABLE IN THE HIGH POINT PUBLIC LIBRARY LOCATED AT 901 N. MAIN STREET, AS WELL AS ON THE CITY WEB-SITE: www.highpointnc.gov.

TWO PUBLIC HEARINGS ON THE PROPOSED BUDGET WILL BE HELD. THE FIRST
HEARING WILL BE HELD MONDAY JUNE 2, 2014 AT 6:15 P.M. AND THE SECOND WILL BE HELD THURSDAY JUNE 5, 2014 AT 9:00 A.M. THE HEARINGS WILL BE HELD IN THE CITY COUNCIL CHAMBERS OF THE MUNICIPAL BULDING, 211 S. HAMILTON STREET.

AT THE HEARING, ORAL AND WRITTEN COMMENTS WILL BE RECEIVED FROM ANY INTERESTED CITIZEN.
May 22, 2014

**Public Services Department**

**Richard D. McMillan, P.E.**
ASSISTANT DIRECTOR

NORTH CAROLINA'S INTERNATIONAL CITY™

# *MEMORANDUM*

**DATE:** May 7, 2014

**TO**: Allen Oliver, Interim Assistant City Manager
Terry Houk, Director of Public Services

**FROM**: Richard D. McMillan, P.E., Asst. Director of Public Services Richard D. McMillan

**SUBJECT**: ARCADIS Contract Recommendation
Country Club-Rockford-Westwood Stormwater Project

I respectfully request that the following recommendation be included for approval:

> **Consideration and approval of a contract to ARCADIS G&M of North Carolina, Inc. for the design and construction services of the stormwater improvements on Country Club, Rockford, and Westwood/Gatewood. The contract is for a not-to-exceed fee of $173,000.00.**

This contract is to complete the design of the remaining Stormwater Bond Projects under the original funding. The original design and construction was delayed due to right-of-way issues. Once the design is revised and completed and permitting acquired, the project will move to construction.

If you have any questions, please contact me.

pc: Jeff Moore, Finance
Tarinda Chappell, Purchasing
File

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

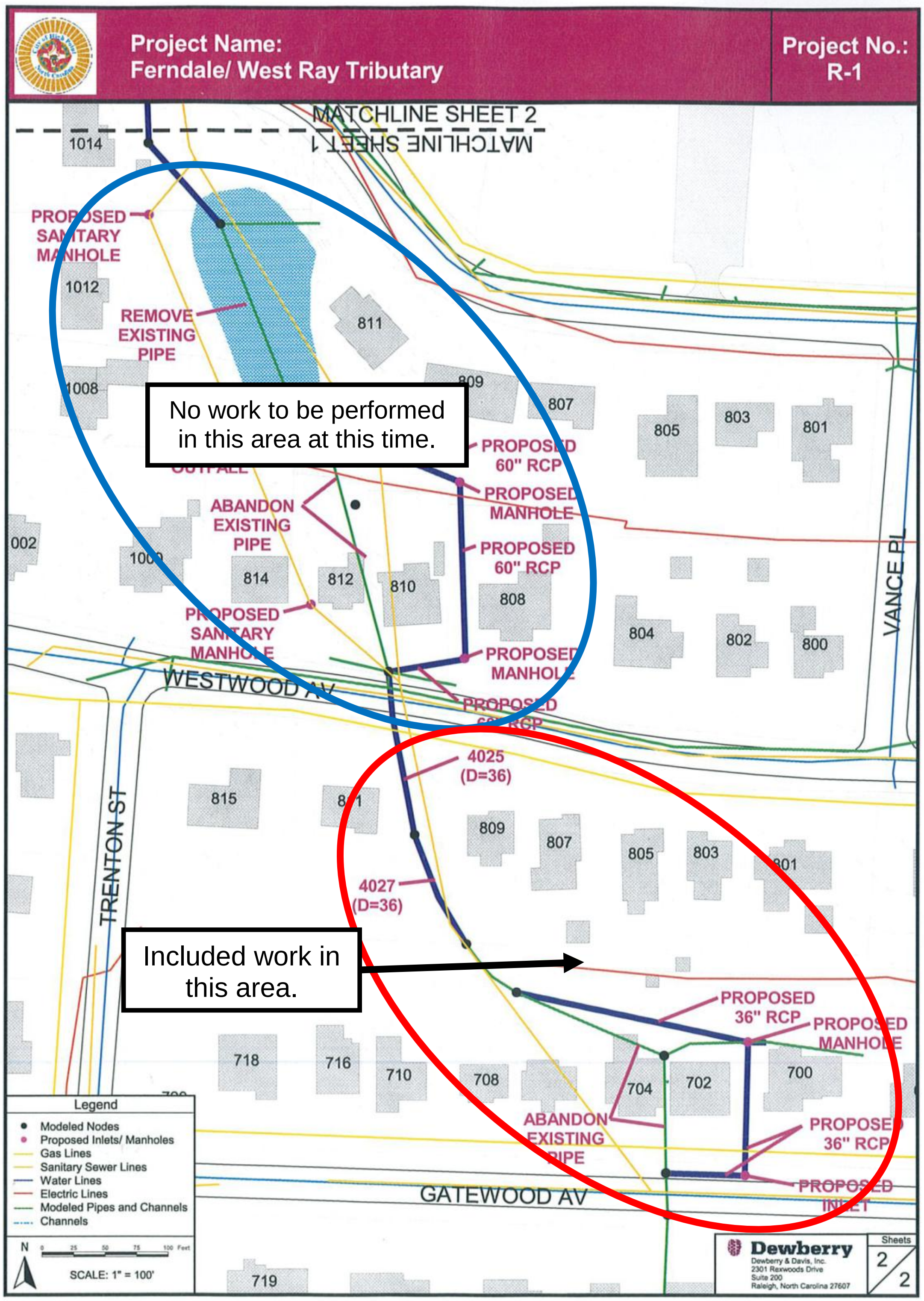
**Public Services Department**

**Richard D. McMillan, P.E.**

ASSISTANT DIRECTOR

NORTH CAROLINA'S INTERNATIONAL CITY™

## Location Map – Westwood-Gatewood Area




City of High Point, P.O. 230, 211 South Hamilton Street, High Point, NC 27261 USA
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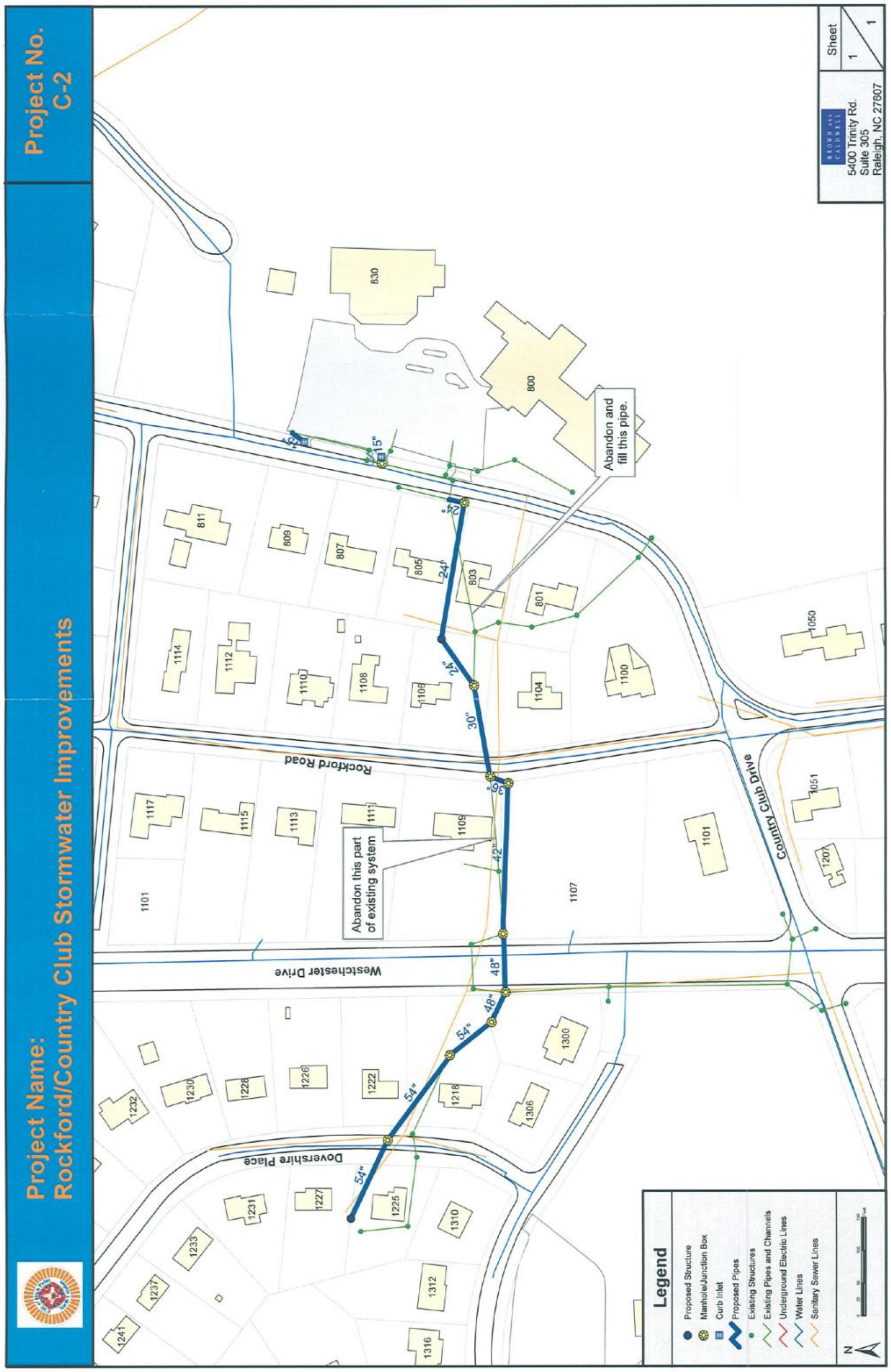
**Public Services Department**

**Richard D. McMillan, P.E.**
ASSISTANT DIRECTOR


HIGH POINT
NORTH CAROLINA'S INTERNATIONAL CITY™

## Location Map – Country Club-Rockford-Westchester-Dovershire Area





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

ARCADIS
Infrastructure · Water · Environment · Buildings

ARCADIS G&M of North Carolina, Inc.
1 Centerview Drive
Suite 208
Greensboro
North Carolina 27407
Tel 336 292 2271
Fax 336 855 5648
www.arcadis-us.com

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

Subject:
City of High Point, NC
Proposal for Engineering Services –
Country Club and Westwood-Gatewood Stormwater Improvements

Date:
March 25, 2014

Contact:
Linda Pass

Phone:
336 292 2271

Email:
linda.pass@arcadis-us.com

ARCADIS G&M of North Carolina, Inc.

NC Engineering License # C-1869
NC Surveying License # C-1869

Dear Mr. Boone:

ARCADIS is pleased to submit this proposal to provide engineering services for the Country Club and Westwood-Gatewood Stormwater Improvements projects. The proposed scope of services is based upon our discussions during my visit with you and Richard McMillan on February 21, 2014.

**Project Background**

The City has asked ARCADIS to provide assistance for final design, bidding and construction services to complete two projects, referred to as Country Club and Westwood-Gatewood, which were originally designed by a third-party consultant. Development of bid documents for these projects is non-typical as described below.

<u>Country Club.</u> The Country Club project generally consists of the work shown on Drawing No.'s C-C-102 through C-C-104 of the "Stormwater Capital Improvements for Rockford, Rotary, and Kensington Areas" bid documents prepared by Brown & Caldwell dated October 12, 2006. The Brown & Caldwell sealed pdfs will be modified by redline and inserted into a combined bid document package. The redlined revisions will be sealed by ARCADIS.

<u>Westwood-Gatewood.</u> The Westwood-Gatewood project generally consists of stormwater improvements for the drainage area between Westwod and Gatewood Avenues as shown on Drawing No.'s C-06 through C-13 of the "Stormwater Capital Improvements Projects for Ray/Hospital Area – R1 and R2 Project Areas" 90% drawings prepared by Brown & Caldwell dated May 2012. Utilizing the Brown & Caldwell AutoCAD base files, ARCADIS will revise the final design and produce bid documents for this project. ARCADIS will seal the final design drawings.

The two projects will be bound in a single set of bid documents. ARCADIS will create, sign and seal new drawing sheets for those sheets with aspects common to both projects and provide a cover sheet for both projects. ARCADIS will also provide, sign and seal a new Project Manual for the combined projects.

**General Description of Basic Services**

The Services shall include the following tasks:

- Task 1 – Final Design
- Task 2 – Bidding and Contract Services
- Task 3 – Construction Services

Task 1 – Final Design

1.1 Conduct a site visit to both project areas and walk the routes to gain an understanding of proposed improvements.

1.2 Specifically for the Westwood-Gatewood project site:

- Provide new design drawings for the portion of the Brown & Caldwell R-1 project between Westwood and Gatewood Avenues.
- Perform Rational method and Manning's calculations to confirm proposed pipes and channel are sized for a 10-year design storm.
- Provide easement survey, mapping and legal descriptions for property acquisition by the City. This proposal includes temporary construction and permanent utility easements for the four properties along Gatewood Avenue.
- Landscaping plan for trees and shrubbery to be provided by the City after completion of construction.

1.3 Specifically for the Country Club project site:

- Perform a general review of the original drawing plans, profiles, details and cover sheet, and provide recommended redline revisions for clarification of the design.
- Perform Rational method calculations to confirm that the 42-inch pipe at the downstream Kensington Drive crossing is sized for a 10-year design storm.

1.4 Prepare drawings and specifications indicating the scope, extent and character of the work to be performed and furnished by the contractor and suitable for receipt of construction bids.

- Provide new drawing sheets for those design aspects common to both projects. Incorporate latest City standard details.
- Prepare a Project Manual for the project utilizing the City's standard contract front end documents and ARCADIS' technical specifications. ARCADIS will provide a separate bid for each project site so the City can award one or both projects based on available funding.

1.5 Meet with the City to review the drawings and specifications at 65% and 95% complete. Provide five copies of each for City's use in review.

1.6 Prepare an opinion of probable construction cost for the combined project at 95% complete.

1.7 Obtain regulatory approvals, including:

- Prepare and submit Sedimentation and Erosion Control Plan and Financial Responsibility Form to NCDENR Land Quality.
- Review existing NCDOT encroachment agreement requirements and provide pre-construction notification to NCDOT of the proposed bore and jack crossing under Westchester Drive (NC Hwy 68).
- Provide the necessary number of copies of drawings for regulatory and City's use.
- Required regulatory fees shall be paid by the City and are not included within the budget of the scope of work described herein.
- Pre-Construction Notification (PCN) application to US Army Corps of Engineers and NCDENR WQ is not anticipated and is not included in this proposal.

1.8 Provide assistance to the City for public relations purposes. ARCADIS will participate in one public information meeting for the combined projects, providing technical assistance and maps for the meeting as requested by City.

Task 2 - Bidding and Contract Services

The services provided in this task include bidding both projects under a single construction contract. Bidding and contract services are as follows:

2.1 Assist the City in advertising the project to solicit construction bids. Publish sufficient bidding documents for interested bidders and suppliers, and furnish bid documents to North Carolina area plan rooms.

2.2 Conduct pre-bid meeting.

2.3 Issue addenda as needed to interpret or clarify the bid documents.

2.4 Attend and assist with Bid Opening and prepare bid tabulation.

2.5 Evaluate the bids and make a recommendation of award, and upon approval by City, issue Notice of Award.

2.6 Prepare contract agreement and distribute executed agreement and Contract Documents for construction.

Task 3 - Construction Services

Construction Services are based on a construction period of 6 months to Final Completion. ARCADIS will support City staff with construction services as follows:

3.1 Attend and participate in the pre-construction meeting.

3.2 Review construction shop drawing submittals from contractor for cast-in-place concrete headwalls and the Westwood-Gatewood spill structure for general compliance with Contract Documents. Other shop drawings to be reviewed and approved by the City.

3.3 Provide interpretations and clarifications of the Contract Documents and respond to requests for information. Change orders for contract modifications shall be prepared by the City.

3.4 Participate in monthly progress meetings conducted by the City.

3.5 Perform monthly site visits to observe the progress of the Work and as required for issuing interpretations and clarifications to the contract documents; approximately 10 hours per month.

3.6 Participate in the inspection of the construction work at Substantial Completion.

3.7 Provide Engineer's Certification that construction was completed in substantial compliance with the approved plans and specifications.

3.8 Provide post-construction as-built survey for each project site. Prepare AutoCAD record drawings from post-construction survey and contractor's redlined drawings. Deliverables include one set of Mylar drawings and the electronic files.

**Assumptions and Clarifications**

- Furnish available information pertinent to the project to allow ARCADIS to provide the scope of services contained herein. Specifically, design reports, design calculations, CAD files, geotechnical reports, as available and owned by the City.

- ARCADIS is not responsible for errors and omissions in the original design, buried utility locations or design survey.
- City staff will provide overall construction administration and field observation of the construction.
- ARCADIS shall not have responsibility or assume contractor's responsibility for safety precautions and programs or for contractor's means, methods, techniques, or procedures for construction of the construction work.
- Contractor is responsible for construction stakes, lines, and grades.
- City is responsible for the cost of construction testing.

**Schedule**

ARCADIS can begin work on the above services immediately following written authorization and receipt of an executed agreement. The proposed schedule is generally as follows:

| | |
|---|---|
| Final Design | 2 months |
| Bidding | 2 months |
| Construction | 6 months |

**Compensation for Services**

ARCADIS proposes to provide Tasks 1 through 3 as described above for a lump sum fee as follows:

| | |
|---|---|
| Task 1 – Final Design | $104,600 |
| Task 2 – Bidding and Contract Services | $12,700 |
| Task 3 – Construction Services | $55,700 |
| Total | $173,000 |

We look forward to assisting the City of High Point in providing these services. If this proposal meets your approval, please prepare a Scope of Services Supplemental Agreement to our Master Agreement for On-Call Professional Engineering Services with the City dated April 9, 2013 for our review and execution.

Sincerely,

ARCADIS G&M of North Carolina, Inc.

Linda Pass, PE
Project Manager

**COMPREHENSIVE PLANNING COMMITTEE**
***Chaired by Council Member Smothers***
**APRIL 29, 2014 – 8:30 A.M.**
**THIRD FLOOR LOBBY CONFERENCE ROOM**

# MINUTES

**PRESENT:**
Council Member Smothers, Mayor Sims, Council Members Davis, Ewing, Golden, Mendenhall, Moore, and Wagner

**ABSENT:**
Council Member Douglas

**STAFF PRESENT:**
Strib Boynton, City Manager
Allen Oliver, Assistant City Manager
Randy McCaslin, Assistant City Manager
Eric Olmedo, Budget Office
Jeron Hollis, Communications Officer
Loren Hill, Economic Development
Jeff Moore, Director of Finance
Wendy Fuscoe, Core City Department Director
David Briggs, Director of High Point Theater
Lisa Vierling, City Clerk
Dawn Sparks, Deputy City Clerk

**OTHERS PRESENT:**
Richard Wood, Chairman- The City Project, Inc.
Aaron Clinard, Past Chairman- The City Project, Inc.
Cindy Davis – Citizen/Chair- Planning and Zoning Commission

**MEDIA PRESENT:**
Pat Kimbrough, *High Point Enterprise*

## Theater Study Committee Recommendation

Council Member Davis presented the recommendation of the Theater Study Committee. Council Member Davis advised that early on the committee was asked to determine whether the theater is worth funding as a city owned theater, the conclusion from the report is the Committee feels like the theater is an asset to the City and it should be funded, however it does need some marketing help and renovations.

Council Member Davis felt they could not fund everything on the Theater's list, and said if it is the will of the Council to maintain and fund the Theater they definitely need to provide the Theater with tools to help increase the funding to lessen the burden of subsidizing the budget every year.

Council Member Davis stated that the Theater needs some signage and they have also talked about doing an additional signage on the north end of town. There is no estimate of what the costs of the signage will be.

It is recommended that doors be added to the both gallery spaces inside the Theater at an estimated cost of $25,000, in an effort to rent the gallery space.

Council Member Davis pointed out there is currently $65,000 in the Theatre's budget for *artist fees*. Council Member Davis felt that the Theater will never make a profit on a show because the Theater has 950 usable seats in it, and if you increase artist fees by $35,000 per show they would have to sell 700 tickets every show to break even. Council Member Davis stated if it is Council's desire to increase artist fees to get a better quality of shows, he felt it is something they can monitor over a year's time and come back and visit. Mayor Sims asked if they are backing into the process by saying they have allocated dollars and what kind of talent can they get from those dollars, or are they looking at it and saying these are the artists we would like to see and this is what it is going to cost. David Briggs stated that there are tiers of shows that they bid on, and with the current budget he has to bid on the lower tiers and tries to work with other theaters to get discounts on artists who may be in the area, but if he could step up his artist fee budget he could go to a different tier.

Allen Oliver stated that he has asked David Briggs to come up with some potential shows if they do increase the funding to see what type talent they could bring in. Mr. Briggs stated they have worked with a number of different shows that he felt would be better revenue generators for the Theater. They have looked at such artists as Steve Martin, who they lost to DPAC last year by a matter of dollars. Savion Glover, a Broadway performer, costs $35,000 and he sold out the Stevens Center a number of times. They are also looking at some potential Broadway productions they could bring in. They also looked at Jerry Seinfeld at $130,000 or Jeff Foxworthy who is $80,000, and looked at where the Theater stands and if they will compare with other venues in the area. Morganton receives about $225,000 a year in funding for a city of half the size of High Point, and their return on the investment to the City is about 28% to 30%, the Theater's return on investment is about 44% and 60% over the given years.

Mr. Briggs stated that they are currently looking at the Alan Parsons Project, which is one of those shows that he felt they could get. Mr. Briggs stated that he would love to see the Theater book in the season with a headliner on one end and a headliner on the other and then bring in shows throughout the rest of the year. Council Member Smothers noted that when the Market Authority was just beginning the entertainment for Market, they brought in one big name show followed by lesser shows. Mr. Briggs stated that the Theater has the capability of piggy-backing with DPAC and Blumenthal Performing Arts, and is how they do almost all of their shows. They very seldom to a runout, which is a one show where the Theater buys them and they come and only do one show in North Carolina and one show in Virginia.

Council Member Ewing asked if the Theater has polled its patrons regarding ticket prices. Mr. Briggs stated they have not done that, and that is a focus group activity they would need to address.

Mayor Sims asked if the patrons that do attend the events are more regional or local, and when the Black Theater Festival was here last summer were they able to attend any of those performances to see if they could bring those back to the area. Mr. Briggs stated that what they are finding is that about 30% of their audience is local, 70% is coming from outside of the High Point area. The Black Theater Festival approached the Theater to do an event, but the Theater was not available on the date they needed. Mr. Briggs stated he has not approached them specifically to bring their shows into High Point and is certainly a conversation that needs to be engaged in because they are selling out theaters.

Council Member Wagner asked if they are able to allocate more money and get more acts, will there be a marketing effort in conjunction with that. Mr. Briggs stated that he felt they are doing what they can with the dollars that they have for marketing. Dollars allocated for performances will have some of those dollars put into a marketing budget. They have started a marketing campaign using some electronic billboards in Greensboro and in Winston-Salem. For years the Theater has tried to work with IHFC to get some marketing on the front of the building, and with the new management they are willing to allow the Theater to use those large panels on the front of the IHFC to put their shows on. This will begin next season.

Council Member Moore asked what the realistic year to year theater profit is. Mr. Briggs stated that their realistic number is about 50%.

Council Member Davis stated that the Theater has also asked for the concession area to be renovated at the cost of $5,000 to $10,000, and they need to look at spending some money to update the gallery space for caterers.

Allen Oliver stated that they have estimated that $105,000 will be enough for the renovations, which would not include the concession work and the ticket booth. Mayor Sims asked how much down time would be required. Mr. Briggs stated that it would make sense to go ahead and enclose the galleries and the entry doors which would allow for better access should go together. The down time for those is estimated to be ten working days. If they are able to do that and rework the box office and the lobby café area, one of the things they would like to include with that would also be a teller machine that would have 24/7 access onto the plaza, which would make it far more usable for Market Authority folks as well. The box office is not accessible for the handicapped, the ledge is too high and needs to be lowered to be handicapped accessible. That project is more expensive.

David Briggs stated that there are two items that are in the study: (1) to have a person do full time marketing branding to go after sponsorships, and (2) the naming opportunities and naming rights within the theater. There are a variety of naming rights in the theater. The galleries could have naming opportunities that could help pay for renovations. The audience chamber and the box office also have naming opportunities.

Council Member Smothers stated that they need to make a decision on how to implement some of these recommendations.

**A motion was made by Mayor Sims, seconded by Council Member Mendenhall, to place into next year's budget the costs to enclose both galleries, replacement of the entry door, and to improve the concession area.**

Council Member Davis stated that David Briggs felt that improvements to the box office and lobby area would be best done at the same time as the gallery doors. Mr. Briggs felt that the concessions up fit could be done in house to keep costs down. Council Member Davis stated this would bring the costs to $75,000.00. David Briggs stated this may make the construction time 20 to 30 days. Mr. Briggs felt the construction of the gallery and the gallery doors could happen in July.

**Council Member Moore then made a substitute motion to consider approval and funding in next year's budget of 3a (enclose Galleries); 3b (replace entry doors); 3c (add lift for wheelchair access in main lobby); and 3e (re-work box office and lobby/café area) in order to minimize the construction time so that all improvements in this area can be made simultaneously. Council member Mendenhall made a second to the substitute motion, which carried unanimously.**

At this time, the Committee revisited the *Artist Fees*, and decided it would be best to include an increase in next year's budget to better enable Mr. Briggs to negotiate the booking of more popular, larger shows/performers.

Council Member Davis noted the Committee recommended in its Report to increase the budget (artist fees) by $150,000 with $50,000 of that earmarked for promotional efforts. The current budget is $65,000; this will bring the total budget amount to $215,000.

**Council Member Mendenhall moved that Council make a commitment to increase the marketing and artist fee portion of the budget, and suggested a ceiling of $215,000. Council Member Davis made a second to the motion, which carried unanimously.**

**CONFIRMATION OF FUNDING RECOMMENDATIONS FROM THE NON-PROFIT FUNDING REVIEW COMMITTEE**

Mr. McCaslin distributed copies of the Non-Profit Funding Recommendations as well as the CBI Funding List as recommended by the Citizens Advisory Council. He pointed out there were two agencies on both lists. One, Macedonia Family Resource Center (CBI funding was for a specific project- a 5K Health Walk/Run) and the other is Helping Hands Ministries (CBI funding for a case management program- "Empowering Life: Providing a Bridge From Dependency to Long-Term Solutions).

Mayor Sims felt the funding for the Arts Council should be increased at the full amount they requested. Chairwoman Smothers noted they did lose funding from Guilford County and this did cost them a position.

**Mayor Sims then moved to approve the Arts Council's funding at their requested amount. Council Member Wagner made a second to the motion. The motion carried by a 6-2 vote. [Council Members Davis and Ewing dissenting].**

Council Member Davis expressed concerns about the $35,000 in non-profit funding for the Core City/City Project. Council Member Ewing explained the Committee recommended the $35,000 putting this in to cover other expenses they might incur as they could be treated as a separate entity with the expectation that all salary/benefits, etc…. would roll up under a city department. He pointed out operationally speaking, the memberships, dues, marketing, postage, legal, supplies, etc… is all sustained at the current level that they have been used to. Mayor Sims suggested to remove this $35,000 from discussion (revisit at another time) and make a motion on all the other non-profit funding recommendations. It was noted that this could be discussed later on in this meeting when discussion takes place on the Core City position/job description.

**Council Member Ewing moved to adopt the recommendation of the Non-Profit Funding Review Committee to include funding for the Southwest Renewal Foundation, Mental Health Association of the Triad, Theatre Arts Gallery, Helping Hands, Macedonia Family Resource Center, and West End Ministries. Mayor Sims made a second to the motion. The motion carried unanimously.**

**Short Range Transit Study**

Council Member Smothers stated that there were questions that had been raised about the timing on the short range transit study. The Steering Committee met last week with the consultant. Council Member Smothers stated that they have also done some analysis of some of the data and compared us to other cities, which we did pretty well in terms of both the costs per revenue mile.

Mayor Sims asked when they did the short range transit plan, how did it factor in with what PART is currently doing. Mr. McDonald stated it did not really factor in at all because this is a short range transit plan for HI Tran and does not have regional opportunities other than the fact that PART serves High Point with an Express Route. There is only overlapping opportunities along the Eastchester Corridor. Council Member Smothers stated she thought this was going to come out pretty strongly once they get to the sounding board as well as trying to look at some interface with Davidson County Transportation, and now with the programs going on in Randolph County Community College, particularly with their emphasis on workforce, she felt they will see more and more demand for services.

Mr. McDonald stated that the existing conditions assessment will pretty much be completing a draft later this month or early next month. The next steps are to have the educational session with the Steering Committee and Sounding Board towards the end of May for the Transit 101 Session that is planned for May 29th at the Library.

Mr. McDonald stated that HI Tran is serving about 3,500 riders a day on transit. The two Main Street routes are the spine of the service, and one-third of the ridership is on these two routes, with another 10% being on East Green. Some of the more under-performing routes are the West Green Route and the Industrial Park Route down South Fairfield.

Mr. McDonald stated that a lot of cities have a spike of ridership in the morning, and the City's ridership spikes in the morning and falls off dramatically in the middle of the day, and then spikes again in the evening. Bus services ends about 7:00 o'clock. Mayor Sims asked if they offered extended services if it would be utilized after that hour. Mr. McDonald felt they could probably pick up a little more ridership later in the evening but he does not expect it to increase dramatically, but just maintain. Mr. McDonald felt there was definitely a possibility of extending the hours and capturing a little more.

Council Member Smothers stated that Angela Wynes will probably be coming to Council to look at some policy guides for transit. Right now the threshold is right at 60 years, and that is not a mandatory age by the FDA. Ms. Wynes is looking at raising that age. Mayor Sims stated that she did not know if that was necessarily a good indicator. Council Member Smothers stated if you have a disability that is a different thing.

Council Member Mendenhall stated if you look at the ridership and the fact that some of the routes went to where jobs were, and the jobs are not there anymore, but the jobs are at the Palladium, they need to think about doing a different way of trying to get people to and from employment. Mark McDonald stated that this is definitely something that is being looked out. Council Member Smothers felt they needed to discuss the possibility of just some plain express service that runs at certain times of day.

Mark McDonald stated they are looking into the pier groups, and those studied were Greenville Transit Authority, City of Anderson Transportation Systems, Spartanburg Transit, Richmond County Transit, and Asheville Transit System. The city compared very well in almost all categories, and either met or exceeded all categories of comparison. The transit system is healthy, they just need to look at it in a different way by looking at where they need to tweak routes and look at what the growth opportunities are at other parts of the city. Mark McDonald stated that they will be looking at a combination of discontinuing routes and moving routes to other parts of the city, and if they do any significant expansion and start running a service that overlaps with the PART Express route, then they are needing to add staff and equipment.

Council Member Smothers stated that one of the consultants had spent more than one day riding the bus, and he made a real point in saying how there is a regular ridership that has a very close relationship with the driver and each other.

**The Pit**

Randy McCaslin advised that he and Allen Oliver continue to meet with Ryan Saunders in regards to his interest in The Pit. At the last update they were asked to take a look at a safety standpoint, which is a primary concern. They met at The Pit with the insurance adjuster and a representative from Building Inspections. Basically the insurance adjuster agreed with the approach that to take some fencing and screen off some of the more unsafe areas from the general public as a low cost solution. Staff has some cost figures that estimate about $10,000 to screen off those areas.

There is also needed some moveable fencing that will go between the properties that front on Main Street and back up to The Pit, because there is joint access agreements there. Lighting is another issue that they looked at, and it can easily be wrapped up.

Council Member Ewing asked what type of fencing they are considering. Mr. McDonald stated that they are looking at fencing that has slats in it, and they can work out those details later. Some areas Bryan Saunders would like to have it opaque, and in other areas where it is visible. Allen Oliver stated that it is basic chained link fencing.

Mayor Sims asked if they are doing this based on one individual's proposed use of The Pit, or are they making recommendations necessary for the City to be protected. Mayor Sims had concerns of providing what one individual's wants and in the future another comes along and wants to change it. Mayor Sims felt there needs to be a minimum that should be done that protects the City and the use of The Pit. Mr. McCaslin stated that is why they had the insurance adjuster looking at those types of risk. The City is doing what it needs to do to make The Pit safe.

Council Member Mendenhall felt that if the City is going to do something with The Pit we should at the least make it safe and make it attractive, because other people might want to use it as well. Council Member Mendenhall felt they cannot proceed until they know that they have permission or authority from the adjacent property owners. Council Member Smothers asked the City Attorney if that would require written agreement. Ms. Carlyle stated that they will have to contact every property owner in the area and enter into an agreement because they will be infringing on a number of their accesses.

Council Member Smothers felt that another question that Council needs to know is if the two-thirds dollars that have been targeted for overall downtown improvements could be applied to The Pit. Mr. McCaslin stated he did not think they could, because that is geared for Street Scape and improvements.

Mr. McCaslin will be bringing a report back in two weeks on the status of The Pit. Council Member Smothers asked if Council would be agreeable to asked Council Member Mendenhall and Wagner to work with staff to work with property owners to come back to the committee with a report if the property owners are okay and define in some fashion what is going to be done. Ms. Carlyle stated that they hesitated to make the contact with the property owners in defense of staff because there are so many different easements in that area, it was questionable ownership, whether it was a fee ownership, and it is a real mix over there. Ms. Carlyle made the recommendation to let Henry Moon begin to talk with the adjacent property owners.

**Utility Rates**

Randy McCaslin stated that the City has been approached by a developer to develop 225 apartments in North High Point, at an 18 acre site. By virtue of the City's agreement with Kernersville, the City would run the water and sewer up to the area, and they would control the zoning in the area. The City and Kernersville will share for a period of forty years, 50/50 property taxes. Mr. McCaslin stated that by virtue of the agreement with Kernersville, anything they serve to the development will be double the inside rates. The developer has asked the City to look at the rates and see if they cannot come back with some kind of rate structure that would be more advantageous of them and would be a deterrent to developing the property.

Council Member Smothers stated that this development is for high end residential. There are some issues related to the service that might cause the City to be willing to amend that policy to service residential, namely more flow in the line. The City provides only sewer service. Randy McCaslin noted that this site will actually have the option of going either way, because the hospital site is served by Forsyth County water. Mr. McCaslin stated that the City is going to try to make it contingent that they take water and sewer. JoAnne Carlyle noted that the agreement does not specifically mention the double rate, but what it references is whatever the city policy is at that time for outside services, and the agreement says that the city cannot treat any developer or anyone in that area different from any of the other policy.

Council Member Moore stated he would like to know if the developer is receiving any incentive from Kernersville. Mr. McCaslin stated that they are not.

Ms. Carlyle stated that the agreement runs forty years for water, thirty years for sewer and another option they have is to try to amend that language in the agreement. Randy McCaslin stated the felt Kernersville would be very willing to do that.

Mayor Sims felt that they needed to be careful in what they decide to do with the outside rates, and if it is confined to just this one area.

Randy McCaslin advised that the Agreement High Point has with Kernersville is only for this specific area, and it refers all water utilities, and it does not talk about different classes. Council Member Smothers stated that the agreement that was done in 2007 was the first of its kind where two municipalities shared in property tax revenue and traded it off with provision of a service of water sewer and they were going to provide the municipal service.

Council Member Smothers stated that one of the points the developer made was the double rates, plus the fact they are going to be paying property tax, and it would mess up their financing for these high end apartments.

**<u>Discussion- Identifying a City Council Core City Action Plan</u>**

Randy McCaslin advised that he had asked Washington Street to put together a committee that would work with the City to help choose decorative street lights, benches, and they said that Patrick Harmon would coordinate that effort.

Council Member Ewing asked if it would make sense to use what they identify, or what everyone comes to an agreement of a single source the City can utilize should they decide to put benches on Main Street, so there is continuity throughout the different districts. Mr. McCaslin stated that they already have a downtown standard that they use, and certainly will present that to them. Their discussion and input is more about the location of the improvements. Mr. Allen noted that they have already carried the same design standards into the park. Mayor Sims asked why would they do that when they identify separate entities, and talk about the character of the neighborhood. Mr. Allen stated that what they have done so far is carried that product into that park. Council Member Smothers agreed with Mayor Sims that different areas may want different signatures. Mayor Sims felt that they do not need to carry that message that they cannot think outside the box.

Council Member Wagner stated that when they started out on the Core City Plan they had a five year action plan, and that action plan was to be updated at some point. Wendy Fuscoe stated that the five year action plan she has seen was done by Brenda Slack and the last time they did that as a Core City Committee, was when they had their strategic plan in 2009, and they have not done that as a board since them, but they have concentrated on those three focal areas and because Washington Street had a master plan the next step was to get a master plan for Uptowne, and then for Southside. Council Member Wagner stated that what they are talking about here is what their action plan is going to be, and it might be wise to go back and look at that and update to see what they have done. Council Member Wagner felt staff could evaluate the action plan and come back to the Committee.

Council Member Smothers felt that they need to get some document that can be referenced to see what direction is being given.

Council Member Smothers stated that there has been discussion on the streetscape for South Main, there was a suggestion of starting the burying of overhead lines on South Main. Randy McCaslin noted that was part of the overall plan at $7 million. Council Member Wagner stated he thought the question was whether it was just going to be beautification or whether it would include new sidewalks. Mr. McCaslin stated the proposal was for new sidewalks and benches, and landscaping and bus stops, not burying the utilities. Mayor Sims stated that they did discuss transferring what they were doing on North Main to South Main.

Council Member Mendenhall stated that her initial concern has always been on that area as an entryway into the City, not so much to spend those kind of dollars, but to try to make it more eye-appealing as you come into the City, which is what it needs. Council Member Wagner stated he does not have a problem with the street scaping, but he does question the idea of replacing the existing sidewalks, and he felt if they could fill in some gaps with sidewalks and improve that a little it would look better.

Mayor Sims asked that with the façade program was there anyone on Southside to use the program. Ms. Fuscoe stated no one on Southside utilized the program. Mayor Sims stated that they plant all kinds of trees there, but if they do not improve the appearance of the buildings it will not work, and she felt they need to jumpstart another thought process on South Main, and encourage those business owners to do some things to their buildings that will greatly enhance whatever else they decide to do in that area. Council Member Mendenhall agreed that the trees will help, but they are not the total answer and there are other things that would help if they could get some of the business owners interested in the façade grant program and doing some things.

Council Member Wagner asked if there is demand for the façade grant. Ms. Fuscoe stated that for the last two years they have offered the façade grant it was given to about every applicant. Mayor Sims asked if they wanted to work with the façade grant with a budget amendment. The Committee felt they should increase the façade grant to

$35,000 to $40,000. Mayor Sims stated she would support increasing the grant to $35,000.

Council Member Ewing stated that the vacant building grant that he and Council Member Golden had spoken with representatives in Hickory about had two pieces. It could be used if properties were vacant for more than 48 months and can be used for revitalization of the building, but also the demolition grant is tied to that.

**Traffic Study**

Council Member Smothers advised that the traffic study is underway. Mark McDonald had also advised that staff has also performed some traffic counts.

**Library Study**

Council has received the recommendations of the Library Study Group and they have not talked about the redesign. Council Member Wagner stated that he has had some discussions with Paul Lessard and he stated that the Community Foundation would like to be part of whatever they are doing at the library. Richard Wood stated that they did have a private group indicate an interest in putting a clock at the library with totally private money. Council Member Smothers asked if there was a willingness on the part of Council to ask the staff to give us a price on burying lines from Westwood to Parkway, so that can be incorporated as part of improvements of the library parking lot. Council Member Wagner felt they could get a lot more bang for their buck if they go from Sunset to Lexington. Council Member Smothers stated that the whole big deal about it was that this is this great public building centerpiece, and you don't have it with those power lines.

Mayor Sims stated she thought Council had in their minds moved further back down Main Street with the burying of the lines, because it was tied into the improvements that were being done at Parkway and all the improvements going on around the hospital, so there was the desire for connectivity from where we left off on Main to as far north as they could go with the dollars that they had.

Council Member Wagner had concerns about burying the lines, and felt they needed to do this in an area where it will improve the business environment, and the area between Westwood up to Sunset is an area where there are not a lot of buildings that people are going to walk to. Mayor Sims requested the information on where the lines could be buried and the costs. Council Member Smothers stated that she believes there is opportunity to do some reconfiguration in the library parking lot, that if they bury the lines it could have a different look than what's been projected, and stated she would like to see some different designs on the parking lot that does not take so much parking away from the front door.

**Land Use and Transportation Directive to Staff for Five Points**

Council Member Smothers asked if staff has had time to look at what a timeline on Five Points would be. Strib Boynton stated that they will be getting with staff to get a timeline together. Council Member Smothers felt that at the interchange they are going to have to make a decision about how far they go towards Jamestown with the area land use. Council Member Wagner stated that Dorothy Darr has agreed to take care of the effort on Southside as part of the Southwest Renewal, and so City Project is willing to take on Five Points as a focal area if it is the wish of Council. Mayor Sims stated that it is her hope that as they start looking at the Five Points area it doesn't become somebody else's project, because they have talked about some transportation issues in that area and how that interchange gets reconfigured and what that will mean to Montlieu Avenue and to a whole lot of things, and she felt they need to be mindful as they move through this process of what it is they are taking on and doing, and that there is buy in from this community around how this process is going to work, because as they look at what this core looks like it is changing and it is changing because of some of the things that council is doing and the plans they are making around redevelopment. Mayor Sims further stated that as that happens, where will those individuals go and where will they land, and how will they transition that area.

Council Member Ewing stated that the vacant building and demolition grant that Hickory has had success with the last few years, and he would like to see how they could use that for either the whole Core City or just some isolated areas to test it and try it. Mayor Sims asked why the City would help pay to demolish a building that does not have a redevelopment plan. Council Member Ewing stated that the area that the demolition grant was most beneficial for Hickory was not necessarily their core city, but more in the industrial areas where they have huge buildings that have been vacant for decades and they are major eye sores, and by taking care of some of the demolition costs, the property owners were able to demolish the property to get shovel ready sites that were beneficial for redevelopment. Mayor Sims asked why would they have tied to that a redevelopment plan rather than just going in and giving a grant to take the building down, which does effect the tax rate. Mayor Sims stated that it seems to her in order for the demolition to happen someone should have an idea of what they are trying to do with it, not just to create a shovel ready site, but there should be something else tied to it that says this is going to happen when the building is taken down.

Council Member Smothers asked Council if they have any problems since they have identified some things that are in process, that they get those on a spreadsheet. Council Member Wagner asked if there is any interest in having the staff go back and update the five year plan.

Mayor Sims stated she would like to see some dollars somewhere in the action plan for Community Development that are targeted dollars towards neighborhood vitalization. Mayor Sims felt this was what community development was all about, and if there are other dollars they could go after that would do the same thing.

Council Member Wagner stated that Planning & Zoning Commission recommended against Hartley Ridge Development, and he has met with some of the people in the Avalon Neighborhood last night, and they are not excited about it as well, and Council Member Wagner was not sure there would be six votes on Council to move that project along. Mayor Sims stated she hoped that is not the message that they send, and before they were able to get Addington Ridge done, they were all over High Point trying to find a community that would accept tax credit units. Cynthia Davis noted that at P & Z it was not necessarily the kind of development as much as there was a concern about runoff and the open space they were given by Guilford County, so it had other factors than the type of development it was. Council Member Smothers stated that with all the needs they have in the inner core, to put housing that far out just does not make sense. Council Member Mendenhall stated that her sense from the CAC members in the discussions was that they would probably be amendable to looking at the revitalization of core city housing because they recognized the need. Council Member Mendenhall stated that in some cases they were talking about some of these homes is the need to do some bringing up to code type of work, and the statement was made that because they have so much of that lead removal money and it has to be matched that they have a smaller source of money for home repairs, and when you come in, unless you qualify for lead removal they will not fix your roof. Randy McCaslin stated that the City got out of the business of fixing properties five to six years ago because with the money available they were only able to do four or five houses a year, because they had to take care of all the minimal housing codes on the property.

Council Member Wagner stated that at one point they had talked about looking at those lots that have liens on them and seeing if they can amass some land and then be able to market that to someone to redevelop. Council Member Wagner felt that would be a great project for the Community Development to identify where they are and where a targeted area would be.

**ADJOURNMENT**

The meeting adjourned at 11:30 a.m. on a motion duly made and seconded.

Respectfully Submitted,

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Dawn J. Sparks, CMC
Deputy City Clerk

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Council Member Rebecca Smothers,
Committee Chair

Parks & Recreation Department

Administration Office

MEMORANDUM

To: Allen Oliver, Assistant City Manager

From: Lee Tillery, Director Parks and Recreation

Date: May 16, 2014

Subject: Recreational Trails Program Grant Application

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We are in the process of completing the Recreational Trails Program Grant Application for funding to assist us with the construction of the Deep River Greenway. The grant application will be for $100,000 and requires a City match of 25%. It also requires City Council approval documented in the application. Our grant application deadline is June 6th so I am requesting this be reviewed by Council on Monday, May 19, 2014. I will be present to answer any questions Council may have.

**COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE**
**MAY 13, 2014 – 10:00 A.M**
**CITY MANAGER'S CONFERENCE ROOM**

**MINUTES**

**PRESENT:**
Council Members Jason Ewing, Jeff Golden, and Judy Mendenhall

**ABSENT:** Committee Chair Foster Douglas

**STAFF PRESENT:**
Randy McCaslin, Assistant City Manager; Mike McNair, Director of Community Development; Richard Fuqua, Affordable Housing Manager; Jeron Hollis, Public Information; Lisa Vierling, City Clerk, Dawn Sparks, Deputy City Clerk

**Section 108 Loan Program and Infill Housing Program**

Mike McNair stated that the City received the Section 108 loan commitment on May 3, 2010 from HUD, which is a five year authorization. The commitment was initially made for the small business loan pool, which expired and was not renewed. Randy McCaslin noted that the City's allocation was in the $3.9 million range and the banks were going to match those funds, but they did not have anyone interested in participating in the loan pool because they couldn't make it work if they had to pay it back. At that point the banks felt it was not worth their time to participate in the business loan pool. Mike McNair also stated that the bank required the applicants to be owner/occupants of the business which did not work.

Mike McNair advised that SHARE is now in bankruptcy and it is not certain if they will continue to operate. Unity, Habitat, and a new organization known as Nehemiah Community & Empowerment Center have approached the City. Nehemiah offers housing and public service activities, they have homeless activities, youth activities, and they want to come into High Point. Community Development is looking into Nehemiah.

Mr. McNair stated that Nehemiah does not have a relationship with the City of Greensboro, but are getting their funds from other federal agencies. Their initial application to Community Development was for housing.

Council Member Mendenhall asked how many sites do the City own that could have infill on. Mr. McCaslin stated that there are about 353 properties. Mr. McCaslin stated that most of them would be in the Core City. Some of the lots may be unbuildable, like the lots fronting the lake. Mr. McCaslin stated that they have also begun pulling information together on properties with liens on them. Those lots would be city wide and be properties that needed mowing, securing, or demolition. Council Member

Mendenhall stated that she assumed Habitat uses some of those lots that we own. Mr. McCaslin stated that the lots they have been building on have all been furnished by Community Development. Habitat is more interested in keeping their project concentrated in an area. Mike McNair stated that they like to keep their families together. Mr. McNair stated that Habitat does not want to isolate their families because the see them as a group of families that work with each other. Council Member Mendenhall stated that she knows of so many neighborhoods in her ward that if you even put one or two houses on the street it would make a huge difference. Mike McNair stated that if they are in a stable neighborhood that has a couple of bad houses, that is a good infill, but if they go into a neighborhood that is all boarded up and they only do two houses it doesn't have the same impact.

Mike McNair stated that they had an original allocation of $3.906 million, which $1.35 was allocated to the Addington Ridge Development, which leaves a balance of approximately $2.16 million. Mr. McNair has been speaking with HUD to find out if it is possible to extend the five year deadline that expires, and they have not given him a definitive answer but they did say if it were to expire the City could reapply. So if the City were to look at the East Green area, what HUD would be suggesting is it would be good for the City to have a Revitalization Plan detailing what it is we want to do. The more information the City has when they reapply the better it helps. Mr. McNair stated that he asked if the City could sign a promissory note and just draw money down, and HUD said they could not because the money has to be tied to a specific project.

Council Member Ewing asked if acquisition of real property has to be the actual use of the property. Mike McNair stated that if they look at Addington Ridge you can see the acquisition where the city acquired the property and is actually leasing the property to them to improve, and once those public improvements are done then they will convey it to Addington Ridge with a mortgage attached.

Council Member Mendenhall stated that because it does seem the majority of the council is interested in doing something in the Core City, what is suggested that they do and how can they best accommodate renovations in the Core City, whether it be housing or jobs. Randy McCaslin asked if they could state a goal they are trying to achieve. Council Member Mendenhall stated that she sees so much need in the Core City areas for renovation and rehab in housing, abandoned buildings, and just a general need to uplift the Core City area to give people who are in that area a better quality of life to do things that would encourage people to stay there or to come in to live. Mr. McCaslin asked if they are looking to improve investor owned properties. Council Member Mendhenhall stated there might be a need for some of that because there are so many rental properties in the Core City. Council Member Ewing stated he felt that improving the quality of living for the low to mid income in the Core City, and as part of that they see so many dilapidated properties out there that need work and if they could leverage what they have and work out a way to utilize some of the sites they have and go out to the investors and offer them to build a new investment property here to move a tenant, and then we take over the dilapidated property.

Council Member Mendenhall asked how forcefully they could come down on investor owned properties to bring them up to code, and do they need that kind of a plan in conjunction with this, because she hears from the property owners if they spend the money to bring up a property the tenants tear it up.

Council Member Ewing stated that unfortunately the properties do get torn up that are Section 1088, because they know if they call Section 108 to report a problem, Section 108 will approach the property owner to fix it. Council Member Ewing stated that some of the properties that are bringing in low monthly rentals do not have a lot of money left to create a good livable environment.

Council Member Golden stated that the problem is that these are loans and not grants, and property owners do not have the means to repay loans. Mr. McCaslin stated that years ago the city would do renovations to properties and they still have outstanding loans. Mr. McCaslin stated that these low interest loans still have people that are struggling to repay the City back.

Mr. McCaslin stated that HUD has criteria that the site has to be within one mile of a substantial grocery store to receive the tax credits.

Council Member Mendenhall asked about the talk about some sort of a grocery store on East Green. Mr. McCaslin stated that is a long term process, and unless the city was to go down there and buy the property and give it to somebody rent free maybe they could get someone in there, but even in this case it will be a multi-year process. Mr. McCaslin stated that he didn’t feel they would get a grocery store in there without some substantial help from the city.

Council Member Ewing asked how the single family properties Unity did years ago turn out from an investment standpoint. Mr. McNair stated that they acquired nine properties and rehabbed them with the NSP funds, put them up for sale. They did not sell so the state said they should be rented, but the City did not want to rent them and offered them for lease purchase. Mr. McNair stated four have sold, and the others are in various stages of being sold. They formulated a program to work with the occupants to give them financial training to be future homebuyers, and those occupants agree to participate, and if they do as they should they should qualify to buy the house.

Council Member Mendenhall asked from the standpoint of this money that is available the best use or maybe the only use is to find a site and do a multi-family development rather than a scattered site development. Mr. McNair stated that when they first went after these funds they were told it could not cost the city any money, and that is the route they have to go, which was the multi-family because it is the safest.

Mr. McCaslin stated that Mr. McNair knows the regulations, they just need Council discussion so they can know if their direction is changing and whether they can tailor something to do that will meet what Council wants done. Council Member Mendenhall stated that is as hard it is for her personally to articulate it is probably just as difficult for other members of Council to articulate exactly what they want done.

Council Member Golden stated that they see the need, the problem is how they can use that money to meet that need.

Council Member Mendenhall stated that if Council could identify an area where there was a cluster and there would be an impact, could this money be used for a combination of owner occupied and investor homes in that cluster, even though they understand and it might be a while to recoup the funds. Mr. McNair stated that the better use for that type of plan would be CDBG funds because it remains at a local level. Dealing with HUD to try and do rehab and Section 108 is a headache. Council Member Mendenhall asked that when they refer to CDBG funds what sources are they talking about and how much are they talking about. Mr. McNair stated it gets back to the issue that right now they use the vast majority of it to pay salaries, rather than putting that into the general fund, which is about $700,000 a year. Mr. McNair stated that some of the houses they would find when they began to work on them it would easily be $60,000 to $70,000 a house. Council Member Mendenhall asked if they would establish a max so that if they go in and inspect a house and find it is going to take $60,000 to repair they would have to move to another house. Mr. McNair stated that Council can decide how much money they want to put in with CDBG funds.

Council Member Ewing felt there were a lot of options to consider, but he does not want to see the City get into the business of doing all of this, because there are enough builders and contractors that could easily create a niche for themselves.

Council Member Mendenhall stated that there are options that the Council needs to look at and have before them, because they have talked about a lot of different options today, and she asked if it made sense for Council to have options for funding the staffing in Mike's Department and freeing up dollars they could use for the kind of things that they have talked about with owner occupied or investor owned properties grants. Council Member Mendenhall stated that what they might be able to do with the $2.6 million is to direct staff to try to find a site in the Core City that would work.

Mike McNair suggested that his staff could look at the map and prioritize the areas that have the greatest opportunities for success and go look at them. Mr. McNair stated that there may also be opportunities adjacent to these areas that are available as well that they could add to the mix. Mr. McCaslin noted that they have thousands of properties out there with liens on them.

Mike McNair suggested that they could gradually move the funding of one or two staff instead of doing it all at once. Mr. McCaslin thought that was actually the plan before the recession hit and they had to stop aeverything.

Council Member Mendenhall stated that if there is a way to look at divesting ourselves of some of the properties that are just sitting stagnant. Mr. McCaslin noted that it would be great if the market was there and people were knocking at the door to sell it at a reduced price, they would love that and at this point we do not have that.

Mr. McCaslin stated that he would get something together for the next committee meeting. Mr. McCaslin stated that the Housing Authority has approached the City and around their Park Terrace project and they would like the City to buy strategic parcels with houses on them to tear them down, and then they would come back and build duplexes or triplexes on that. It will help their project, as well as help the tax base. Mr. McCaslin asked if this is something that Council has an interest in doing. Council Member Mendenhall felt if the City had property just sitting there, maybe we need to negotiate with them instead of outright buying additional properties. Council Member Mendenhall felt when there are so many needs and so much property she cannot see us using tax dollars to buy more property for them just because it is near their particular project. Mr. McNair stated that they have been using infill housing money for this.

The Committee requested that staff pull together information on properties and programs available so they can sit down to determine the best way to address these areas in the Core City.

**ADJOURNMENT**

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

Respectfully Submitted,

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Dawn J. Sparks, CMC
Deputy City Clerk

Financial Services

Jeffrey A. Moore, CPA
DIRECTOR

NORTH CAROLINA'S INTERNATIONAL CITY™

# MEMORANDUM

April 14, 2014

**MEMO TO:** Strib Boynton, City Manager

**FROM:** Jeffrey A. Moore, Financial Services Director JM

**SUBJECT:** Request to ratify change in early payment discount for property taxes

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Attached is a self-explanatory communication from Guilford County's County Attorney explaining that the Board of Commissioners approved the reduction in the early payment discount from 1% to ½%, beginning with the new fiscal year 2014-2105. The County provides all of the City's property tax administration, billing and collection for High Point properties in Guilford County. It is expected that the change will not significantly change the cash flow in the General Fund on timing of property tax payments during the fiscal year, and the change is expected to reduce the cost of payment discounts by approximately $160,000 annually.

I recommend City Council's ratification of the change in discount rate. I will be available for additional questions you or members of Council may have.

# GUILFORD COUNTY
## OFFICE OF THE COUNTY ATTORNEY

February 24, 2014

Ms. JoAnne Carlyle
High Point City Attorney
P.O. Box 230
High Point, NC 27261

**Re: Reduction of Tax Discount Rate**

Dear Ms. Carlyle:

On February 6, 2014, the Guilford County Board of Commissioners approved lowering the County's discount rate for early payment of property taxes from 1% to .5%, effective beginning with the current tax year. The step was done to increase tax revenues; moreover, maintaining the .5% discount sustains significant level of early payments. Banks and other financial institutions are required to pay early where a discount rate, whether 1% or .5%, is in place. This represents between one-half to two-thirds of the early payment we receive. Additionally, it is felt that the current rate of the remaining early payments will not be materially reduced.

Pursuant to this action taken by the Guilford County Board of Commissioners and in accordance with the City-County Interlocal Agreement on Tax Collection and pending approval by the State Department of Revenue pursuant to N.C.G.S. §105-360, it would respectfully be requested that the High Point City Council ratify this change and approve reduction of the discount tax rate to .5% for City taxes. No change to the Interlocal Agreement between the City and County on Tax Collection is required to reflect the change.

If there are any questions or if I can be of any assistance to you, please call me at (336) 641-3852. Thank you.

Sincerely,

J. Mark Payne
Guilford County Attorney

cc Guilford County Board of Commissioners
Marty K. Lawing, Guilford County Manager
Ben Chavis, Guilford County Tax Director

301 West Market Street • Post Office Box 3427 • Greensboro, North Carolina 27402 • (336) 641-3852 • Fax (336) 641-3642

Publish Date:  May 22, 2014

PUBLIC NOTICE

CITY OF HIGH POINT

BUDGET HEARING

THE PUBLIC WILL TAKE NOTICE THAT THE PROPOSED BUDGET FOR THE CITY OF HIGH POINT FOR THE FISCAL YEAR 2014-2015 HAS BEEN FILED WITH THE CITY COUNCIL OF THE CITY OF HIGH POINT. THE PROPOSED BUDGET IS AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE CITY CLERK, 211 S. HAMILTON STREET, HIGH POINT, NORTH CAROLINA. A COPY OF THE PROPOSED BUDGET IS ALSO AVAILABLE IN THE HIGH POINT PUBLIC LIBRARY LOCATED AT 901 N. MAIN STREET, AS WELL AS ON THE CITY WEB-SITE: www.highpointnc.gov.

TWO PUBLIC HEARINGS ON THE PROPOSED BUDGET WILL BE HELD. THE FIRST HEARING WILL BE HELD MONDAY JUNE 2, 2014 AT 6:15 P.M. AND THE SECOND WILL BE HELD THURSDAY JUNE 5, 2014 AT 9:00 A.M. THE HEARINGS WILL BE HELD IN THE CITY COUNCIL CHAMBERS OF THE MUNICIPAL BULDING, 211 S. HAMILTON STREET.

AT THE HEARING, ORAL AND WRITTEN COMMENTS WILL BE RECEIVED FROM ANY INTERESTED CITIZEN.

Please send affidavit to: Eric Olmedo

Budget & Performance Manager

City of High Point

PO Box 230

High Point, NC 27261

2014018558 00112
FORSYTH CO, NC FEE $26.00
PRESENTED & RECORDED:
05-28-2014 02:39:49 PM
C. NORMAN HOLLEMAN
REGISTER OF DEEDS
BY: RANDY L SMITH
DPTY
BK: RE 3180
PG: 2822-2824

Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. 1758 / 14-36

ENVELOPE

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

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

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

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 6:15p.m. on the 19th day of May, 2014; and,

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

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

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of **May 19, 21, 2014**.

**ANNEXATION DESCRIPTION**

**Carolina Investment Properties, Inc. (Annexation Case 14-04)**

BEGINNING at an axle in the eastern right-of-way line of NC Highway 66, said point having NC Grid Coordinates of N:831831.01 and E:1687652.27, and running thence from said point and place of beginning, South 82° 58' 02" East 360.19 feet to an axle; thence South 04° 28' 55" West 158.67 feet to a 1" iron pipe; thence North 86° 14' 43" West 424.25 feet to an axle located in the eastern right-of-way line of NC Highway 66; thence with the eastern right-of-way line of NC Highway 66, North 24° 09' 14" East 191.25 feet to the point and place of BEGINNING, containing 1.528 acres, more or less, as shown on survey entitled ALTA/ACSM Survey for Carolina Income Properties XV, prepared by Sgroi Land Surveying, PLLC, dated January 17, 2014.

SECTION 2. Upon and after **May 19, 2014** the foregoing property and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-58.3.

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

Adopted by City Council,
this the **19th** day of **May, 2014**.
Lisa B. Vierling, City Clerk

City of High Point

NORTH CAROLINA'S INTERNATIONAL CITY™

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

Certification

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing is a true and accurate Ordinance adopted by the City Council in official Session on May 19, 2014 and upon approval by City Council will be recorded in Book 89 of the Official Minute Books and Ordinance Book XVIII of this City, under my care, custody and control. As of this date, action to adopt said Ordinance has not been amended, rescinded or repealed and is in full force and effect.

WITNESS my hand and the Corporate Seal of the City of High Point, the 21st day of May, 2014.

City of High Point N. Carolina

Lisa B. Vierling

Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

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

WITNESS my hand and official Notarial Seal, this 21st day of May, 2014.

Cynthia C Duncan-Smith

Cynthia C. Duncan-Smith, Notary Public

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

Commission Expires: 1/18/2015

We reviewed and confirmed the list of Core City actions that CC had previously discussed.

A change in the Washington Street improvements would extend the project to the school rather than stopping at Gaylord.

Judy has met with Tim Ilderton, Dorothy Darr and Jannette McNeill and discussed S. Main improvements...they will be getting property owners together to review streetscaping the 2nd week of June.

The Pit - asked staff to complete the access issues with adjacent property owners and proceed with the installation of safety improvements and lighting not to exceed $25,000...Ryan Saunders may or may not have continued interest in pursuing leasing...directed Mgr to assign David Briggs responsibility of administering leasing/programing Pit..staff will bring back rental/leasing costs for use by others.

The Library - a lot of discussion but basically decided that the plaza idea, while attractive, was not focused on serving Library patrons...asked that a landscape architect design improvements that would put priority on parking (as previously directed by CC) and improve the aesthetics of the parking lot...also, estimate for burying overhead power should be available next week.

Redevelopment options - noted that "pink code" analysis will come back when completed to ad-hoc committee of CC (Jay, Jim, Judy, Jeff).

Infill Housing/East Green investments issues to be discussed in Foster's committee of CC which will meet next Tuesday.

City Project non-profit funding - confirmed the $35,000.

Much discussion about job position for Core City...Angela Kirkwood will submit to CC a revised job description for the position based on suggestions and comments by CC members... general agreement that position will be a coordinating one with assignments to assist in implementing Core City Action Plan adopted by CC, work with various groups and associations throughout Core City (not full time for City Project) and report to City Manager/Ass't City Mgrs...there was difference on opinion on this among CC members...the subject was confused by interjecting Wendy's current role into discussion about the job position...very hard to keep both issues separated...while Angela will bring back the position reporting to CM, there is still concern about that type structure.

I have only tried to give you the actions that were taken...no way does this brief synopsis capture the comments that referenced appreciation for all the work/involvement by many volunteers or to reject their recommendations...current economic conditions, availability of funds and intent to concentrate on improvements throughout Core were driving force....a lot of discussion, all civil...disappointing to some perhaps but clearly super majority support for what was directed to staff.

## PLANNING AND ZONING COMMISSION RECOMMENDATION

On April 22, 2014, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present, except for Mr. Mark Walsh and Mr. Andrew Putnam.

**Carolina Investment Properties, Inc.** **Amendment to Zoning Case 14-01**

A request by Carolina Investment Properties, Inc. to amend Conditional Zoning Case 14-01 to:

a. Add approximately 1.5 acres to Conditional Zoning Ordinance 14-01.
b. Rezone approximately 1.5 acres from a Residential Single Family-20 (RS-20) District, within Forsyth County's zoning jurisdiction, to a Conditional Zoning Light Industrial (CZ-LI) District.

The property is lying along the east side of NC Highway 66, approximately 1,175 feet north of I-74 (2775 Highway 66 South). Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

Mr. Herbert Shannon presented this application and recommended approval as outlined in the staff report.

Speaking on behalf of the request was the applicant's representative, Ms. Abigaile Pittman 210 Louise Avenue, High Point.

No one spoke in opposition to this request.

The Planning & Zoning Commission recommended approval of the Amendment to Zoning Case 14-01 as submitted by the applicant, by a vote of 6-0.

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

**STAFF REPORT**
**AMENDMENT TO ZONING CASE 14-01**
**April 22, 2014**

| **Request** | | | |
|---|---|---|---|
| **Applicant:** Carolina Investment Properties, Inc. | **Owner(s):** Gary Walter Idol and Pamela Idol | | |
| **Zoning Proposal:** To annex and apply initial City zoning to approximately 1.5 acres and to add this parcel into CZ14-01 | **From:** | RS-20 | Residential Single Family-20 District *(Forsyth County)* |
| | **To:** | CZ-LI | Conditional Zoning Light Industrial District |

| **Site Information** | |
|---|---|
| **Location:** | The property is lying along the east side of NC Highway 66, approximately 1,175 feet north of I-74. |
| **Tax Parcel Number:** | Forsyth County Tax Parcel 6883-71-8712.00 |
| **Site Acreage:** | Current acreage of CZ14-01 - 129.5± acres<br>Proposed addition to CZ14-01 - 1.5± acres<br>Revised zoning site acreage will be approximately 130.06 acres |
| **Current Land Use:** | Single family dwelling |
| **Physical Characteristics:** | The property has a relatively flat terrain |
| **Water and Sewer Proximity:** | To serve development north of I-74, between NC Hwy 66 and Skeet Club Road, City sewer lines are proposed to be extended along the stream corridor that runs north of Hedgecock Road and under I-74. City water lines are proposed to be extended to form a loop system that will run along N. Main Street, NC Hwy 66, Payne Road and Dilworth Road. |
| **General Drainage and Watershed:** | The site drains in a southeasterly direction and is within the Yadkin Pee-Dee (non-water supply) watershed. The zoning site will be combined with the abutting 129 acres, based upon the total acreage and allowable development intensity, stormwater controls may be required to be provided. |
| **Overlay District(s):** | None |

| **Adjacent Property Zoning and Current Land Use** | | | |
|---|---|---|---|
| **North:** | **RS-20** | Residential Single Family-20 District *(Forsyth County)* | Undeveloped parcel |
| **South:** | **RS-20** | Residential Single Family-20 District *(Forsyth County)* | Undeveloped parcel |
| **East:** | **RS-20** | Residential Single Family-20 District *(Forsyth County)* | Undeveloped parcel |
| **West:** | **AG** | Agricultural District *(Forsyth County)* | Single family dwelling |
| **NOTE:** | Land area to the north, east and south are currently pending approval by the High | | |

| |
|---|
| Point City Council to establish initial city zoning of Conditional Zoning Light Industrial (CZ-LI) District. |

| Relevant Land Use Policies and Related Zoning History | |
|---|---|
| **Community Growth Vision Statement** | Obj. 6D: Continue to identify and recruit new industries that are unrelated to the traditional industries of furniture and textiles in order to achieve greater diversification. |
| **Land Use Plan Map Classification:** | The site has a Restricted Industrial land use designation. This classification is intended to accommodate office, warehouse, research & development, distribution, and light manufacturing or assembly uses on larger sites in unified developments. |
| **Land Use Plan Goals, Objectives & Policies:** | The following goal of the Land Use Plan are relevant to this request:<br>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. |
| **Relevant Area Plan(s):** | **Northwest Area Plan**<br>Goal 2: Achieve high quality development in the built environment.<br>Obj. 2a: Ensure quality development by requiring high aesthetic standards in site and building design, construction materials and intra-development coordination.<br><br>Goal 4: Continue economic development programs to respond to the needs of a growing area and a changing economic environment.<br>Obj. 4a: Target selected industries and industrial sectors that provide high-value jobs and significant property valuations and which will contribute positively to a diversifying economy. |
| **Zoning History:** | At their March 17, 2014 public hearing, the High Point City Council, reviewed Conditional Zoning Case Z14-01 to established a CZ-LI District on 129.5 acres along the east side of NC Highway 66. Final action on this case in scheduled for April 21, 2014. |

| Transportation Information | | | |
|---|---|---|---|
| **Adjacent Streets:** | **Name** | **Classification** | **Approx. Frontage** |
| | NC Highway 66 | Major Thoroughfare | 191 ft. |
| **Vehicular Access:** | Vehicular access will be from NC Highway 66. | | |
| **Traffic Counts:** (Average Daily Trips) | NC Highway 66 | 10,860 ADT (2013, AM and PM peak-hour counts) | |
| **Estimated Trip Generation:** | Using the development data provided by the applicant, the total ADT for this site is estimated at 9721. | | |
| **Traffic Impact Analysis:** | **Required** | **Comment** | |
| | Yes: X / No: | Left and right turn lanes with the installation of a traffic signal are required. | |
| **Pedestrian Access:** | Development of the site is subject to the sidewalk requirements of the Development Ordinance. | | |

## School District Comment

Not applicable to this zoning case.

## Details of Proposal

The initial zoning application for Conditional Zoning Case 14-01 (CZ14-01) was for 129.5 acres to facilitate a future 1,200,000 square foot warehouse & distribution center use. City Council held a public hearing for this request on March 17, 2014 and they are proposing to take final action on this application at their April 21, 2014 meeting. The applicant is requesting this zoning amendment to add a 1.5 acre parcel to CZ14-01. This parcel fronts along NC Highway 66 and is surrounded on three sides by the pending Conditional Zoning Light Industrial (CZ-LI) District. All the conditions in that ordinance will remain the same; the only change will be that the legal description and acreage of this 1.5 acre parcel will be added into CZ14-01.

## Staff Analysis

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

The proposed amendment is a minor addition; the net result is an approximate 1% increase in land area to Zoning Case 14-01. The inclusion of this parcel does not allow for a significant increase in buildable land areas and does not trigger the need for an update Traffic Impact Analysis. If Zoning Case 14-01 is approved by the City Council at their April 21, 2014 public hearing, then this amendment may be approved using the same findings of the original case.

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) The requested amended is consistent with the Land Use Plan; 2) The parcel to be added is an interior lot surrounded by Zoning Case 14-01 and does not expand the perimeter boundary of this case; and 3) There will be no changes to development conditions noted within Conditional Zoning Ordinance 14-01, those conditions will ensure the request is in harmony with the surrounding area.

## Recommendation

**Staff Recommends Approval:**

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

## Required Action

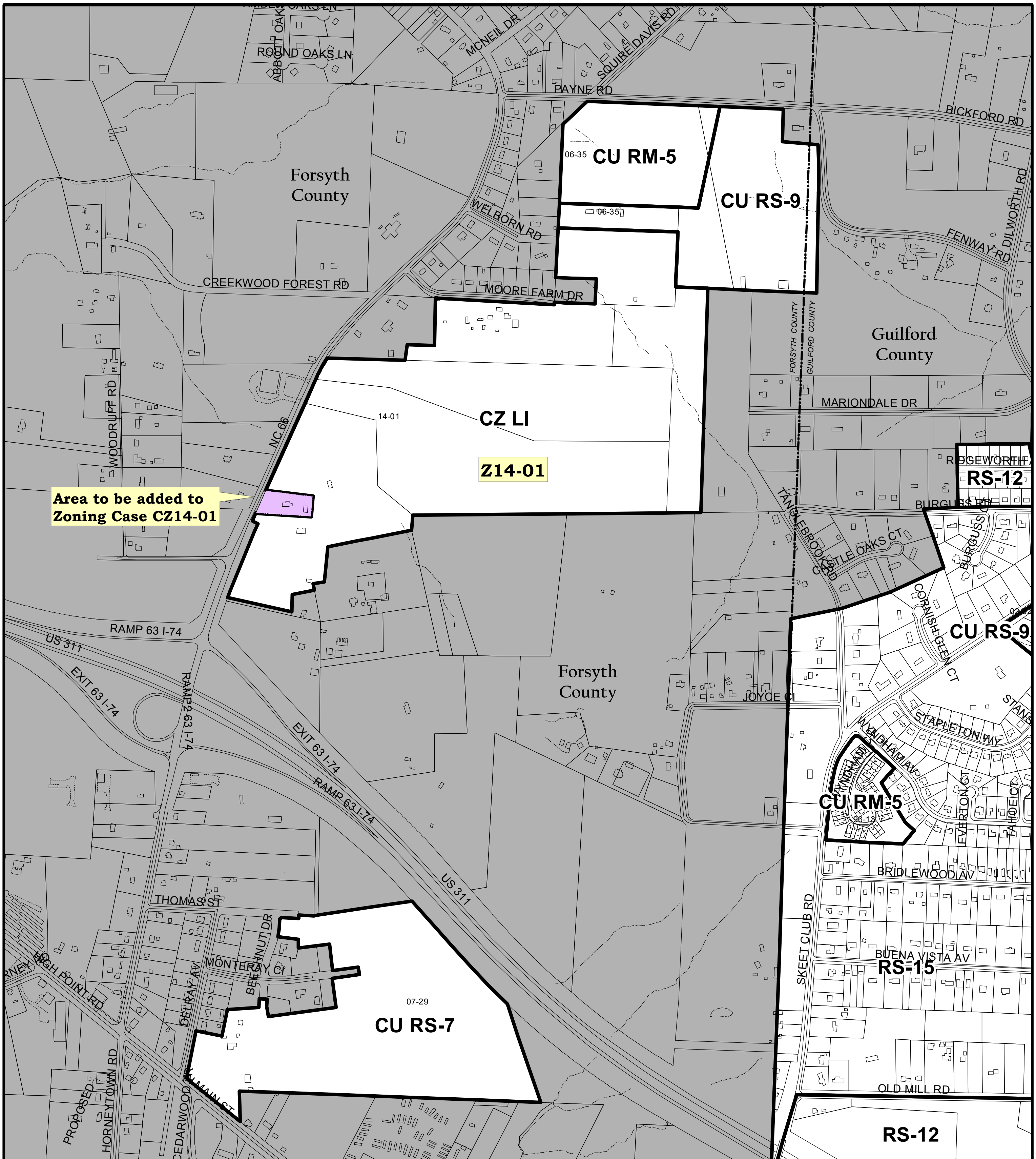
**Planning and Zoning Commission:**

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 Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.




# AMENDMENT TO CZ14-01

**From: Residential Single Family-40 (Forsyth County)**
**To: Conditional Zoning Light Industrial**

**Existing Zoning Boundary**
**Subject Property Boundary**

**Planning & Development Department**

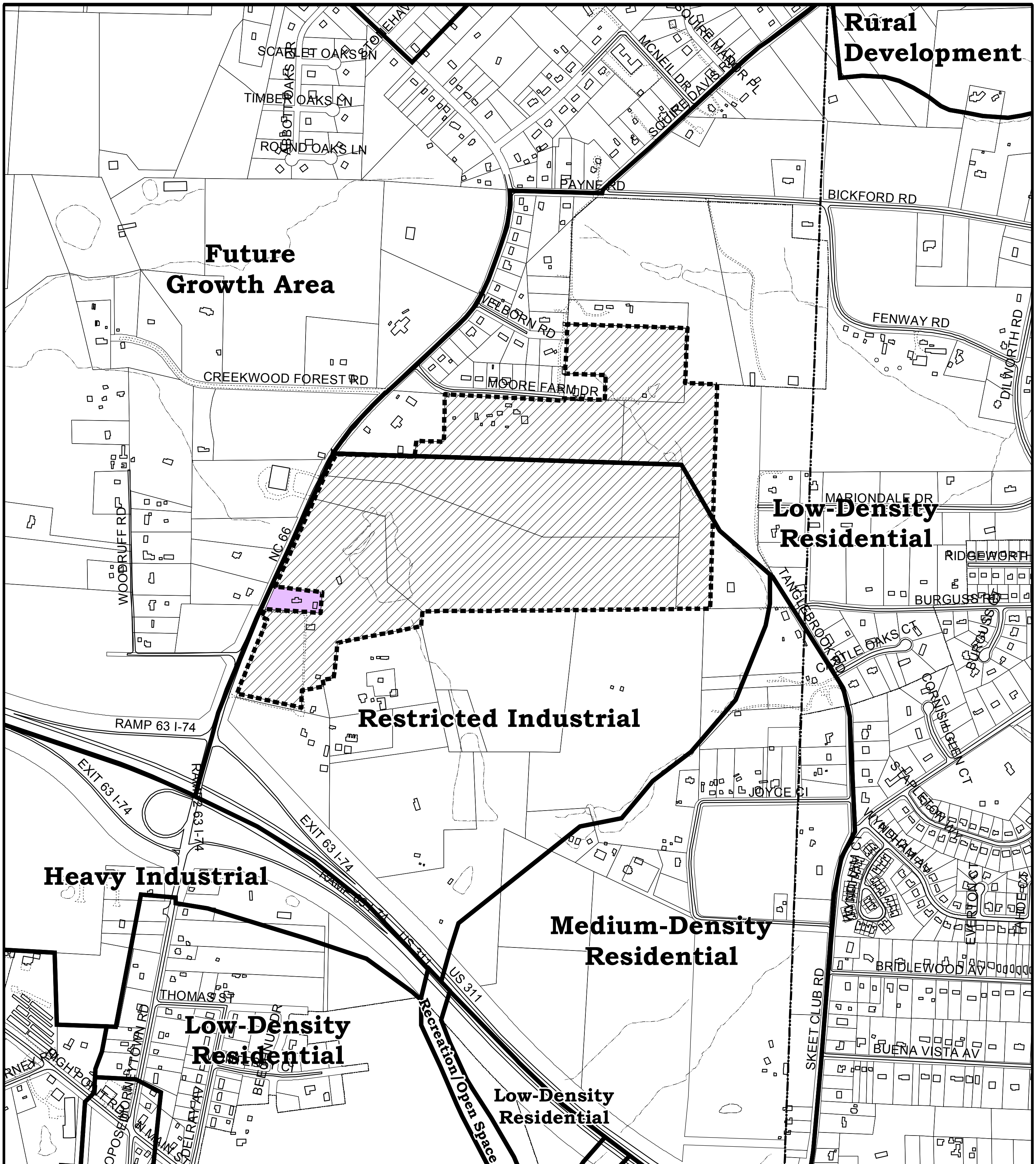
**City of High Point**

**Date: May 14, 2014**

N

**Scale: 1"=1000'**

G:/Planning/Secure/ba-pz/2014/pz/Az14-01.mxd




# AMENDMENT TO CZ14-01

**Land Use Plan**

**Existing Land Use Plan**

**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: April 9, 2014**

N

**Scale: 1"=1000'**

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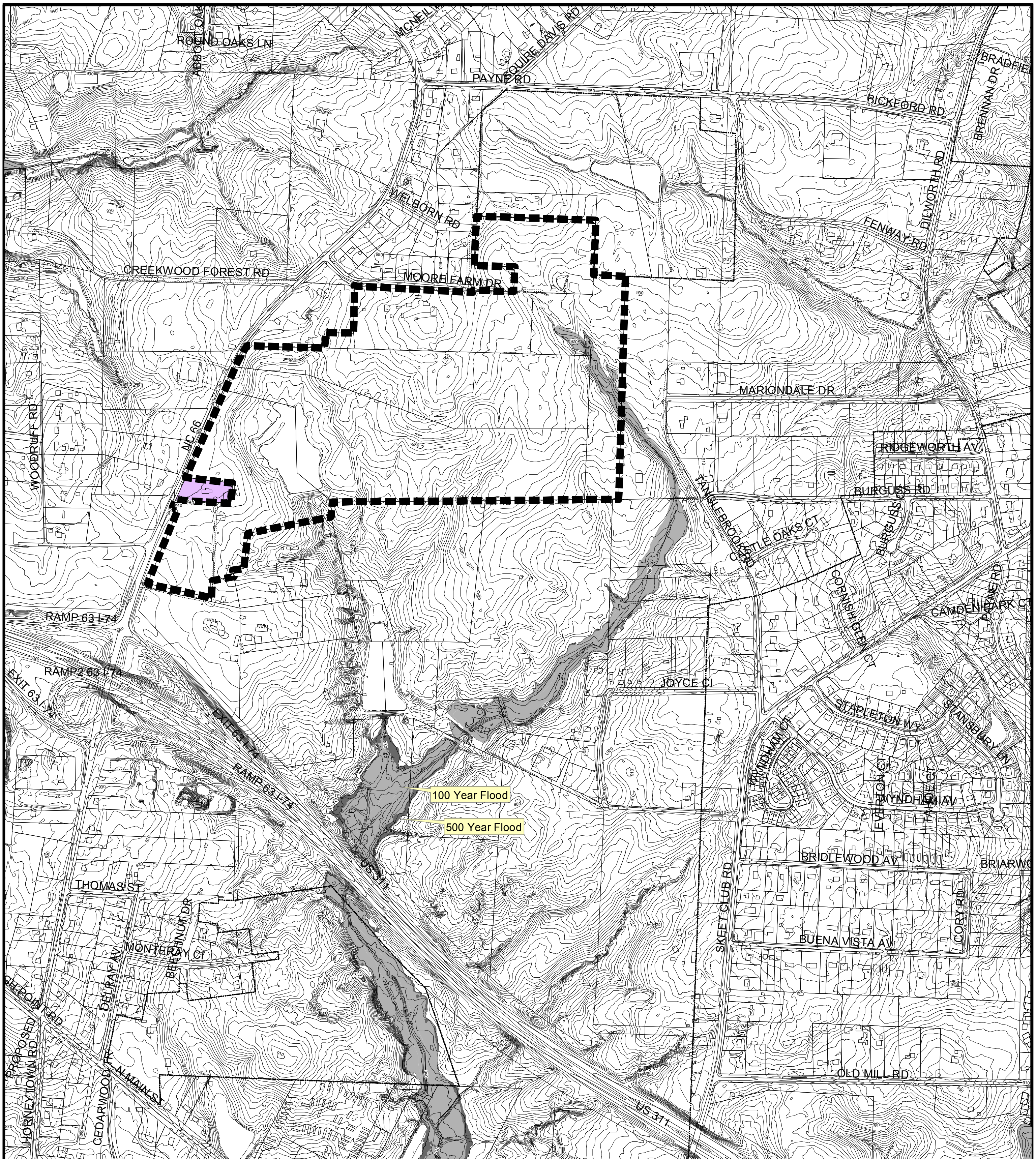



# AMENDMENT TO CZ14-01

**Topography**

**Subject Property Boundary** - - - - - - - - - -

**Planning & Development Department**

**City of High Point**

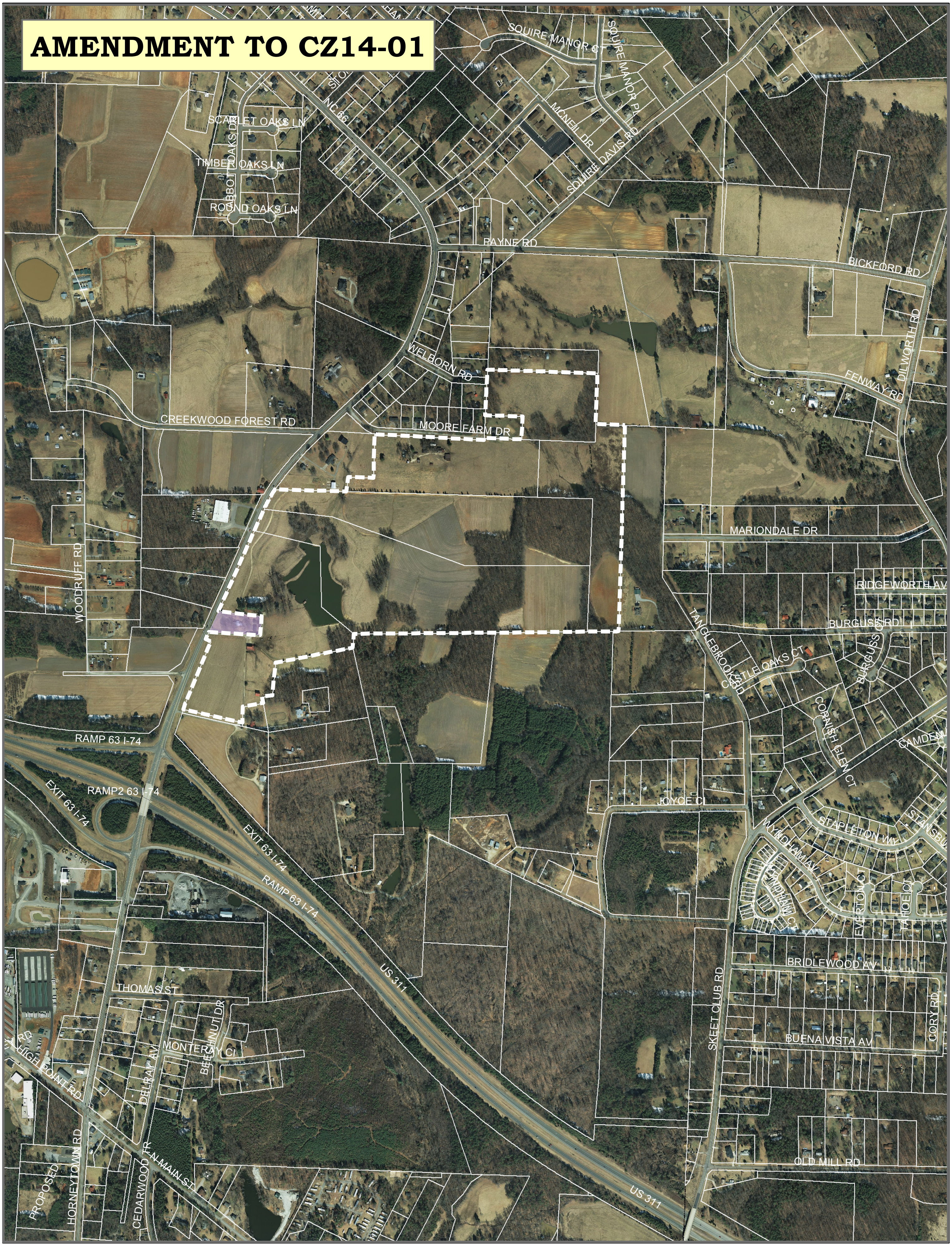
**Date: April 9, 2014**

N

**Scale: 1"=1000'**

G:/Planning/Secure/ba-pz/2014/pz/Az14-01topo.mxd

# AMENDMENT TO CZ14-01



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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on February 25, 2014 and before the City Council of the City of High Point on March 17, 2014 regarding Zoning Case 14-01 a proposed amendment to the Official Zoning Map of the "City of High Point Development Ordinance";

WHEREAS, notice of the public hearings was published in the High Point Enterprise on February 16, 2014, for the Planning and Zoning Commission public hearing and on March 5, 2014 and March 12, 2014, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on ____________________, 2014.

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 Light Industrial (CZ-LI) District.** The property is approximately ~~129.56~~ **131.06** acres and lying along east of NC Hwy 66, north of US 311. The property is also known as Forsyth County Tax Parcels **6883-71-8712.00,** 6883-92-3597.00, 6833-92-0085.00, 6883-82-1000.00, 6893-03-3544.00, 6893-93-5015.00, and 6893-02-8681.00.

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 of the land uses allowed in the Light Industrial (LI) District shall be permitted, with the exceptions listed below, subject to the development and dimensional requirements of the Development Ordinance and subject to the specific conditions of this ordinance.

A. Prohibited Uses: The following uses, enumerated in Table 4-5-1, Permitted Use Schedule of the Development Ordinance, shall be prohibited:

1. All residential uses

2. Recreational Uses
   a. Amusement or Water Parks, Fairgrounds
   b. Bowling Centers
   c. Car Tracks (Raceways), Indoor Miniature
   d. Country Clubs with Golf Courses
   e. Go-cart Raceways
   f. Golf Courses
   g. Golf Driving Ranges

3. Business, Professional & Personal Services Uses
   a. Automobile repair services, major
   b. Automobile repair services, minor
   c. Automobile towing and storage services (Ref. SIC 7549)
   d. Boat repairs and boat and ship building (Ref. SIC 3730)
   e. Truck driving schools (Ref. SIC 8249)

4. All retail trade uses shall be prohibited.

5. Wholesale Trade
   a. Farm supplied (other (Ref. SIC 5191)
   b. Forest products (Ref. SIC 5099)
   c. Lumber and millwork (Ref. SIC 5031)
   d. Lumber and other construction materials (Ref. SIC 5030)
   e. Motor vehicles (Ref. SIC 5012)

6. Transportation, Warehousing and Utilities Uses
   a. Demolition debris landfills, minor
   b. Heliports (Ref SIC 4522)
   c. Railroad terminals or yards (Ref 4010)
   d. Recycling processing centers
   e. Taxi terminals (Ref. SIC 4121)
   f. Trucking or freight terminals (Ref. SIC 4213)
   g. Utility equipment and storage yards
   h. Warehouses (self-storage (Ref. SIC 4225)
   i. Moving and storage services (Ref. SIC 4214)

7. Manufacturing and Industrial Uses
   a. Fats and oils plant (Ref. SIC 2070)
   b. Motorcycle assembly (Ref. SIC 3751)
   c. Manufactured housing and wood buildings (Ref. SIC 2450)

8. Other Uses
   a. Storage containers, portable, as a principal use

Part II. CONDITIONS

A. General Development Standards

1. Lot Combination: All tax parcels comprising the rezoning site shall be combined into one lot prior to development and/or re-subdivision.

2. Building Standards:
   a. The use of vinyl siding or prefinished standard corrugated metal siding is prohibited.
   b. The use of high intensity metallic, or fluorescent colors on any façade is prohibited.

3. Signage: Only monument type freestanding signs shall be permitted. Freestanding sign height shall be a maximum of 15-feet along thoroughfares, and 8-feet along all other streets and private drives. This condition does not apply to directional signs.

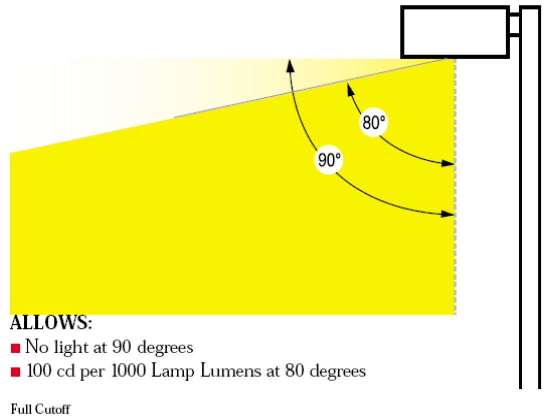
4. Outdoor Display of Goods: Outdoor display of goods shall be prohibited.

5. Landscaping: A minimum 20-foot wide street planting yard shall be installed along NC Hwy 66, planted to the Type C Planting Yard standards.

6. Transportation:
   a. Right-of-way Dedication and Improvements:
      1) The property owner shall dedicate a minimum of seventy-five (75) feet of right-of-way, as measured from the existing centerline of NC Hwy 66, along the entire frontage of the zoning site.

   b. Other Transportation Conditions: The location, design, and construction of all driveways and other transportation improvements shall be subject to the requirements of the City of High Point Driveway Ordinance. The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all improvements and construction thereof.

7. Lighting
   a. Freestanding exterior lighting fixtures (not including lighting attached to the principal structure) shall be required to be full cutoff luminaire fixtures. Free standing exterior light fixtures shall be directed inward and downward into the site and include the use of shields to direct light and glare away from adjacent residential uses. “Sagged glass” or any formed lens which drops down below the bottom of the luminaire housing shall not be permitted.

| | |
|---|---|
| **Example of a full cutoff luminaire .**   | **full cutoff luminaire:** IESNA classification that describes a luminaire having a light distribution in which zero candela intensity occurs at or above an angle of 90° above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10%) at or above a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire. |

b. Lighting intensity and glare from lighting shall not exceed zero-foot candle as measured at the property line of the zoning site. As part of construction plan approval, the property owners shall submit a lighting plan that meets these standards for review and approval by the Planning & Development Director.

B. Additional Development Standards for Phase I of the zoning site.

1. Conditional Zoning Plan: Development of Phase I shall be in conformance with the associated Conditional Zoning Plan in regards to perimeter landscaping, location and setback of development (building and parking). *[Exhibit #2 Conditional Zoning Plan]*

2. Landscaping
   a. Landscaping shall be installed as required by the City of High Point Development Ordinance, as conditioned by the Conditional Zoning Plan, and this ordinance
   b. Buffer Standard I *(as depicted on Conditional Zoning Plan):* Minimum width shall be 50 feet, and shall meet the Type A Planting Yard rate of the Development Ordinance.
   c. Buffer Standards II *(as depicted on Conditional Zoning Plan)*: Minimum width shall be 50 feet and at a minimum shall meet the following planting rate i) 8 canopy trees every 100 linear feet; ii) 9 understory trees every 100 linear feet; iii) shrubs are not required; and planting materials shall consist of minimum 50% evergreen species

3. Transportation Conditions
   a. Access:
      1) Phase I of the rezoning site shall be allowed one points of access to NC Hwy 66.

2) Access to Moore Farm Road shall be prohibited.
3) Access to Welbourne Road (also known as Oakwood Drive) shall be prohibited.

b. Roadway and Improvements:

1) NC 66 @ Site Access Point
   i. The property owner shall install a northbound right tum lane at this intersection with a minimum of one-hundred twenty-five (125) feet of storage and appropriate bay taper, and a southbound left tum lane with a minimum of one-hundred 100 feet of storage and appropriate bay taper. The property owner shall be responsible for the design and construction of a new traffic signal at this intersection.
   ii. All roadway and intersection improvements must be completed prior to the Issuance of Certificate of Occupancy for any building in Phase 1.

C. Additional Development Standards for Phase II of the zoning site.

1. Transportation Conditions.
   a. Access: Phase II of the rezoning site shall be allowed one point of access to NC Hwy 66. This access point shall serve the future development of parcels in Phase II.

2. Fencing Condition: For sites under 25 acres, chain-link fencing shall not be permitted between the road right-of-way and the building façade.

3. Parking and Loading Area Conditions

   a. Parking:
   1) No more than fifty percent (50%) of the off-street parking may be located between the primary building façade and the street it faces. This condition shall not apply when parking spaces for a use consist of 30 or fewer spaces.
   2) Where parking is between the building and the street, low-level landscaping shall be provided to visually screen and separate vehicles from the street. At a minimum said low-level landscaping shall consist of evergreen shrubs planted at a type and rate approved by the Planning Director.

   b. Loading and Service Areas:
   1) Loading and service areas shall be located towards the rear of buildings, or located internally within multi-building developments, and shall not face or be adjacent to public streets.

2) If located on the side of a building, it shall be screened from view by a wall or landscaping, or combination thereof, and shall not face or be adjacent to public streets.

4. Building Standards
   a. Building orientation: Buildings shall be oriented so that the primary façade faces the street from which the building derives its street address.
   b. Building facades: Building facades facing public streets shall not consist of long uninterrupted monolithic walls, but instead shall include architectural features that create visual interest and façade articulation such as but not limited to: offsets or projections interspersed throughout the length of the façade, changes in material, roof form, windows or wall treatments intended to simulate window openings, awnings, canopies, roof overhangs, or eaves.
   c. Building materials:
      1) Exterior building materials should be continued to the finished grade on any elevation.
      2) Building facades utilizing smooth-faced concrete block, unfinished or untreated tilt-up concrete panels, field-painted, shall be limited to building facades not facing a public street.

5. Screening of equipment (ground or roof mounted) and outdoor storage or use:
   a. Purpose and Intent: This section is intended to provide standards to mitigate negative impacts on adjacent property owners from viewing unsightly equipment, appurtenance or activities associated with permitted LI District uses. The intent is to filter views and to not have direct unobscured views of these areas, it is not intended to mandate 100% visual screening.
   b. Decorative screening and/or landscaping shall be installed to obscure from view, at a height of six (6) feet above ground level as seen from the centerline of any adjacent street, all trash rooms, trash-holding receptacles, roof mounted equipment or appurtenances, loading or service areas, mechanical or electrical equipment, or other unsightly building appurtenances.
   c. Outdoor storage (i) shall not cover an area greater than 25% of ground floor of principal building(s); (ii) shall be located between the rear building line and rear property line; and (iii) shall be screened from ground level view from adjacent properties and public streets.
   d. Outside manufacturing, processing, or assembly shall not be permitted.

SECTION 3

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

SECTION 4
Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.
This ordinance shall become effective upon the date of adoption.
____ day of _________, 2014.

Lisa B. Vierling, City Clerk

| **Conditional Zoning Case 14-01 Supplemental Information** | |
|---|---|
| Initial Zoning Application | Adopted _________, 2014 (Ordinance # xxxx / 14-xx) |
| Amendment #1 May 2014 | Adopted _________, 2014 (Ordinance # xxxx / 14-xx) |

CAROLINA INVESTMENT PROPERTIES

Post Office Box 1066
16 South Main Street
Lexington, NC 27292
T: 336-243-2600
F: 336-243-2680

Robert A. Team, Jr.
President

www.cipnc.com

March 26, 2014

Subject: Amendment to Conditional Zoning Case CZ 14-01

Dear Neighboring Property Owner:

The purpose of this letter is to inform you that Carolina Investment Properties, Inc. has filed an application with the City of High Point for an amendment to Conditional Zoning Case CZ 14-01, which is the zoning case for the 129.5 acres +/- located south of Moore Farm Road, east of NC Hwy 66, north of I-74/NC Hwy 311, and west of Skeet Club Road & Tanglebrook Road. Conditional Zoning Case CZ 14-01 was considered by the Planning and Zoning Commission on February 25, 2014, and by the City Council on March 17, 2014.

This amendment would add a 1.53 acre +/- parcel to the zoning case, bringing the total rezoning site size to 131.03 acres +/-. This additional parcel is identified as Forsyth County Tax Parcel 6883-71-8712.00 2775, located at NC Hwy 66, Kernersville, NC 27284, and is currently owned by Gary W. Idol and Pamela B. Idol. An application has also been filed to annex the parcel into the City of High Point.

The amendment request would also rezone the 1.53-acre +/- parcel from its current Residential Single Family-20 (RS-20) District in Forsyth County's jurisdiction to the proposed Conditional Zoning Light Industrial District (CZLI) 14-01 District in the City of High Point's jurisdiction. No revisions are proposed to the zoning conditions for CZ 14-01 that were considered by the City Council on March 17, 2014. The parcel would be added to Phase 2 of the proposed development site.

Although a formal Citizen Information Meeting is not required for the amendment adding this additional acreage to CZ 14-01, I have enclosed for your review a Conditional Zoning District Citizen Information Meeting Statement made available by the City of High Point, which may help clarify the rezoning process and requirements. I have also enclosed a map depicting the proposed zoning amendment site.

You will receive another notice letter at a later date from the City of High Point, advising you of the April 22, 2014 Planning & Zoning Commission meeting for consideration of the requested amendment. Prior to the Commission meeting the parcel will also be posted with signs and a legal ad for the meeting will run in the High Point Enterprise. A City Council meeting is anticipated to follow on May 19, 2014, and you will also receive a notice from the city about this meeting.

I am available to answer any questions and receiving your comments on this amendment request. I can be reached at 336-243-2600.

Sincerely Yours,

Robert A. Team Jr.
CAROLINA INVESTMENT PROPERTIES, INC.
P. O. Box 1066
Lexington, NC 27292

NORTH CAROLINA'S INTERNATIONAL CITY™

**MEMORANDUM**

May 8, 2014

**FROM**: Herbert Shannon, Senior Planner

**TO:** Bernita Sims, Honorable Mayor
High Point City Council Members

**SUBJEC**T: Withdrawal of Zoning Case 14-04 *(Hartley Ridge LLC - Wynnefield Properties)*
Rezone from CU-RM-12 to a CZ-RM-12 District

In regards to Zoning Case 14-04 (Hartley Ridge, LLC) Mr. Dale Britt, the property owner, has requested to withdraw this application.

**FINANCE COMMITTEE**
*Chaired by Council Member Moore*
**MAY 5, 2014 – 4:30 P.M**
**CITY MANAGER'S CONFERENCE ROOM**

# MINUTES

**PRESENT:**
Chairman Moore, Mayor Sims, Council Members Wagner and Davis

**OTHERS PRESENT:**
Council Members Ewing, Douglas, Golden, Mendenhall and Smothers

**STAFF PRESENT:**
Strib Boynton, City Manager; Allen Oliver, Assistant City Manager; Randy McCaslin, Assistant City Manager; Jeron Hollis, Public Information; Jeff Moore, Director of Finance; Eric Olmedo, Budget Officer; Terry Houk, Director of Public Services; Keith Pugh, Director of Engineering; Mike McNair, Director of Community Development; Steve Lingerfelt, IT Director; Mark McDonald, Director of Transportation; Scott Cherry, Public Services Engineer; JoAnne Carlyle, City Attorney; Lisa Vierling, City Clerk, Dawn Sparks, Deputy City Clerk

**MEDIA PRESENT:**
Pat Kimbrough, *High Point Enterprise*

**OTHERS PRESENT:**
Cindy Davis, Planning & Zoning Commission

**140119** **Contract – Bid No. 52 – Stone Materials**

Approval of contract awarding Bid No. 53 for the purchase of Stone Materials for use by City Departments for routine operational needs (roadway base, utility cuts, etc.) The Purchasing Division recommends that contract be awarded to Martin Marietta Aggregates in the estimated amount of $115,000.00 based on our historical usage of these annual contracts.

***A motion was made by Council Member Moore, seconded by Council Member Davis to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 4-0)***

**140120** **Contract – Bid No. 53 – Concrete for City Wide Usage**

Approval of contract awarding Bid No. 53 for the purchase of concrete for use by all City Departments on an as-needed basis. The Purchasing

Division recommends that contract be awarded to Childers Concrete Co., Inc. in the amount of $92,868.78, which is the lowest responsible and responsive bidder meeting specifications.

*Jeff Moore advised that these materials are for backup supplies. Council Member Moore asked why they use special mixes. Keith Pugh stated that special mixes will depend on where the concrete is being placed.*

***A motion was made by Council Member Moore, seconded by Council Member Davis, to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 4-0)***

**140122** **Contract – Sole Source Authorization – Microsoft Enterprise Agreement – Dell Corporation**

Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of year two and three of the Microsoft Enterprise Agreement software licensing for the City's Information Technology Department with Dell Corporation in the amount of $155,984.44 annually.

*Steve Lingerfelt advised that Dell won the state contract last year when they did the initial contract.*

***A motion was made by Council Member Moore, seconded by Council Member Wagner, to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 4-0)***

**140121** **Change Order – Breece Enterprises – Highway 66 Water Line, Phase I**

Consideration of Change Order to the Breece Enterprises contract in the amount of $958,966.00 to construct the water main extension to serve the NC Highway 66/I-74 Industrial Park.

*Council Member Douglas asked how many bidders there were on this project. Scott Cherry advised that this is a change order, and there are no bids required for a change order. The contract has a 100% extension clause in it. Mr. Cherry advised that the reason for this extension is there is an existing contract with the capability of doing the work they need for Highway 66 Phase I, and this affords the City the opportunity to get the water line in quicker than a normal bid and to save money.*

***The committee advised that this item will be forwarded to Council without favorable recommendation.***

**140123** **Transfer of Right of Way – NCDOT – Boulding Branch Bridge Replacements**

Council is requested to authorize the City Attorney's office to execute documents necessary to transfer to small right of way easements to the North Carolina Department of Transportation for the purposing of replacing the Boulding Branch Bridge (culvert) on Lexington Avenue near High Point Museum site.

*There were not questions regarding this matter.*

***A motion was made by Council Member Moore, seconded by Mayor Sims, to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 4-0)***

**140124** **Municipal Agreements – NCDOT – Railroad Crossing Signal Upgrades**

Council is requested to authorize staff to execute municipal agreements with the North Carolina Department of Transportation (NCDOT) for the Pendleton Street and Redding Drive railroad crossing signal improvement projects.

*Mark McDonald advised that these are standard agreements from NCDOT for railroad crossing improvements. The crossing at Pendleton already has gates and signals, but about two years ago they had a fatal accident and these quad gates will close off both sides of the crossing. The Redding Crossing does not have any type of active protection at this time. The funding if 90% federal and 10% city. Construction will be 2016/2017 and then the city will pay back in installments when construction is complete.*

***A motion was made by Council Member Moore, seconded by Mayor Sims, to forward this matter to Council with a favorable recommendation of approval. Motion passed unanimously. (Vote 4-0)***

**140125** **Loan Commitment Letter – Hartley Ridge Housing Development**

City Council is requested to favorably consider a proposal from Wynnefield Properties approving the City's financial participation in the amount of $1,350,000 to assist with the construction of an 84 multi-family affordable housing development on a site approximately 10 acres in an area located near the corner of Hartley Drive and Ingleside Drive; and authorize the City Manager to execute the loan commitment letter.

*Council Member Davis advised that Planning & Zoning Commission heard this matter and they did not approve the zoning request, and asked why council is seeing the loan commitment letter today before they have had a chance to hear the zoning case. Mr. McNair advised that it was simply a timing issue, and Wynnefield needs the letter from the City by May 16th because they have to submit their application. Mayor Sims asked if the application is contingent on the city funding. Mr. McNair stated that it was.*

*Council Member Davis stated that he sent an email over the weekend to Mr. McNair looking for different things in the Core City that need attention, and asked if there would be other uses for this type of a loan. Mr. McNair stated that they have had other projects that they attempted to undertake in the Core City which did not have the fortune of a good site or council's approval to move forward.*

*Council Member Davis asked if this will expend all the funds that they have. Mr. McNair stated that they committed $1.35 million at Addington Ridge, and their total loan commitment was $3.906 million, and with this project it would leave $1.2 million.*

*Council Member Moore stated that he is struggling with approving this because of the surrounding area and the layout of Hartley Avenue.*

*Council Member Mendenhall asked if these funds could be used for in fill smaller developments rather than large developments. Mr. McNair stated it could be used for acquisition and repair but it cannot be used for construction.*

*Council Member Davis asked if they took the entire $2.6 million that was left and went into the core city and bought several dilapidated homes and put a track of land together and then marketed it to a developer, what would be the costs to the City be out of the general fund to fund that. Mr. McNair stated the costs would be about $180,000.*

*Mayor Sims stated that the idea of tax credits and affordable housing is very appealing, but it is her concern that they continue to move these projects out of the core city and they are right now beginning to have some additional conversations around the core city redevelopment and not knowing what the source of funding is going to be to make that happen she felt that they need to look at all the opportunities that are available to the Council in order to make that happen. Mayor Sims stated that she does not see supporting this particular project and she had concerns about the gentrification that happens when they start moving people out of the core city, which is what they are continuing to do. Mayor Sims stated that she is in support of tax credit properties and anything that provides low and moderate income housing but she felt she could not support* *putting the loan dollars in this project without fully examining what the opportunities are for the use of those funds in the core city. Mr. McNair stated that if you look at Park Terrace or Admiral Point those parking lots are full of cars, and one of the attractions of that site is the proximity to food and pharmacy, which is a real issue as far as getting funding is concerned. Mr. McNair stated that the area of the core city close to Leonard Avenue has been identified as the third most distressed urban census tract in the state. Mr. McNair stated that the area is considered to be a racially concentrated area of poverty and as such you tend to want to go more main stream than what could be considered as fair housing.*

*Council Member Smothers stated she understood what made this site attractive had to do with access to food, but by the same time you are not going to get that type of commercial development unless there are rooftops or household incomes that can support that type of investment from the private sector, and she felt this challenges the city to try and create opportunity so that there will be other private development.*

*Mr. McNair stated that he would submit that the challenge in the core city is to diversify the income, and for several years council wanted to see more market rate housing in the core city and Mr. McNair advised them there were ways they could do that but you cannot get that mixture.*

*Mr. McNair stated that currently their authorization expires September 30, 2015 for these funds, which means the funds have to be drawn down before then. Mr. McNair placed a call to see if there was a possibility of getting an extension on that but has not received a response yet.*

*Council Member Davis stated he felt that if they could assemble a tract of land and make it attractive to a developer, then if something were in place and a developer stepped up to the plate then the costs of that loan would be passed on to that developer.*

*Council Member Golden asked how hard it would be to switch in midstream and start looking at other areas for these funds. Mr. McNair stated they basically would be eliminating this project. The will not lose the dollars, they have a year and a half to deal with that, they will just have to decide fairly quickly what they will do. HUD authorization will be needed to add the use, the public hearing process will be needed.*

*Mayor Sims stated that if for whatever reason that they will not approve this project is that the Council make a commitment to develop in the core city, and it does not do any good to say no to this project and not be committed to do what is necessary within the scope of what is available to make the core ready for a developer to come back with another project.*

***A motion was made by Council Member Wagner, seconded by Mayor Sims, to forward this matter to Council with a unfavorable recommendation of approval. Motion passed unanimously. (Vote 4-0)***

**ADJOURNMENT**

The meeting adjourned at 5:30 p.m. on a motion duly made and seconded.

Respectfully Submitted,

______________________________

Dawn J. Sparks, CMC
Deputy City Clerk

______________________________

Council Member Britt Moore

**COMPREHENSIVE PLANNING COMMITTEE**
*Chaired by Council Member Smothers*
**May 8, 2014 – 9:00 a.m.**
**3rd Floor Lobby Conference Room (Fish Bowl)**

**MINUTES**

**Present:**
Rebecca R. Smothers, Chairwoman
Mayor Bernita Sims; Mayor Pro Tem Jim Davis (Ward 5); Britt Moore (At-Large); Judith P. Mendenhall (Ward 3); Jay Wagner (Ward 4); Jason Ewing (Ward 6)

**Staff Present:**
Strib Boynton, City Manager; Randy McCaslin, Assistant City Manager; Allen Oliver, Assistant City Manager; Eric Olmedo, Budget Evaluation Officer; Loren Hill, President- High Point Economic Development Corporation; Jeron Hollis, Communications Officer; Angela Kirkwood, Director of Human Resources; Wendy Fuscoe, Executive Director- The City Project, Inc.; JoAnne Carlyle, City Attorney; Lisa Vierling, City Clerk

**Others Present:**
Aaron Clinard, Past Chair, The City Project, Inc.
Cynthia Davis, Citizen & Chair- Planning & Zoning Commission

**News Media:**
Pat Kimbrough, *High Point Enterprise*

**CORE CITY (CONTINUED DISCUSSION)**

**S. Main Street**
Council Member Mendenhall reported that she met with Randy McCaslin, Assistant City Manager; Tim Ilderton; Janette McNeill and Dorothy Darr yesterday to talk about the S. Main Street project and they decided they would plan and coordinate a meeting of property owners in the area from Russell to Business-85. She noted it would be helpful to have someone in the group who speaks Spanish and the group would probably mimic the meeting that was put together for the property owners on Washington Street. They plan to review streetscape plans, talk about the façade grants, and will make individual follow-up calls and maybe some door-to-door. She noted they hope to have this meeting at GTCC sometime on either a Monday, Tuesday or Wednesday morning, the second week in June.

Council Member Moore asked how the façade grant works. Council Member Mendenhall explained business owners could apply for up to $5,000 with a dollar for dollar match, but many people ended up putting more than the actual match in. Chairwoman Smothers pointed out Council has already discussed raising the amount in next year's budget for façade grants to

$35,000, which would be effective July 1.

Wendy Fuscoe shared that the Latino Family Center would be a great resource to help make contacts. Chairwoman Smothers also suggested they reach out to the resident manager at Elm Towers. Council Member Mendenhall shared that the group is very excited about Council's commitment to try to improve S. Main Street and they seem very willing to help in any way possible to help move the process along. Chairwoman Smothers noted staff brought up the possibility of underground utilities and asked Council Member Mendenhall to share her feelings on this. Council Member Mendenhall felt this was a big chunk of change and in her opinion, the best thing that could be done would be to get some façade work done, get some plantings and benches, bus stop covers, etc…. to improve the appearances of the area.

Mr. McCaslin stated that the Engineering Department could provide drawings as they did with the Washington Street improvements. Chairwoman Smothers felt it would be important to interface Transportation in this as to the placement of the bus stops, as well as Parks & Recreation. Council Member Wagner asked if there was any discussion or consideration in putting landscaping in the medians because this would be less expensive than burying utility lines. Chairwoman Smothers felt this was a good idea and suggested the Transportation Department look at this as a possibility. Aaron Clinard reminded Council they had some drawings done for a section of N. Main (S. Main Street to Vail Avenue) when Downtown Improvements were being studied and he offered to share those plans with Council.

Chairwoman Smothers mentioned the $600,000 that has been identified and asked if these improvements would be a permissible expense. Mr. McCaslin replied this was part of the 2010 Two-thirds bonds money and it could be used for that purpose. A brief discussion followed regarding whether this would include sidewalk improvements and it was determined that some sidewalk work would need to be done. Mr. McCaslin noted that the group did talk about sections of sidewalk that would have to be improved. Council Member Wagner felt it didn't make much sense to dig up a 4-foot sidewalk to put in a 6-foot sidewalk.

**Update- Washington Street Improvements**

Mr. McCaslin mentioned that staff did get a suggestion to extend the project from Gaylord Court to the school and staff is in the process of looking at what the additional cost of this would be. Chairwoman Smothers asked where the money would come from. Mr. McCaslin explained the funding would come from several different sources: sidewalk money and Electric capital fund. Staff plans to come back to Council with an update on the cost estimates for the project as well as what it would look like.

**PIT Project**

Chairwoman Smothers asked if staff could share any additional information on the PIT. Assistant City Manager Allen Oliver explained that he has a clear understanding as to what he needs to say to property owners in the area regarding the locations of the property lines, etc….. He plans to contact the property owners sometime next week and noted they did not express any objections regarding what the city is proposing to do. Council Member Ewing asked about the expected timeline for getting it done. Mr. Oliver stated he has no timeline, and explained much of it would depend on how quickly the property owners get back to staff. Mayor Sims asked if there Ryan Saunders has submitted a formal proposal for what he wants to do with the PIT. Mr. Oliver explained that Mr. Saunders has given staff information that was asked for, but has not submitted a formal proposal. Chairwoman Smothers pointed out all this has been going on since January, 2014 and nothing much seems to have been done since that time. Mayor Sims asked if staff is trying to create an environment that anybody can use the PIT area, or if they were trying to create an environment specifically one individual. She felt because Mr. Saunders has not come back to the city with a specific plan as to what he wants to do and when he wants to do it, then it could go on forever. She asked who would be responsible for leasing the property. Mr. Oliver shared that Mr. Saunders has provided staff with an overall concept of what he wants to do and he requested a contingency period of time or the ability to get out of the lease if he is not able to raise the money because he has no money. At the Council's direction, he shared that staff did contact the city's insurance company regarding putting up the chain link fence to secure the area. Council Member Mendenhall recollected that it was determined by Council that the city would be responsible for cleaning the area up and making it safe so that anybody could come in and use it.

Chairwoman Smothers asked if Mr. Saunders has already made plans to move his event to Greensboro. Mr. Oliver confirmed that Mr. Saunders would be taking one of his events that was held in High Point last year (HopFest) to Greensboro. Mayor Sims mentioned the $50,000 that was tossed out during a previous meeting for these improvements and suggested that Council would proceed with what needs to be done up to that cap. Council Member Mendenhall agreed that she did say during a past meeting that she would be willing to spend up to $50,000 to make it safe, clean, usable and semi-attractive so that people could come in and use it.

Chairwoman Smothers asked how many Council Members feel like the city should go ahead and do the safety improvements. City Attorney JoAnne Carlyle asked if the cost of these improvements includes the drainage issues and the electric box. Mr. McCaslin noted Public Services is supposed to be checking it out, but it shouldn't be an issue. It was determined that the fencing would cost about $10,000.

**Mayor Pro Tem Davis moved to approve up to $10,000. Council Member Mendenhall made a second.**

**Council Member Ewing made a friendly amendment up to $25,000 to address the safety issues and other upgrades that might be necessary for it to be safely used. Mayor Sims made a second. The motion carried by an 8-0 unanimous vote.**

For further discussion, Council Member Ewing asked if it might be possible to set a deadline to get these improvements done to enable the city to start promoting the area. Chairwoman Smothers asked who would assume the responsibility of leasing the PIT. Mr. Oliver suggested David Briggs, Director of the High Point Theatre, would be an excellent choice because he already handles similar events at the Mendenhall Transportation Terminal. Chairwoman Smothers stated she would like to see an informal group to promote the PIT. Council Member Mendenhall suggested that staff come back to Council with a recommendation on a proposed fee schedule for use of the PIT. Mr. Oliver mentioned that he thought Mr. Saunders did want exclusive rights to the PIT, but it was determined that no one would have exclusive rights unless they submit a full business plan with a leasing arrangement and money to do it.

**Library Plaza Project**

Chairwoman Smothers noted Council expressed concerns in January with specific direction that parking was a priority at the Library that Council was not willing to sacrifice. She felt acquiring additional property away from the Library and the design concept renderings drawn by Peter Freeman were not in keeping with a public building serving the purpose of providing Library services and did agree that the parking lot could certainly use some enhancement. She suggested if open/outdoor space is needed, it should be created in an area that is further away from the Library entrance. She asked if staff had any estimates ready to bury the lines from Westwood to Parkway. Mr. McCaslin noted the estimates are not yet ready, but staff has been working on it.

Chairwoman Smothers felt there is a need for Council to either confirm support what has been proposed by the Library Committee or say there needs to be some redirection on how that complimented the Library building. Council Member Ewing felt this comes down to parking versus creating a center city park. He disagreed with spending $3 million to make all these improvements that would create additional congestion/issues taking away from the intended use of the Library. Chairwoman Smothers felt Mr. Freeman's plan would create a front door/back door that is pleasing to Uptowne only. Council Member Wagner took offense to this comment and felt there was nothing wrong in doing that. Chairwoman Smothers was of the opinion if the city is going to put $1 million into it, they need to purchase land and build a center city park to be utilized by everybody. Council Member Wagner noted the purpose of putting a park/plaza at the Library was to do honor to a major, widely used civic building and would make the Library a showplace for the entire city—making it a major transformational project for the entire city. Chairwoman Smothers questioned how many citizens would actually want to spend that much money to do that. Mayor Pro Tem Davis disagreed with pushing parking spaces farther away from the Library.

Mayor Sims stated she did like Mr. Freeman's concept and thought it was very attractive. Council Member Mendenhall agreed with Chairwoman Smothers to make the parking area at the Library more attractive, but disagreed with Mr. Freeman's concept. She pointed out the Library is not a place for a farmer's market, craft shows, etc…., but is a facility used for education, computer use/access and noted she did like the idea of the clock and making improves to the back. Mayor Sims shared that she has no real concerns with the concept that was presented and believed there are opportunities for parks in other downtown locations. She felt the plan that was presented might be a little more ambitious than expected and suggested there might be components of the study that Council might like to see presented in a different way due to the concerns that have been voiced. Chairwoman Smothers stated she would like to see a redesign by a landscape architect.

**It was the consensus of the Committee to seek a redesign of the parking area by a landscape architect making it more attractive while still being user-friendly to the building.**

**Book Return @ Library**

Mayor Sims reported that it has been brought to her attention by several people that the book return at the Library is too high for most vehicles to access. She asked if staff could possibly look into this concern.

**Deep River Library Satellite**

Council Member Moore asked how the new library satellite was going at the Deep River Recreation Center. Council Member Ewing reported it has been very well received with many people using it. Chairwoman Smothers suggested staff consider programming for children (i.e. story hour) at the Deep River Recreation Center. Eric Olmedo shared that a library satellite at Allen Jay Recreation Center is proposed in next year's budget.

**Center City Park**

Chairwoman Smothers asked if vacant land could be purchased with the Two-Thirds Bonds for a center city park. Staff will check on this and report back. Council Member Moore asked if staff could possibly come up with a list of what could be done with the Two-Thirds Bonds money.

Council Member Mendenhall asked if any consideration or thought has been given to the property on High Street between Main Street and Wrenn for a possible location for a park. Mayor Sims felt the whole issue of a center city park would be problematic because of competition with the trains and there would definitely be some limitation as far as what could be done.

**STRUCTURE FOR THE CORE CITY**

***Pink Code***

Council Member Wagner reported that he has not been able to get up with Professor Rich Ducker at the School of Government yet, but he has agreed to review the information on the *Pink Code.* Council Member Moore asked how much of this is pressure coming from the state level regarding building codes and regulations. Council Member Wagner explained Professor Ducker would share his advice as to what the city can do locally and what we need to go to the state with to get permission to do. Council Member Davis shared an example of a recent incident that came to his attention regarding how a professional engineer submitted a mechanical drawing (by hand with his stamp on it), but the city would not accept it because it was not a CAD drawing even though the Code Book says a professional engineer or an architect's stamp is required on a set of drawings and did not say it has to be a CAD drawing. Council Member Wagner reported another incident where an architect dropped off some drawings at 8:50 a.m., but staff would not accept them until 9:00 a.m. Council Member Ewing agreed that the city needs to have more of a customer service focus than a rubber stamp focus. Mayor Sims pointed out another problem is when someone is told they cannot do something and they contact the state and are told by the state, well the city has the latitude to do that.

**Community Housing & Neighborhood Development Committee**
Chairwoman Smothers asked when the Community Housing & Neighborhood Development Committee would be meeting to discuss the Section 108 and Infill Housing Program. It was noted that this Committee is scheduled to meet on the Tuesday on the weeks after Council meets.

**City Project/Core City**
Chairwoman Smothers noted that the Committee recommendation for the City Project was $35,000 regarding the non-profit funding, which was deferred, but felt confirmation is needed as far as a decision. She noted that Council also asked the manager to come back with alternatives as to how the Core City staff person from the city could be fitted into city structure differently than it is today as a separate department. Mr. Boynton emailed a job description for the position to Council. Chairwoman Smothers stated she reviewed it, but did not feel it reflected what has been discussed by Council, nor did it address evolving as a Core City Action Plan of this Council. Chairwoman Smothers briefly addressed the job description she drafted for the Core City staff person and how she thought it should look. Mayor Sims noted she did review the information, but felt it does not need to flow or function under a department. She felt it would be difficult to put this position in any one department and she recommended the position be supervised by the manager or assistant manager. She distributed a copy of her ideas as to what the job description should possibly look like. Chairwoman Smothers suggested a description of the position might be ***Core City Coordinator.***

Council Member Wagner asked if someone could identify the problem(s) that they are trying to fix since there are recommendations for a change and suggested Council ask Wendy Fuscoe how she feels as to the best way to accomplish her duties. Chairwoman Smothers pointed out the discussion is not about Wendy, but it is about a job description that would be filled by a city employee to carry out identified responsibilities under that position. Mayor Sims felt some people have taken exception to a city employee that works specifically for The City Project Board of Directors and if any reference to City Project is taken out other than they work with The City Project as well as any other entity out there, it would clarify it. Council Member Wagner questioned why this would be perceived as a problem. Chairwoman Smothers explained there are other groups to be part of a process that doesn't concern the City Project. Mayor Pro Tem Davis believed Council did not intend for this position to be funded by taxpayer's dollars (not to be dependent on city funds and raise money from the private sector). He disagreed with a city employee with the title of Executive Director that is running a non-profit. He liked the job description that Chairwoman Smothers shared.

Council Member Moore did not disagree, but felt the question is whether or not to find an area to focus on or use a scattered approach. He asked Council to keep in mind when looking at it what the real circumstances are in this economy and how this position might be best suited in the next 2-5 years. Chairwoman Smothers explained it is a matter of being a new day with a new direction defined by a group of folks that has the authority to put taxpayer's dollars in it. In a manner not to discredit what the City Project has done, she felt the perception is they have focused only on the Uptowne area. She reiterated that it was not about Wendy Fuscoe, but it was all about the position and how the City Council, as elected officials, can best find a way to implement all the issues that have been discussed.

Council Member Wagner mentioned the structure as outlined in the first 5-year Action plan (City Manager, City Council, Core City Development Office Director, Core City Board of Directors). He asked if Council did not want to follow this structure any longer. Chairwoman Smothers pointed out that structure is in the past with a different structure perceived today. Mayor Sims felt the structure still works, and felt there were some similarities between the City Project and Economic Development. She noted some of the groups that are not a part of the City Project also want some attention. She explained in her opinion, Council is not saying they are going to change anything that is already being done, other than having a person dedicated who works with the City Project. Council Member Wagner read the description in the *5-year plan that states that an organization is needed to take the lead role in implementing the plan as its sole mission*, etc….. He felt this sounds like Council is saying now that someone taking a lead role is not needed. Chairwoman Smothers explained that the City Project will still exist unless they dissolve. Council Member Wagner questioned what the City Project's role would be in conjunction with the city to implement the plan. Chairwoman Smothers noted part of it would be to define it. Council Member Wagner shared the City Project's sole reason of existence is to implement the plan.

Council Member Mendenhall mentioned a memo sent to former Council Member Whitley that states a *501c3 is a separate corporation that would be self-governed* and not governed by the city. Council Member Wagner felt there was confusion as to the legality of the entity versus the functionality of the entity. He noted that the same could be said regarding Economic Development Corporation being a separate entity (legally), but functionally it is not. Mayor Sims felt the City Project was different in the sense that they are working and bringing recommendations to the city as to what they think should happen as it relates to how the plan is being implemented. A discussion followed regarding the legality versus the functionality of the City Project. Council Member Wagner pointed out the functionality of the City Project was never designed to be separate and was always designed to be a support function.

Council Member Davis inquired about other funds that the City Project has raised over the years since its creation. Council Member Wagner noted they have brought in more private money than public money. Council Member Wagner explained the 501c3 for the City Project allowed them to get supplemental money, additional funds to try to do things like the Library parking lot or to try to get money for the PIT, for specific projects and reiterated it was always designed to be a partnership between the City and Manager and Council to implement the plan. Chairwoman Smothers noted there are different perceptions of that viewpoint and Council Member Mendenhall disagreed with Council Member Wagner.

Council Member Wagner reminded Council that the manager has given his advice as to the best way to handle this and if others want to do it a different way, he wants to know what the problem is that needs to be fixed. He then asked the city manager if he felt there is a problem. Mr. Boynton agreed there are some other neighborhoods that need attention like Five Points and he felt whoever is in that position would need to work for the manager to ease coordination of efforts between departments. Chairwoman Smothers stated she does not see the position as a department level position. Mr. Boynton noted it is a person that would report directly to him.

Chairwoman Smothers took exception and felt the position does not need to report to the manager and suggested a report to an assistant manager.

Council Member Ewing felt from a title standpoint, a core city coordinator speaks more for what is needed as far as implementing the Core City plan because there is a perception that the City Project is focused too much on Uptowne and a core city coordinator clearly defines the entire core city would be the focus of that individual. Council Member Moore pointed out the Core City Plan is an evolving, long-term plan and because Councils will be continuously changing, he agreed with the recommendation of the city manager. Mayor Sims stated she wanted to make it clear as the process moves along, that the position is no longer going to be labeled as the executive director of the City Project—no change other than that.

Council Member Moore asked Ms. Fuscoe to expound on the amount of time that she spends to carry out her present duties as executive director. Ms. Fuscoe stated she was a little confused about the City Project and the Core City because the name, City Project, is to implement the Core City Plan. She explained they narrowed that down to S. Main, Washington Street and Uptowne. She agreed with the Duany Study, a lot more time has been focused on the Uptowne, but prior to that Washington Street and SoSi also got time. She was also confused as to what Council will do with the current job description and asked if they would be doing away with that job description. Chairwoman Smothers noted it was more like redefining the position.

Aaron Clinard pointed out the City Project was directed by the manager and prior City Council to focus on three areas. He asked Ms. Fuscoe if she felt the position being described in this meeting could be handled by one person. Ms. Fuscoe replied that it would be difficult for one person to focus on all the Core City areas. Chairwoman Smothers pointed out the problem is that there has been no authorization from the City Council for her to pursue the money that she has raised. She agreed this is confusing and why she feels like there should be more control. She explained up for discussion is the job description for a city employee and its relationship to the Council and its goal for the Core City. Council Member Mendenhall pointed out there is no other full-time city employee that is an executive director of a 501c3 and she felt like the money should be kept separate and not mixed together as it has been in the past. Mr. Clinard asked what Council thinks the City Project should be doing if they make this change and was puzzled as to what they would do.

Chairwoman Smothers asked if it was agreeable to get the information to Angela Kirkwood to see how it could be put in the proper format. Mayor Pro Tem Davis stated he wanted to see accountability and benchmarks/measures. Council Member Wagner questioned how there could be measurable successes when everything that's brought to Council gets watered down to next to nothing. He stated there were really good people working on the Core City issues and bringing in great ideas, but he felt this Council should have as its goal excellence in everything that is done. He noted these people that are bringing these great ideas, are going to throw up their hands and walk away because they will feel like it's a waste of time to bring it.

Mayor Sims shared that she does not see this as a deal breaker as it relates to what the City Project does and how it relates to the position identified to help facilitate the process. She felt the city has to have the ability to be fluid as it relates to the Core City Plan. Council Member

Wagner stated he would be willing to support what was put out there. Council Member Mendenhall took offense to Council Member Wagner's comment that there are some Council Members that are not looking for excellence because they merely disagree because it does an injustice to all nine elected officials who represent the city. Chairwoman Smothers noted the funding is a factor in the equation too because the city only as the ability to fund a certain amount of dollars. She stated she encouraged Mr. Clinard and Ms. Fuscoe three years ago to start trying to build support for a bond project because there would not be funds available in the annual budget to do what they want done because it would have to take a capital investment campaign with GO bonds, which has not happened. She then asked staff (Angela Kirkwood, Human Resources Director) to come back with a job description as soon as possible.

**Council Member Wagner made a motion to approve the recommendation by the Non-Profit Funding Review Committee to approve $35,000 in non-profit funding for the City Project in next year's budget. Council Member Mendenhall made a second to the vote, which carried unanimously.**

**City Manager Selection Process**

Mayor Sims noted the city manager did provide to Council a list of City Manager Search Firms he is recommending for filling the city manager's position once he retires effective July 1, 2014. She felt Council should make a decision as to whether or not to use these outside search firms or determine exactly what process will be used moving forward. Mr. Boynton shared the estimated cost for these services is generally about $20,000 for the process and suggested Council to allow Human Resources to coordinate things and get headhunter's to come in and make a proposal on how they would handle it (i.e. process, timeline, etc….). Mayor Sims asked Council to be ready to possibly make a decision as to the preferred process by next Monday and suggested to narrow Mr. Boynton's list down to three or four firms.

**Budget Review Schedule**

By consensus, Council accepted the revised Budget Review Schedule.

**1st Meeting in July**

Mr. McCaslin pointed out July 4th is on a Friday, with the 1st Monday in July being July 7th. He asked if Council is planning on meeting on July 7th. Mr. Boynton noted Council generally skips the 1st meeting in July. Mayor Sims pointed out the first Monday would be after the 4th and Council usually skips the meeting when it comes during the week of July 4th. Chairwoman Smothers noted it depends on whether Council might need to move on issues related to the city manager search, but asked staff not to schedule any public hearings.

There being no further business to come before Council, the meeting adjourned at 11:05 a.m. upon motion duly made and seconded.

Respectfully Submitted,

___________________________
Lisa B. Vierling, MMC
City Clerk

________________________________
Rebecca R. Smothers, Chairwoman

# HIGH POINT CITY COUNCIL
# REGULAR MEETING
# COUNCIL CHAMBERS, HIGH POINT MUNICIPAL BUILDING
# MAY 5, 2014 – 5:30 P.M.

## ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

*Upon call of the roll, the following Council Members were present. Council Member Wagner offered the invocation; the Pledge of Allegiance followed.*

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

## MISCELLANEOUS

**140130** **Proclamation - Public Works Week**

Keith Pugh, Director of Engineering Services, will be in attendance to accept proclamation proclaiming the week of May 18-24 as Public Works Week.

*Mayor Sims read the Proclamation into the record proclaiming the week of May 18-24 as Public Works Week. Keith Pugh, Director of Engineering Services and a member of the Public Works Association (APWA) was present to accept the proclamation. He shared information on an event that the High Point Public Services Department would be sponsoring on Tuesday, May 20, 2014. Public Services staff will visit High Point Friends School and take equipment and information from Environmental Services, the MERF, storm water, streets, Ward Water Treatment Plant, Eastside Wastewater Plan, and information for the water/sewer mains division in an effort to educate the public to get a better understanding and knowledge of what staff does on a daily basis that contributes to quality of life in the community.* [applause]

Mayor Sims thanked Mr. Pugh and all the Public Works staff for all they do.

**140131** **Proclamation - Fibromyalgia Awareness Day**

Ms. Kimberly Cakal will be attendance to accept proclamation proclaiming May 12th as Fibromyalgia Awareness Day

*Mayor Sims read a Proclamation into the record proclaiming May 12th as Fibromyalgia Awareness Day. Ms. Kimberly Cakal accepted the proclamation an requested the proclamation in an effort to raise awareness of Fibromyalgia, which has been referred to as an "invisible" illness because it is difficult to diagnose since the symptoms mimic those of other illnesses such as arthritis, Lupus, etc.... She thanked Council for allowing her to raise awareness and encouraging the citizens to do the same.* [applause]

Mayor Sims thanked Ms. Cakal for coming.

**140132** **Eagle Scout Award - Carlo Ballesteros-Flores**

Carlo Ballesteros-Flores from Scout Troop 26 sponsored by the IHM Catholic Church will be in attendance for recognition for achieving the Boy Scout Eagle Award. His Eagle Scout project was collecting medical supplies for the Medical Missionaries in Haiti. His Court of Honor ceremony will be held June 13, 2014.

*Mayor Sims recognized Carlo Ballesteros-Flores from Scout Troop 26 sponsored by IHM Catholic Church. Mr. Ballesteros-Flores has achieved his Boy Scout Eagle Award and for his project, he collected medical supplies for the medical missionaries in Haiti. Mr. Ballesteros-Flores thanked Council for acknowledging his efforts and all efforts across the city and across the county and shared that over 124 volunteer hours went into his project. Mayor Sims thanked him for choosing a project that would be so impactful to individuals in the Third World countries.* [applause and standing ovation]

## CONSENT AGENDA ITEMS

*Chairman Moore reported that the Finance Committee did meet and gave the items on the Consent Agenda a favorable recommendation. These items were all lumped together and approved with one vote.*

FINANCE COMMITTEE - *Council Member Moore, Chair*

**140119** **Contract - Bid No. 52 - Stone Materials**

Approval of contract awarding Bid No. 52 for the purchase of Stone Materials for use by City Departments for routine operational needs (roadway base, utility cuts, etc.). The Purchasing Division recommends that contract be awarded to Martin Marietta Aggregates in the estimated amount of $115,000.00 based on our historical usage of these annual contracts.

Approved contract with Martin Marietta Aggregates in the estimated amount of $115,000.00 based on the city's historical usage of these annual contracts.

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

**140120** **Contract - Bid No. 53 - Concrete for City-Wide Usage**

Approval of contract awarding Bid No. 53 for the purchase of concrete for use by all City Departments on an as-needed basis. The Purchasing Division recommends that contract be awarded to Childer’s Concrete, Co., Inc. in the amount of $92,868.78 which is the lowest responsible and responsive bidder meeting specifications.

Approved contract with Childer's Concrete, Co., Inc. in the amount of $92,868.78 which is the lowest responsible and responsive bidder meeting specifications.

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

**140122** **<u>Contract -Sole Source Authorization - Microsoft Enterprise Agreement - Dell Corporation</u>**

Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of year two of three of the Microsoft Enterprise Agreement software licensing for the City's Information Technology Department with Dell Corporation in the amount of $155,984.44 annually.

Approved an exception to the bid laws under the "sole source qualification" for the purchase of year two of three of the Microsoft Enterprise Agreement software licensing for the City's Information Technology Department with Dell Corporation in the amount of $155,984.44 annually.

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

<u>CLOSED SESSION (Personnel; Economic Development; Attorney-Client Privilege)</u>

**At 5:50 p.m., a motion was made by Council Member Mendenhall, seconded by Council Member Ewing to go into Closed Session pursuant to N.C. General Statute 143-318.11(a)(3) (Attorney-Client Privilege); N.C. General Statute 143-318.11(a)(4) (Economic Development); and N.C. General Statute 143-318.11(a)(6) (Personnel). The motion carried unanimously.**

Upon motion duly made and seconded, Council reconvened into Open Session at 6:20 p.m.

*Mayor Sims announced there would be no action taken as a result of the Economic Development or the Attorney-Client Privilege.*

**<u>Randy McCaslin- Interim City Manager (effective July 1, 2014)</u>**

*Regarding the Personnel matter, Mayor Sims announced that Council voted and agreed to appoint Randy McCaslin as the Interim City Manager effective July 1, 2014 and hoped Council would support Mr. McCaslin in his new role as the city progresses and moves forward. She reported that a press release would go out to this effect in the morning and asked that any questions be directed to City Manager Strib Boynton*.

## <u>REGULAR AGENDA ITEMS</u>

<u>FINANCE COMMITTEE -</u> *Council Member Moore, Chair*

**140121** **<u>Change Order - Breece Enterprises - Highway 66 Water Line, Phase I</u>**

Consideration of Change Order to the Breece Enterprises contract in the amount of $958,966.00 to construct the water main extension to serve the NC Highway 66/I-74 Industrial Park.

*Chairman Moore reported that this matter was discussed during a Finance Committee meeting held at 4:30 p.m. prior to this meeting. The Committee recommended it be moved forward with a favorable recommendation.*

**Motion by Council Member Ewing, second by Council Member Mendenhall to recuse Council Members Davis and Wagner from voting on this matter due to a conflict of interest. The motion carried unanimously.**

Approved Change Order to the Breece Enterprises Contract in the amount of $958,966.00 to construct the water main extension to serve the NC Highway 66/I-74 Industrial Park.

**A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this Change Order to the Breece Enterprises Contract be APPROVED. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Sims, Council Member Douglas, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Moore

Recused (2): Council Member Wagner, and Mayor Pro Tem Davis

**140123** **Transfer of Right of Way - NCDOT - Boulding Branch Bridge Replacement**

Council is requested to authorize the Mayor to execute documents necessary to transfer two small right of way easements to the North Carolina Department of Transportation for the purpose of replacing the Boulding Branch Bridge (culvert) on Lexington Avenue near the High Point Museum site.

*Chairman Moore reported that this matter was discussed during a Finance Committee meeting held at 4:30 p.m. prior to this meeting. The Committee recommended it be moved forward with a favorable recommendation.*

Authorized the Mayor to execute documents necessary to transfer two small right-of-way easements to the North Carolina Department of Transportation for the purpose of replacing the Boulding Branch Bridge (culvert) on Lexington Avenue near the High Point Museum site.

**A motion was made by Council Member Moore, seconded by Council Member Smothers, to authorize the Mayor to execute documents necessary to transfer two small right-of-way easements to the North Carolina Department of Transportation for the purpose of replacing the Boulding Branch Bridge (culvert) on Lexington Avenue near the High Point Museum site. The motion PASSED by a 9-0 unanimous vote.**

**140124** **Municipal Agreements - NCDOT - Railroad Crossing Signal Upgrades**

Council is requested to authorize staff to execute municipal agreements with the North Carolina Department of Transportation (NCDOT) for the Pendleton Street and Redding Drive railroad crossing signal improvement projects.

*Chairman Moore reported that this matter was discussed during a Finance Committee meeting held at 4:30 p.m. prior to this meeting. The Committee recommended it be moved forward with a favorable recommendation.*

Approved the Municipal Agreement with the North Carolina Department of Transportation for the Pendleton Street and Redding Drive railroad crossing signal improvement projects and authorized staff to execute the Municipal Agreement.

**A motion was made by Council Member Moore, seconded by Council Member Mendenhall, that this Agreement be approved. The motion PASSED by a 9-0 unanimous vote.**

**140125** **Loan Commitment Letter - Hartley Ridge Housing Development**

City Council is requested to favorably consider a proposal from Wynnefield Properties approving the City's financial participation in the amount of $1,350,000 to assist with the construction of an 84 unit multi-family affordable housing development on a site approximately 10 acres in an area located near the corner of Hartley Drive and Ingleside Drive; and authorize the City Manager to execute the loan commitment letter.

*Mayor Sims clarified that it was Council's intent to move forward with more discussion regarding core city redevelopment and felt it was important that Council show a commitment to redevelopment in the core. She pointed out this project is not located in the core community and she felt there should be a way to potentially look at how the Section 108 funds could support core city revitalization. For the record, Council Member Moore pointed out that in no way is this a bad reflection on Wynnefield Properties because they have done a great, professional job in helping the city meet some of the housing needs and noted the city desires to have a positive relationship with them going forward. Council Member Smothers reminded those present that a public hearing has already been scheduled regarding zoning in this matter and it will be on Council's agenda on May 19, 2014 at 5:30 p.m., unless it is formally withdrawn by the petitioner.*

Denied the proposal from Wynnefield Properties for the proposed construction of an 84-unit multi-family affordable housing development on a site approximately 10 acres in area located near the corner of Hartley Drive and Ingleside Drive.

**A motion was made by Council Member Moore, seconded by Council Member Smothers, to deny the proposal from Wynnefield Properties. The motion PASSED by a 9-0 unanimous vote.**

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - *Council Member Douglas, Chair*

**140104** **Public Hearing - CDGB Funding - Annual Action Plan 2014-15**

Monday, April 21, 2014 at 6:15 p.m. is the date and time established for the Public Hearing on the Community Development and Housing Department (CD&H) 2014-15 Annual Action Plan as required by the Department of Housing and Urban Development (HUD) on the CDBG funding.

*Mike McNair, Director of Community Development & Housing, suggested in light of today's action to deny 140125 Loan Commitment Letter- Hartley Ridge Housing Development, he recommended Council approve the Annual Action Plan less the Hartley Ridge development.*

*Chairman Douglas inquired about the qualifications for the Lead Hazard Program and Mr. McNair explained a person would have to meet the income qualifications as well as the structure having to meet the "hot spot detection" test as required by HUD. Chairman Douglas asked staff to estimate the number of houses that could be done with the money available. Mr. McNair replied that HUD requires each jurisdictions to stay within the $12,000 range per unit and this would enable the city to do about 40 houses. Chairman Douglas also inquired about the NCHFA Urgent Repair Program. Mr. McNair replied that staff tries to make the application process as user-friendly as possible and the urgent repairs typically include major system failure (i.e. HVAC, water/sewer, etc....).*

Approved the revised Community Development and Housing Department 2014-2015 Annual Action Plan which will reflect the removal of the Hartley Ridge development.

**A motion was made by Council Member Douglas, seconded by Mayor Pro Tem Davis, to approve the revised Community Development and Housing 2014-2015 Annual Action Plan which will reflect the removal of the Hartley Ridge development project. The motion PASSED by a 9-0 unanimous vote.**

COMPREHENSIVE PLANNING COMMITTEE - *Council Member Smothers, Chair*

**140126 Resolution of Intent - Annexation 14-04 - Carolina Investment Properties**

Approval of a Resolution of Intent that established a public hearing date of Monday, May 19, 2014 at 6:15 p.m. to consider a voluntary non-contiguous annexation of approximately 1.5 acres, lying along the east side of NC Highway 66, approximately 1,175 feet north of I-74 (2775 Highway 66 South).

Adopted a Resolution of Intent establishing a public hearing date of Monday, May 19th to receive public comment regarding a voluntary non-contiguous annexation of approximately 1.5 acres, lying along the east side of NC Highway 66, approximately 1,175 feet north of I-74 (2775 Highway 66 South).

**A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this Resolution of Intent be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Resolution No. 1376/14-16**
**Introduced 5/5/2014; Adopted 5/5/2013**
**Resolution Book, Volume XVIII, Page 98**

**140106 Amendment to Zoning Case 12-06 - High Point University**

A request by High Point University to amend Conditional Zoning Case 12-06 to revise the transportation conditions. The site is bounded by Montlieu Avenue, N. College Drive and

Boundary Avenue. (The petitioner is requesting that this item be delayed to a future council meeting) Petitioner is requesting that this item be withdrawn from the City Council Agenda.

*Chairwoman Smothers announced that the petitioner has requested this item be withdrawn from the agenda at this time.*

Matter withdrawn from the agenda.

**A motion was made by Council Member Smothers, seconded by Council Member Moore, that this matter be withdrawn. The motion PASSED by a 9-0 unanimous vote.**

**140110** **<u>Ordinance - Annexation Case ANX14-03 - Michael & Tonya Curtis</u>**

A request by Michael & Tonya Curtis to consider a voluntary contiguous annexation of approximately 1.6 acres. The area to be annexed is lying along the south side of Tangle Lane, approximately 1,900 feet west of Penny Road. The public hearing on this item was held Monday, April 21st and City Council delayed action at the May 5th meeting to allow the petitioner additional time to consider if he wanted to proceed with the request for annexation or withdrawal of the request.

*The public hearing for this matter was held on Monday, April 21, 2014 at 6:15 p.m. and continued to today's meeting to get further clarification from staff on the drainage issues and street right-of-way on this property.*

*Chairwoman Smothers explained this annexation request was referred back to staff for clarification of issues regarding drainage, right-of-way, and the previously platted subdivision, etc..... and referred Council to Mr. McCaslin's summary dated May 1st. She asked Derrick Boone to elaborate on the drainage issue due to this being a major concern of Mr. Curtis, the property owner. Mr. Boone explained there are currently two conveyances: one, which is a cross pipe that runs under the road that is discharging into the ditch, and the other is a system that has two catch basins that is discharging to the rear of the property. Mr. Boone pointed out that the property owner would not be eligible for any assistance from the city because the ditch is only receiving run-off from private property and because the city does not allow any assistance for new development.*

*Chairwoman Smothers asked what staff's recommendation is regarding this request. Randy McCaslin, Assistant City Manager, pointed out that the Technical Review Committee and all city departments have reviewed the request for annexation and have determined that the city can provide the services to this site. He recommended that Council follow the policy already in place that requires a property owner to request annexation in order to get city services. He clarified that the property owner is requesting a waiver on the annexation, but still wants water and sewer service. Chairwoman Smothers asked if she could make a motion for Council to adopt it subject to putting a specific date on it that would possibly allow the property owner to withdraw if he chooses. City Attorney JoAnne Carlyle advised this would not be possible because the property owner has petitioned for annexation and if Council continues and adopts an ordinance with an effective date, additional action would be necessary to come back and change it.*

*Mr. Carl Wright, attorney representing Mr. Curtis, the property owner, the primary concern is to get the street (right-of-way) issue resolved. Ms. Carlyle reported that the issue with the street could be resolved although it is very complex and could be very time consuming. Mr. Wright noted in light of that, his client would like to request a delay or a waiver--something to help this work for everyone involved because he felt these were unique circumstances. Chairwoman Smothers advised that she would be willing to make a motion to approve the annexation with the city taking care of the street issue, but would not support a motion for a waiver on the double rates for water/sewer.*

*The property owner, Mr. Michael Curtis, reiterated that he approached the city in early May and spoke to Mr. Scott Cherry about his options regarding tying into the city's system. From that conversation, he thought he had a choice and was also told at that time how much it would cost to tie into the city's water/sewer system and that he would have to pay double rates and double tap fees. Mr. Curtis shared that he purchased the land after this and discovered the drainage issues and other problems and at that time, he was told he would have to request annexation if he wanted to tie into the city's system. Mr. Scott Cherry, an Engineer with the Public Services Department, recalled the conversation in a different context. His response was "no" to Mr. Curtis after asking about putting in a well and a septic system and explained the development policy requires connection to city water and sewer for property within 300 feet. He noted he also shared with Mr. Curtis what it would cost to connect to the city's infrastructure as far as connection fees and shared details of the policy that would require him to petition to the City Council for annexation and Council would more than likely annex the property.*

*He felt like Mr. Curtis misunderstood what was explained to him and reiterated that typically property that is contiguous is annexed into the city and pays inside rates, but if Council chooses to do something different than what the policy states, then they would pay the outside rates if not annexed. Mayor Sims suggested in future conversations with property owners that this be communicated in a different way because she felt it does cause confusion when the property owner is told that Council can make the decision as to whether to annex or not. Council Member Douglas pointed out that Mr. Curtis actually purchased the property after his conversations with city staff under the assumption that he would have a choice.*

*Chairwoman Smothers asked Mr. Wright if he needed additional time to decide what his client would like to do and pointed out his options are to ask for annexation or not ask for annexation, or to withdraw his request. Mr. Curtis felt he has not been given a choice regarding annexation and was being forced to do something that he does not want to do. Mayor Sims pointed out Council's prevailing sentiment is that Council would not approve him paying double rates to get water and sewer service and not annex his property because of the policy that has been approved and is already in place. She informed Mr. Curtis that he could not forcibly be annexed into the city, but in order to access the city's services, he is required to request annexation, so his option would be either to request the annexation or withdraw his request to be annexed.*

*Mr. Wright stated that he and his client realize that there are a few things that they need to further consider and asked if Council could delay making a decision until the May 19th meeting to allow them more time to do that.*

Continued the public hearing to Monday, May 19, 2014 and deferred action on this matter until that time.

**A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that this matter be deferred for action at the May 19, 2014 meeting. The motion PASSED by a 9-0 unanimous vote.**

## PUBLIC COMMENT PERIOD - 6:00 P.M.

Mayor Sims noted this is the time set aside for public comments and asked for comments to be kept to three minutes or less.

Mark Lindsay, *146 Asbill Street, stated he would love to see Council rename Green Street from E. Green to W. Green from I-85 to I-85 to Martin Luther King Avenue or Drive.*

Rev. Frank Thomas, *Pastor- Mt. Zion Baptist Church in High Point, and a resident at 693 Mallard Landing Blvd. in Clemmons, addressed Council regarding naming a street in High Point in honor of Dr. Martin Luther King. He and other citizens have approached Council on several occasions asking Council to submit an application to the Planning & Zoning Commission to do this. He asked for the supporters who were still present to stand. [approximately 22 people stood up]. He noted he is unsure about the procedure, but asked that Council reconsider. He asked Council if it might be possible to suspend the rules and entertain a motion at tonight's meeting to see if the city could move forward in submitting the application for renaming all of Green Drive in honor of Dr. Martin Luther King.*

*At this time, Mayor Sims noted there were several residents who signed up to speak regarding the Hartley Road Development and asked if there were any individuals still present who would like to speak. There being none, she closed the Public Comment Period.*

## PUBLIC HEARINGS - 6:15 P.M.

COMPREHENSIVE PLANNING COMMITTEE - *Council Member Smothers, Chair*

**140127 Land Use Plan Amendment Case 14-02 - High Point University**

A request by High Point University to change the Land Use Map Classification for approximately 6.75 acres from Low Density Residential to an Institutional land use designation. The site consists of the block bounded by Montlieu Avenue, Barbee Avenue and Fifth Street (private street).

*The joint public hearing on this matter and related matter* **140128 Amendment to Zoning Case 13-08- High Point University** *was held on Monday, May 5, 2014 at 6:15 p.m.*

*Andy Putman with Planning and Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. The Planning & Zoning Commission recommended approval of Land Use Plan Amendment 14-02 at their meeting on April 22, 2014 by a vote of 4-2.*

*Mayor Sims asked about a comment that was made during the Planning & Zoning Commission meeting regarding updating the High Point University Area Plan and asked* *where the university was at in this process. Mr. Putman explained that the university did come in and spoke about their plans at one of the Planning & Zoning Commissions dinner sessions earlier this year, but deferred to the university for an update. He pointed out there has been no action to move forward with an official change to the University Area Plan at this time. Chairwoman Smothers pointed out there were several references contained in the staff report that identified the fact that when Council made a couple of changes upon petition by the university (one being closing Montlieu Avenue), it was felt that this essentially extended the boundary of the university through the actions that Council took--whether or not it's been formalized. Mayor Sims felt the plan still needs to be formally updated and felt the community and the public needs to know what that growth is going to look like. Chairwoman Smothers stated she did not disagree that an update is needed, she was just making the point that there have been amendments by formal action of Council and she felt it would be entirely appropriate to set a deadline for the university to come back with an updated Growth Plan.*

*Herb Shannon of Planning and Development proceeded to provide an overview of the staff report for 140128 Amendment to Zoning Case 13-08- High Point University, which is hereby attached in Legistar as a permanent part of these proceedings.*

*Chairwoman Smothers expressed concerns regarding the High Point Transportation Department's recommendation regarding the gate. Mr. Shannon explained that the applicant worded their conditions in such a way that it would be gated in an effort to address the Transportation Department's concerns that it would be open to the general public. He noted the intent is for traffic to come off Montlieu and not use the residential street. Staff noted that if Council determines that this is an appropriate expansion of the University campus, the Land Use Plan Amendment should be approved and once it is approved, it would be reasonable to approve the requested amendment to Zoning Case 13-08 with the conditions offered by the application. Mr. Shannon reported that the Planning and Zoning Commission held their public hearing on April 22nd and voted 4-2 to recommend approval of this request and pointed out the main issues of discussion regarding the members who voted in opposition were concerns about the reduction and the setback standards along the Barbee Avenue portion of the site.*

*Council Member Golden asked if staff could elaborate on the concerns regarding the reduction in setbacks. Mr. Shannon replied that the two Planning & Zoning Commission members who were not supportive of the reduction in the setback standards was due to concerns regarding the negative impact on the property owners along the south side of Barbee Avenue. Council Member Davis inquired about the maximum allowed building height and Mr. Shannon replied that the Ordinance currently permits an 80-foot tall building in the PI District. Council Member Moore questioned why they are asking for the additional five feet in height. Staff noted the applicant could better expound on this.*

*Mayor Sims mentioned the need for an updated University Area Plan and strongly encouraged the university to come back to Council with an updated plan identifying where they intend to grow, sooner rather than later because she was interested in knowing as well as the community. Council Member Douglas agreed with Mayor Sims and noted up to this point, Council has pretty much given the university what they have asked for. He felt Council needs to know where the university is going before taxpayer's dollars are spent and then they* *acquire a certain amount of properties only for it to be handed over to them as well. He noted a prime example was closing Montlieu Avenue and in his opinion, there were a lot of tax collars that went into building the street and providing maintenance on the street and the Council just handed it over to them.*

*Council Member Ewing pointed out regardless of the 80-foot setback for building height versus the 85-foot, it was still not in line with the policy. Mr. Shannon explained the ordinance notes a maximum building height of 80-feet and for every foot above 50, additional setback is required and the ordinance allows them to request a reduction in standards in the height, as well as the setback, but it is ultimately up to the Council as to whether or not to grant it as part of their zoning request.*

*At this time, Chairwoman Smothers opened the public hearing and asked if there was anyone present who would like to comment on the Land Use Plan Amendment Case 14-02 or the Amendment to Zoning Case 13-08.*

*Mr. Ron Guerra, Director of Construction and Renovation at High Point University, addressed Council. He shared that the university is about to make a very large investment in excess of $100 million with their new health sciences and pharmacy program. He explained they are requesting additional height because they would like to conceal all the HVAC equipment on the roof so it would not be visible or audible to the surrounding neighbors. They are also looking to enhance the area by doubling the planting yard requirements and installing their signature fence. He noted that even though construction is not imminent, it is important for them to start preparing for these programs now and going through the accreditation processes. He further explained that when they mentioned the proximity to Barbee and Montlieu, it involves one wing of the building only and pointed out it would not be a solid building wall, but wings that go inside a plaza. Mr. Guerra informed Council that the architect, Mr. Mercer, was present and could answer any questions they might have regarding the design of the buildings.*

*Council Member Golden shared some public safety concerns regarding the setbacks and asked if it would endanger somebody that might be on top of the building in the event of a fire. Mr. Guerra replied it would not and explained that the well on top of the building would be almost like a room which would protect the equipment, and keep the equipment from being visible and inaudible to the surrounding neighbors. He pointed out the gated entrance at Barbee was required by the Fire Department in case something happens on Montlieu, so they would have an additional means of entrance if there's a fire or any type of emergency.*

*At this time, Chairwoman Smothers asked if there were any additional comments. There being none, the public hearing was closed.*

**Chairwoman Smothers moved to approve Land Use Plan Amendment Case 14-02 based on consistency with the City's adopted plans, and that Council's action is considered to be reasonable and in the public interest which is accomplished by adopting the statements in the Staff Analysis section of the staff report. Council Member Moore made a second to the motion, which PASSED by a 9-0 unanimous vote.**

**Chairwoman Smothers then moved adoption of the Ordinance Amending Zoning Case 13-08 with the revised conditional use zoning as requested based on consistency with the City's adopted plans, and finds this action to be reasonable and in the public interest which is accomplished by adopting the statements in the Staff Analysis section of the staff report. Council Member Mendenhall made a second to the motion, which PASSED by a 9-0 unanimous vote.**

**Chairwoman Smothers then moved to have High Point University submit an amended Growth Area Plan to the Planning Department by September 1, 2014. Council Member Douglas made a second to the motion.**

*For further discussion, Ron Guerra felt the university could probably submit a general plan by September 1st. Council Member Ewing asked what the repercussions would be if the university does not have a plan submitted by September 1st and if Council would still consider any of their requests. Chairwoman Smothers informed Mr. Guerra that the university would need to make a formal request for different consideration. Mayor Sims agreed and felt it is important to the community to have an updated growth plan. Council Member Moore stated he would not be able to support the motion because the university is growing with a proven track record of changing direction. He felt sharing information as to where the university plans to expand could have some unintended consequences as they are trying to acquire property, which can make it hard on them while trying to execute their plan. Council Member Mendenhall agreed with Council Member Moore and expressed concerns about tying the university down at this point in time for economic reasons. Council Member Ewing pointed out the same could be said on the opposite end of the spectrum when Council reduces the setback from 50 feet to 65 feet and explained this could reduce property values for the residents on Barbee which would have a converse effect and their way, there would be a positive or negative economic impact.*

*Mayor Sims responded by saying that there was a Growth Plan in place, but the university continued to do what they felt was necessary in order to grow and develop and put the buildings were they saw fit to put them, despite of the plan being in place. She pointed out this is investment in the core and since the university is part of the core community, she felt it was not unreasonable to ask them to share where they think they might be going in the future. She agreed there may be individuals who will attempt to capitalize on that knowledge, but it is just the way of an opportunistic society. She felt it was important for the neighborhood to know because every time a change is made, it impacts the neighborhood.*

*As a point of clarification, Mr. Guerra asked if Council is looking for a new, full blown University Area Plan because it would typically takes months to prepare. Mayor Sims explained that Council is basically asking the university based on the current plan in place, to project what their future needs might be and pointed out the Planning Department could clarify what is needed to put it together.*

Chairwoman Smothers asked if there were any additional comments or questions. There being none, **the Mayor called for a vote on the motion to require High Point University to submit an updated Area Growth Plan by September 1, 2014. The motion PASSED by the following 6-3 vote:**

Aye (7): Chairwoman Smothers; Mayor Sims; Mayor Pro Tem Davis; and Council Members Golden, and Ewing.

Nay (2): Council Members Mendenhall, Moore and Wagner.

## 140128 Amendment to Zoning Case 13-08 - High Point University

A request by High Point University to amend Conditional Zoning Case 13-08 to:

1. Add approximately 7.1 acres to CZ Ordinance 13-08.
2. Rezoning approximately 7.1 acres from a Residential Single Family-9 (RS-9) District, to a Conditional Zoning Public & Institutional (CZ-PI) District.
3. Amend conditions pertaining to permitted uses, landscaping and vehicular access.

The property site consists of the block bounded by Montlieu Avenue, Barbee Avenue and Fifth Street (private street).

*The joint public hearing on this matter and related matter* **140127 Land Use Plan Amendment Case 14-02- High Point University** *was held on Monday, May 5, 2014 at 6:15 p.m.*

*Note: For specific comments made at the public hearing, please refer to* **140127 Land Use Plan Amendment Case 14-02.**

*Herb Shannon of Planning and Development provided an overview of the staff report for the Amendment to Zoning Case 13-08, which is hereby attached in Legistar as a permanent part of these proceedings.*

Adopted Ordinance amending Conditional Zoning Case 13-08 with the revised conditional use zoning as requested based on consistency with the City's adopted plans, and Council finds this action to be reasonable and in the public interest which is accomplished by adopting the statements in the Staff Analysis section of the staff report.

**A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, that the Ordinance approving Amendment to Zoning Case 13-08 be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance No. 1756/14-34**
**Introduced 5/5/20104; Adopted 5/5/2014**
**Ordinance Book, Volume XVIII, Page 88**

## BOARDS AND COMMISSIONS APPOINTMENTS AND VACANCY REPORT

## 140111 Boards and Commissions - Vacancy Report

Attached is the current list of vacancies for all Boards and Commissions.

*Attachments:* Vacancy Report

*This information is attached for informational purposes only. No action is required on this item.*

## APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

**140129** **Minutes to be approved**

- Community Housing & Neighborhood Development Committee; Tuesday, April 15th @ 9:00 a.m.
- Special Meeting (Closed Session-Personnel); Monday, April 21st @ 2:30 p.m.
- Finance Committee; Monday, April 21st @ 4:30 p.m.
- High Point City Council Regular Meeting; Monday, April 21st @ 5:30 p.m.
- Special Meeting; Thursday, April 24th @ 9:00 a.m.

**The minutes from the preceding meetings were unanimously approved as submitted upon motion by Council Member Douglas and second by Council Member Mendenhall.**

## Other Business

### Revised Budget Review Schedule

*Mayor Sims shared a revised Budget Review Schedule with Council and explained some dates for the reviews needed to be changed at the request of Assistant City Manager Randy McCaslin. She further explained that Mr. McCaslin had already made some plans prior to the dates that were selected by the City Manager for the Budget Reviews and these revised dates would allow Mr. McCaslin to attend the budget review sessions. Mayor Sims asked Council to review the revised schedule and let staff know if these dates are good.*

### Comprehensive Planning Committee Meeting

*Chairwoman Smothers reminded Council that the Comprehensive Planning Committee would meet on Thursday, May 8, 2014 at 9:00 a.m.*

## ADJOURNMENT

**The meeting adjourned at 7:45 p.m. upon motion duly made by Council Member Smothers and seconded by Council Member Douglas.**

Respectfully Submitted,

______________________________

Bernita Sims, Mayor

Attest:

______________________________

Lisa B. Vierling, MMC
City Clerk

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

# STAFF REPORT
# ANNEXATION CASE 14-04
**May 19, 2014**

| Request | |
|---|---|
| **Applicant:**<br>Carolina Investment Properties, Inc. | **Owner(s):**<br>Gary Walter Idol and Pamela Idol |
| **Proposal:**<br>Voluntary non-contiguous annexation of an approximately 1.5 acre parcel | **Effective Date:**<br>Upon adoption<br><br>**Associated Zoning Case:**<br>Amendment to Zoning Case 14-01 |

| Site Information | |
|---|---|
| **Location:** | The property is lying along the east side of NC Highway 66, approximately 1,175 feet north of I-74. |
| **Tax Parcel Numbers:** | Forsyth County Tax Parcel 6883-71-8712.00 |
| **Site Acreage:** | Approximately 1.5 acres |
| **Current Land Use:** | Single family dwelling |
| **Current Fire District:** | Horneytown Fire Department |
| **Proposed Development:** | Light industrial uses. |
| **Proposed Unit Type, Number and Average Value:** | Not Applicable |
| **Proposed Build-out Schedule:** | Not Applicable |
| **Proposed City of High Point Council Ward:** | The proposed annexation site abuts Ward 5, if approved the property will be part of Ward 5. |
| **Physical Characteristics:** | The property has a relatively flat terrain |
| **Water and Sewer Proximity:** | To serve development north of I-74, between NC Hwy 66 and Skeet Club Road, City sewer lines are proposed to be extended along the stream corridor that runs north of Hedgecock Road and under I-74. City water lines are proposed to be extended to form a loop system that will run along N. Main Street, NC Hwy 66, Payne Road and Dilworth Road. |
| **General Drainage and Watershed:** | The site drains in a southeasterly direction and is within the Yadkin Pee-Dee (non-water supply) watershed. The zoning site will be combined with the abutting 129 acres, based upon the total acreage and allowable development intensity, stormwater controls may be required to be provided. |
| **Overlay District(s):** | None |

| Adjacent Property Zoning and Current Land Use | | | |
|---|---|---|---|
| **North:** | **CZ-LI** | Conditional Zoning Light Industrial | Undeveloped parcel |
| **South:** | **CZ-LI** | Conditional Zoning Light Industrial | Undeveloped parcel |
| **East:** | **CZ-LI** | Conditional Zoning Light Industrial | Undeveloped parcel |
| **West:** | **AG** | Agricultural District *(Forsyth County)* | Single family dwelling *(lying across NC Highway 66)* |

| Transportation Information | | | |
|---|---|---|---|
| **Adjacent Streets:** | **Name** | **Classification** | **Approx. Frontage** |
| | NC Hwy 66 | Major Thoroughfare | 191 ft. |
| **Vehicular Access:** | Vehicular access will be from NC Hwy 66. | | |

## City Department Comment Summary

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

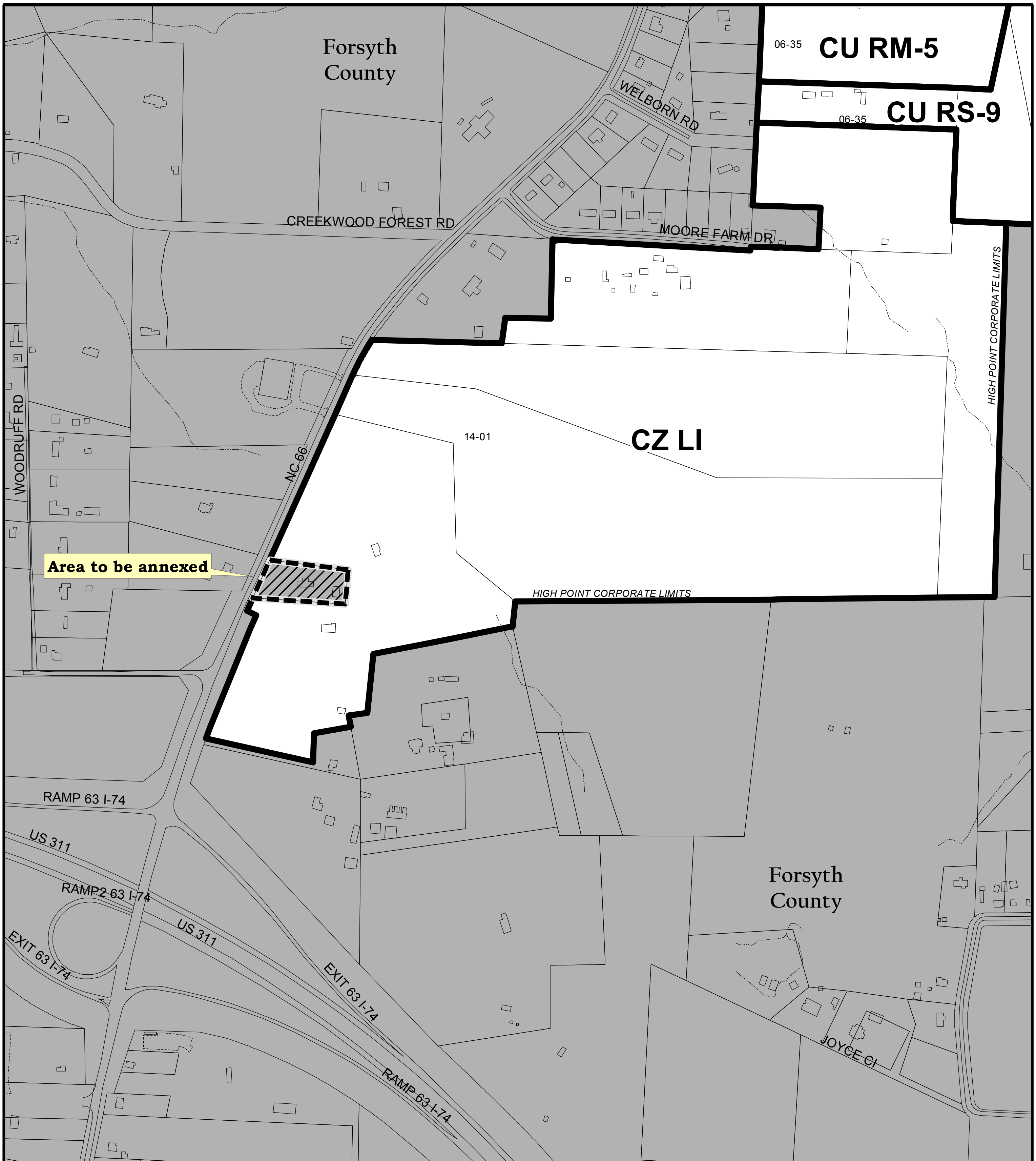
## Details of Proposal

At its April 21, 2014 public hearing, the City Council approved Annexation Case 14-01 and Zoning Case 14-01. These applications were for a 129.5 acre area lying along the east side of NC Highway 66, between Moore Farm Road and I-74, to facilitate a future warehouse & distribution center use and Business/Industrial Park. This current applicant requests to add a 1.5 acre parcel to this proposed Business/Industrial Park.

This annexation petition represents a logical progression of the City's annexation policy for this area. The site is surrounded on three sides by the City's corporate limits. City water and sewer are being extended to this area to serve the warehouse & distribution center use that is proposed to be constructed in the next 12 months. Once this facility is operational City services and service vehicles will be present in this area. The addition of the 1.5-acre parcel will not negatively impact the City's ability to provide services in this area.

## Report Preparation

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




# ANNEXATION REQUEST ANX14-04

**Applicant: Carolina Investment Properties, LLC**
**Area: 1.52 acres (approximate)**

**Existing Zoning Boundary**
**Subject Property Boundary**

**Planning & Development Department**

**City of High Point**

**Date: April 24, 2014**

N

**Scale: 1"=600'**

G:/Planning/Secure/ba-pz/2014/pz/anx14-04.mxd

Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. 1750 / 14-28

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

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

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

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 6:15p.m. on the 19th day of May, 2014; and,

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

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

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of **May 19, 21, 2014**.

**ANNEXATION DESCRIPTION**
**Carolina Investment Properties, Inc. (Annexation Case 14-04)**
BEGINNING at an axle in the eastern right-of-way line of NC Highway 66, said point having NC Grid Coordinates of N:83183l.0I and E:l687652.27, and running thence from said point and place of beginning, South 82° 58' 02" East 360.19 feet to an axle; thence South 04° 28' 55" West 158.67 feet to a 1" iron pipe; thence North 86° 14' 43" West 424.25 feet to an axle located in the eastern right-of-way line of NC Highway 66; thence with the eastern right-of-

way line of NC Highway 66, North 24° 09' 14" East 191.25 feet to the point and place of BEGINNING, containing 1.528 acres, more or less, as shown on survey entitled ALTA/ACSM Survey for Carolina Income Properties XV, prepared by Sgroi Land Surveying, PLLC, dated January 17, 2014.

SECTION 2. Upon and after **_May 19, 2014** the foregoing property and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-58.3.

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

Adopted by City Council,
this the **_19th_** day of **_May, 2014**.
Lisa B. Vierling, City Clerk

IMC

May 30, 2014

David Briggs
High Point Theater
220 East Commerce Avenue
High Point, NC 27260

Reference: International Market Centers Video Wall

Dear David:

International Market Centers ("IMC") is the owner of a certain video wall (the "Video Wall") located at the Commerce entrance of the International Home Furnishings Center at 211 East Commerce Avenue, High Point, North Carolina 27260. The High Point Theater ("Theater") wishes to use the Video Wall to promote the Theater's events and activities.

This letter serves to confirm that IMC agrees to allow the Theater to use the Video Wall to promote its events and activities at no charge to the Theater. In so doing, it is IMC's intent to partner with the City of High Point in the promotion of the City's major events and activities. It is anticipated that the Theater will have use of the Video Wall for up to twenty-four (24) times per year in four (4) to eight (8) hour increments of time per use. The number of uses may be increased as needed; provided, however, it is understood and agreed that the Theater's use of the Video Wall can only occur at times when IMC is not using the Video Wall. It is also understood and agreed that IMC reserves the right to approve the content displayed on the Video Wall.

Please feel free to contact me to schedule use of the Video Wall. I can be reached via telephone at 336.888.3757 or via email at jemerick@imcenters.com. I look forward to working with you.

Sincerely
International Market Centers

__________________________

John Emerick
Director of Advertising

## PLANNING AND ZONING COMMISSION RECOMMENDATION

On April 22, 2014, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present, except for Mr. Mark Walsh and Mr. Andrew Putnam.

**International Market Centers** **Text Amendment Case 14-04**

A request by International Market Centers to amend Section 9-5-16 of the Development Ordinance to allow video wall signs in the Central Business (CB) zoning district.

Mr. Bob Robbins presented Text Amendment Case 14-04 and recommended approval as outlined in the staff report.

Speaking on behalf of the request was the applicant's representative, Mr. John Emery 209 S. Main Street, High Point.

No one spoke in opposition to this request.

Once the public hearing was closed, the members had a lengthily deliberation on this application. The primary point of discussion was why this type of sign is restricted to Market Showroom uses and not allowed for all uses in the CB District.

The Planning and Zoning Commission recommended approval of Text Amendment Case TA 14-02 by a vote of 4-2. Members in opposition noted concerns as to the fairness of limiting this type of sign to only Market Showroom uses in the CB District.

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

# STAFF REPORT
# TEXT AMENDMENT CASE 14-04
**April 22, 2014**
**(Revised May 19, 2014)**

| Request | |
|---|---|
| **Applicant:**<br>International Market Centers | **Affected Ordinance Sections:**<br>Section 9-2-2, *Definitions* and Section 9-5-16, *Sign Regulations* |
| **Proposal:**<br>To allow video wall signs in the Central Business (CB) zoning district | |

## Background

Since November of 2012, the City Council has approved three text amendments to the Development Ordinance that deal with electronic signage. The first of these amendments expanded the permitted locations of electronic changeable copy signs from just the CB district to the CB and the HB district. Various standards were adopted for such signs in general, as well as specific standards applicable to signs in the CB and HB districts individually. The second amendment, adopted in January, 2014, added the Main Street (MS) district to those districts where electronic changeable copy signs are permitted. The third, adopted in February, 2014, further expanded permission for such signs to the remaining commercial zoning districts; NB, LB, GB and SC.

The applicant desires to permit a different type of electronic sign in the CB district. Video wall signs are groups of contiguously ganged, or tiled, computer monitors, video projectors or television sets, that together form one large screen. These types of signs can be capable of an array of different displays, but are most often used for video advertising purposes.

## Details of Proposal

In order to permit video wall signs in the CB district, the proposed ordinance first defines what a video wall sign is, and this definition is placed with other sign definitions in Section 9-2-2(k) of the Development Ordinance. Section 9-5-16, which contains the city's sign regulations, is proposed to be amended to permit video wall signs in the CB district, and to set forth specific regulations for these signs in much the same way as was done for electronic changeable copy signs. A new section (9-5-16(h)) would be added for this purpose. The remaining changes proposed by the amendment are more administrative, and have to deal with consistencies and the renumbering of sections and paragraphs.

## Analysis

The Planning and Development Department staff has worked with the applicant to prepare this amendment. In addition to defining what a video wall sign is, staff and the applicant are suggesting that several potential issues regarding such signage be addressed by the amendment.

First, video wall signs would be allowed only in the Central Business (CB) district. The applicant has erected a video wall sign on the IHFC building above the E. Commerce St. main entrance under the transportation terminal. There is no recommendation at this time to allow such signs in any other zoning district. In fact, rather than allow these signs throughout the CB district, it is recommended that they be restricted to only market showroom properties. Next, video wall signs are pedestrian oriented. These signs are essentially giant TVs, and can be a major distraction for motorists, so the amendment states that they be located at least 25 feet from street intersections, be no more than 15 feet high – to accommodate the applicant's sign - and 60 square feet in area (or 25% of allowable wall signage, whichever is less), and be mounted flat against a wall that is parallel to the street it faces. The applicant's proposed sign measures approximately 52 square feet. The CB district in general is more pedestrian oriented than most other zoning districts in the city, given the denseness of development and generally slower vehicle speeds. Further, the area of video wall signs would be counted toward the maximum amount of wall signage permitted by the Development Ordinance, and only one such sign is permitted per zone lot. Finally, the amendment would regulate the brightness of video wall signs in the same manner as electronic changeable copy signs, with a maximum daytime brightness of 5,000 nits.

It appears that the applicant is very interested in identifying and promoting showrooms within the IHFC building. This amendment permits the erection of such a sign, but establishes safeguards to mitigate adverse impacts, such as traffic safety problems.

Regarding the required statement of consistency, staff states that the adoption of this text amendment is neither consistent, nor inconsistent with applicable adopted plans of the city.

## Recommendation

**Staff recommends approval.**

The proposed amendment will legalize the applicant's sign, while establishing some specific requirements to limit the location, size, height, number and brightness of video wall signs. Allowing such signs only in the CB district should have the least overall effect on traffic safety.

## 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.

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) It is reasonable to update ordinances to reflect changes in technology that affect development; 2) Allowing the proposed change only in the CB district will allow for easier monitoring of the effectiveness of the specific video wall sign regulations; and 3) The allowance of such signs may benefit the business community and therefore is also in the public interest. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

## Report Preparation

This report was prepared by Planning and Development Department staff member Robert L. Robbins, AICP, and reviewed by G. Lee Burnette, AICP, Director.

**TEXT AMENDMENT 14-04**
**PROPOSED AMENDMENT TO THE**
**CITY OF HIGH POINT DEVELOPMENT ORDINANCE**

**An amendment affecting Article D *Sign Regulations,* Section 9-5-16 *General Regulations;* and Section 9-2-2 *Definitions* regarding video wall signs in the Central Business (CB) zoning district.**

**SECTION 1.**

**Part A.** Chapter 2, *Definitions,* Section 9-2-2(k) entitled *Signs*, is hereby amended to add the following definition, which shall be numbered as (42):

> **(42) Video Wall Sign: A video wall sign consists of multiple computer monitors, video projectors, or television sets tiled together contiguously or overlapped in order to form one large screen. Typical display technologies include LCD panels, LED arrays, DLP tiles, and rear projection screens. Such signs may display static text, images or photos; electronic changeable copy including the use of changing light to depict action or create special effects; video; or any combination thereof.**

**Part B.** The definitions of Wall Sign, Warning Sign, and Window Sign shall be renumbered as (43), (44), and (45) respectively.

**SECTION 2.**

Section 9-5-16(b), *Prohibited Signs,* is hereby amended as follows:

**Part A.** (2) Animated signs**, except video wall signs that use changing light to depict action or create special effects.**

**Part B.** **(4) Video Wall signs, except as permitted in the Central Business (CB) zoning district.**

**Part C.** Existing paragraphs (4) through (11) of this section shall be renumbered as **(5)** through **(12)** respectively

**SECTION 3.**

**Part A.** A new section 9-5-16(h) shall be added and shall read as follows:

(h) **Video Wall Signs**

**1. Where Allowed: Video wall signs shall be permitted only for Market showrooms in the Central Business (CB) district.**

**2. Location: It is intended that video wall signs be pedestrian oriented. A Video wall sign shall be located flat against a building wall that is parallel to a street, or that faces the interior of a lot. No part of a video wall sign shall be closer than twenty-five (25) feet from intersecting street right-of-ways.**

**3. Projection and Height: A video wall sign cabinet shall not project from the wall more than eighteen (18) inches, and its height shall not be more than fifteen (15) feet above ground level. Screens shall not be angled and shall be parallel to the wall.**

**3. Size: The area of a video wall sign shall be counted toward the maximum allowable wall signage, and shall not exceed 25% of the maximum allowable wall signage or sixty (60) square feet, whichever is less.**

**4. Number: No more than one (1) video wall sign shall be permitted per zone lot.**

**5. Brightness:**

**a. Maximum brightness levels for video wall signs shall not exceed 5,000 nits during daylight hours and shall not exceed 1,000 nits between dusk and dawn, as measured from the sign face.**

**b. Prior to the issuance of a sign permit, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 5,000 nits.**

c. **All video wall signs shall have a light sensing device that will adjust the brightness in real-time as ambient light conditions change, so that the sign does not exceed the maximum brightness levels allowed by this section.**

**Part B.** The current sections 9-5-16(h) through (p) will be re-labeled as sections **(i) Signs for Historic Structures or Properties**, through **(q) Variances**, in the same order.

**SECTION 4.**

**Part A.** Section 9-5-16(e), *Signs Requiring a Permit*, is hereby amended as follows:

**(e) Signs Requiring a Permit**

All signs except those listed in ~~Sub~~**S**ections 9-5-16(c) and (d) above, shall not be installed until a sign permit has been obtained. The size, height, permitted illumination, setback, and number of signs permitted is specified in Tables 5-16-2 and 5-16-3, ~~and~~ ~~Sub~~**S**ection 9-5-16(f) (Outdoor Advertising Signs (Billboards)), ~~and~~ **,**~~Sub~~**S**ection 9-5-16(g) (Electronic Changeable Copy Signs)**, and Section 9-5-16(h) (Video Wall Signs).** Unless otherwise specified, all signs shall be restricted to on-site locations. For the purposes of sign permitting, an Integrated Multiple Use Development (IMUD) shall be considered a single zone lot.

**Part B.** Section 9-5-16(f)(12), *Nonconforming Signs,* shall be amended to read as follows:

(12) Nonconforming Signs: Nonconforming outdoor advertising signs may be continued in accordance with the provisions of ~~Sub~~**S**ection 9-5-16~~(m)~~**(n) (Nonconforming Signs)**.

**Part C.** Section 9-5-16~~(m)~~**(n)**~~(4)~~**(10)** *Annexation, Map Amendment or Text Amendment*, shall be amended to read as follows:

(10) Annexation, Map Amendment or Text Amendment: Any sign that is made nonconforming by reason of annexation, zoning map amendment, or any subsequent amendment to the text of this Ordinance, shall be removed or brought into compliance as provided in ~~Sub~~**S**ection 9-5-16~~(m)~~**(n)**(1) (Signs Existing on Effective Date).

**SECTION 5.**

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.

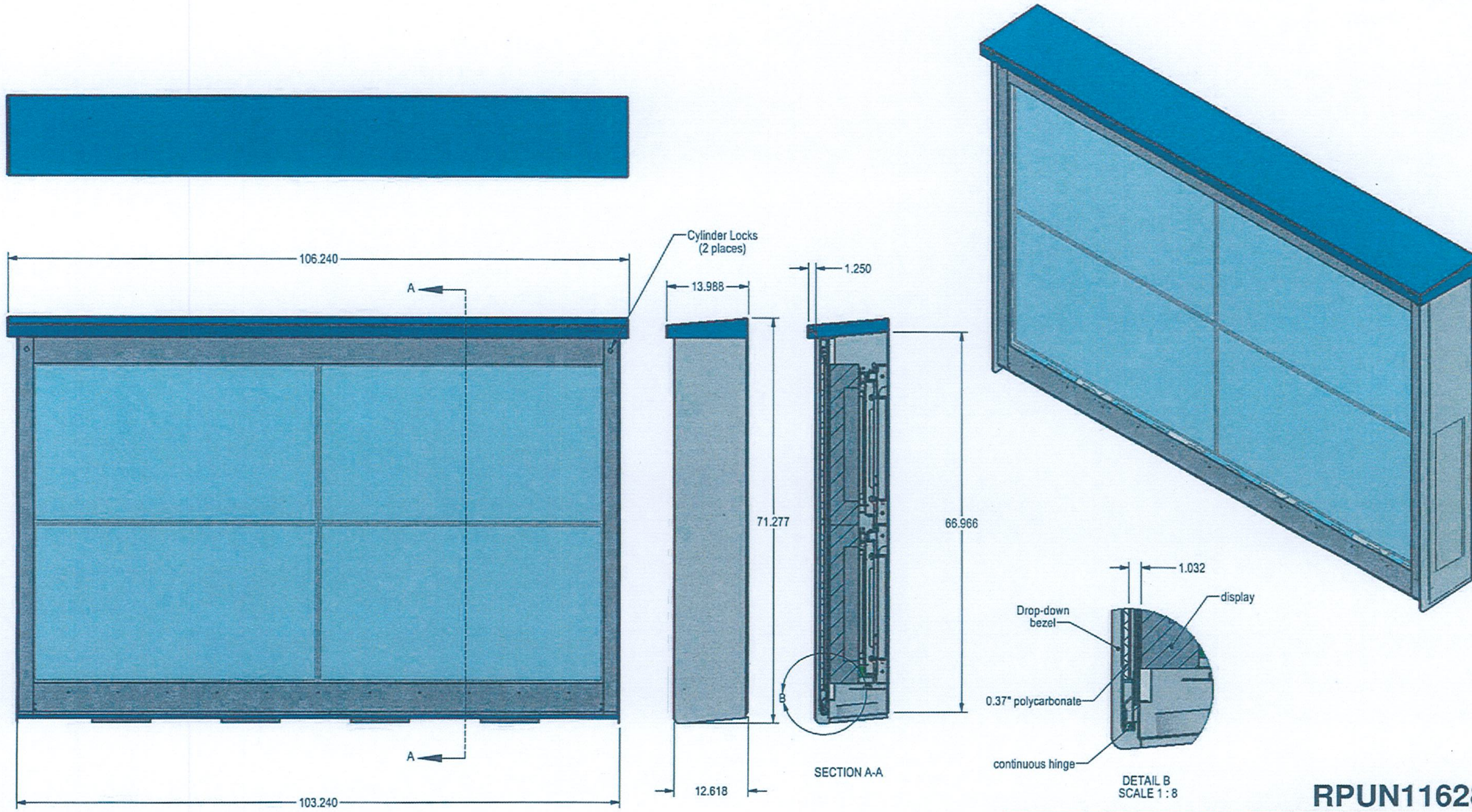
**SECTION 6.**

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

**SECTION 7.**

This ordinance shall become effective upon adoption.

Adopted by the City of High Point City Council
This day of , 2014
Lisa B. Vierling, City Clerk




# RPUN11628

| REV | REVISIONS | BY | DATE |
|---|---|---|---|
| E | . | . | . |
| D | . | . | . |
| C | . | . | . |
| B | . | . | . |
| A | . | . | . |

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APPROVED FOR FABRICATION

| SIGNATURE | DATE |
|---|---|
| | |

DIMENSIONS ARE IN INCHES
TOLERANCES ARE:

| FRACTIONS | DECIMALS | ANGLES |
|---|---|---|
| X/X : ± 1/32 | .XX : ± .03<br>.XXX : ± .010 | .X : ± .5<br>.XX : ± .20 |

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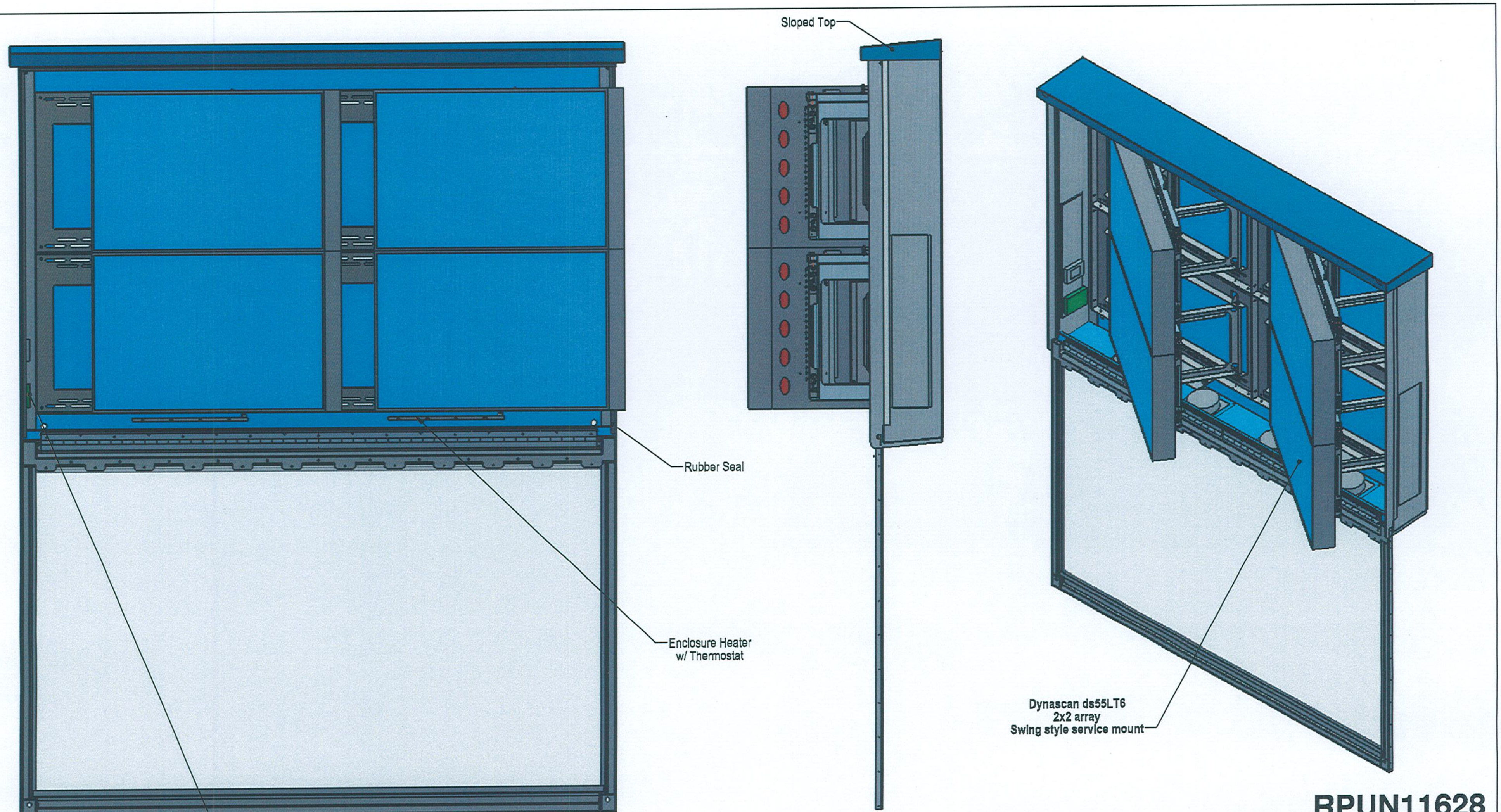
1275 S. Lewis St.
Anaheim, CA 92805
Tel: (714) 991 - 6400
Fax: (714) 991 - 6407
www.rpvisuals.com

| | |
|---|---|
| DEALER | Unified A/v |
| PROJECT | Exterior 2x2 array |
| PRODUCT | Exterior Cabinet |
| DWG. NO. | RPUN11628 |

| DRAWN | CHECKED | DATE |
|---|---|---|
| PC | XXX | 03/03/14 |

SIZE B SCALE 1:18 REVISION

Estimate system weight: 1500#
Display weight: 165# per display (inc in system weight)




**RPUN11628**

| | |
|---|---|
| QUANTITY | X |
| MATERIAL | X |
| FINISH | X |

2. REMOVE ALL BURRS & BREAK SHARP EDGES.
1. ALL BENDS AT 90° WITH MINIMUM BEND RADIUS.

NOTES: UNLESS OTHERWISE SPECIFIED

DIMENSIONS ARE IN INCHES
TOLERANCES ARE:

| FRACTIONS | DECIMALS | ANGLES |
|---|---|---|
| X/X : ± 1/32 | .XX : ± .03<br>.XXX : ± .010 | .X : ± .5<br>.XX : ± .20 |

| REV | REVISIONS | BY | DATE |
|---|---|---|---|
| E | . | . | . |
| D | . | . | . |
| C | . | . | . |
| B | . | . | . |
| A | . | . | . |

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SIGNATURE DATE

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DEALER: Unified A/v
PROJECT: Exterior 2x2 array
PRODUCT: Exterior Cabinet
DWG. NO.: RPUN11628
DRAWN: PC | CHECKED: XXX | DATE: 03/03/14
SIZE: B | SCALE: 1:19 | REVISION: .
SHEET: 3 OF 3