

City of High Point

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



Meeting Agenda

Monday, May 16, 2016

5:30 PM

Council Chambers

City Council

*William S. Bencini, Jr., Mayor
Jeffrey J. Golden, Mayor Pro Tem
Latimer B. Alexander, IV, Cynthia Y. Davis,
James C. Davis, Jason P. Ewing,
Alyce E. Hill, Christopher Williams,
Jay W. Wagner*

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE**PUBLIC HEARINGS**

- [160125](#) Public Hearing- Proposed City of High Point FY 2016-2017 Annual Budget
Monday, May 16, 2016 at 5:30 p.m. is the date and time established to receive public comments on the proposed City of High Point Budget for FY 2016-2017.

Attachments: [Managers Message FY 16-17.pdf](#)

FINANCE COMMITTEE - Council Member J. Davis, Chair**CONSENT AGENDA ITEMS**

- [160126](#) Contract - Purchase of Front Loading Refuse Truck
Council is requested to approve the purchase of a Peterbilt truck with New Way front loading refuse body from Scranton Manufacturing Company in the amount of \$228,987.22.
Attachments: [1. Front Loading Refuse Truck.pdf](#)
- [160127](#) Budget Ordinance Amendment - Purchase of Front Loader Refuse Truck
Council is requested to adopt a budget ordinance amending the 2015-2016 Budget Ordinance to appropriate funds in the amount of \$228,988 for the purchase of a Front Loader Refuse Truck.
Attachments: [2. Budget Amendment Front Loader fire damaged.pdf](#)
- [160128](#) Sole Source Contract - Underground Switches
Council is requested to approve a sole source bid recommendation to Trayer Engineering in the amount of \$119,448.00 for the purchase of six (6) 15kV Underground Switches.
Attachments: [3. Sole Source Purchase - Underground Switches.pdf](#)
- [160129](#) Change Order - Eastside WWTP Solids Handling Improvements
Council is requested to approve a change order in the amount of \$371,083.73 to the Wharton-Smith, Inc. contract for the Eastside WWTP solids handling improvements.
Attachments: [4. Change Order Whartonsmith.pdf](#)
- [160130](#) Approval of Lease for City Owned Residences
Council is requested to authorize the city attorney's office to execute five-year lease agreements on five residential dwellings that are property of the City of High Point.
Attachments: [5. Leases - City Owned Properties.pdf](#)

- [160131](#) Retire and Sale of Police K-9 Sable
Council is requested to retire Police K-9 Sable and declare as surplus property to allow her to be purchased by Major Ken Steele who will assume all responsibility and liability for her care.
Attachments: [6. Retire K-9 Sable.pdf](#)

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Mayor Pro Tem Golden, Chair

- [160132](#) Clarification to Ordinance to Demolish Dwelling - 1110 Blain Street
Council is requested to continue with an ordinance ordering the inspector to effectuate the demolition of a dwelling located at 1110 Blain Street belonging to CBC Investment Properties, LLC. The ordinance was adopted at the March 21, 2016 City Council meeting and contained an inaccuracy in the staff report which listed the property value at \$1,700 when the actual value was \$7,100.00.
Attachments: [Ordinance to Demolish - 1110 Blain St.pdf](#)
- [160133](#) Transfer of Property - Bank of North Carolina - Infill Housing Needs
Council is requested to approve the transfer of a lot located at 524 Radford Street, upon completion of the purchase from Guilford County, to the Bank of North Carolina to build a new, single family home to be sold at cost to a qualifying home buyer.
Attachments: [Transfer of Property - Infill Housing.pdf](#)

PLANNING & DEVELOPMENT COMMITTEE - Council Member Wagner, Chair

- [160134](#) Initiation of Zoning Map Amendments
A request by the Planning and Development Department to initiate a zoning map amendment process so that the new Development Ordinance can be made effective.
Attachments: [1. Initiation of Zoning Map Amendments.pdf](#)
- [160135](#) Resolution of Intent - Annexation 16-03
Approval of a Resolution of Intent that establishes a public hearing date of Monday, June 20, 2016, at 5:30 p.m. to consider a voluntary contiguous annexation request. The proposed annexation site is approximately 2.15 acres and lying along the west side of St. Johns Street, approximately 750 feet north of Skeet Club Road. The property is known as Guilford County Tax Parcels 01694450, 01694451, 01694452, and 01694453.
Attachments: [2. ROI - AN16-03 - Williams.pdf](#)

PUBLIC HEARINGS FOR PLANNING & DEVELOPMENT ITEMS

- [160136](#) New Development Ordinance

Monday, May 16, 2016 is the date to receive public comments on a request by the Planning and Zoning Commission to adopt a new Development Ordinance for the City of High Point Planning and Development Department.

Attachments: [3. New Development Ordinance.pdf](#)

[160137](#)

Ordinance - Zaki Uddin Khalifa - Zoning Map Amendment 16-06
A request by Zaki Uddin Khalifa to rezone approximately 3.46 acres from the Main Street (MS) District to the Central Business (CB) District. The site is lying along the west side of S. Main Street, between W. Grimes Avenue and Taylor Avenue (600 S. Main Street).

Attachments: [4-5. ZA-16-06 and Text Amendment Zaki.pdf](#)

[160138](#)

Ordinance - Zaki Uddin Khalifa - Text Amendment 16-01
A request to by Zaki Uddin Khalifa to amend Section 9-4-5(a)(1) (Special District) of the Development Ordinance to revise the boundary of the Main Street (MS) District.

Attachments: [4-5. ZA-16-06 and Text Amendment Zaki.pdf](#)

[160139](#)

City of High Point - Special Use 16-01
A request by the City of High Point (Electric Utilities Department) to allow a Utility Service Facility (electrical sub-station) in the Residential Single Family 7 (RS-7) District and the Residential Single Family-5 (RS-5) District. The site is lying along the east side of N. University Parkway, between Boundary Avenue and Graves Avenue (1404, 1406 & 1408 Boundary Avenue and 1605 Graves Avenue).

Attachments: [6. SU 16-01 - CHP Electric Dept.pdf](#)

[160140](#)

Ordinance - BSC Holdings - Zoning Map Amendment 16-07
A request by BSC Holdings to rezone an approximately 25.5 acres parcel from a Conditional Use Residential Single Family-9 (CU RS-9) District to a Conditional Zoning Residential Single Family-9 (CZ RS-9) District and the Residential Single Family-9 (RS-9) District. The site is lying along the south side of Bame Road, approximately 1,900 feet west of Sandy Ridge Road (8711 Bame Road).

Attachments: [7. Z16-07 BSC Holdings.pdf](#)

GENERAL BUSINESS AGENDA

[160141](#)

Appointment - Boards & Commissions - Historic Preservation Commission - Patrick
Council is requested to confirm the appointment of Doris Patrick to the Historic Preservation Commission as Council Member Golden's (Ward 1) appointment. Appointment to be effective immediately and will expire July 1, 2018.

Attachments: [Appointment- Doris Patrick - HPC.pdf](#)

[160143](#)

Appointment - Boards & Commissions - Citizens Advisory Council -

Farabow

Council is requested to confirm the appointment of Matthew Farabow to the Citizens Advisory Council as Council Member Hill's (Ward 3) appointment. Appointment to be effective immediately and will expire on May 31, 2018.

Attachments: [Appointment- Matthew Farabow - CAC.pdf](#)

[160142](#)

Minutes to be Approved

Manager's Briefing; Monday, May 2nd @ 3:30 p.m.

Regular City Council Meeting; Monday, May 2nd @ 5:30 p.m.

Planning & Development Committee Meeting; Tuesday, May 3rd @ 4:00 p.m.

Finance Committee Meeting (Non-Profit Funding Requests) Thursday, May 5th @ 4:00 p.m.

Attachments: [1. May 2 2016 Manager's Briefing Budget Review Session.pdf](#)

[2. May 2 2016 High Point City Council.pdf](#)

[3. May 3 2016 Planning & Development Committee.pdf](#)

[4. May 5 2016 Finance Committee.pdf](#)

[150270](#)

Boards and Commissions - Vacancy Report

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

Attachments: [term expirations 2016.pdf](#)

ADJOURNMENT

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
May 2, 2016 – 5:30 P.M.**

ROLL CALL AND MOMENT OF SILENCE

Mayor Bencini called the meeting to order and asked everyone to remember the family of Ray McAllister due to his passing. The Pledge of Allegiance followed.

Upon call of the roll, the following Council Members were present:

Present:

Mayor William S. Bencini, Jr., Mayor Pro Tem Jeffrey Golden (Ward 1); and Council Members Cynthia Y. Davis (At-Large), Latimer Alexander (At-Large); Christopher Williams (Ward 2), Alyce Hill (Ward 3), Jay Wagner (Ward 4), James C. Davis (Ward 5) and Jason Ewing (Ward 6)

RECOGNITIONS AND PRESENTATIONS

160103 Proclamation - Public Works Week

Mayor Bencini will read a proclamation proclaiming the week of May 15-21, 2016 as “Public Works Week” in the City of High Point.

Mayor Bencini read the Proclamation into the record proclaiming the week of May 15-21, 2016 as "Public Works Week" in the City of High Point and presented it to Keith Pugh, Director of Engineering services. [applause]

Mr. Pugh's comments were followed by a photo opportunity between Mayor Bencini and Mr. Pugh.

160104 Leggett & Platt Tree Planting Project

Recognition of Leggett & Platt Inc. for donating and planting six trees at Harvell Park in April with the help of 35 volunteers from their Branch 1506 facility. They also picked up several bags of litter at the park.

Andy Piper with Planning & Development recognized Leggett & Platt, Inc., a furniture company who has a local branch located in southwest High Point. They specialize primarily in making bedspreads. Mr. Piper reported as part of their company-wide eco initiative, they have been active in efforts over the years to help clean up the city through events organized by Keep High Point Beautiful and to further demonstrate their commitment to being good environmental stewards, they approached the city about doing a tree planting project. Leggett & Platt donated \$300 for six October Glory Maples that were planted with the help of volunteers from their local branch; these were planted in Harvell Park on April 9th. They also helped pick up litter in the park at that time. He then recognized representatives from the local branch of Leggett & Platt. He asked them to stand and thanked them for making the project possible and for being good corporate citizens for High Point. [applause]

160105 VITA Recognitions

Recognition of all the volunteers who participated in the Volunteer Income Tax Assistance (VITA) program.

Alisha Doulen, Community Resource Specialist with the Community Development & Housing Department, introduced Lauren Atwell Bass, Community Resource Specialist and recognized the VITA partners/volunteers for this past tax season. There were about 25 volunteers who worked over 850 hours. She advised that the IRS could not be present at this meeting, but sent a letter and a certificate. She read the letter from the IRS into the record thanking Mayor Bencini and the volunteers for ten years of continuous outstanding service to the taxpayers through the work of the High Point.

The following volunteers were recognized:

VITA Site Coordinators

Nathan Asamoah; Charrisse Jones; Lisa Hyatt; Nick Platt; Rob Purdie

VITA Tax Preparers

Alexis Luzietti, HPU Student Tax Preparer
Cassidy Cunningham, HPU Student Tax Preparer
Dan Hurley, Tax Return Preparer
Jerry Mingo, Tax Preparer
Kasey Degon, HPU Student Tax Preparer
Kayla Griffith, Tax Return Preparer
Kristine Faxlanger, Tax Return Preparer
Lauren Kelly, HPU Student Tax Preparer
Leon Spencer, Tax Preparer
Maya Dongier, HPU Student Tax Preparer
Michael LeClair, Tax Return Preparer
Olivia Stoddard, HPU Student Tax Preparer
Shelove Felicien, Tax Preparer
Shirleen Williams, Tax Return Preparer
Waldricas (Rick) Warren, Tax Return Preparer

General Volunteer

Crystal Black, Greeter
Donna Hicks, Greeter
Joyce Curtis, Greeter
Rashawn Martin, Greeter

VITA Partners

Amy Hudson, Executive Director- Salvation Army Boys and Girls Club
Chris Gillespie, Executive Director- West End Community Center
Dell McCormick, Executive Director- Macedonia Family Resource Center
Sharon and Sam Green - WINGS Computer Solutions
Charrisse Jones, Owner- Alpha Omega Booking and Tax Services
Lisa Hyatt, Owner - Overture, Inc.

United Way of Greater High Point
High Point University

Community and Neighborhood Development

Michelle McNair, Community Resource Manager

Alisha Doulen, Community Resource Specialist and VITA Program Coordinator

Lauren Atwell-Bass, Community Resource Specialist and VITA Site Coordinator

[applause]

UPDATE- CLEAN SWEEP

Rebecca Coplin, shared a slide show showing some photos of Saturday's event. She reported there were four neighborhoods that really jumped in and helped: Burns Hill; Macedonia; Southside; and Highland Mills. Several companies were represented, including Leggett & Platt, who has participated for several years now. She explained prior to Saturday's event, there were nine schools that participated in cleaning up their campuses, planting flowers (563 kids and teachers/school staff).

She reported the following statistics associated with the event:

- 541 people came out; last year about 350 people came out
- 1,104 volunteers
- 18,280 pounds of trash was picked up
- 1,180 pounds of recycling materials

She thanked City Manager Greg Demko for his passion to beautify the city and supporting the event. She advised they are hoping for partnerships moving forward with these types events in the future. Ms. Coplin also thanked Council for their support.

Mayor Bencini thanked Ms. Coplin for her efforts in making the vent such a success.
[applause]

PUBLIC COMMENT PERIOD

Mayor Bencini reminded everyone that this is a public comment period, not a public dialogue period and Council was here to listen to the comments from concerned citizens, but not engage in a dialogue.

Glenn Chavis, 137 Orville Drive, addressed Council. He distributed a hand-out to Council that depicted information on parking tickets/city ordinance tickets written during the period of November 12, 2012 through November 12, 2015. [the handout will be attached and incorporated as a permanent part of these proceedings].

Mr. Chavis advised that he had tried to arrange a meeting over the last several months with council members without any success. He felt the only way to get Council's attention would be to attend the meeting and announced that he will probably run for one of three offices during the next election cycle so he would have his voice heard for more than three minutes.

He noted that all the community talk seems to be centered around hunger and dilapidated/boarded-up housing. He advised that no one is talking about what got those communities to this point and how we can prevent it from happening again. He sees the demise of the community as a long process of little things that are ignored and are not corrected (i.e. parking violations, cars parked in front yards, unlawful businesses in residential areas, 18-wheeler trucks parked overnight in residential areas, landscape trailers, bobcats, tractors and other equipment parked on city streets, trash cans left on city streets for weeks, trash build-up at major intersections, etc.... He pointed out most of these violations take place in the evenings, so it makes it difficult for staff to enforce and ends up being enforced by the police department. He then shared the statistical information he gathered on the number of tickets written by the police department for the period of November 12, 2012 to November 12, 2015. Number one was leash law violations. Handicap parking violations were second. He felt there was a lot of room for improvement by the police department.

Louis Thibodeaux, 1242 Kensington Drive, addressed Council. He asked Council to review how they proceed with the second meeting of the month after the first meeting has been cancelled. He asked that Council hold the second meeting to the procedure of the first meeting in regards to speakers, citizens at the beginning of the meeting. He also felt there needs to be a balance and time allotted to staff and developers who can speak with unlimited time. He made reference to the last Council meeting in March that went over five hours when people from his neighborhood came to speak, but they left after three hours because of uncertainty of when they would get to speak.

He also asked why engineers have not come to speak to neighbors in a forum since November, 2015, concerning Dovershire/Kensington stormwater projects. He noted what they would like to do is have the water taken care of that's coming down now.

Mayor Bencini asked if there was anyone else present who desired to speak during the Public Comment period. There being no further comments, he declared the Public Comment Period closed.

REGULAR AGENDA ITEMS

STRATEGIC PLAN UPDATE

City Manager Greg Demko deferred to Council Member Williams to provide an update on the Strategic Plan.

Blight Elimination

Council Member Williams spoke on the blight elimination portion of the Strategic Plan. He reported that the Center for Community Progress met with the Community Housing & Neighborhood Development Committee on April 13th and the purpose was to develop a scope of services. He advised this was the \$200,000+ award the city received from this organization who assists with blight elimination. He noted at this meeting, the Committee talked about the ideas and the best strategic ways to be beneficial in removing blight and how to best use the available resources. He pointed out this meeting was one of eight meetings over two days with various members from city staff: city manager, data team, city attorney, etc... They did a core city tour, worked with code enforcement, Planning and

Development, Economic Development, affordable housing producers, other cities, stakeholders, and the Guilford County Tax Office. He noted this would be integral in how the city can be efficient in enforcing code and removing blight.

An additional piece is that the city has hired two code enforcement officers who finished their training on April 4th and April 18th respectively. The city has also contracted with the State Code Enforcement, Inc. and they started work on April 18th. He noted during the first two weeks, they have removed 401 signs and cited 158 public nuisance violations; 4 vehicle violations, etc..... He felt this was a huge, positive step the city is taking in dealing with the boarded-up and problematic issues in the distressed areas.

Sports/Entertainment and Millennial Aspect

Mr. Demko announced that Council Member Ewing would be providing an update on the sports/entertainment and millennial aspect of the Strategic Plan.

Council Member C. Davis asked Council Member Williams when the report was provided to him. Council Member Williams advised that the report was information gathered from the Community Housing & Neighborhood Development Committee and was brought to his attention since he happened to chair the meeting. Council Member C. Davis asked him to please share the report with the rest of Council.

Council Member Ewing reported that the results from Phase 2 of the Task Force should be completed in July. Regarding the Millennial portion of the Strategic Plan, he advised that the Prosperity & Livability Committee convened a Millennial Task Force of which Sara Belle Tate, Director of Communications and Community Relations for the Chamber of Commerce, would be chairing the Task Force. The Prosperity & Livability Committee gave her direction to try to keep the Task Force under ten members and they would be reporting back to the Committee in June. At this point, they have been tasked with doing some research and bringing back some Census data on the number of millennials within the city limits and how this compares with some other cities and also reach out to some of the businesses to identify how many millennials that work for them live outside the city limits.

Mayor Bencini thanked the Community Housing & Neighborhood Development Committee and the Prosperity & Livability Committee for their commitment to this and expressed appreciation for the report.

FINANCE COMMITTEE - Council Member J. Davis, Chair

Members: J. Davis, C. Davis, Alexander and Hill

(All were present)

160106 Contract - Bid No. 54 - 2016 Storm Sewer Improvements

Council is requested to approve contract awarding Bid No. 54 Breece Enterprises, Inc., in the amount of \$848,164.00 for the 2016 Storm Sewer Improvement projects within the city.

Keith Pugh, Director of Engineering Services, explained this is a contract for the annual pay-as-you-go stormwater improvements, which also includes one project that would be paid for out of the 2004 bond issue, the Gatewood project. He noted there is a total of five different projects on this contract and staff is asking for Council's approval to proceed.

Approved contract with Breece Enterprises in the amount of \$848,164.00 for the 2016 Storm Sewer Improvement projects within the city.

A motion was made by Council Member J. Davis, seconded by Council Member Hill, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

160107 Supplemental Agreement - NCDOT - Model Farm Road Bridge Replacement

Council is requested to approve a revised Supplemental Agreement with the North Carolina Department of Transportation (NCDOT) for the replacement of the Model Farm Road Bridge to extend the project completion date.

Terry Houk, Director of Public Services, explained this is a revision to the original agreement and is needed to reflect an extension in the timeframe for construction of the Model Farm Bridge replacement. He advised that the original completion date was May 26, 2016, but due to delays in utility relocations and right-of-way acquisition, the completion date is now September 30, 2017. He pointed out there would be no additional costs incurred. Staff is requesting Council's approval of the Supplemental Agreement with NCDOT to extend the project completion date for the replacement of the Model Farm Road Bridge.

Approved a revised Supplemental Agreement with the North Carolina Department of Transportation (NCDOT) for the replacement of the Model Farm Road Bridge to extend the project completion date.

A motion was made by Council Member J. Davis, seconded by Council Member Wagner, that this Agreement be approved. The motion PASSED by a 9-0 unanimous vote.

160108 Resolution - Interlocal Agreement- Guilford County - Tax Collection Services

Council is requested adopt a resolution authorizing the Mayor to execute an Interlocal Agreement with Guilford County for ad valorem tax listing and collection service for the period of July 1, 2016 - June 30, 2021.

Randy McCaslin, Deputy City Manager, referenced the paper copy in front of Council for the interlocal agreement. He explained the difference between the paper copy and what was sent to Council electronically is a couple of changes that the city attorney has made to the agreement based on her conversations with the City of Greensboro and Guilford County. He further explained the basis of the contract is almost identical to the previous agreement the city had. It is for a five-year period and covers all aspects of the tax administration for property taxes in the City of High Point from listing to collections to the enforcement, appraisals, etc... The City of High Point will pay the same amount on this Interlocal Agreement that was previously paid, .62%. Mr. McCaslin noted part of the change recommended by the city attorney calls for the City of High Point to purchase properties that go through the full foreclosure process with Guilford County and if no one purchases the property at the end of the foreclosure, then the city is supposed to pick up the cost or purchase those properties from Guilford County based on back taxes (county and city) and some reasonable expenses that the County had to undergo in collection during the foreclosure process. He further advised that if Council does not agree to do that, then the rate will increase to .75%. He reported in discussions with Guilford County Tax Office, they

estimated this would be 15-30 properties a year; last year they had just under 20 with most of those being residential properties.

Council Member J. Davis asked if this was something new and asked if the City of High Point could afford to purchase this amount of properties. Mr. McCaslin noted it would have to happen one way or the other because if not, the County would charge the larger amount and this comes out to about \$100,000 a year which is about what the city would spend for these properties anyway. He explained this was in the prior contract, but the County did not really push it and they have not been real aggressive in collecting back taxes. They have since stepped up their efforts. Mayor Bencini asked if the rates were consistent with the other jurisdictions throughout the County; Mr. McCaslin advised this is what he has been told.

Adopted a Resolution authorizing the Mayor to execute an Interlocal Agreement with Guilford County for ad valorem tax listing and collection services for the period of July 1, 2016 - June 30, 2021.

A motion was made by Council Member J. Davis, seconded by Council Member Williams, that this Resolution be adopted. The motion PASSED by a 9-0 unanimous vote.

Resolution No. 1613/16-14

Introduced 5/2/2016; Adopted 5/2/2016

Resolution Book, Volume XIX, Page 84

160109

Contract Extension - Furniture Market Transportation Services

Council is requested to approve a year extension to the McLaurin Transportation and Parking Company for services associated with the biannual High Point Furniture Market. This extension will cover services through the Spring 2017 Market.

Mark McDonald, Director of Transportation, advised this is the final one-year contract extension for McLaurin Transportation Parking Services for Furniture Market transportation. This will cover the fall market and 2017 spring market. He noted later this summer, staff will begin preparing the scope and proposal documents to readvertise this later in the year in an effort to award/negotiate a new contract after the 2017 spring market.

Approved the one-year extension to the McLaurin Transportation and Parking Company for services associated with the biannual High Point Furniture Market to cover services through the 2017 Spring Furniture Market.

A motion was made by Council Member J. Davis, seconded by Council Member Hill, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.

160110

Budget Ordinance Amendment - Little Red School House Relocation Project.

Council is requested to adopt an ordinance amending the 2015-2016 budget to appropriate fund in the amount of \$47,875.00 to recognize the Historical Preservation Society funding for the Little Red Schoolhouse relocation project.

Eric Olemdo, Budget and Performance Manager, reported that the Little Red School House has been moved to the High Point Museum campus. He advised this project was the result of

an agreement between the City of High Point and the High Point Historical Society. The city allocated one-half of the funds and the Historical Society agreed to raise one-half of the funds. He explained this was acknowledging that the city did receive one-half of their portion (47,875). The revenue will be recognized with this action and the expenditures will be appropriated for Phase 1 of the project.

Adopted Ordinance amending the 2015-2016 budget to appropriate funding in the amount of \$47,875.00 to recognize the Historical Preservation Society's portion of the funding for the Little Red School House relocation project.

A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

Ordinance No: 7200/16-20

Introduced 5/2/2016; Adopted 5/2/2016

Ordinance Book, Volume XIX, Page 83

160111

Write-Off of Delinquent Utilities Accounts Receivables

Council is requested to authorize the Financial Services Director to write off delinquent utilities accounts receivables in the amount of \$618,098 for original billings from the fiscal year 2011-2012.

Jeff Moore, Director of Financial Services, reported these unpaid debts are no longer collectible, but this does not mean that the city will stop collection efforts. He explained at the conclusion of three years, for accounting purposes, only Council has the ability to write off amounts that are owed to the city. He pointed out this does not impact the budget in anyway and this requires action from the City Council to remove these debts from the city's utility accounts.

Council Member C. Davis inquired about the number of accounts and asked how Council could get access to the accounts that are delinquent. Jeff Moore, Director of Financial Services, explained the list is not available under access to public records because utility accounts are deemed to be personal/private information. However, staff did anticipate from the discussions last year, how much of this was commercial versus residential and he reported about 13% of this amount is commercial accounts (\$85,000). He noted the greatest majority of the \$618,000, about \$467,000 of it is electric revenue with the rest being smaller amounts spread across the utility funds.

Authorized the Financial Services Director to write off delinquent utilities accounts receivables in the amount of \$618,098 for original billings from the FY 2011-2012.

A motion was made by Council Member J. Davis, seconded by Council Member Ewing, that this matter be approved. The motion PASSED by a 9-0 unanimous vote.

160112 Write-off of Delinquent Miscellaneous Accounts Receivables

Council is requested to authorize the Financial Services Director to write-off delinquent miscellaneous accounts receivables in the amount of \$408,720 for prior year original billings through the fiscal year 2011-2012.

Jeff Moore, Director of Financial Services, advised this represents a significant staff effort over the last several years to get into the miscellaneous and other items. Having gone through the liens securing process and having done all that could be done to collect, staff has now determined these amounts have been determined to be uncollectible. He reported the biggest part of this relates to inspections/permitting/demolition; \$358,000 of this amount are demolition costs and the city does have liens against the properties for these, but for accounting purposes, staff is asking staff to go ahead and write these off.

Council Member J. Davis asked once these are written off, if the city would pursue trying to collect for the liens placed on the properties. City Manager Demko explained it is written off for accounting purposes, but remains as a lien and if paid, it is recognized as revenue coming back in. Council Member J. Davis asked staff about the process that would be used to follow up on the liens after ten years have passed. Mr. Moore noted the Accela software would help with the transition. Council Member C. Davis inquired about any additional avenues that the city can take to try to recoup these costs for the properties with liens and if the Interlocal Agreement would impact it. City Attorney JoAnne Carlyle explained that the city has begun conversations with Guilford County and she has been working with Deputy City Manager Randy McCaslin. She pointed out it is the city's desire to move on these properties. Mr. Demko noted the key to this is working with Guilford County to change the process to make it move faster.

Council Member Ewing asked staff about the percentage the city is typically able to collect when demolitions are done. Staff will check and bring the information back.

Authorized the Financial Services Director to write off delinquent miscellaneous accounts receivables in the amount of \$408,720 for the prior year original billings through FY 2011-2012.

A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this matter be approved. The motion PASSED by a 9-0 unanimous vote.

PLANNING & DEVELOPMENT COMMITTEE - Council Member Wagner, Chair

Members: Wagner, J. Davis, C. Davis and Williams

(All were present)

PUBLIC HEARINGS**160113 Resolution - High Point University - Street Abandonment 16-02**

A request by High Point University to abandon the eastern portion (approximately 72 feet) of the North Avenue right-of-way. The portion of North Avenue to be abandoned is lying west of N. Centennial Street.

Chairman Wagner reported that High Point University has requested a continuance of this public hearing regarding this matter and his preference is to wait to hear from the public when the public hearing is continued. Council Member C. Davis expressed concerns that there may be people present at tonight's meeting who may not be available to attend when it is continued.

Continued the public hearing for Street Abandonment 16-02 to Monday, June 20, 2016 at 5:30 p.m. as requested by High Point University.

A motion was made by Council Member Wagner, seconded by Council Member Hill, that this matter be continued to the June 20, 2016 City Council Meeting. The motion carried by the following 8-1 vote:

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member Alexander, and Council Member J. Davis

Nay (1): Council Member C. Davis

160114 Ordinance - 4008 Mendenhall Oaks, LLC - Annexation 16-01

A request by 4008 Mendenhall Oaks, LLC to consider a voluntary contiguous annexation of approximately 6.3 acres lying along the east side of Eastchester Drive, approximately 560 feet south of Mendenhall Oaks Parkway. The property is addressed as 2756 and 2760 N.C. Highway 68 and is also known as Guilford County Tax Parcels 0170008 and 0170009.

*The joint public hearing for this matter and related matters **160115 Plan Amendment 16-02** and **160116 Zoning Map Amendment 16-02** was held on Monday, May 2, 2016.*

Herb Shannon of Planning and Development explained that although staff would be jointly presenting these matters, each matter would require a separate vote.

Mr. Shannon provided an overview of the staff report for Annexation 16-01, which is hereby attached in Legistar as a permanent part of these proceedings.

Transcript

Herb Shannon: *Heidi Galanti and myself will be doing a joint presentation. I would remind the Council that you do need to vote on these items separately at the end of the presentation hearing.*

The subject site pertains to the next three items. This site is located along the east side of Eastchester Drive and lying along the north and southside of Mendenhall Oaks Parkway. Just to note, the site in question, you have this are that is cross-hatched and this parcel to the north that's kind of included in the plan amendment. The applicant is requesting these various amendments to annex the site, the land use plan and zoning, in order to develop a commercial node at this intersection that is intended to serve employees working in an abutting employment center in Piedmont Centre.

The first part of this request is an annexation. Everything that you see in this white area has been annexed and is part of the City of High Point. The area that you see highlighted in gray, that is the area that's under consideration for annexation. That property is not within the city. It's governed by Guilford County's jurisdiction. As part of the development of this site, the applicant is requesting annexation in order to have access to city utilities. With this site being surrounded by the High Point corporate limits, city utilities are already in this area. The service vehicles are already established in this area. Staff has noted that this will be a logical progression of the city's annexation policy for this location. Thus, there were no objections raised in the evaluation of this site as far as annexation as it is surrounded by the corporate limits.

Mayor Bencini: *Herb, can I interrupt just a brief question. The structure that is indicated on that section of unincorporated property, are they houses?*

Herb Shannon: *They are former single-family homes. They have been removed from the site. The only thing that's left is the foundation.*

Mayor Bencini: *Okay, there's really nothing there.*

Herb Shannon: *Any questions on the annexation portion of this request?*

I will now turn the plan amendment over to Ms. Heidi Galanti.

[end of the annexation portion of this transcript]

Adopted Ordinance annexing approximately 6.3 acres lying along the east side of Eastchester Drive, approximately 560 feet south of Mendenhall Oaks Parkway.

A motion was made by Council Member Wagner, seconded by Council Member J. Davis, that this Annexation Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

Ordinance No. 7201/16-21

Introduced 5/2/2016; Adopted 5/2/2016

Ordinance Book, Volume XIX, Page 84

160115 Resolution - 4008 Mendenhall Oaks, LLC. - Plan Amendment 16-02

A request by 4008 Mendenhall Oaks, LLC and the Planning & Development Department to change the Land Use Map classification for approximately 17 acres from the Restricted Industrial classification to the Local Convenience Commercial classification. The site is lying along the east side of Eastchester Drive, to the north and south of Mendenhall Oaks Parkway.

The joint public hearing for this matter and related matter **160114 Annexation 16-01** and **160116 Zoning Map Amendment 16-02** was held on Monday, May 2, 2016 at 5:30 p.m.

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

Transcript

Heidi Galanti: Mayor and Council Members, I am Heidi Galanti, Planning Administrator with the Planning & Development Department. I'm going to go over the Land Use Plan Amendment. The case, as Herb pointed out, is on the eastside of 68. Willard Dairy is here, Mendenhall Oaks and Premier Drive is down at the bottom of your screen.

Shown on the map you have two areas. The area in the black-hatched is what the applicant requested as a plan amendment and then the area in white is an area that staff added. When plan amendments come before staff, we analyze the areas and look for the most logical new boundary of a land use plan amendment and staff has added this area right here which is First Citizens Bank to the land use plan amendment. Existing land uses in the area.....as I said, this is First Citizen's Bank. This is another bank here. Here we have a business office building in here and the remaining parcels are undeveloped. Adjacent to the area to the north is undeveloped. To the east you have industrial and manufacturing uses. To the south is an office building right here and to the west you have mostly office and a few business service uses.

On the map, you can see restricted industrial is shown in purple and community regional is just off the bottom of your map and the green there is representing recreation and open space. The request is to amend the land use plan from restricted industrial to Local Convenience commercial to allow a mix of office and business service uses. The applicant has requested a land use plan amendment for an area consisting of six parcels, totaling approximately 12.8 acres. And as previously mentioned, staff has added the one additional parcel which makes it a total of 15.8 acres.

Policies related to this case, the restricted industrial land use classification is primarily intended to accommodate office, warehouse, distribution and assembly uses on larger sites. And the local convenience commercial classification includes moderate intensity convenience, retail or service uses generally serving local areas. This is within the Eastchester Scenic Corridor, which recommends limiting commercial/retail type uses to commercial nodes. The subject area consists of seven fairly small parcels that do and will continue to offer a mix of office and convenience service uses that support the business park and they are concentrated at the intersection on Eastchester and Mendenhall Oaks Parkway.

The four remaining undeveloped parcels could be an expansion of office and commercial service uses that will provide services to the adjacent business park. One of the main objectives of the Eastchester corridor plan was to prevent strip commercialization of the Eastchester corridor. The reason for this objective was to maintain the high functioning transportation corridor and to establish high quality development along one of the city's major gateways. The city has adopted policies to limit commercial land uses to well separated clusters. Based upon the existing commercial uses present within the subject area and proposed by the conditional zoning ordinance, the commercial land uses allowed will be those that provide services to the business park in the immediate area. Allowing a local convenience commercial classification will reflect the uses that have already been established and will enable limited amount of new commercial service uses along with the offices to develop. This change does not and should not encourage commercial uses found

and targeted in the city's adopted policies for the community regional commercial that you find to the south. Staff recommends approval of the land use plan amendment. The Planning & Zoning Commission met on March 22nd and recommended approval by a vote of 7-0. Do you have any questions of me before I turn it back to Herb?

Mayor Bencini: *Yes. Heidi, the bank that's in the white hatch-marked piece, how did that end up in restricted industrial?*

Heidi Galanti: *Well all of this is in restricted industrial. Banks are allowed by zoning.*

Mayor Bencini: *Okay, so why change the plan for that section?*

Heidi Galanti: *You've got a large cluster that's forming here and we feel like it's worth recognizing that it is a local convenience area serving that business park.*

Council Member Ewing: *My question to tie into the mayor's, just south you have similar uses. The parcel just south of the black hatched area is the Smith Leatherwood law firm and then you have a bank down at Premiere and 68 and another commercial convenience strip there with retail. I guess it's just at what point do you stop looking at changing the uses? Because those to the south at least to me would be reasonable to rezone the same as the First Citizens.*

Heidi Galanti: *I feel like....this is pretty much built out and this about half of it yet to be developed. The request, as you will hear from the applicant is to incorporate some retail uses on the front and some offices in the back. It's starting to really turn to a mix of office and retail versus more industrial complex.*

Mayor Bencini: *The retail area to the south, how far is that from the subject site? So really what you're saying is an expansion of the palladium area?*

Heidi Galanti: *No, that's exactly what I'm not saying. These are small business service type uses that are not a big palladium area, not a large movie theatre and large commercial. That is really solid commercial down there at the bottom. This is smaller type office and retail uses.*

Mayor Bencini: *But many of the uses would be the same as let's say the Penn Station facility. A sandwich there, a sandwich somewhere else.*

Heidi Galanti: *There may be some of that along the front. But not like the Palladium, not a huge commercial complex.*

Mayor Bencini: *I understand that, but just from a geographic proximity, it's almost adjacent to.....*

Heidi Galanti: *It is near it, but it is a step down in retail if you will. Any other questions?*

Council Member Wagner: *Anybody else? Thank you Ms. Galanti.*

[end of the Plan Amendment portion of this transcript]

Adopted the Resolution changing the Land Use Map classification for approximately 17 acres from the Restricted Industrial classification to the Local Convenience Commercial classification based on consistency with the City's adopted plans. Additionally, Council finds this action to be reasonable and in the public interest.

A motion was made by Council Member Alexander, seconded by Council Member Wagner, that this matter be adopted. The motion carried by the following 7-2 vote:

Aye (7): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, and Council Member Alexander

Nay (2): Council Member J. Davis, and Council Member C. Davis

Resolution No. 1614/16-15

Introduced 5/2/2016; Adopted 5/2/2016

Resolution Book, XIX, Page 85

160116 4008 Mendenhall Oaks, LLC - Zoning Map Amendment 16-02

A request by 4008 Mendenhall Oaks, LLC to rezone approximately 12.85 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, and a Conditional Use Light Industrial District to a Conditional Zoning General Business District (CZ-GB) District. The site is lying along the east side of Eastchester Drive and south of Mendenhall Oaks Parkway (2760 & 2756 NC 68 and 4006, 4008, 4010 & 4012 Mendenhall Oaks Parkway). Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

The joint public hearing for this matter and related matters **160114 Annexation 16-01, 160115 Plan Amendment 16-02** was held on Monday, May 2, 2016 at 5:30 p.m.

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

Transcript

Herb Shannon: *To facilitate the type of uses the applicant is proposing, they have submitted a zoning application to rezone this cross-hatched area to a Conditional Zoning General Business District. In conjunction with that zoning application, the applicant has submitted a conditional zoning ordinance which offers restrictions on the manner in which the site may be developed. They've offered to restrict higher intensity commercial uses, to prohibit automotive related commercial uses, limit access, and also to restrict the size of individual commercial uses. Additionally, the applicant has offered a proposal to reduce the setback standards along the Eastchester corridor. As part of the zoning review, the Development Ordinance does allow the applicant to request a reduction in lot size, setback standards, parking and landscaping standards; however, council is under no obligation to accept that reduction in standards.*

Specifically, the applicant is requesting setback along Eastchester Drive frontage to be reduced to 40 feet. The current requirements of the Eastchester scenic corridor requires a minimum 40 foot lot landscaping area. Parking must be set back at least 30 feet and a 75 foot building setback. The applicant has offered a proposal to reduce that setback to 40 feet with the condition that all parking placed to the rear or to the side of the building. There will be no parking to the front. That will be the only scenario where that reduction in setback would be permitted.

There's quite a bit of information in the analysis section. I'm just going to touch on some key items:

This area is intended to be a commercial node that will serve as a service related node for the employment center. It's not intended to be an expansion of the Palladium commercial development which is zoned Shopping Center about a half a mile to the south. To ensure that, the applicant has offered conditions where a lot of the higher intensity commercial uses are prohibited. They've also limited the size of the individual commercial uses to 5,000 square feet to ensure that those uses are service related serving that employment center.

To address any type of traffic impacts, the applicant has offered the condition that the site be restricted to one point of access to Eastchester Drive so as to not degrade that corridor and that access will most likely be along the southern boundary of the site. They would have integrated parking and circulation network that would tie all this area together so that traffic entering the site does have the ability to go through the northern portion of the site and have access to that traffic signal.

In this case, staff suggested approval of the applicant's request would be considered reasonable in the public interest. First, subject to approval of the LUPA, the request would be consistent with the LUP.

Two, the smallest size service related uses have been established to the north. As Heidi noted, the Penn Station development and the smaller banks.

Conditions offered by the applicant will ensure that the development will be a similar size and the conditions proposed for a reduction in the setback standards, staff has no objections to that based upon the condition that the parking be placed to the side and to the rear. And that's also a standard being considered under the new development ordinance.

Finally, the land use policies established by city council has discouraged piece mill commercial development along this corridor. The intent has been to focus commercial development at various nodes and this proposal is meeting that goal that has been established by council. Therefore, in regards to the zoning request, staff is recommending approval of this request for a conditional zoning general business district. This application was reviewed by the P & Z at their March 22nd public hearing and the commission recommended approval by a vote of 7-0. As always, council must place into the official record, a statement of consistency to these adopted plans and explain why the actions taken are considered reasonable. If Council desires to support this request, staff offers the reasonableness statement that is included in the staff report for your consideration.

Are there any questions on the annexation, plan amendment or rezoning?

Mayor Bencini: *Herb, the property to the west, on the west side of 68 where it says from restricted.....anyhow, just on the other side, so if we had a request to rezone that area to local convenience, there wouldn't be much of a reason not to grant that request.....*

Herb Shannon: *That would have to be considered on its own merits as it's submitted. I would note that there are some industrial uses on the backside of that one building. This is not purely an office use. There are some office and restaurant uses, but in the rear side they do have some industrial uses. But each case stands on its own merit and staff would make a recommendation to council for your consideration based upon the merits of one.*

Mayor Bencini: *By switching the white cross-hatched area from restricted industrial to local convenience, there wouldn't be much argument I wouldn't think against going for local convenience right across 68 from the white cross-hatched area.*

Herb Shannon: *any action that council takes would set policy and that would be something that would make it a strong consideration for that, if approved.*

Council Member Alexander: *Herb, we've spilled a lot of blood in this building. Working hard to maintain what is called a scenic corridor and for more than 20 years, we have insisted on maintaining a scenic corridor so that it doesn't look like some of our neighbors. Ready to toss that out? Because I'm not.*

Herb Shannon: *that would be a consideration for Council to deliberate on in making this recommendation and whatever decision council makes would either set new policy or reaffirm existing policy.*

Council Member Alexander: *I mean the ugliest thing there is going to the airport is the NAPA store that Greensboro stuck right out there on the corner. You have a beautiful scenic corridor for a lot of nice open grass, it gives you a nice feel about a community that's well planned and then you get to Greensboro and it's ugly from High Point city line on out to I-40, it's just an ugly development and from the HP city line coming all the way back into town, it's been a longstanding policy that we want an open corridor, green space, pleasant view. We talk about making our community more aesthetically pleasing, but this basically is going to make us look like Greensboro.*

Mayor Bencini: *Herb, it wasn't too long ago that we had a request, multiple requests by the folks where the driving range is for a local convenience retail and we said No. for the very same reasons that Latimer just pointed out. This is not that far south of that subject property.*

Herb Shannon: *That's correct.*

Chairman Wagner: *Any more questions for Mr. Shannon? [none] Okay, seeing none, is there a representative of Mendenhall Oaks, LLC here who would like to speak?*

Chuck Truby: *Good evening Mayor, Council. My name is Chuck Truby. I'm with CPT Engineering and Surveying, Inc. We're located at 4400 Tynning Street here in High Point. I represent Will Stevens who owns this building right here. Liberty Property Trust actually developed that building and Mr. Stevens bought it from Liberty. That's where the Penn Station Sub building is. He has since purchased this piece of property right here. He came to me and we done some site plans and some layouts of how this property could be developed. Based on the depth and things like that, it really doesn't lend itself to industrial warehousing space. So we tried to come up with something unique and something different where what we're proposing to do is develop this and actually tie this back into the existing drive that leads you out to Meeting House. If this piece of property was developed without this piece, the only access it would have would be directly to 68 and it would be a right-in, right-out only. So by putting these properties together and assembling these the way we have, we've created a way to get back to Meetinghouse and over to 68. So it's going to create a uniform development where if it were developed by itself it wouldn't be a uniform development.*

When we started looking at it, you know, it's all market driven and we don't really know if it will be retail or office. We're thinking probably medical office, possibly some retail, but when we were looking at what the property is zoned today, the LI zoning allows a lot of different retail type uses. It allows banks. It allows a lot of things, but some of the uses that we were looking at like florists and card shops, some of the smaller, more Lumina Station in Wilmington type village type store things aren't allowed in this zoning. So that kind of drove us to try to do more of a business zoning that would allow some of these more less intense retail uses. We're prohibiting any kind of drive-thru, so you don't have to worry about it being a fast food kind of development. We've limited the size of the individual spaces to 5,000 square feet maximum. So that cuts out any big box opportunities. So it really lends itself to a village type retail setting. I've got an illustrative.....do you guys have that on the screen?

If you look at this rendering right here, this is the existing building that has Penn Station in it and what we're proposing to do is to create kind of a more village type retail setting where we're going to push the buildings closer to the road. We're going to throw all the parking in behind it so that when you're driving down Eastchester, you're not going to see a bunch of cars parked out front, so it's going to look a lot different than some of the retail offices across the street. So we're doing something very unique here that's going to be really, really nice. I wish I could tell you some of the tenants we have, but right now we really don't have any. I think with the conditions that we put on this rezoning, I can assure you that it's going to be something nice and it's going to be something that doesn't look like HP Road in Greensboro.

Mayor Bencini: *Excuse me that's Gate City Boulevard.*

Chuck Truby: *I'm sorry. But that's why we're here and honestly, this rezoning only adds a few uses to what we're currently allowed to do. I mean we're really not asking for a whole lot here. But it will open it up to be more marketable and to make this project successful. So I just wanted to assure everybody that this is not going to be.....*

Council Member Alexander: But why do you need to encroach on the scenic corridors setback? Do you not have enough land?

Chuck Truby: No, what we're really doing is, right now, the way the scenic corridor is set up and it's a shame....and we've done a lot of projects along Wendover and Eastchester that have to abide by these rules. What it does is you can set your parking 40 feet off the row, okay. So what that encourages you to do...because you want to use every inch of land that you have available. What it encourages you to do is put your parking along the row and then because the building setback is 75 feet, by the time you put a 60 foot bay of parking and you set your building there, you're meeting your parking setback and you're still being able to use all that land. So the only difference that we're asking for here is instead of there being a 40 foot and a parking lot, we're saying we're going to still give you the same 40 foot that you would get, but instead of it being a parking lot, it's going to be a building.

Council Member C. Davis: I like that a lot better.

Chuck Truby: Okay. So what it's enabling us to do is.....wouldn't you rather look at a pretty building with landscaping and a sidewalk in front with the parking behind it versus parking in front? And that's what we're trying to do here. We're not reducing the amount of green space at all along Eastchester. It's going to be exactly what it is today, which is 40 feet.

Council Member Alexander: You're just putting the window sign advertising the retail business closer to the road.

Chuck Truby: Correct.

Council Member Alexander: Move it back.

Chuck Truby: Again, this is kind of... if you all want to do what they're doing in Charlotte and things like that, if you drive through Charlotte and you see the way their developments are, the buildings are all.....even down in South Park. All the buildings are up on the road and the parking is behind it. By making this change, that enables us to do this. And I feel very comfortable....you guys will be very pleased with what this is going to look like when it's built out.

Council Member Ewing: There's a section in Cornelius that is similar to this that has a strip. It's more appealing to see a well landscaped building façade than an empty or a full parking lot of cars. It provides more consistency and appeal.

Council Member Alexander: But you're just going to look at windows of marquis for sale. It's going to be 40 feet off the road and you're going to have a mattress, a cell phone, I mean it's inconsistent with the corridor that we currently have. It is a fundamental change in what we've done and for 25 years since Judy Mendenhall was Mayor and we started creating Piedmont Centre out there, the idea was to keep this as a green space corridor to cluster retail which we have in the Palladium and to keep this as an open space.

Council Member Ewing: How is a parking lot open space and green space?

Council Member Alexander: Like I say, it's a fundamental change to what you've done. If you want to make it, fine. But you know it is a....I mean we've had one developer after another after another wanting to encroach on that scenic corridor and we've held them off and we've seen good commercial growth out there. I mean it's a fundamental change. You might as well just give up on the corridor.

Chuck Truby: Just as an fyi, we have....and I don't know whether y'all have approved the new ordinance or not, but this option has been written into the new development ordinance that allows you to pull the building up to what the current planting yard is as long as you put your parking behind the building and that's actually....

Mayor Bencini: I don't think, Chuck, that covers the scenic corridor.

Chuck Truby: I'm sorry. I think it does. The language that we had put in the new ordinance regarding the placement of the buildings and the parking behind it....so it does.

Council Member Alexander: It supersedes the overlay?

Council Member C. Davis: I personally like it, Chuck.

Chairman Wagner: Does anyone have any more questions for the applicant because I'd like to open the floor. Before we get into our deliberations, let's hear from the public. I didn't see anyone on the list who signed up to speak on this matter. Is there anyone here from the public who would like to speak either for or against the annexation, land use plan or the proposed zoning amendment? [none]

Okay, I'm not seeing any then, so I'll **close the public hearing** and open the floor back up. I'll start by saying that I think that....I understand what Mr. Alexander is talking about and personally I think it's more scenic to see a nice looking building than a parking lot of cars. I think that this is a higher quality development. I understand that it's a little different than what we're doing, but the idea of pushing your buildings up to the front is sort of the new urbanism type of influence didn't exist 25 years ago. That's something that we're pushing in the core and I don't see any reason why we shouldn't do it out there. I really like the plan. I think it looks great. If it's 40 feet of landscaping, I think that's pretty scenic myself. Again, I'd rather see a building and I'd rather see some activity rather than 40 feet of a parking lot.

Council Member Alexander: But the pretty picture is illustrative.

Chairman Wagner: I understand that. I think if you compare this to what is immediately across the street where you have at least two rows of parking before the building, I think this looks a lot better than what we've already got there. And there's a sandwich shop and various other little commercial type activities in that building. If I had to choose between the two, I'd rather have this.

Mayor Bencini: Can we go back to the purple and green slide? I know these lines in the sand tend to change overtime, but I think we have the opportunity if we decide that this is okay I think we have the opportunity to draw another line in the sand and remove the white

hatched area from this change. Because, again, if you go on the other side of 68 to that corner there's a large lot over there and if you go a little farther north of there, you're at the driving range where there have been multiple petitions to put retail use in there and we've always said no because as Mr. Alexander pointed out, we're trying to protect this corridor. So I think we would be wise going forward if we eliminate the cross-hatched area from consideration in this plan. I know they can put a bank over there. I understand that, but the more intense retail uses they can't. I don't think there are a lot of retail uses that are going to be allowed under local convenience. So I'm just asking that we show a little bit of discipline and not open up the west side of 68.

Chairman Wagner: *Mr. Mayor, why don't we do this since we have to vote on these things separately since the first item is the annexation case, why don't we deal with them piece meal.*

I'm going to make a **MOTION FOR APPROVAL OF THE ANNEXATION CASE.**

Mayor Bencini: *We have a motion. Is there a second?*

Council Member J. Davis: **SECOND.**

Mayor Bencini: *We have a motion and a second. Any further discussion? [none] all those in favor, say Aye.*

Mayor Bencini; Mayor Pro Tem Golden; and Council Members C. Davis, Alexander, Williams, Hill, Wagner, J. Davis and Ewing: *Aye.*

Mayor Bencini: *That motion carries. [9-0 unanimous vote]*

Chairman Wagner: *Okay so that brings us to the Plan Amendment where I think we deal with the white cross-hatched area.*

Council Member Alexander: *I'll make a* **MOTION TO REMOVE THE WHITE CROSS-HATCHED AREA FROM THE CONSIDERATION AND JUST DEAL WITH THE SUBJECT PROPERTY WITHIN THE BLACK DOTTED LINE. APPROVAL OF THE LAND USE PLAN AMENDMENT WITH THE REMOVAL OF THE WHITE CROSS-HATCHED AREA.**

Council Member C. Davis: *There is a bank currently sitting there, right? And that's not considered restricted industrial is it?*

Mayor Bencini: *Yes, but banks are allowed.*

Chairman Wagner: **I'LL SECOND HIS MOTION.**

Council Member J. Davis: *So let's clarify what his motion is. The motion is to remove the white cross-hatched area?*

Chairman Wagner: *As I understand it, it is to approve the Land Use Plan Amendment, but leave out the white section.*

Council Member C. Davis: *That way if the bank becomes empty it can't have the local convenience.*

Council Member J. Davis: *I disagree with the argument about across the way because I know the property you're talking about. You know you're penalizing that one owner for that property and like Herb said, each time they have to do that on that development of that property.*

*So, I'd like to make a **SUBSTITUTE MOTION THAT WE KEEP THE WHITE HATCHED AREA IN THERE AND ACCEPT IT AS PRESENTED.***

Council Member C. Davis: *I'll **SECOND** that.*

Mayor Bencini: *We have a MOTION and a SECOND. Any further discussion?*

Council Member Hill: *I just want to clarify.....if it's approved it will include all the conditions that the applicant said they are willing to agree to.*

Council Member J. Davis: *No, that's the zoning.*

Council Member C. Davis: *I call the question please.*

Mayor Bencini: *All those in favor say Aye?*

Council Members J. Davis, C. Davis and Hill: *Aye:*

Mayor Bencini: *That motion **FAILS** 3-6.*

*Now back to the original **MOTION WHICH IS TO ADOPT THE LAND USE PLAN AMENDMENT, BUT ELIMINATE THE WHITE CROSS-HATCHED AREA.***

*All those in favor of the **original** motion?*

Mayor Bencini; Mayor Pro Tem Golden, and Council Members Williams, Hill, Wagner, and Ewing: *Aye.*

Mayor Bencini: *Those opposed?*

Council Members J. Davis and C. Davis: *No.*

Mayor Bencini: *The motion **CARRIES** by a 7-2 vote.*

Chairman Wagner: *The next item is ZONING PLAN AMENDMENT 16-02.*

Just to get the discussion rolling, **I'LL MAKE A MOTION FOR APPROVAL OF THAT ITEM AND STATE THAT IT IS IN CONFORMITY WITH ADOPTED PLANS AND IT IS REASONABLE IN THE PUBLIC INTEREST FOR THE REASONS THAT ARE STATED IN THE STAFF REPORT.**

Council Member C. Davis: SECOND.

Council Member J. Davis: I have a question. Is the motion with the setback of 40 foot or the 75?

Chairman Wagner: As presented.

Council Member J. Davis: Okay.

Mayor Bencini: We have a MOTION and a SECOND. All those in favor, say Aye.

Mayor Bencini; Mayor Pro Tem Golden, and Council Members C. Davis, Williams, Hill, Wagner, J. Davis and Ewing: Aye.

Mayor Bencini: Opposed?

Council Member Alexander: No.

Mayor Bencini: That motion CARRIES 8-1.

[end of the Zoning Map Amendment portion of this transcript]

Adopted Ordinance rezoning approximately 12.85 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, and a Conditional Use Light Industrial District to a Conditional Zoning General Business District (CZ-GB) District based upon consistency with the City's adopted plans and that this action is considered to be reasonable and in the public interest.

A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that Zoning Map Amendment 16-02 be adopted. The motion carried by the following 8-1 vote:

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member J. Davis, and Council Member C. Davis

Nay (1): Council Member Alexander

**Ordinance No. 7202/16-22
Introduced 5/2/2016; Adopted 5/2/2016
Ordinance Book Volume XIX, Page 85**

160117 Resolution - Redwolf Development Company, LLC. - Plan Amendment 15-06

A request by Redwolf Development Company, LLC to change the Land Use Map classification for approximately 8.7 acres from the Low Density Residential classification to the Moderate Density Residential classification. The site is lying along the east side of Penny Road, abutting the north side of Horney Road (2000 Penny Road).

Transcript

Chairman Wagner: *The next item on the agenda is the Redwolf Development Company, LLC. We have a plan amendment and a zoning map amendment.*

City Attorney JoAnne Carlyle: *Just trying to refresh your memory. The reason that this is coming back is they were entitled to be heard by a full council. They weren't allowed that opportunity prior when I asked that and then they came back and made that request.*

Andy Piper: *Andy Piper, a planner with the CHP. And like the previous one, this is a joint presentation of a land use plan amendment and zoning case. I'm going to talk about the plan amendment and herb will follow with the presentation on the zoning case. But again, each item should be vote don separately.*

To orient everyone, this site is located east of Penny Road and north of Horney Road. The site is currently undeveloped. To the north and to the east there is a single family subdivision development. To the south, we have three single-family homes, a church-which are all in the Guilford County jurisdiction and then we have Lawrence Elementary School located here which is in the city. Then across from Penny Road, you have an existing townhome development to the west.

The applicant is requesting that the land use map designation for this hatched area, approximately 8.7 acres be amended from Low Density Residential to a Moderate Density Residential which allows for residential development with densities from 5-8 dwelling units per acre. In evaluating the request, the Land Use Plan includes goals and objectives to provide a wide range of housing opportunities for a variety of price ranges and also promoting the efficient use of these land resources by promoting infill development where appropriate.

It also recommends that a transition of land uses be there where feasible. In addition, we look at the surrounding area to look at the types of patterns of development nearby and whether that means the proposed change is logical. While this current land use designation dates back to the mid-90s the area to the northeast is obviously already developed with single-family development. Areas to the northwest have developed with a higher density commercial and residential development to the area just out to the northwest. Therefore, when looking at this it does meet several goals and objectives of the relevant planning policies and is consistent with development pattern in the area. Therefore, staff recommends Land Use Plan Amendment 15-06 for approval.

The Planning & Zoning Commission previously looked at this back in January and they also voted for a recommendation for approval by a vote of 8-0. I can answer any questions you

have about the land use plan amendment part before I turn it over to Herb to talk about the zoning.

[end of transcript for Redwolf Plan Amendment 15-06]

Adopted Resolution changing the Land Use Map classification for approximately 8.7 acres from the Low Density Residential classification to the Moderate Density Residential classification based on consistency with the City's adopted plans. Additionally Council finds this action to be reasonable and in the public interest.

A motion was made by Council Member Wagner, seconded by Council Member Alexander, that this Land Use Plan Amendment be adopted. The motion PASSED by a 9-0 unanimous vote.

Resolution No. 1615/16-16

Introduced 5/2/2016; Adopted 5/2/2016

Resolution Book, XIX, Page 86

160118 Ordinance - Redwolf Development Company, LLC. - Zoning Map Amendment 15-19

A request by Redwolf Development Company, LLC to rezone approximately 8.7 acres from the Conditional Use Public & Institutional (CU-PI) District to the Conditional Zoning Residential Multifamily-8 (CZ RM-8) District. The site is lying along the east side of Penny Road, abutting the north side of Horney Road (2000 Penny Road).

The joint public hearing for this matter and related matter **160117 Plan Amendment 15-06** was held on Monday, May 2, 2016 at 5:30 p.m.

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

Transcript

Herb Shannon: *In regards to the zoning map the applicant submitted, the applicant is requesting this 8.7 acre parcel be rezoned to a Conditional Zoning Residential Multifamily-8 District. Currently the site has a zoning of conditional use public institutional. This was approved in 1990 and the uses of the property were restricted that the only allowable activity would be either a church or the site be developed for a daycare center. The applicant desires to develop residential uses on the property and has requested the RM-8 zoning. Along with their zoning application, they submitted a conditional zoning ordinance conditioning the manner in which the site may develop. They have noted in this conditional zoning ordinance that the only residential uses permitted will be single-family townhomes or twin homes. Apartment uses they have specifically noted as a prohibited use.*

Key items to point out from the staff analysis....one of the factors reviewed was compatibility and character of the surrounding area. The conditions offered by the applicant restrict the

type of residential uses to single-family, twin homes or townhomes and prohibiting apartment complex or multi-family condominium type complex would assure that development would be compatible with the surrounding area. They've also offered a condition limiting the building height to two stories to further ensure compatibility. This site does about single-family dwellings to the north and to the east. The Development Ordinance requires in such situations if a townhome or twin home development is developed, a Type C planting yard be installed. That planting yard is required to have an average width of 20 feet and would require 5 trees and 17 shrubs every 100 linear feet. This will also assist in ensuring compatibility with that abutting single-family neighborhood.

Based upon the zoning, the applicant is requesting the RM-8 District, a maximum of 69 residential units could be developed on this site. That number of units does not trigger the requirement for a TIA. The Transportation Department has noted that Horney Road must be improved to meet minimum right-of-way requirements of NCDOT and the applicant would be required to address that requirement of NCDOT.

Finally, the key item to note is there have been changes in this area. The Penny Road corridor has changed over the past 25 years. This used to be the outer limits of the northeastern of the city's planning area. Over the past 25 years, there has been substantial right-of-way and annexation. This area is now in the heart of that northeastern portion of the city's corporate limits. There have been multiple housing developments consisting of single-family twin homes and townhome development and within ¼ mile northeast of this site we do have the Wendover Landing which is commercial development where you have that recent Walmart grocery store and other surrounding commercial uses. So the character of this area has changed. Penny Road is a major thoroughfare. It's intended to handle higher loads of traffic that take traffic from Greensboro Road up to the Wendover/Eastchester corridor. The allowance of some infill and higher density uses are based upon the manner in which this corridor has developed over the past 20 years and would be consistent with what has happened in this area.

In this case, subject to the approval of the LUPA, staff is recommending approval of this request. The conditional zoning ordinance offered by the applicant does prohibit multi-family development of an apartment complex, limits building height and along with the landscaping standards in the Development Ordinance will assist in ensuring the development will be compatible with this area.

We also have noted that this request will promote orderly right-of-way pattern and one of the land use goals speaks to encouraging higher residential developments at appropriate locations, infill type development. Staff notes that this does assist in meeting that goal objective for the land use plan and staff is recommending approval of the requested rezoning.

This item also was reviewed by the P & Z Commission at their January 26th public hearing. The Commission recommended approval and that was subject to the applicant incorporating into their conditional zoning ordinance the recommendations from the Transportation Department memorandum dated January 15th. Those recommendations have been incorporated into the current conditional zoning ordinance. The applicant has added those recommendations of the Transportation. Also, when this item was reviewed in February previously, the city manager had offered a condition for your consideration as to the manner

in which that private drive would be constructed. The applicant has also included that condition in the conditional zoning ordinance. That is a brief summary of this request. Are there any questions of Andy or myself as far as the planning amendment or the zoning request?

Wagner: Thank you Mr. Shannon. Okay, the Council will not hear from the applicant.

Judy Stalder, 665 N. Main Street. Also here tonight with me are David Michaels, the developer of Redwolf Development Company and Homer Wade with Warren Wade Associates, partner and engineer. I want to thank you for taking another look at this development proposal so we could address your concerns and so that you're comfortable approving this request. I want to start out talking about why we want to put townhomes here. The obvious answer to that is that townhomes provide a transition between the single-family to the north and the more intense use of the church and the school to the south. That's just a planning answer. But there's more to it. This is infill development. Most of the large tracts in and around the city have already been developed and we're left with the more challenging properties. The challenges are odd shapes, topographic and utility easements. And I think we have all those here in this particular property. Developing townhomes here allows us some flexibility with the site layout in order to do a quality development here.

Additionally, there are younger buyers in the market these days that are looking for a product different from the traditional single-family. They want something with less upkeep. They want to be closer to their neighbors, have more social interaction where they live, they want to walk to the grocery store and run to the gym and they can do all of those things from this site.

The changes since last time....we have a site plan. Herb do you have that available? We have laid an illustrative site plan out on an aerial photograph to give you an idea of what this development will look like. The changes that we have made from the site plan that you saw last time were that the third connection on Horney Road has been pulled and that's to the east....has been pulled back to a cul-de-sac so we will discourage traffic from going further down Horney Road. Also the private driveways that were shown before have been removed and all townhomes will have access to the private drive in the interior. And the private drive cross section, thickness of that private drive will be the same as the public street so that it will withstand the same wear and tear as a public street.

Since most of the concerns we have heard are about transportation, we did a trip comparison chart and you may have seen that but I'm just going to summarize it for you. It was generated with numbers that we got from the DOT, but what it showed and it was almost a surprise to us as well, but developing 69 townhomes here generates about the same number of trips per day in peak hour trips as developing this in single-family at the same density as the adjacent neighborhoods. So 43 single-family homes would generate about the same traffic as 69 townhomes. How's that possible you say? Single-family homes are just that. They're family homes. Townhomes typically develop with professionals, singles, couples and active adults, which mean old people. But fewer people in general that live in each townhome. Particularly fewer children and fewer children mean fewer trips per day. You don't have the trips to and from school, to and from soccer practice, to and from dance lessons, piano, lacrosse, baseball. If you have children, you know what that is.

This property is currently zoned for daycare, so we looked at the number of trips per day that would be generated by a day care. One designed for 100 students would have a few more trips per day and higher trips during peak hours, but it would essentially be the same as 69 townhomes. Because it's such a large property, we expect that it would develop with more than just daycare, it could be daycare and church, which a church would generate about the same trips per day. So as currently zoned, it could end up generating quite a bit of traffic. My point in giving this summary is that by approving zoning for townhomes here, you're not approving a potential increase in traffic. You're just approving a chance for this property to develop.

Continuing with the transportation facts....there will be no access to Penny Road and we have dedicated right-of-way at the corner of Penny/Horney Road. And there will be no connections to the adjacent single-family neighborhoods. And while we're talking about that adjacent neighborhood, I want to point out the road design in that neighborhood. Bob if you could flip back to the....and then we'll come right back to that one. When you look at the way that neighborhood is laid out, it's very creative, but it's not conducive to cut-thru traffic. It would provide a passage from Penny Road to Wendover in an emergency, but I don't think anybody's going to try to navigate that neighborhood as a regular cut-thru.

Going back to there are no connections to that single-family neighborhood from this property and it's surrounded by the 20 foot planting yard. We're going to try to preserve the trees as much as possible. If you could switch back to the other map please. And we'll supplement where necessary to meet the 5 trees and 17 shrubs per 100 feet if necessary. Beyond this 20-foot planting yard, protecting that adjacent neighborhood, our trees that are already there and the common areas that are dedicated through their homeowner's association. Then to the far east, we're not going to cross that utility easement. Our water quality pond will be in that area, but we'll not have any buildings in that area. So we feel like the adjacent neighborhoods are well protected.

Council Member Alexander: *Judy, can I ask a question? And I guess TRC is going to deal with this, but you've got the interior road as it approaches the intersection of penny and Horney where you've just like a little three point turn in there..... Do you not think that they're going to make you put some kind of radius?*

So we canour garbage, recycling and all that can...

Mark McDonald: *It is designed to accommodate that turn-around.*

Judy Stalder: *Moving on to schools. We met with the principal at Florence and Donna Bell with Guilford County Schools and they did not see any negative impact with this development. They said that they have a 15-minute period in the mornings between 7:45 and 8:00 where there's some traffic that backs up onto Horney Road but it doesn't go out penny and they don't see it as a big problem.*

With Transportation's advice we've aligned the first entrance to this development with the school entrance to make sure that all traffic moves are predictable and safe. And as you know, the number of school aged children in townhomes is vastly different than the number in

single-family. They generate less than half of the amount of school aged children you would expect from single-family.

Stormwater has been mentioned as a concern and we will meet the requirements of the state and city with a water quality device that controls the run-off and the sediment. If you have any other questions about that, please ask Mr. Wade because I won't have the answers.

But in conclusion, we thank the planning department and the transportation staff for helping us provide you the best possible proposal here. Thank you, again, for listening to this one more time. I just want to say that townhomes are the right use for this property and approving the zoning will not increase the traffic potential, just will increase the potential for developing this property.

Chairman Wagner: *Anyone have any questions for Ms. Stalder? [none] Okay, thank you very much.*

Okay, my list shows one person signed up. Paul Shrill?

Paul Shrill: *I live at 3701 Tuxford which is the cul-de-sac that backs right up to the back there. I'll have to say that the first thingit's incorrect as far as the statement because anybody that lives in that subdivision knows that Windstream is famous for cars cutting through from Penny to Wendover. That's an issue that we live every morning. Anybody that lives in that neighborhood traffic cuts through. I mean it's kind of a common known thing. People in the neighborhood know about it and everybody else.*

Our biggest concern is the density of 69 . I think that's too ambitious. The illustration that was shown to us at the church at the very first meeting, some of the townhomes that are going to be backing up to the cul-de-sacs don't even have a patio. So they're building some with patios and a couple that are going to back up to our neighbors didn't even have a patio. So to me it's just kind of cramming a lot in there. I understand that they want to develop that land, but we just think that the density and what other people at the church and our neighborhood have talked about is that it is going to cause traffic issues and we just think it really needs to be considered for the whole neighborhood. So thanks.

Chairman Wagner: *Thank you. Is there anyone else here who would like to speak? Okay, please come forward and give us your name and address.*

Bruce Minor: *I live at 3789 Windstream Way. I guess I have similar concerns. Once the outline of these homes showed up on the graphic I was like you have just got to be kidding. I mean if you're talking about....If I look at the houses that I know that I can see that I can identify and thinking about the density, I don't feel like that is acceptable. I mean if you've got 69 homes and despite the fact that there aren't as many trips for mom and dad taxing, you've got young professionals that have working hours very similar to everyone else. 69 homes times two. 120 cars. 120 cars coming and going every day. And we desperately need a light at Abbewood, at the entrance of our subdivision...we need a light there once than anything. Yet they put one up there at the Dollar General and Walmart I'm sure because they had a lot more clout. But not to mention, too, it seems to me....I know you've tried to eliminate any cross-thru with park traffic from this new development adjacent to the*

north....my question would be at the very least I'm surprised that principal at Florence didn't lobby you for some sort of common area pathways that would at least make this more attractive to our community in terms of making it easier for our kids to walk to school. Right now I've walked my daughter to school a few times simply by walking her through the field that you showed there that is part of the Piedmont Natural Gas, but I'd never trust her to walk through there by herself. It's too much of a wooded area, too much things can happen. So it seems to me that it would have been a very smart way to sell this to us at least by showing some pathways whether paved or natural type walkways that could lead from our communities to the school. And I really don't think that making the entrance from Penny helps with the traffic flow. I mean yes it's great that they won't be able to go right out directly onto Penny, but the car rider line in the morning comes right out that little road then comes through there. So all these people trying to get out are going to be fighting with buses because that's also the bus road, Horney Road is also the bus Road and also every car rider....the way the school has it set up, every car rider that drops off down there has to come up and go right by the only outlet for that community. It's going to drive them crazy and it's going to drive us crazy. That to me is just way too dense. That's my thoughts. Thank you.

Chairman Wagner: I think I saw another hand. Please come forward and give us your name and address.

James Kea: 3808 Tutberry Drive. The rezoning of this property actually borders our property line and bottom line is that I don't have an issue with it. You can approve it and it be fine with me. People need homes. If there's a need, we should build it and we should provide it.

Laine Beacom, 3514 Park Hill Crossing Drive. I'm across the street. I look out my window and I can see the bus driver, okay? The last thing I want to do is see a stoplight. I have a hard time even trying to get out of my development getting onto Penny from Woodpark. So all these cars that that guy was talking about before, all these buses during school time. It's crazy. Traffic is ridiculous and I've actually cut out because there's three lanes, I cut out on the turning lane just so I can get out and make a left from Woodpark onto Penny going towards Wendover. It's already crazy so I don't see how the right-in, right-out for this development in there would make things much better. Thanks.

Bobby Capels: My name is Bobby Capels. My address is 3788 Windstream Way. I live just on the other side of that retention pond and I realize nobody wants the junkyard, city garbage dump across the street from their house. They'd rather have it on the other side of town across from somebody else's house. I realize that, but I don't care for a retention pond being there because it attracts the Canadian geese and if you go down Windstream a little further from where I live, there's a retention pond. The people that live there can't walk out to the mailbox without stepping into bird droppings from these geese. They're a real nuisance. And also when I looked at the number of townhomes they are going to put in there, if they were to cut that in half, it might make more sense because of the traffic. But that's a lot of people in one itty bitty area. If you go out there and look at it, you'll realize how small that really is. That is a small piece of property and like this other gentleman said some of those townhomes are so close to our development, they don't even have rooms to put patios on it. That's close. There's way too many homes in there. It needs to be reduced by half. If you look at our development compare the houses there compared to that little itty bitty piece of

property and how many homes they want to put in there. That's a significant amount of homes compared to what we have. I'd just prefer that it not be there.

Chairman Wagner: *Is there anyone else who would like to speak? Either for or against? Okay, one more.*

Jason Mikles: *Hello again. My name is Jason Mikles. I live at 3776 Windstream Way. I have a lot of the same concerns from the previous hearings. Most notably the traffic, concerns of property values dropping, marketability issues with those homes being right across the street from Florence. I feel like they'll have a hard time selling. Building in phases which means that the property would still be vacant or half built which would be an eyesore and no revenue for you guys. A significant loss of privacy for us all. I spoke at the last meeting that I was planning on building a screened porch, but with someone looking in my backyard I don't think we're going to do that now. Another thing is safety, ingress and egress going out of that development. The way it is for fire and safety, EMS. With the children being so close to the school. There's so many children at school there. With the new plan, I just see a mess there at the entrance. In morning, afternoon, rush hour. It's not only morning time traffic, it's 5:00-6:00. It's people coming out after work to go out. Nothing changes. You can redesign the configuration, but nothing has changed from our original topics of discussion the least time.*

You know we've had crime in our area. If those properties don't sell, potential for rental goes up and that's a concern. My home was broken into last year and vandalized. So those things, loss of trees, wildlife that's a concern. The drainage concerns that we spoke about earlier from the grading that may or may not happen. I don't know. But we are all concerned about that on that back right-of-way as well. You know, it's parking...you've got to cut through directly. I can see now where picking up your children instead of taking that left on Horney, you're going to circle around that development to get out to Penny because you're going to by-pass the other traffic. That's a potential concern for those people that live on that corner. That could be a big issue. It's the same thing that we addressed earlier. You can reconfigure it, but it's still the same issues, the same amount of cars, the same amount of traffic, the same safety issues, value issues. It's the same argument we had before. It's cramming too much development in that little area. It just really doesn't make sense. Thank you for your time.

Chairman Wagner: *Thank you Mr. Mikles. Okay. I'm going to close the public hearing and I believe you said we would have to handle these separately. So just to get things kicked off.*

I WILL MAKE A MOTION FOR APPROVAL OF PLAN AMENDMENT 15-06.

Council Member Alexander: **SECOND.**

Mayor Bencini: *We have a MOTION and a SECOND. All in favor, say Aye.*

Mayor Bencini; Mayor Pro Tem Golden; and Council Members C. Davis, Alexander, Williams, Hill, Wagner, J. Davis and Ewing: **Aye.**

Mayor Bencini: *The motion CARRIES. [9-0 unanimous vote]*

Okay, let's go to the ZONING MAP AMENDMENT 15-19

Chairman Wagner: **I'll make a MOTION FOR APPROVAL OF ZONING MAP AMENDMENT 15-19 AND STATE THAT IT IS CONSISTENT WITH ADOPTED PLANS AND THAT'S REASONABLE IN THE PUBLIC'S INTEREST FOR THE REASONS STATED IN THE STAFF REPORT.**

Council Member J. DAVIS: SECOND.

Mayor Bencini: *We have a MOTION and a SECOND. All in favor, say Aye.*

Mayor Bencini; Mayor Pro Tem Golden; and Council Members C. Davis, Alexander, Williams, Hill, Wagner, J. Davis and Ewing: Aye.

Mayor Bencini: *The motion CARRIES. [9-0 unanimous vote]*

Council Member Ewing: *Mr. Mayor I ask that we take a 5-minute recess while some of these folks empty out before hearing the next matter.*

[end of transcript for Zoning Map Amendment 15-19]

Adopted Ordinance rezoning approximately 8.7 acres from the Conditional Use Public & Institutional (CU-PI) District to the Conditional Zoning Residential Multifamily-8 (CZ RM-8) District based on consistency with the City's adopted plans and Council finds this action to be reasonable and in the public interest.

A motion was made by Council Member Wagner, seconded by Council Member J. Davis, that this Zoning Map Amendment be adopted. The motion PASSED by a 9-0 unanimous vote.

**Ordinance No. 7203/16-23
Introduced 5/2/2016; Adopted 5/2/2016
Ordinance Book Volume XIX, Page 86**

160119 Ordinance - Wynnefield Properties, Inc. - Zoning Map Amendment 16-05

A request by Wynnefield Properties, Inc. to rezone approximately 7.85 acres from a Conditional Use Planned Unit Development-Residential (PDR) District to a Conditional Zoning Residential Multifamily-18 (CZ RM-18) District. The site is lying north of W. Hartley Drive and west of Ingleside Drive (700 W. Hartley).

The public hearing for this matter was held on Monday, May 2, 2016.

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

Transcript

Chairman Wagner: This item is the zoning map amendment 16-05 Wynnefield Properties. Herb are you up for this one?

Herb Shannon: This is a request from Wynnefield Properties. The land area associated with this request is approximately 7.8 acres lying along the north side of W. Hartley Drive and west of Ingleside Drive. Just to note where we're at. This is West Hartley. This is Ingleside and the area that's cross-hatched is the 7.8 acres that's under consideration. This site currently has a zoning designation of planned unit development residential. This is part of the Avalon subdivision. When it was granted zoning approval, this portion of the development was granted approval for multi-family development up to 45 units. The applicant submitted this amendment to increase the density upon this site to allow up to 84 dwelling units.

The land use plan classifies this property as moderate density residential, which is intended to allow a variety of attached and detached residential developments. This portion of the city has been identified for multi-family uses since 1985. That multi-family designation was carried forward in the 1992 and 2000 updates of the land use plan. Bob, if you can bring up the next map please.

This is the city's land use plan. The area that is highlighted with yellow is slated for low-density residential up to 5 units per acre. The area in the orange is moderate density residential and the area in the darker is higher density residential. As I noted, this classification has been on the land use map for over 20 years.

This request for higher density is not introducing a new use in this area, multi-family uses are already permitted in this site. This one allows for a larger density. And as you can see, starting from the Main Street corridor you have the area in red designated for commercial. As you travel along this corridor, the bulk of that corridor is slated for higher intensity uses and that has been on the land use plan for several years. The applicant has requested conditional zoning RM-18 for this site in order to allow up to 84 dwelling units. With their application, they have included a conditional zoning ordinance that placed conditions on the manner in which the site may be developed.

First, they propose to limit development to 84 dwelling units. They propose a requirement that building heights be limited to 50 feet. That is the same height as permitted for the abutting single-family dwellings. They've also offered a requirement that where the site abuts residential uses to the north and to the east that a minimum 30-foot building setback required and that a Type B planting yard be installed, which requires 8 trees and 25 shrubs every 100 linear feet. To further assure compatibility, they have noted that any planting that is installed will consist of at least 50% evergreen planting species and they have restricted this site to only one access point to W. Hartley Drive.

There's a lot of information in the analysis. I'm going to touch on the key items.

First, consistency with the land use plan and that the request is consistent with the development pattern in this area. As you can see from the land use plan, the land use plan

that's been adopted by the city council does support higher intensity development and there are existing multi-family developments along this corridor. Directly next to the site, there's the Hartley Square development. That was approved in 1995 and that permitted multi-family development on the north and south side of Hartley Drive. Only the north side has developed. You also have the Franklin Ridge development and the Fox Hollow development. As you go further along the corridor, along Wendover there's a combination of townhomes and single-family development.

The applicant's proposal for 84 units per acre and our development ordinance looks at gross density of the entire site. That equates to 10.7 units per acre. That is similar to other developments in this area. The adjacent Hartley Square development has 60 units. They have a density of 16 units per acre. The Franklin Ridge Apartment complex has 48 units based on this five acres and it has a density of 9 units per acre. The Fox Hollow apartment complex has 184 units on 14 acres; that's a density of 13 units per acre. Thus this proposal of 10.7 is consistent with the land use pattern that has been established in this area.

The next point I want to touch on is mitigating any impacts. The conditions offered by the applicant for a higher planting yard, having the same building heights as a single-family home as allowed in the abutting single-family development will assist in assuring the development is compatible with adjacent uses. They've also offered a condition that any dumpsters that are placed on this site will serve the multi-family development be set back at least 100 feet from any abutting residential use and have offered to restrict the site to one point of access to Hartley Drive. Based on the current amount of frontage, two access points could be permitted based upon the driveway ordinance. They've noted that they are going to restrict it to just one point of access along Hartley and that will be a right-in, right-out.

Finally, the western portion of the site has quite a few environmental constraints. There are two streams that bisect this portion of this site and as part of the construction of the Hartley Drive extension, a wetland mitigation area has been established on that portion of this site. Thus, the development regulations has stream buffer requirements. You have to stay out of that mitigation area. Thus, the development will be focused on the eastern portion of the property.

The final item I wanted to touch on is changes to the area. In the 1980s when the land use plan first looked at multi-family uses for this area that was slated on the land use plan, this was a somewhat rural area. It was on the western edge of the city limits. Since then, there has been quite a bit of development. The city limits have been expanded westward approximately a mile and a half all the way out to Horneytown Road and there have been multiple single-family/townhomes and multi-family developments in this area.

The key concern that was looked at previously in the 1990s as this area started to develop was access. The Hartley Drive proposal has been on the books since the late 1990s although it was just recently constructed. The concern at that time was there was only one way in and out. Traffic had to weave along Ingleside through this residential neighborhood even going up Ingleside to N. Main or Ingleside to Westover to get to N. Main. Now that Hartley Drive extension has been completed, you have a four-lane divided major thoroughfare that provides direct access to the N. Main Street corridor.

So you're not limited to one way in and one way out. Now that that road has been completed, this site is at the intersection of a collector street, Ingleside and major thoroughfare, staff is of the opinion that it would be appropriate to consider some higher density uses in this area as you're not restricted to one way in and out that forces you to go through that residential neighborhood along Westover Drive.

In this case, staff suggests approval of this request is reasonable in the public interest as it is generally consistent with the land use plan. It is located at the intersection of a major thoroughfare and a collector street. The request promotes an orderly right-of-way pattern as encouraged by the land use plan and it encourages higher residential densities at an appropriate location. Based upon the conditions offered by the applicant and the development pattern that's been established in this area, staff is recommending approval. This item was reviewed by the Planning & Zoning Commission at their March 22nd public hearing. This request is being forwarded to the City Council with an unfavorable recommendation from the Planning & Zoning Commission. Thus, it requires a two-thirds majority or at least six votes for approval. As always, we have in our staff report a reasonable and public interest statement for councils consideration that you can use, or you can adopt your own statement.

One final item, questions have been raised at the last public hearing as to traffic impact and criminal activities in the area. If you have specific questions on those issues, the transportation director and the chief of police are available to address those. That is a summary of the zoning request. Are there any questions?

Chairman Wagner: *Mr. Shannon, I have a couple of questions. The first one was....you stated that when this was initially approved, it was part of the Avalon development.*

Herb Shannon: *The Avalon subdivision is directly to the south. I believe that gained zoning approval in 2002. The southern portion was approved for higher density single-family on smaller lots (5,000 sq. ft. lots). This northern section was approved for multi-family as permitted under the RM-8 district.*

Chairman Wagner: *What was the reason why the density was limited to 45. Do you know?*

Herb Shannon: *At that time, we did not have the Hartley Drive improvements completed. So traffic was forced and had no other option but to go up Ingleside along Westover.*

Chairman Wagner: *Okay. Then my second question, could you give me some insight what the thinking of the P & Z was in denying the request?*

Herb Shannon: *In making their recommendation, they did not place into the public record any official findings. Staff did include in the forwarding memo a summary of comments made by the public. The Commission did not place anything in the record of their concerns.*

Chairman Wagner: *Do you think now would be the right opportunity to ask transportation questions? Okay, I noticed in here with the site plan, Mark or Bob, do you have the plan? Or at least that little drawing. Why were they not required to connect to the stub street in that subdivision to the north?*

Mark McDonald: *compatibility of the land use between the multi-family and single-family. They were willing to just take access from Hartley and from Ingleside.*

Chairman Wagner: *Okay, that was my only question for you. Does anybody else have any transportation questions while he's up here?*

Council Member Alexander: *I know we talked about this a long time ago. I'm concerned about the setback distance of the driveway to the lower right from the intersection. That looks kind of tight in there. I thought they were going to try to and buy that little triangular shaped wedge in there.*

Mark McDonald: *We would certainly like for that space to be greater, but it does meet the setback requirement in the driveway ordinance. Just barely but it does.*

Council Member Alexander: *Well it's hard really to see the scale. How far is that?*

Mark McDonald: *I'm guessing it's probably around 100-110 feet.*

Council member Alexander: *Okay so about 5 cars.*

Chairman Wagner: *Any other questions for Mr. McDonald? [none] Okay, thank you. We'll hear from the applicant now.*

Craig Stone: *My name is Craig Stone with Wynnefield Properties, President. Thank you Councilman Wagner and the rest of Council for your time this evening. I am here to speak positively in favor of this request and ask that council accept staff's recommendation. We are requesting to rezone from PDR to CZ RM-18 of the proposed 7.85 acres. There have been a number of questions and there are some folks who are here tonight to speak, so I want to present myself to answer any questions. In the staff report, there were a couple of questions that came up related to density traffic and crime. I would note that this request is consistent, according to staff's report, with the intent of having moderately high density residential development in this area. It also meets several of the goals of the land use plan that encourages high residential densities at appropriate locations. Traffic at this time....there's no traffic impact analysis that was required with the 84 units. I think our trip count does not trigger that, but as you know if we were successful to move forward, we would move through the municipal permitting process and would go through TRC and all of the things including the drive access to Ingleside would be reviewed at that time and it would certainly be up to municipal staff and the approval process for those types of items.*

Crime....I will note that we are the developer of this particular entity. We are the builder of this particular and the managing agent of this particular entity and personally I'll be signing more than 30 years of guarantees. We have other successful developments that we've worked with in city partnerships over the course of years. We have not noticed a significant increase with our management practices of crime in our properties. We do move towards eviction if there is any instances. I'm not sure if the police or anyone else could speak to that. That's certainly our position and our state concerning that. If there are any questions, I'd like to present myself.

Council Member Alexander: *You've got several properties. I'm thinking of two right across the street from each other that are out in the Ward 6 area. Tell us.....I know you're not bound by this, but what will your population there look like? I know your other properties have some seniors. You have some folks who have handicapped issues and that kind of thing. What will.....should this be approved, what would your tenants look like?*

Craig Stone: *We do have two properties on Admiral Drive and it would be a family property more appropriate to Addington that we just opened up. We had approximately 1,000 people that have called and applied for 58 units of housing, so it's a very diverse background of folks. Commonly tax credit housing is called workforce housing, so you have a lot of cases of folks that are first year janitors, folks in those types of jobs that are the workforce backbone of society. So without really getting to a specific person, it's a wide range of folks that are in our society and need housing.*

Council Member Alexander: *Well If you had 1,000 applicants for 58....*

Craig Stone: *Now not all of those would be approved and we stopped the application process at 250 because we just didn't want to take application fees and those types of things for only 58 units.*

Council Member Alexander: *You were able to be very selective?*

Craig Stone: *We certainly adhere to all Fair Housing standards and processes that go through with any type of housing. We are a private company with a private lease and have credit, criminal and all kinds of background checks that are pretty significant in nature.*

Council Member Wagner: *Are there any other questions for Mr. Stone? [none] Okay, seeing none, thank you Mr. Stone.*

Before we open up the hearing, I know that we have a lot of people that want to speak on this. I'm going to call the names as they were listed on here. I would ask just in the interest in keeping things moving, if you're here representing a group, it would be a good idea if you have one person speak for your group and maybe you can all stand if you're all in agreement. But I'd like to keep things moving. The first person on the list is Sandra Dill.

Sandra Dill: *I'm Sandra Dill. 815 Hartley Hill Court, High Point, NC and I represent the Avalon Homeowner's Association, which is directly across the street from there. Mike and Judy Menzel have agreed to let me use their three minutes also because I have a prepared speech.*

I gathered my information from the City of High Point's Planning & Development Department's staff report. First off, according to their report, the site is about 7.85 acres but the builder may only use the eastern 2/3 of the site because of environmental constraints and the open space program. There are two perennial streams that bisect the western portion of the site and converge at a wetland mitigation/permanent conservation easement area that has been established as part of the W. Hartley Drive Extension project. Therefore only leaving

5.88 acres to be developed. The entire property is currently zoned for 45 units, but the developer wants to build 84 units while only being able to use 2/3 of the property.

Second, no traffic study was done, but according to the report, the transportation conditions are for access only: one point of access shall be permitted to W. Hartley Drive. This shall be a right turn in, right turn out access meaning when you leave that property, if you look at that picture, you turn right towards Westover. Hartley was put in to take traffic off of Westover. The report states it will have direct access to N. Main Street. This is not true as Westover is the opposite direction from Main Street. Therefore, when you turn right out of the property you will have to do a U-turn where it turns into a one-lane road at Shadow Valley to go back to Main Street or you'll have to turn right onto Westover and that's the whole reason Hartley was put in.

There is a second driveway in and out of the site as you can see here on Ingleside, but from what was said by the DOT, there is a dispute as to exactly where the property line is. But currently according to the plan only two or three cars are going to be able to sit at that light waiting to turn left to go to Main Street, or they can turn left out of that property and go up Ingleside, back to Westover and turn right to go to Main Street. Again, Hartley was put in to take the traffic off of Westover.

Three, according to the report, the traffic counts as of 2014 were on W. Hartley, 7,681 average daily trips and on Ingleside, it was 1,744. Wynnefield wants to build 84 units with two parking spots per unit potentially adding 168 vehicles making trips out of the property daily. Most of which will be doing U-turns or using Westover.

Four, according to the report, High Point Central is currently over capacity and Hartley Ridge is projected to add 11 or 12 more students. This is on top of the students at Kirkwood Crossing which the City Council already approved this same developer to build less than two miles from this property. Kirkwood Crossing approved for \$2,000,000 to build 58 units. This is 84 for \$694,000. It was brought up at the zoning meeting that there are no current plans to add onto High Point Central.

In closing, Mr. Stone was asked in that meeting if he would build less than 84 units and he stated, and I quote: "this is an investment and we won't build if it's less than 84 units." Well, this isn't just an investment to the people that have bought property in this section of High Point. This is our homes. Our families. Our community and we respectfully ask City Council to deny this request. Just because the property fits HUD's requirements doesn't mean that it fits the current community. The Mayor stated earlier this evening that he doesn't want another big box store in High Point, but if he did allow another big box store to be built in High Point, you bet this developer would try to put low income housing next to it because it meets HUD requirements. It's not fair to say that you don't want another big box store in this community, but by God we're going to put that low income housing there because there happens to already be a big box. Thank you. [applause]

MayorBencini: As a disclaimer, I didn't say anything about big boxes. I don't know where that came from.

Council Member J. Davis: *The 32 people that stood up, are you all in opposition to this? Do you all live in the same community, or different communities?*

Chairman Wagner: *Okay, there's a lot of other names on here. I have a Clifton Scott.*

Clifton Scott: *I'm Clifton Scott. I'm President of the Avalon Homeowner's Association. The big turnout that we had here, I actually personally walked to every home in our neighborhood as well as some of the other neighborhoods and knocked on doors. I spoke to about 75% and about 100% of everyone I spoke to are in opposition. There were a few that's really not aware of the situation that's going on. She pretty much covered all the points that I had. I just want to be the voice for the others that couldn't make it. 100% of the people that I spoke to are pretty much in opposition.*

The other thing I want to address is we bought up the Eastchester Corridor scenic view. This new Hartley Drive through here is actually a very scenic view. I do know that the YMCA and other local communities use it for bike events, walking events. A lot of the people from the gym actually exercise through there, walk through there. The increase in traffic I think will be a big issue with some of the events that we do have in there. In the last six months, we've had two biking events through there where the city actually provided police to kind of coordinate the traffic through there so those bikers could go from the Y out into the county and do their whatever mile access they do. Again, Ms. Dill spoke pretty much of all the talking points, but I just want to be the voice for the other persons that couldn't be here. [applause]

Vivian Ellis: *I'm Vivian Ellis. I live at 2479 Ingleside Drive. My husband own that house as well as 2477 Ingleside Drive. My daughter and her husband and her autistic non-verbal son live in that home that belongs to us next door. My concern is low income housing and the riff-raff that we might have to contend with. We already have an apartment complex right in my backyard and we have concerns/issues with that daily. They cut throughout properties. We have had to....some of our neighbors have had to install fences to keep the people from cutting through. We've even had fences installed on common property to keep those people out. They have torn those fences up. If we put another low income housing development in that area, it's just going to cause those people to come together and they're going to commence in our area and in our neighborhood and for the sake of all the residents as well as my grandson, I don't want to see that happen and put him in any kind of jeopardy. Thank you. [applause]*

Chairman Wagner: *The next person on the list is a Robert Alexander. Is he still here?*

Robert Alexander: *My name is Robert Alexander. I live at 2491 Ingleside Drive High Point, 27265. My concern is that my wife and I moved in approximately 10 years ago. We moved into that neighborhood because we thought it was a nice neighborhood and that's where we retired, both of us, and we wanted to spend the rest of our days here. But then when I heard about this, I said same thing. We moved down from New York and came here and thought things would be a little better. Now we've got people coming in and the problem is with low income and so forth, if that's the case like I heard was announced, there's going to be different people that's going to move into the area. So with different people moving into the area, you've got all different personalities, different people that work certain places. Some*

people might not even work at all, but they have some kind of assistance where they can afford to pay for a place to live. But my wife and I are concerned with, if that's the case what's going to happen if those people start to filter out....and say there's a dog some place and they see some food over here so now they say we're going to spread from this area and go over here. Somebody might say, I live in this area, but it looks like it might be convenient for me to stretch over into this neighborhood and maybe I can find some things that I can use. So we're concerned with really is that everyone needs some place to live. They need a place to live to live out their days, but yet you want to be safe in your neighborhood. Where it is now, I'm not safe really because even like it was mentioned, the apartment complex there, I have to have locks on my doors. I've got to have an alarm. The same things I was doing in New York. I had the locks on my doors, bars on my doors and so forth just to keep people out that doesn't live there. Really, I'm just voicing my opinion. I'm against it because I know what can happen. We think it's a good idea, but once it happens then we say we made a mistake and it's too late and that's what we're trying to avoid. Thank you very much. [applause]

Chairman Wagner: The next person on the list, I can't read their name, but their address is 820 Hartley Hill.

Gary Price: My name is Gary Price. I live at 820 Hartley Hill Ct. The main point that I would like to bring up is that this very type of development has already been brought forth to City Council. And the City Council voted at that point, and I quote Ms. Davis said this is not appropriate for this place. Where was that? Well you see the box marked CU-RM-12? Just caddy-cornered across Hartley. If it was not right then, why is it right now? You have a very diverse community in Avalon that you can see. We keep mentioning low income, no this is workforce housing. I get that. Everybody needs a place to live. We all have to wear clothes, eat and sleep and have a place to do it. However the impact of this does exactly what you don't want it to do. I don't want to repeat anybody else's comments. Just one last time, if it wasn't right then, why is it right now? [applause]

Chairman Wagner: I don't have anyone else that has signed up. Is there anyone with a burning desire to come forth? Okay.

Mary Palmer, 790 Avalon Springs Court. And I just want to say, just to piggyback what everyone else said. This is our home and as Council was speaking of Mendenhall Oaks which is an industrial and retail space, this is our home and we take great pride in it and we do have a diverse community. We are in here in opposition to this because we don't want the value of our homes to go down. We do know that at some point, this area probably will have to be developed but we don't want it to be developed in a negative way with low income. He already stated the size is going to double from 45 to 89 units and he's saying that he doesn't think that it'll be any impact on traffic or people which we know is just ludicrous because 250 some people already trying to come and use that space or some and live there is just going to, I think, negatively impact our home and where we live. I'm a single mom and I work for the sheriff's office so again, that's a concern also is safety and I want to make sure that our community is safe and stays in the condition that it is in. [applause]

Chairman Wagner: Thank you very much. Okay. I'm going to go ahead and close the public hearing. I'll open the floor to the councilmen for comments. I'll start out by saying

that I'm not going to support this request. I think the biggest issue for me is that I think that when the folks in Avalon bought their property, this piece of property was approved as part of that. And they knew at least constructively should have known that there would be 45 multi-family units there, but I don't think they planned on there being 84 there. I just think....I would agree actually with what Mr. Price said. I didn't support it when it came two years ago when it was at that site south of Hartley and I don't really see the difference this time. So I won't be supporting the request.

City Attorney Carlyle: *If I could. I just need to remind you, in light of the comments that we have heard from the citizens, I just have to remind Council that you cannot take into consideration that affordable housing played a role in your decision. That's not to infer that your decision is in any way, shape, or form.....*

Chairman Wagner: *Well, mine's based on density. My main objection is due to the density and another objection I have really is the driveway onto Hartley. You don't have any driveway cuts really when you get west of the YMCA, you don't have any driveway cuts all the way out into Davidson County. And Mr. McDonald, isn't it kind of our policy to sort of limit driveway cuts where we can?*

Mark McDonald: *We limit them per the policy and our driveway ordinance. We have no restrictions beyond what the driveway ordinance says you can have.*

Mayor Bencini: *so it's not protected that way?*

Mark McDonald: *it's not protected like Eastchester or Wendover.*

Council Member J. Davis: *Mr. Chairman, since we're talking transportation, can I ask him a question?*

Chairman Wagner: *Yes, the floor is open.*

Council Member J. Davis: *This site, if I'm not mistaken is up on a hill. It's kind of hilly terrain. The driveway cut on to Hartley, would that not be a visibility issue trying to get in and out because of the lay of that land? Because I thought about that earlier.*

Mark McDonald: *That's something that would be reviewed at TRC when we actually see a site plan and see how it would be brought up and what the site triangles would be there.*

Chairman Wagner: *Okay, the floor is open for a motion. I'm not supporting it so I'm not going to make a motion to approve.*

City Attorney Carlyle: *As a reminder, this does require a two-thirds majority vote.*

Council Member Alexander: **I'LL MAKE A MOTION TO APPROVE ZONING MAP AMENDMENT 16-05 CITING STAFF'S REPORT.**

Mayor Bencini: *We have a MOTION. Is there a SECOND?*

Mayor Pro Tem Golden: *SECOND.*

Mayor Bencini: *Any further discussion? [none] All those in favor, say Aye.*

Mayor Bencini; Mayor Pro Tem Golden; and Council Member Williams, Hill, J. Davis and Ewing: *Aye.*

Mayor Bencini: *Opposed?*

Council Members Wagner, J. Davis and C. Davis: *No.*

Mayor Bencini: *That motion CARRIES 6-3.*

[end of transcript for Zoning Map Amendment 16-05]

Adopted Ordinance rezoning approximately 7.85 acres from a Conditional Use Planned Unit Development-Residential (PDR) District to a Conditional Zoning Residential Multifamily-18 (CZ RM- 18) District.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Golden, that this matter be adopted. The motion carried by the following 6-3 vote:

Aye (6): Council Member Hill, Council Member Williams, Council Member Ewing, Mayor Pro Tem Golden, Mayor Bencini, and Council Member Alexander

Nay (3): Council Member Wagner, Council Member J. Davis, and Council Member C. Davis

Ordinance No. 7204/16-24

Introduced 5/2/2016; Adopted 5/2/2016

Ordinance Book Volume XIX, Page 87

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Mayor Pro Tem Golden, Chair

160120 Adoption of the 2016-2017 Annual Action Plan

A public hearing was held on Monday, April 4, 2016 at 5:30 p.m. for the purpose of receiving public comments on the Community Development and Housing Department's 2016-17 Annual Action Plan. Council is requested to approve the final document as submitted by staff and authorize the appropriate city official to execute the appropriate documents and submit to the Department of Housing and Urban Development (HUD).

Mike McNair, Director of Community Development & Housing, briefly reviewed the presentation on the 2016-2017 Annual Action Plan that was presented to Council at the last meeting.

Council Member C. Davis asked how many properties the city has for sale in the Southside neighborhood. Mr. McNair replied there are six.

Mr. McNair reported on the affordable housing side, all those programs are focused on creating housing, improving existing housing or providing access to housing. He mentioned the Core City Homebuyer's incentive program, which is starting to take off. He reported they just had their fifth closing and noted the State would be coming to High Point to talk about the new down payment assistance program. Council Member C. Davis asked if the five applicants that have already been cleared to move through the process for the 7,500 in assistance if they were also able to take advantage of the \$15,000 in assistance that the State is offering. Mr. McNair noted that the State's program ran out of money in February or March, so it was not available.

Mr. McNair noted his department would continue to look for partnerships that would allow them to be more effective with the resources. He pointed out the Annual Action Plan has met all the necessary requirements and once approved by the City Council, staff would forward it to HUD for their approval.

Approved the 2016-2017 Annual Action Plan and authorized the appropriate city official to execute the appropriate documents for submission to the Department of Housing and Urban Development (HUD).

A motion was made by Council Member J. Davis, seconded by Council Member Alexander, to approve the 2016-2017 Annual Action Plan and authorize the appropriate city official to execute the appropriate documents for submittal to HUD. The motion PASSED by a 9-0 unanimous vote.

GENERAL BUSINESS AGENDA

160124 Proposed Amendment - Guilford County Economic Development Alliance (GCEDA) Contract

The Guilford County Economic Development Alliance (GCEDA) is requesting that City Council approve a proposed amendment to the GCEDA contract and authorize the mayor to execute the contract for the City of High Point.

Transcript

Mayor Bencini: *Mayor Pro Tem Jeff Golden and I attended the recent GCEDA meeting and were somewhat surprised to find an amendment waiting on us. An amendment proposed by the City Council of Greensboro in regards to the governance. You know there's kind of a dual board. There's the main board and then there's the business advisory committee. The Business Advisory Council has 12 members and for some reason after I don't know, how long has it been a couple of years since we've been talking about this, the City of Greensboro decided that we needed to have a few more people on the Business Advisory Council taking that number from 12 to 18. So you have in your packet the amendment as it's being proposed. My personal feeling is that it's not really necessary, but I voted in favor of sending it along to the individual's jurisdictions just out of respect for the concept of jurisdictional cooperation.*

Council Member J. Davis: *Mr. Mayor, you know I was involved in that from the very beginning. Me and you had some friendly discussions about High Point losing its autonomy to Greensboro. It seems like what I'm seeing, to me Greensboro is in the driver's seat on this thing. They're pushing all this stuff. Like I've noticed that the meetings are held in Greensboro. They're not held in High Point.*

Mayor Bencini: *They're not held in Greensboro to be honest with you. They're held at the airport and at GTCC campus. It does take time to get there.*

Again, things have been going very well and I, quite honestly, thought it might be a little premature to consider changes in the governance structure.

Council Member J. Davis: *Well that's kind of what I'm thinking. Would it hurt anything if we told Greensboro that we want to....I'd like to know why they felt 18 was a better number than 12.*

Council Member Wagner: *Yeah, what's the rationale for that?*

Mayor Pro Tem Golden: *They didn't think 18 was a better number, what they wanted to do is diversity the people that was on there. They said initially when they looked at the make-up of it, it was all white males. Then when they brought the alternates in, it added three minorities to the list but they wanted to diversity it even more.*

Council Member J. Davis: *Yeah, but who selected all white males to begin with?*

Council Member Ewing: *if you look at the make-up of both groups. The Business Advisory Council right now you've got 5 appointed by the Greensboro Partnership and 5 appointed by the EDC. The way it's proposed is the jurisdictions would each get two, which means Guilford County and Greensboro could overload and have a higher Greensboro....*

Mayor Bencini: *If I say anything wrong Loren, the step in. But this a Business Advisory Council that doesn't really have any authority. Again, they have, I guess jurisdictional issues or political issues within the City Council and they decided to come back and sort of nit-pick this thing at the very end.*

Council Member J. Davis: *I, for one, am kind of excited that Greensboro and High Point are working together in a relationship that I have seen that Loren and Brent have, but I'm very cautious about giving Greensboro and I guess it goes back to the animosity that Greensboro and H has had all these years. I'm somewhat skeptical.*

Council Member Ewing: *To me it's not so much Greensboro versus High Point. Right now, the appointees are controlled by the entities, nor the jurisdictions. Keeping politics sort of out of it. You enter 6 more appointees which are appointed. Two by Guilford County, High Point and Greensboro, and then you interject a whole different dynamic. I think what's been successful thus far is the fact that between Brent and Loren, there's a great synergy there between the two entities without too much jurisdictional influence.*

Council Member J. Davis: Well one of my concerns and I brought this up early on was when GC made their appointees, would GC make their appointees outside of Greensboro. Would it come from Summerfield, would it come from some of the other cities. But what we're getting is Greensboro,. So we're loading it up with people in Greensboro.

Mayor Bencini: Again, we're not talking about the main governance board. We're talking about the Business Advisory Council.

Council Member C. Davis: I think we need to go back and look at the BA appointments and maybe make some modifications there if we want some diversity.

Mayor Bencini: I don't disagree. That was my point to them. You know Greensboro pick who you want, GC picks and HP picks. To me the biggest problem is it looks like a solution in want of a problem. I mean it's not going badly so why are we fiddling around with it at this point.

Council Member Wagner: Everybody has to agree to the amendment, right?

Mayor Bencini: Right and just for disclosure, the representative from GC, Chairman Jeff Phillips, voted against taking it back. Maybe I should have too, but I was....

Council Member Wagner: Have Greensboro and Guilford County already approved this?

Mayor Bencini: I don't think Greensboro and Guilford County either one have voted on it yet.

Mayor Pro Tem Golden: All municipalities will be hearing it this week. They are hearing it just like we're hearing it. But it was brought to the table by Greensboro.

Mayor Bencini: Hold on. Loren do you want to say something?

Loren Hill: It's on the Greensboro agenda for tomorrow night and Guilford County Commissioners agenda on Thursday night.

Mayor Bencini: We're not under any obligation to do this okay?

Council Member Alexander: We're so early into this. I would say let a year pass by and see if there are any issues. At this point in time, I see.....I mean everybody's free to make an appointment of who they want and if they made appointments of who they want and they looked around the room and they said oh, we need more diversity, then you know physician heal yourself.

Council Member Ewing: I MOVE TO DECLINE THE PROPOSED AMENDMENT.

Council Member Alexander: I'LL SECOND THAT.

The motion CARRIED by a 9-0 unanimous vote.

[end of transcript- GCEDA]

A motion was made by Council Member Ewing, seconded by Council Member Alexander, that this Amendment to the Guilford County Economic Development Alliance contract be denied. The motion PASSED by a 9-0 unanimous vote.

160121 Minutes to Be Approved

- Special Meeting (Retreat); Tuesday, March 22nd @ 8:30 a.m.
- Special Meeting (Closed Sessions); Monday, April 4th @ 3:00 p.m.
- Regular Council Meeting; Monday, April 4th @ 5:30 p.m.
- Prosperity & Livability Committee Meeting; April 6th @ 9:00 a.m.
- Manager's Briefing Session; April 7th @ 3:00 p.m.
- Community Housing & Neighborhood Development Committee; April 13th @ 1:00 p.m.
- Finance Committee Meeting; April 27th @ 4:00 p.m.

The preceding minutes were unanimously approved as submitted upon motion by Council Member Ewing and second by Council Member Wagner. [9-0 vote]

160122 Appointment - Citizens Advisory Council

Council is requested to confirm the appointment of Donnie Wicker to the Citizens Advisory Council as Council Member Williams (Ward 2) appointment. Appointment will be effective immediately and will expire 5/31/2018.

Approved the appointment of Donnie Wicker to the Citizen's Advisory Council.

A motion was made by Council Member Williams, seconded by Council Member Alexander, that this appointment be approved. The motion PASSED by a 9-0 unanimous vote.

160123 Proposed 2016-2017 City of High Point Annual Budget - Establish Public Hearing Date

Council is requested to establish the date of Monday, May 16, 2016 at 5:30 p.m. to receive public comments on the proposed 2016-2017 City of High Point Annual Budget.

A motion was made by Council Member Alexander, seconded by Council Member Williams, that this matter be approved. The motion PASSED by a 9-0 unanimous vote.

150270 Boards and Commissions - Vacancy Report

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

Note: This information is included for informational purposes only.

CLOSED SESSION

At 8:42 p.m., Council Member Alexander moved to go into Closed Session pursuant to N.C. General Statute 143-318.11(a)(4) to discuss proposed economic development

projects. Council Member Ewing made a second to the motion, which carried by a 9-0 unanimous vote.

Upon convening into open session at 9:06, Mayor Bencini announced there would be no action taken as a result of the Closed Session.

ADJOURNMENT

Upon motion duly made and seconded, the meeting adjourned at 9:06 p.m.

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Request to Retire and Sale K-9 Sable

From: Kenneth J. Shultz, Chief of Police

Meeting Date: May 16, 2016

Public Hearing: N/A

**Advertising Date /
Advertised By:** N/A

Attachments: Resolution

PURPOSE:

The Police Department is requesting consideration for approval to retire (declare surplus) Police K-9 Sable.

BACKGROUND:

Canine Sable is a multi-function (narcotics detection, tracking, search and apprehension), Belgium Malinois who was donated to the High Point Police Department in September, 2013. She is currently 4 ½ years old. Recent performance concerns were noted in regards to her failing to engage with suspects. This issue creates an officer safety problem and is a severe performance failure. Police K-9 Trainers have evaluated the canine and have declared her unfit for duty. Further testing resulted in them determining that she cannot be retrained.

BUDGET IMPACT:

K-9 Sable, was originally donated to the High Point Police Department. As a result of her inability to perform, the Police Department will be required to purchase a replacement canine. The expense of the new purchase is expected to be \$8,000.00 and consideration for this purchase is included in our current budget proposal (FY 2016/2017).

RECOMMENDATION / ACTION REQUESTED:

The Police Department requests that K-9 Sable be declared surplus property and that we be allowed to retire her to Major Kenneth Steele who will purchase her and assume all responsibility and liability for her upkeep.

RESOLUTION AUTHORIZING THE SALE OF
RETIRED K-9 SABLE

WHEREAS, the City Council for the City of High Point finds that Police K-9 Sable can no longer perform as required for her job and has received recommendation from the High Point Police Department K9 Supervisor that Sable be retired; and

WHEREAS, N.C.G.S. 160A-266(d) permits the City Council to authorize the disposition of personal property that is without value; and

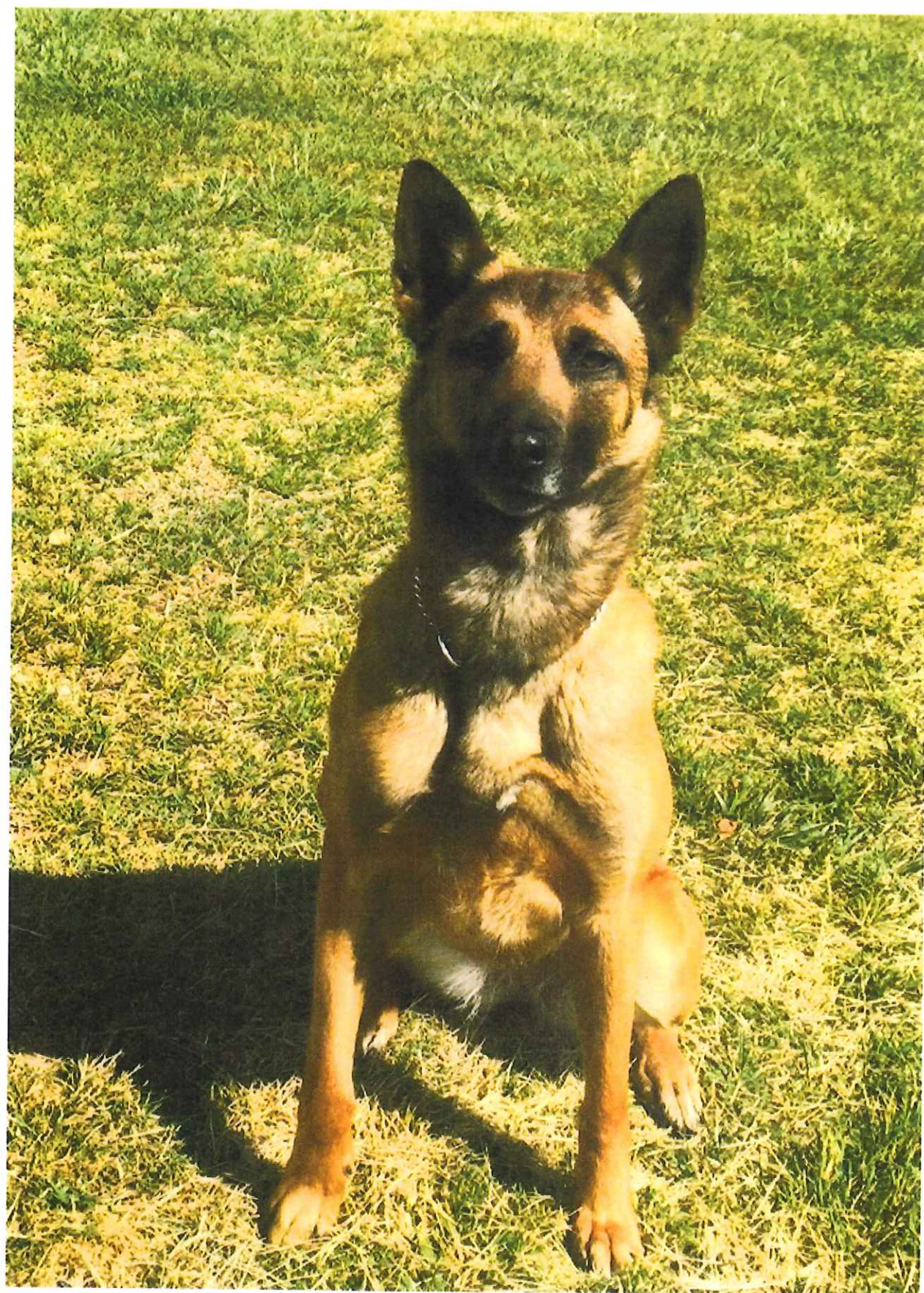
WHEREAS, Major Ken Steele has agreed to purchase retired K-9 Sable from the City of High Point in the amount of \$1.00 and upon accepting custody of the dog will assume all liability and responsibility for the care of the animal for the remainder of its life.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of High Point authorizes the purchase of K-9 Sable by Major Ken Steele for the amount of \$1.00 effective _____, 2016.

Adopted: _____

Lisa Vierling, MMC
City Clerk

Mayor William Bencini





Planning & Development Committee

Chaired by Council Member Wagner

Members: Wagner, C. Davis, J. Davis, and Golden

3rd Floor Lobby Conference Room

May 3, 2016 – 4:00 p.m.

MEETING MINUTES

Present:

Committee Chair Jay Wagner, and Committee Members Cynthia Davis, Jeff Golden, and Jim Davis

Staff Present:

Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Lee Burnette, Director of Planning and Development; Heidi Galanti, Planning Administrator; Andy Putman, Senior Planner; Herb Shannon, Senior Planner; Jeron Hollis, Director of Communications & Public Engagement; Lisa Vierling, City Clerk

Others Present:

Mike Peters and Eric Stacey, Fairway Advertising

Note: The following handouts were distributed at the meeting and will be attached as a permanent part of these proceedings.

Outdoor Advertising Information

- Map: Outdoor Advertising Inventory Map
- Map: Potential Outdoor Advertising Locations #1
- Map: Potential Outdoor Advertising Locations #2

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

Lee Burnette, Director of Planning and Development, shared some information on outdoor advertising signs. He provided some background on the past history on this issue. At the direction of the prior Council, staff conducted some research on outdoor advertising and looked at what the city's regulations were. Staff is asking for the present Council's direction for feedback based upon the work that staff has done. The report was presented to the prior Council and included regulations (both federal, city and state) for outdoor advertising; looked at adopted city policy and did some comparisons with some other cities in terms of how they regulate

outdoor advertising. Staff also did an inventory of existing signs as part of the study. Currently there are approximately 41 signs in the city's jurisdiction (both legal and non-conforming). Mr. Burnette noted based on this report, the city sign standards have been fairly consistent over the last 25 years. The city started regulating outdoor advertising in 1947 and since 1976 outdoor advertising signs had been allowed by zoning only in the industrial areas in the city. He pointed out the 41 signs are primarily in the southern portion of the city, as well as in the ETJ.

Mr. Burnette pointed out Fairway Advertising is the majority owner of advertising signs and noted one thing to keep in mind was that outdoor advertising signage is regulated by the Federal Highway Beautification Act and controls outdoor advertising signs that are located within 660 feet of a primary highway.

Mr. Burnette reported on the prior Council's direction for staff to look at the potential of allowing outdoor advertising signs on Interstate 74/US 311, Business 85 and Highway 29, as well as in the Central Business District. They asked staff to explore a system that would incentivize the removal of the older signs, which is often referred to as a cap and replace type approach. In this approach, staff has looked at the potential along I-74 and B-85. He pointed out whether or not there was a potential was a concern. Staff focused on the commercial/industrial zones because of the federal act requirements and applied the existing sign separation standards. Mr. Burnette reminded the Committee that there were no changes for the sign regulations with the new Development Ordinance moving forward.

Council Member J. Davis inquired about the number of the non-conforming signs. Mr. Burnette advised there are five legal signs and of the other 41, 36 are non-conforming (i.e. may be in the right zone, but may be too tall or too big). At this time, Mr. Burnette asked Andy Putman to proceed with the potential along the interstates for relocation of signs.

Andy Putman of Planning and Development reviewed the maps looking more at the potential signs. He reiterated that staff looked at existing areas along the interstate and the Central Business District as well. To the north, the blue lines indicate the study corridor (500 feet on each side of the centerline of the road) and the potential locations are delineated in the green. He explained the cap and replace is based upon the idea to set a limit and setting a ratio for removing non-conforming signs. For every new sign that would be replaced, a certain number would be determined. The concept is to replace non-conforming signs with new conforming signs.

He reported on the various kinds of signs (i.e. static, digital) and noted that staff desires to get feedback from Council as to what types of signs they want to allow. He pointed out currently digital signs are not allowed. Staff focused on where the receiving zones are for the cap and replace (where the new signs would be allowed). He noted the question is where Council would want to do this. Staff looked at the 1,000 foot corridor along Business-85 as well as the I-74 and US 311 corridors. He reiterated that the Highway Beautification Act limitations that only allow these signs in commercial or industrial zoned areas and pointed out zoning just for the purpose of adding a sign is prohibited; it would have to be a validly zoned area. He reiterated the boundary of the receiving zone basically looks at a 2,000 foot separation distance between signs (larger circles) and a 300 foot separation from residential zones (smaller circles). According to this

analysis, Mr. Piper estimated the city could have seven additional signs on US 311 and 10-15 new signs on Business-85 depending on the number of non-conforming signs were removed. This equates to the potential of 17-22 new signs if this is the direction that Council wants to proceed with.

Mr. Burnette explained this was the first objective staff wanted to explore to see if it would be feasible to continue looking at the interstates. If so, utilizing the current standards if signage could be regulated. He again pointed out that staff is seeking direction from the Committee to focus on the two interstate areas (Business-85 and I-74, as well as the Downtown area) and to look at these as the receiving zones for any kind of cap and replace approach to signage.

Committee Member J. Davis inquired about what the neighbors were doing (from Highway 66 to Winston Salem and from I-85 to Asheboro). He noted he drove this stretch today and did not recall seeing any billboards anywhere in this vicinity. Mr. Burnette pointed out this would be mostly Randolph County and he was not familiar with their regulations, but staff could certainly explore and see what Randolph and Forsyth County's regulations are. He explained staff primarily looked at city regulations. Eric Stacey with Fairway reported that Forsyth County does not allow these in about 15 scenic corridors, and 311 to the county line is one of those. Mike Peters with Fairway pointed out that Randolph County actually does the reverse on their regulations and they actually require the signs to be included as part of the rezoning process.

Assistant City Manager asked if there was a reason why Council would want to put the billboards downtown. Mr. Wagner explained the previous Council discussed the electronic signs and not the static signs. He noted the thought was that so many of the market companies throw up all kinds of advertising during the Furniture Market and there was a desire to clean this up by having an electronic sign. Mr. Burnette replied that there was discussion on this, but there was no clarification and staff needs clarification on whether or not there is a desire to have digital signs in the downtown.

Mr. Burnette explained there is an ordinance in place that allows the signs, but for a temporary period of time. So if Council is willing to change this part of the ordinance, to remove the temporary signs and encourage the permanent signage. Committee Member J. Davis recalled prior discussions that indicated Council wanted to get all the old billboards down in the areas where the industry is not there any longer and to clean up those areas too (removing a certain number and replacing it with a specific number of signs). Mr. Burnette reiterated there wasn't a lot of clear consensus and staff wants to validate this step by step in detail before approaching any regulations. Committee Member J. Davis expressed an interest in getting policies on the surrounding areas and the scenic corridor.

Chairman Wagner mentioned the impetus at that time was a push from CVB and others to allow more signage on the two main highways in an effort to try to get people to come into town and this was the impetus behind that. Committee Member C. Davis pointed out the Wendover area was supposed to be a test site. Mr. Stacey commented at one point he thought there was some talk about N. Main where Wendover and 68 come together. Mr. Burnette advised that Dan O'Shea presented this information to Council which resulted in a lot of discussion and the consensus was to look at the Business-85, I-74 and Downtown areas. Committee Member J.

Davis remembered that they decided against Main Street and Eastchester. Chairman Wagner pointed out there was also a thought that having electronic signs downtown would put more life into the downtown.

Mr. Burnette noted the first question has to do with the cap and replace and asked the Committee if this is the concept in looking at an approach that would identify the receiving zone and look at identifying signs that aren't in the receiving zone and remove them from those locations. He explained there would be some kind of ratio established for this for removal of the old signs to erect the new signs. Chairman Wagner suggested a cap and replace ratio of 2 to 1, but reiterated that he would like to see what the surrounding jurisdictions are doing. He also shared he likes the idea of having electronic signs downtown if it can be done as part of cleaning up some of the temporary signs during the Furniture Market. Committee Member C. Davis preferred a 4 to 1 ration rather than the 2 to 1 because there are eight rotations.

Committee Member J. Davis asked if an objective was to replace the static billboards with digital billboards. Mr. Burnette asked if the interest was just in the downtown for digital and not other places. There were no objections from the Committee to with the digital signs. Mr. Burnette then asked if the Committee wants to look only at digital and no static signs. Committee Member J. Davis felt this would be up to the sign company. Mr. Peters replied that both types of signs are nice and have their own set of attributes, but from an advertising perspective or interest from local businesses they like both. He pointed out the goal, too, is to clean up some of the areas. Mr. Stacey advised that the digital signs are costly and it would have to make sense. He suggested 2 for 1 for the static signs and explained part of this as far as marketability and the interest of advertising is location. Chairman Wagner inquired about outside companies that would like to put up a sign, but does not have anything to replace. Mr. Burnette explained they would have to negotiate with the other companies to acquire a location. Committee Member C. Davis noted the distance between each sign would reduce the numbers no matter who comes into town.

Deputy City Manager McCaslin asked about height restrictions. Mr. Burnette explained there are typically height restrictions, size standards, etc.... and noted location, types of signs was really a policy issue for Council to determine. Committee Member J. Davis asked Assistant City Manager Hemann to elaborate on what Salisbury did regarding signs. Mr. Hemann explained they worked to remove the signs in the downtown and on one particular corridor that would be equivalent to our Business-85 corridor. They cleaned up the entryway (landscaped with public art) and everything from the exit going into downtown Salisbury which was about a mile and a half, they amortized them, paid for them and removed them overtime. They also changed the sign ordinance to require smaller signs. He expressed concerns about the digital signs for the downtown High Point area would be that the signs would stay dark 50 weeks a year and it would look worse than the ones up now because they can at least be seen. He also expressed concerns that if people are allowed to cover up side windows, it could hamper future development. He noted that High Point is unique and felt the locations would need to be carefully decided and stressed the entryways do need to be protected. Committee Member C. Davis felt there were ways to utilize the digital signs in the off months to the city's benefit and depending on the placement, it could work to the city's advantage.

Chairman Wagner asked if there were any studies that show that people are excited about driving through scenic corridors on the way into a city because he has never understood the fascination of driving down the street and looking at trees in corporate parks. Mr. Hemann offered to provide before and after pictures of the corridor he mentioned earlier. Mr. Burnette explained the reasons cities look at gateways, entryways and corridors is because you're going to the place and you know that you have arrived and jurisdictions do look at these things. Committee Member C. Davis felt the city has an opportunity and suggested the distance could be determined and used as a safety net in anticipation of any future changes of success.

Mr. Burnette reiterated that staff would like to get some feedback as to if this is the right approach and wanted to validate if this Council was on board with these areas, receiving zones. **Chairman Wagner stated he liked where staff was going before and would like to see some sort of proposal for cap and replace and liked the 4 to 1 for digital and 2 to 1 for static signs. He also liked the idea of doing digital downtown if it is going to allow clean-up of a lot of the temporary signage and review the regulations of the other jurisdictions for 74/85.**

Mr. Burnette explained the size of the signs could be regulated as well as the design, but not the content. Heidi Galanti with Planning and Development asked if the idea is to direct people to High Point or somewhere down the road. Mr. Stacey explained it could be both. Committee Member C. Davis felt four of the eight should direct people to High Point. Ms. Galanti reiterated that the content cannot be regulated.

Committee Member C. Davis asked for an explanation of static versus digital and which companies are better suited for static versus digital. Mr. Stacey explained that a static billboard is usually used for one thought, one idea, one message. He noted that the digital is the growth of the industry and widely accepted across all communities, but from an advertiser's perspective the digital allows you to tell a better story because the message can be changed quickly and easily. He pointed out another part would be to look at on-premise and off-premise because of the different zoning regulations for both. He shared that High Point is important to Fairway in the Triad area and they hoped to be part of the decision and part of the community.

There being no further discussion regarding this matter, Mr. Burnette indicated that staff has what is needed at this point as far as direction in how to move forward.

Update- Street Abandonment Project

Herb Shannon with Planning & Development provided an update on the Street Abandonment Project that started in 2007. He shared a map of the streets that were identified for abandonment. The Technical Review Committee identified streets that were potentially eligible for abandonment. TRC reviewed these and ranked them.

- 392 right-of-ways identified for potential abandonment
- 213 of these have been abandoned over the last 9 years
- 19 moderate ones left with access issues
- 100 difficult ones left (can't be abandoned due to land locking property)
- 47 deemed to remain open due to public interest

Mr. Shannon reported that about 54% of those right-of-ways identified were abandoned, which equates to 13.2 miles and 58 acres of area that is now back on the tax rolls. He advised that staff would continue evaluating the remaining right-of-ways.

Staff will bring something back to the Committee for consideration at next month's meeting.

Temporary Sign @ Church

Committee Member C. Davis brought a request to staff regarding a church that wanted to put up a temporary sign for fundraising purposes to show the progress. She explained they would like to raise money for a community center on a vacant piece of property that is adjacent to the church that belongs to the church. Mr. Burnette asked that the name and location of the church be sent to him so staff could check into it.

There being no further business, the meeting adjourned at 5:00 p.m. upon motion duly made and seconded.

Respectfully submitted,

Lisa B. Vierling, MMC
City Clerk

Jay Wagner, Chairman

CITY OF HIGH POINT

AGENDA ITEM



Title: Sole Source Contract -15 kV Underground Switches

From: Garey S. Edwards, Electric Utilities Director

Meeting Date: May 16, 2016

Public Hearing: N/A

Advertising Date /

Advertised By: N/A

Attachments: Sole Source Form
Trayer Quote

PURPOSE:

To provide underground pad mount switches for the North Main project and to replace warehouse stock.

BACKGROUND:

In the past four to five years, the City has requested bids for underground switches from up to six different suppliers. Trayer has been the only responsive bidder. For various reasons, other competitors have declined to bid.

The Electric Department is recommending the sole source purchase from Trayer as the price they have quoted is the same price they have quoted since 2013. A secondary consequence is that we have several of these units presently on the system and this would aid in some standardization of switching within the City.

BUDGET IMPACT:

Funds are included in the 2015-16 budget to cover this expense.

RECOMMENDATION / ACTION REQUESTED:

City Council is requested to approve the purchase of six (6) switches from **Trayer Engineering** for the total price of **\$119,448.00** and authorize the appropriate city official to execute all necessary documents.



FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL

DEPARTMENT: ELECTRIC

COUNCIL AGENDA DATE: 05/04/2016

BID NO.: PO# 89155 CONTRACT NO.: DATE OPENED: 05/04/2016

DESCRIPTION:

PADMOUNT SWITCHGEAR - WHS # 11284 (6 UNITS)

PURPOSE:

COMMENTS:

RECOMMEND AWARD TO: TRAYER ENGINEERING AMOUNT: \$119,448.00

JUSTIFICATION:

Stock replenishment. Trayer is the only manufacturer and distributor for this switchgear. The city requires this switchgear to be Trayer Only. Substitutions are not allowed for the sake of standardization with the City's existing electrical system.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
631783	529182			\$119,448.00
TOTAL BUDGETED AMOUNT				\$119,448.00

DEPARTMENT HEAD: Garey S Edwards Digitally signed by Garey S Edwards
DN: cn=Garey S Edwards, o=City of High Point, ou=Electric,
email=garey.edwards@highpointnc.gov, c=US
Date: 2016.05.04 16:56:34 -0400 DATE:

The Purchasing Division concurs with recommendation submitted by the Electrical Division and recommends
award to the lowest responsible, responsive bidder Trayer Engineering Corp. in the amount of \$ 119,448.00

PURCHASING MANAGER: Erik S. Conti Digitally signed by Erik S. Conti
DN: cn=Erik S. Conti, o, ou,
email=erik.conti@highpointnc.gov, c=US
Date: 2016.05.06 13:33:36 -0400 DATE: May 6, 2016

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC,
ou=Financial Services Director,
email=jmoore@highpointnc.gov, c=US
Date: 2016.05.06 15:03:32 -0400 DATE: May 6, 2016

CITY MANAGER: Greg Demko Digitally signed by Greg Demko
DN: cn=Greg Demko, o, ou, email=greg.demko@highpointnc.gov,
c=US
Date: 2016.05.06 15:40:40 -0400 DATE: Apr 29, 2016

INFORMAL PURCHASES / REQUEST FOR QUOTATION



NORTH CAROLINA'S INTERNATIONAL CITY™

City Of High Point
Purchasing Division
211 S. Hamilton St., P.O. Box 230
High Point, NC 27260
Tarinda Chappell, Purchasing Manager

INFORMAL BID # SWITCHGEAR

DATE: May 4, 2016

BIDS DUE NO LATER THAN:

BUYER: Josh Williams, CLGPO

Joshua.williams@highpointnc.gov

TELEPHONE: (336) 883-3458

Bid price shall be FOB Destination and include delivery to:

City of High Point – Warehouse
657 E. Russell Avenue
High Point, NC 27260

ITEM #	DESCRIPTION	QTY.	UOM	UNIT PRICE	TOTAL PRICE
11284	SWITCH 6-6 SUBSURF SF6 GAS 3PH – TRAYER CAT. #G106CM4 – <i>PER ATTACHED SPECIFICATIONS – NO SUBSTITUTIONS!</i>	6	EA	\$ 19,908.00	\$ 119,448.00
* * SPECIFICATION INQUIRIES? CONTACT MIKE GIDDERON @ 336.883.3428 * *					

Delivery will be made within 182 days after receipt of orderPayment Terms: Net 30

- Pursuant to General Statutes of North Carolina, Section 143-129, as amended, bids and proposals subject to the conditions and specifications herein, are invited for materials and equipment as described herein.
- Prices or any other entry made hereon by the bidders shall be considered firm and not subject to change or withdrawal.
- Bidders certify under penalty of perjury that this bid has not been arrived at collusively and that no Federal or North Carolina antitrust laws have been violated.
- State and County sales taxes shall not be included in the bid prices. Sales tax shall be added to vendors invoice and will be paid to vendor at time of invoice payment.
- Bidders shall sign this form and return it with additional bid documents on or before the above date and time, to the City of High Point Purchasing Division, P.O. Box 230 (27261), 211 S. Hamilton St., High Point, NC 27260. Bids may be returned by fax to 336-883-8516 or email to Joshua.williams@highpointnc.gov.

Trayer Engineering Corporation

Company Name

898 Pennsylvania Avenue

Address

San Francisco

CA

94107

City

State

Zip

rgolze@trayer.com

E-mail

Signature

Roger Golze

Above (typed or printed)

04 May 2016

Date

678-575-8337

770-277-9563

Telephone

Fax

☒

By checking this box, I acknowledge that I have read and accept the terms and conditions associated with this bid.



CITY OF HIGH POINT

AGENDA ITEM



Title: Request to Initiate Zoning Map Amendments

From: Lee Burnette, Planning & Development
Director

Meeting Date: May 16, 2016

Public Hearing: No

Advertising Date: N/A

Advertised By: N/A

Attachments: A. Staff Memo
B. Map and List of Areas to Be Rezoned

PURPOSE:

A request by the Planning and Development Department to initiate the zoning map amendment process so that the new Development Ordinance can be made effective.

BACKGROUND:

A staff memo explaining the request is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Following the adoption of the new Development Ordinance text, staff recommends initiation of the zoning map amendment process as outlined in the attached staff memo.



MEMORANDUM

May 4, 2016

To: City Council
From: Heidi H. Galanti, AICP, Planning Services Administrator
Subject: Request to Initiate Zoning Map Amendments

Following the adoption of the new Development Ordinance text, a new zoning map will be prepared. Formerly, the City had 38 zoning districts and in the new Development Ordinance there are 28. Many of the new districts are a translation from the old districts. A translation means that the zoning district has been renamed and in some cases combined with other districts and a zoning map amendment or rezoning is not required to implement the new Ordinance. For example, properties zoned RS-40, RS-20, RS-15 and RS-12 under the old Development Ordinance have been translated to the R-3 district with the adoption of the new Development Ordinance.

However, there are instances where some areas must be rezoned to a new zoning district. For example, the Public and Institutional (PI) district under the old Development Ordinance was split into the Institutional (I) and the Parks and Natural Resources (PNR) district. The areas that were zoned PI under the old Development Ordinance have been evaluated and some will translate to the Institutional district which is intended to accommodate large-sized uses in a campus-like setting such as the hospital and HPU, and other areas will need to be rezoned to the appropriate new zoning district based on the current use of the property. Attached please find a map and a list of the areas that need to be rezoned prior to the effective date of the new Development Ordinance.

City Council is requested to initiate the zoning map amendment process for these areas so that the new Development Ordinance can be effective. Following initiation of these zoning map amendments, staff will meet with the owners of the properties proposed for rezoning and discuss the differences between the old zoning district and the new zoning district. Staff is anticipating that that it will take approximately 6 months to meet with all of the owners and to hold public hearings before the Planning and Zoning Commission and City Council before these map amendments can be adopted.

Additionally, the City is creating a mapping application that will be available to the public on the City's website. This mapping application will allow the public to type in an

Administration
336.883.3328

Planning Services
336.883.3328

Development Services
336.883.3328

Inspection Services
336.883.3151

City of High Point, P.O. 230, 211 South Hamilton Street, High Point, NC 27261 USA
Fax: 336.883.3056 www.highpointnc.gov/plan Permit Fax: 336.883.8518 TDD 336.883.8517

address to see how the property was zoned under the old Development Ordinance and how it will be zoned under the new Development Ordinance. There will also be a link to information that shows the differences between the old and new zoning districts.

If you have any questions, please do not hesitate to contact me by calling 883-3329 or email me at heidi.galanti@highpointnc.gov. For more information you may also visit the project website at <https://www.highpointnc.gov/DocumentCenter/View/4274>.

Proposed Zoning Changes for the New Development Ordinance

The following is a general list of the areas proposed for zoning changes as a result of the adoption of the new Development Ordinance:

- 13 - Religious Institutions (some areas include more than one religious institution because they are next to one another)
- 11 - City/county properties (parks, fire station, Gibson Park treatment facility, etc.)
- 10 - Guilford County school properties (some areas contain more than one school)
- 2 - Federal Government properties (Post Office, Army Reserves)
- 2 - Non-profit properties (YMCA, Boys & Girls Club)
- 1 - Private recreation facility (Phillips Soccer Complex)
- 1 - Private cemetery (Floral Gardens)
- 1 - Mixed use area (Washington Street)

Total of 41 Areas (some areas include more than one property)

Acres	From	To	Use	Owner	Street Address
28.18	PI	R-5	Oakwood Cemetery	City	312 Montlieu Ave.
7.13	PI	R-5	Fire Station/substation	City	4538 Barrow Rd.
171.98	PI	PNR	Blair Park Golf Course	City	1901 S. Main St.
8.42	PI	TO	Brentwood Park	City	1401 Brentwood St.
23.48	PI	HI	Harvell Park	City	1215 Lincoln Dr.
25.81	PI	PNR	Johnson St Park	City	4515 Johnson St.
1633.40	PI	PNR	Lake/Golf Course/ Festival Pk/Campground	City	3400 N. Centennial St. 1841 Eastchester Dr.
91.74	PI	PNR	Athletic Complex Simeon	City/Guilford County Schools	2920 School Park Rd.
1195.30	PI	PNR	City Lake Pk/PEC/Gibson Pk	City/Guilford County	5217 W. Wendover Ave
17.35	PI	RM-16	Daymark Recovery Serv.	Guilford County	5209 W. Wendover Ave.
4.44	PI	GB	Army Reserve	US Govt	156 W. Parris Ave.
5.23	PI	CB	Post office	US Govt	315 E. Green Dr.
16.98	CB	MX	various	multiple	Washington St.
18.75	PI	GB	Boys and Girls Club/William Booth Apts	Salvation Army William Booth Residence	121 SW Cloverleaf Pl. 123 SW Cloverleaf Pl.
20.13	PI	PNR	YMCA building	YMCA	150 Hartley Dr.
3.53	RS-9	PNR	YMCA(undeveloped)	YMCA	150 Hartley Dr.
6.70	RS-15	PNR	YMCA(undeveloped)	YMCA	150 Hartley Dr.
66.76	PI	R-5	Floral Garden Cemetery	Stonemor North Carolina LLC	1730 W. Rotary Dr.
36.68	CU PI 00-30	PNR	Phillips Soccer Complex	High Point Soccer Assn	550 Old Plank Rd.
8.50	PI	R-5	Rel Inst	Allendale Baptist Church	900 E. Springfield Rd.
7.47	PI	R-5	Rel Inst	Christ United Methodist	1300 N. University Pkwy.
7.67	PI	R-3	Rel Inst	Emmanuel Evangelical Lutheran	1401 Heathcliff Rd.
5.65	CU PI 88-43	R-3	Rel Inst	Victorious Life	121 Skeet Club Road
16.35	PI	R-3	Rel Inst	B'Nai Isreal Synagogue Emerywood Baptist	1207 Kensington Dr 1300 Country Club Dr
30.10	CU PI 02-27	OI	Rel Inst	Life Community Church	4900 W. Wendover Ave
5.93	PI	R-3	Rel Inst	Iglesia Ni Cristo	1934 Eastchester Dr
8.06	CU PI 04-33	TO	Rel Inst	New Day Church	8610 Bame Road
15.48	PI	RM-16	Rel Inst	Seventh Day Adventist and St. Christophers Episcopal	279 Eastchester Dr 303 Eastchester Dr
10.97	PI	R-5	Rel Inst	Springfield Friends Church	555 Springfield Road
7.50	PI	RM-16	Rel Inst	St. Stephens AME Zion and Seventh Day Adventist	1012 Leonard Ave 1200 Leonard Ave
20.25	PI	R-3	Rel Inst	Wesley Memorial Methodist	1225 Chestnut Dr
6.53	CU PI 86-22	R-3	Rel Inst (undeveloped)	Wesley Memorial Methodist	1551 Westchester Dr
13.13	PI	R-3	Rel Inst	First Christian Church of HP	2066 Deep River Rd
22.18	PI	R-5	Allen Jay	GCS	1311 E Springfield Rd
45.94	RS-9	I	Ferndale/HPC/Academy	GCS	701/801 Ferndale Blvd
17.00	PI	R-5	Florence Elem	GCS	7605 Florence School Rd
10.19	PI	RM-16	Johnson St. Global	GCS	1601 Johnson St
25.23	PI	R-5	Montlieu Elem	GCS	1105 Montlieu Ave
6.20	PI	RM-16	Oak Hill Elem	GCS	320 Wrightenberry St
67.63	PI	R-3	Shadybrook Elem/NCDOT R-O-W	GCS	503 Shadybrook Rd
23.64	LI	R-5	Triangle Lake Montessori	GCS	2401 Triangle Lake Rd
18.61	PI	GB	Union Hill Elem	GCS	3523 Triangle Lake Rd
4.13	CU RM-8 84-24	I	Welborn and Andrews	GCS	1710/1920 McGuinn Dr
47.09	RS-7	I	Welborn and Andrews	GCS	1710/1920 McGuinn Dr

Categories

Religious Institutions (13)

Guilford County Schools (11)

City/County (10)

Federal Government (2)

Non-Profit (2)

Mixed Use Area (1)

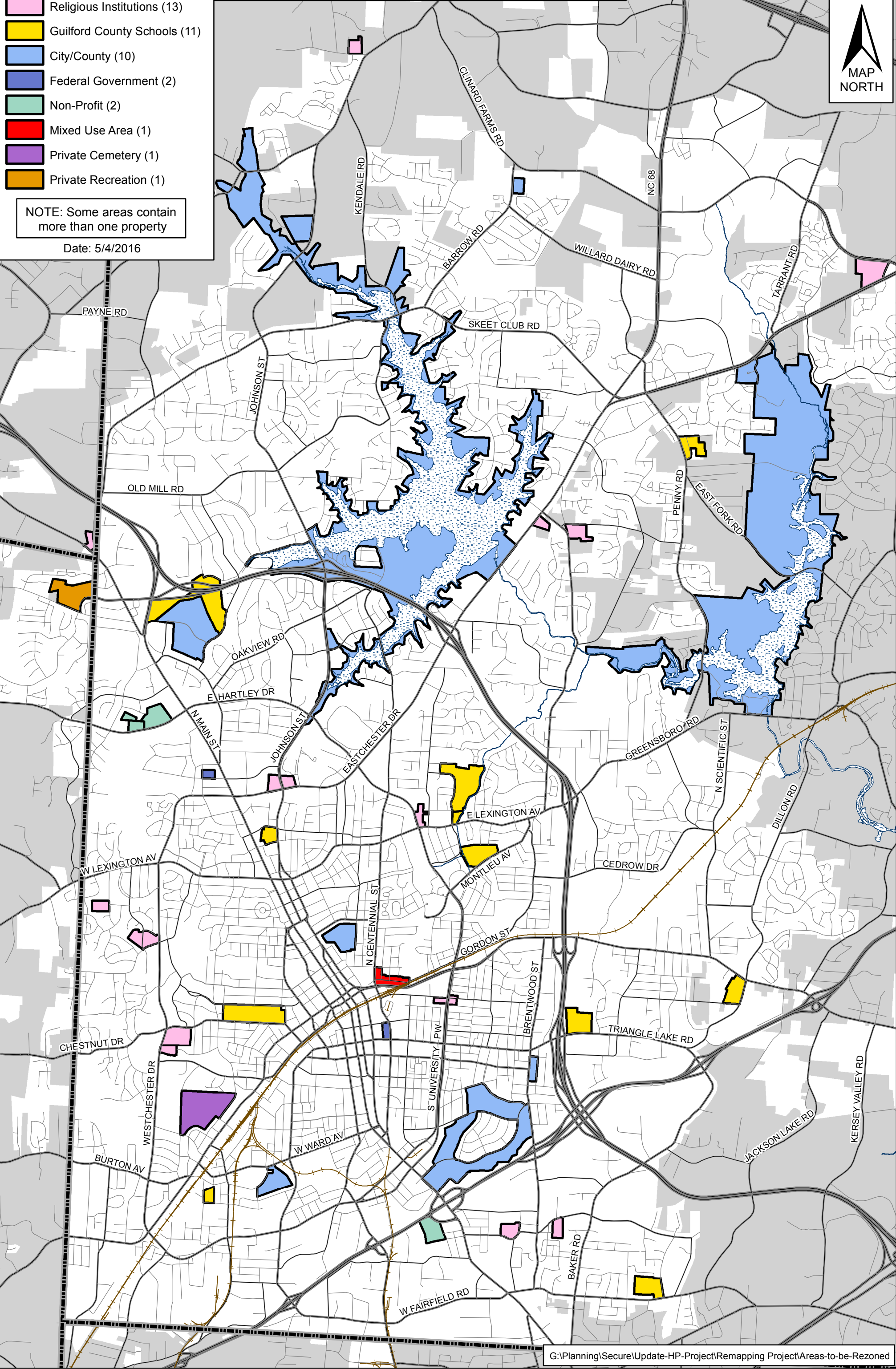
Private Cemetery (1)

Private Recreation (1)

NOTE: Some areas contain more than one property

Date: 5/4/2016

AREAS TO BE REZONED



CITY OF HIGH POINT

AGENDA ITEM



Title: Resolution of Intent for a Voluntary Contiguous Annexation
Annexation 16-03 (Henry & Josephine Williams)

From: Lee Burnette, Planning & Development
Director

Meeting Date: May 16, 2016

Public Hearing: No

Advertising Date: Not applicable

Advertised By:

Attachments: A. Resolution of Intent for Annexation 16-03
B. Map of property proposed to be annexed

PURPOSE:

Approval of a Resolution of Intent that establishes a public hearing date to consider a voluntary contiguous annexation request.

BACKGROUND:

Resolution of Intent for Annexation 16-03 is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Staff requests City Council set a public hearing date of Monday, June 20, 2016, to hear this case.

PUBLISH ONCE: Friday, May 20, 2016

**RESOLUTION TO ESTABLISH A
PUBLIC HEARING DATE FOR
VOLUNTARY CONTIGUOUS ANNEXATION
(Case # ANX 16-03)**

WHEREAS, the City Council has been petitioned to annex the property of West Mountain, LLC and Calvin Leon Johnson. The proposed annexation site is approximately 2.15 acres lying along the west side of St. Johns Street, approximately 750 feet north of Skeet Club Road. The property is also known as Guilford County Tax Parcels 0169450, 0169451, 0169452 and 0169453.

WHEREAS, the City Clerk is in receipt of said petition and has determined its sufficiency in accordance with G.S. 160A-31;

NOW, THEREFORE BE IT RESOLVED, THAT THE CITY COUNCIL establishes Monday, June 20, 2016, at 5:30 p.m., in the Council Chambers in the Municipal Building at 211 South Hamilton Street, High Point, North Carolina, as the date for the public hearing regarding the requested annexation.

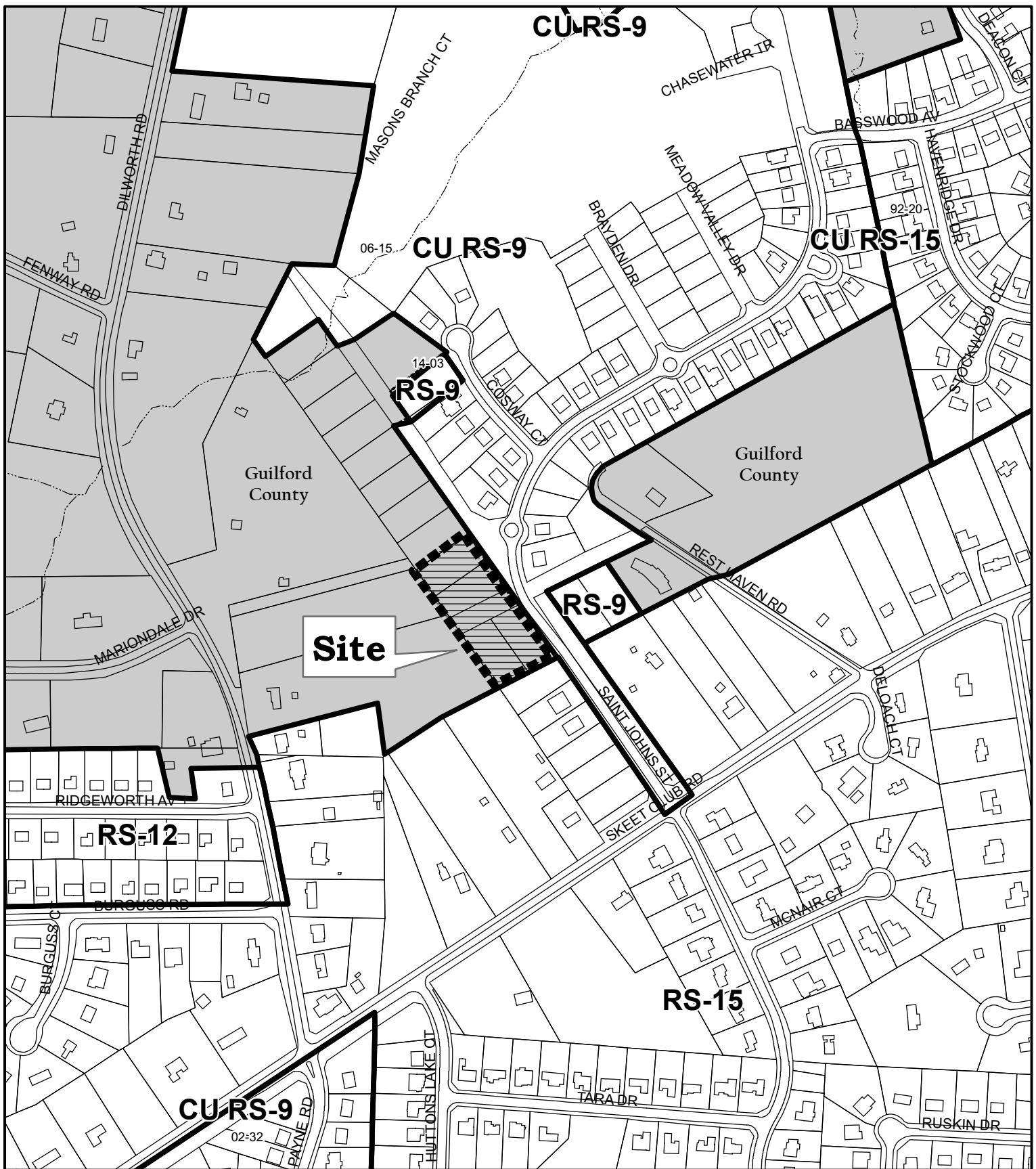
Any interested party will be permitted to be heard at the public hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call (336) 883-3298 or the TDD# (336) 883-8517.

Following the public hearing, the City Council shall have authority to adopt an ordinance annexing the territory described in the petition. The City Council shall have authority to make the annexing ordinance effective immediately or on any specified date within six (6) months from date of passage of ordinance.

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

By order of the City Council,
This the 16th day of May, 2016.

Lisa B. Vierling, City Clerk



ANNEXATION REQUEST AN16-03

Applicant: West Mountain, LLC
Area: 2.15 acres (approximate)

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

**Planning & Development
 Department**

City of High Point

Date: April 14, 2016



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CITY OF HIGH POINT

AGENDA ITEM



Title: Zoning Map Amendment 16-07 (BSC Holdings)

From: Lee Burnette, Planning & Development
Director

Meeting Date: May 16, 2016

Public Hearing: Yes

Advertising Date: May 4 & 11, 2016

Advertised By: Planning & Development

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

PURPOSE:

A request by BSC Holdings to rezone an approximately 25.5-acres parcel from a Conditional Use Residential Single Family-9 (CU RS-9) District to a Conditional Zoning Residential Single Family-9 (CZ RS-9) District and the Residential Single Family-9 (RS-9) District. The site is lying along the south side of Bame Road, approximately 1,900 feet west of Sandy Ridge Road (*8711 Bame Road*).

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. The Planning & Development Department recommended approval of this request as outlined in the staff report.
- B. The Planning & Zoning Commission recommended approval of Zoning Map Amendment 16-07 by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

BSC Holdings

Zoning Map Amendment 16-07

At its April 26, 2016 public hearing, the Planning and Zoning Commission reviewed this request to rezone an approximate 25.5-acre parcel. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval as outlined in the staff report.

Speaking in favor of the request:

Speaking in favor of the request was the applicant, Mr. Barry Siegel, BSC Holdings, 3929 Tinsley Drive; Suite 104, High Point. Mr. Siegel provided an overview of his development proposal. He stated that the zoning conditions are the same as was approved on the site in 2007, but with the removal of the turn lane requirement at the intersection of Bame Road and Sandy Road. He is requesting this condition be removed since the proposed widening of the Johnson Street/Sandy Ridge Road corridor, from Skeet Club Road to I-40, includes improvements at the Bame Road/Sandy Ridge Road intersection. Mr. Siegel concluded his presentation by noting that he has reviewed this request with the Transportation Department and they had no objections since this road widening project is anticipated to commence construction around 2021.

Speaking in opposition of the request:

Speaking in opposition was Mr. Patrick Sterling, 941 Maple Creek Drive, Colfax. He was speaking on behalf of his mother, Ms. Kate Sterling, who lives next to the zoning site. Mr. Sterling expressed the following concerns:

- The turn lane needs to remain a requirement. The Sandy Ridge Road project shouldn't be a factor in the potential removal of that requirement;
- The developer should be required to widen Bame Road;
- The requirement of the Development Ordinance that a stub street be provided for residential developments with over 50 lots should not be required for this case; and
- The proposed subdivision will place too much of a burden on already overcrowded schools.

Planning & Zoning Commission Action

Mr. Putnam noted that this site is already in the City and current zoning permits residential uses under the RS-9 District standards. The primary role of the Commission in this case is to determine whether the condition for the construction of a turn lane at the intersection of Bame Road and Sandy Road should be removed.

The Planning & Zoning Commission recommended approval of this request, as recommended by staff, by a vote of 6-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Map Amendment 16-07 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because: 1) The request is consistent with the Land Use Plan; 2) Development intensity, as permitted by the RS-9 District, it is consistent with the Northwest Area Plan and with previous zoning approvals adopted in this area; 3) Future transportation improvements associated with the Johnson Street/Sandy Ridge Road widening project will mitigate long term traffic impacts; and 4) The request to establish a CZ-RS-9 and RS-9 District is not a significant alteration of the previous zoning approval granted for this site.

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

**STAFF REPORT
ZONING MAP AMENDMENT 16-07
April 26, 2016**

Request	
Applicant: BSC Holdings	Owner(s): Scotty and Phyllis Landreth
Zoning Proposal: To amend existing residential zoning on an approximate 25.5-acre parcel.	From: CU RS-9 Conditional Use Residential Single Family-9 District
	To: CZ RS-9 Conditional Zoning Residential Single Family-9 District
	RS-9 Residential Single Family-9 District

Site Information	
Location:	Lying along the south side of Bame Road, approximately 1,900 feet west of Sandy Ridge Road (<i>8711 Bame Road</i>)
Tax Parcel Numbers:	Guilford County Tax Parcel 0216524
Site Acreage:	Approximately 25.5 acres
Current Land Use:	Undeveloped
Physical Characteristics:	The site has a moderate to severely sloping terrain, an intermittent stream runs along the southeastern boundary of the property and the steeper terrain of the site is in the vicinity of this stream. Additionally, there is a 50-foot wide Piedmont Natural Gas easement running along the northern and eastern boundaries of the site.
Water and Sewer Proximity:	A 16-inch City water line is lying approximately 520 feet to the east at the intersection of Bame Road and Adkins Road; and an 8-inch City sanitary sewer line runs across the southern portion of the site.
General Drainage and Watershed:	The site drains in a southwesterly direction and development is subject to the Oak Hollow Lake General Watershed Area (GWA) requirements. Engineered stormwater treatment measures are required for multi-family development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more.
Overlay District(s):	Oak Hollow Lake General Watershed Area (GWA) Airport Overlay – Zone 3

Adjacent Property Zoning and Current Land Use			
North:	RS-40	Residential Single-Family-40 District (<i>Guilford County</i>)	Single family dwellings
South:	CU-PDR	Conditional Use Planned Unit Development Residential District	Senior retirement community

East:	AG CU RM-5	Agricultural District (<i>Guilford County</i>) Conditional Use Residential Multifamily-5 District	Single family dwellings Saddlebrook townhome/twin home subdivision
West:	AG	Agricultural District (<i>Guilford County</i>)	Single family dwelling

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	This request is neither in conflict, nor does it promote, the Community Growth Vision Statement goals and objectives.
Land Use Plan Map Classification:	The site has a Low-Density Residential land use classification. This classification is primarily intended to accommodate single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Land Use Plan Goals, Objectives & Policies:	The following goal of the Land Use Plan is relevant to this request: <u>Goal #5:</u> Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.
Relevant Area Plan: <i>Northwest Area Plan</i>	Goal 1: Protect the natural environment and its many features. <u>Obj. 1b:</u> Maintain a high level of water quality for aesthetic, environmental and economic reasons through measures like minimizing land disturbing activities and improved stormwater management techniques. <u>Obj. 1c:</u> Where possible, preserve mature trees, and provide for increased planting and replanting rates in new development with an emphasis on native plant materials. <u>Obj. 1d:</u> Stress the maintenance of open space during development planning, and provide for the linking of open space areas and environmentally sensitive lands through multi-use greenways, more primitive nature trails and natural wildlife corridors. <u>Obj. 3b:</u> Provide intra-and inter-development transportation connectivity via streets, sidewalks, greenways and less formal trails.
Zoning History:	The following zoning requests have been approved in this general area: - In 1998, the River Landing (aka Presbyterian Homes) Mixed Use Planned Unit Development (PUD) was annexed. This is a 158-acre mixed use retirement facility lying south of the current zoning site. During the past 15 years there have been five amendments to this zoning case that have expanded the land area and number of units of this development to its current configuration. - In 2004, the Saddlebrook subdivision to the east of the current site was annexed and granted zoning approval. This is a 53-acre development with a CU RS-7 and CU RM-5 zoning consisting of detached single family homes, twin homes and town homes. - In May 2007, the Cap Care Group, Inc. submitted a zoning application for this current 25.5-acre parcel to establish a CU RS-7 District on this property. This request was denied due to density concerns. Cap Care Group submitted an amended application for a CU RS-9 District and restricted development to a maximum of 80 units. This amended request was approved.

	In November 2016, a Special Use Permit request was approved allowing a 160-foot telecommunication tower on the eastern portion of this 25.5-acre parcel.
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Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Bame Road		Minor Thoroughfare	508 ft.
Vehicular Access:	Bame Road (public street)			
Traffic Counts: (Average Daily Trips)	Bame Road		1,222 ADT (2015 City of High Point 12-Hour traffic count)	
Estimated Trip Generation:	No information			
Traffic Impact Analysis:	Required		Comment	
	<u>Yes</u>	<u>No</u> X	None	
Pedestrian Access:	Not applicable			

School District Comment					
Guilford County School System					
Local Schools:	Enrollment:		Maximum Design Capacity:	Mobile Classrooms:	Projected Additional Students:
	Fall 2014	Fall 2015			
Colfax Elementary	592	597	812	7	20 - 22
Southwest Middle	1,135	1,081	1,230	10	10 - 12
Southwest High	1,530	1,527	1,506	11	9 - 11
<u>School District Remarks:</u> Southwest High School is over built capacity.					

Details of Proposal

The applicant has submitted this Zoning Map Amendment application to amend the previously adopted development conditions on this property. The 2007 zoning approval for this site requires the developer to construct a turn lane at the intersection of Bame Road and Sandy Road. BSC Holdings is proposing to purchase a portion of the property and desires to remove this transportation-related condition. Conditional Use (CU) zoning was replaced with Conditional Zoning (CZ) in 2011, and as of January 1, 2014, amendments to previous conditional use permits are no longer permitted. Previously adopted CU zonings are still valid; however, an amendment of a CU zoning requires the submittal of a new zoning application to establish a new CZ district. In regard to this request, the applicant is proposing to maintain a single family zoning on the site and is primarily seeking to amend a transportation condition.

The western 18.7 acres of the site (Tract A) is proposed to be rezoned to a CZ RS-9 District with those relevant conditions from the 2007 zoning approval being carried forward in this new application. BSC Holdings is proposing to purchase this portion of the site in order to develop a single family subdivision consisting of approximately 60 lots.

The property owner is proposing to retain ownership of the eastern 5.7 acres of the site (Tract B) where a 160-foot tall telecommunication tower is proposed for installation. A RS-9 District is

proposed for this portion of the site. The Tract B portion of this parcel has limited development opportunities due to its narrow configuration, the location of a 50-foot wide Piedmont Natural Gas line easement, and the requirement that no residential lots be established within 160 feet of the proposed telecommunication tower. The property owner is considering subdividing Tract B to create two lots; one for the tower and the second for a future single family dwelling.

Staff Analysis

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

Consistency with Adopted Plans:

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

Staff Comments:

The request is consistent with the Low Density Residential land use classification and it is an orderly extension of the community. If the area is developed with sensitivity to the natural environment by minimizing land disturbing activities, preserving mature trees and open space corridors where possible, then it will be consistent with the Northwest Area Plan as well.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<u>Staff Comments:</u> This application proposes to amend a transportation condition, but still maintain the underlying requirement that the site be developed to the RS-9 District standards, which was established on this property in 2007. This request does not change the initial findings used in 2007 to approve this request and as conditioned it will still be compatible with the surrounding area.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	<u>Staff Comments:</u> This application is proposing to delete the condition requiring the developer to construct a turn lane at the intersection of Bame Road and Sandy Ridge Road. A Transportation Improvement Project (TIP) has been approved and funded to widen the Johnson Street/Sandy Ridge Road corridor from Skeet Club Road to I-40. This project includes intersection improvements at the Bame Road/Sandy Ridge Road

	intersection. It is anticipated that construction of this project will start around 2021. With this project being funded with an upcoming construction date, the Transportation Department has no objection to the removal of the condition.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	<u>Staff Comments:</u> Development of the site is subject to City of High Point environmental regulations. The site is within the Oak Hollow Lake General Watershed Area and stormwater treatment measures are required for single family developments with a gross density of two units per acre or more. Also, there is an intermittent stream that runs along the southeastern boundary of the site. The Development Ordinance will limit disturbances near this stream corridor by requiring a 50-foot wide stream buffer to be established along both sides of the stream corridor.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;
	<u>Staff Comments:</u> The property is within an area served by City of High Point utilities and municipal services. This request will have no adverse impact on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	<u>Staff Comments:</u> The request does not change uses approved for the site when annexed in 2007. Also, based on approval of the Special Use to allow a telecommunication tower, previous development intensity is expected to be less than the 80 lots previously envisioned for the site. Staff has found no evidence that allowances of the requested CZ RS-9 District and RS-9 District will adversely impact adjacent properties.

Changes in the Area:

There have been changes in the type or nature of development in the area of the proposed Conditional Zoning District that support the application.

Staff Comments:

There have been no significant changes in the area, in regard to new development, since the site was annexed in 2007. However, between 2009 and 2010 the City extended water and sewer line into this this northwestern portion of this City Planning Area, which will spur future development in this area.

Development Patterns:

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

Staff Comments:

The Land Use Map supports residential development, with a density of up to five units per acre, in this area. This application retains the RS-9 zoning standard on this site, which permits single family development with a maximum density of four units per acre. Thus, this request will be

consistent with the development pattern and intensity establish by the adopted Land Use Map for this area.

Reasonableness/Public Interest:

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

Staff Comments:

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) The request is consistent with the Land Use Plan; 2) Development intensity, as permitted by the RS-9 District, it is consistent with the Northwest Area Plan and with previous zoning approvals adopted in this area; 3) Future transportation improvements associated with the Johnson Street/Sandy Ridge Road widening project will mitigate long term traffic impacts; and 4) The request to establish a CZ-RS-9 and RS-9 District is not a significant alteration of the previous zoning approval granted for this site.

Recommendation

Staff Recommends Approval

The requested CZ RS-9 District and RS-9 District, as conditioned, will be compatible with the surrounding area and in conformance with adopted plans. Staff recommends approval of this request.

Required Action

Planning and Zoning Commission:

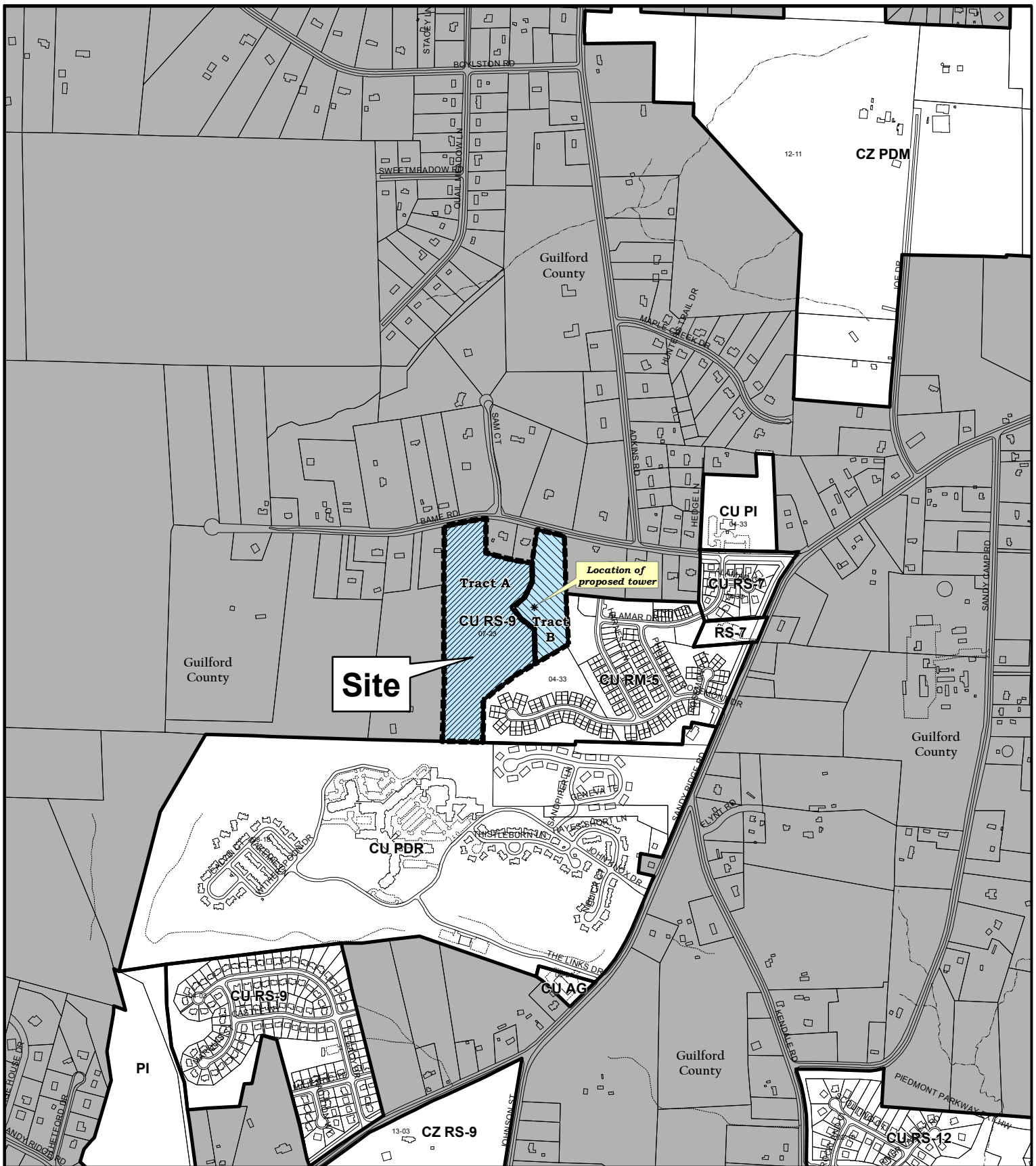
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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



ZONING MAP AMENDMENT ZA16-07

From: Conditional Use Residential Single Family-9
 To: Tract A - Conditional Zoning Residential Single Family-9
 Tract B - Residential Single Family-9

Existing Zoning Boundary
 Subject Property Boundary



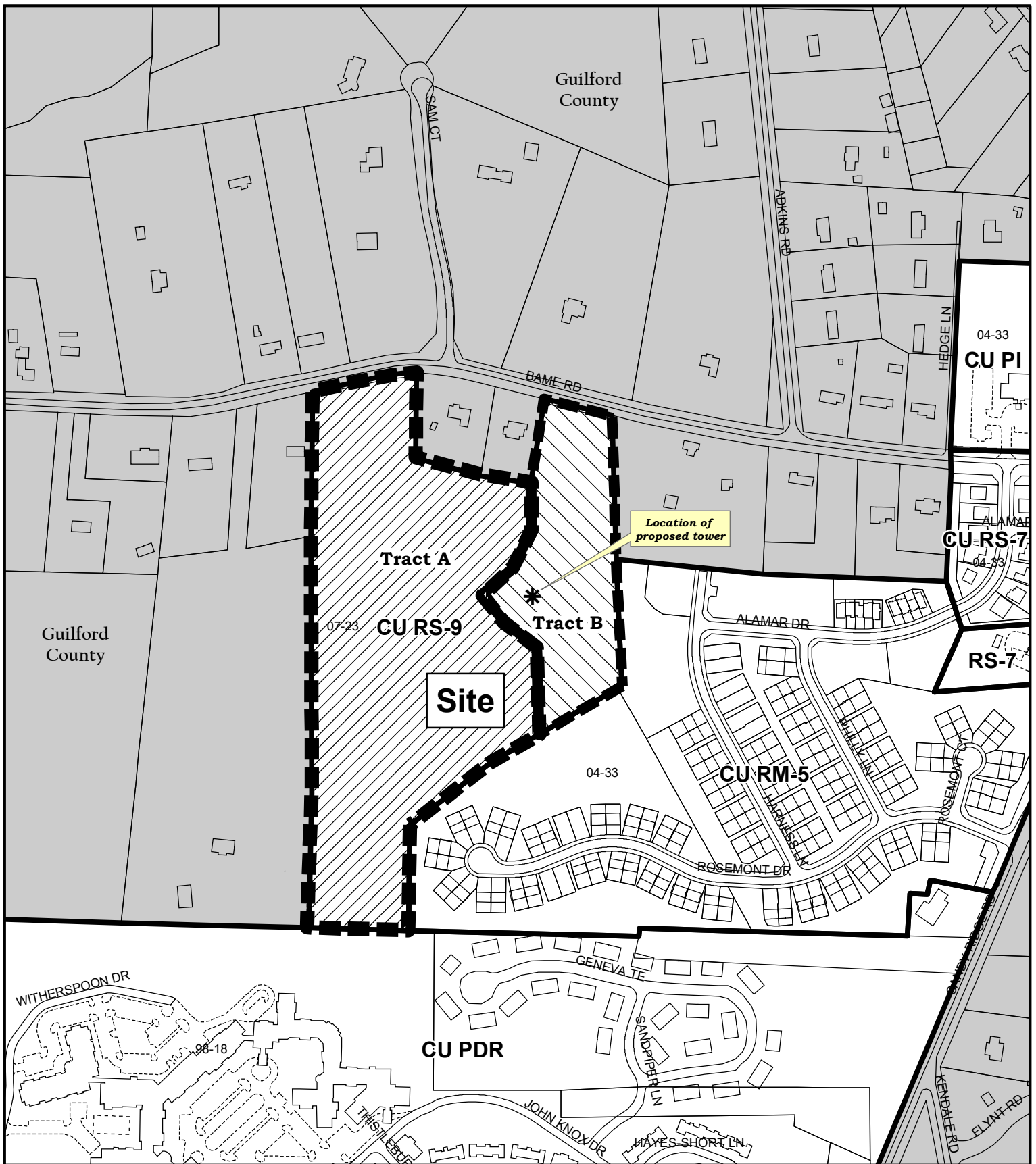
Planning & Development
 Department

City of High Point

Date: April 26, 2016



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ZONING MAP AMENDMENT ZA16-07

From: Conditional Use Residential Single Family-9
To: Tract A - Conditional Zoning Residential Single Family-9
 Tract B - Residential Single Family-9

Existing Zoning Boundary
Subject Property Boundary

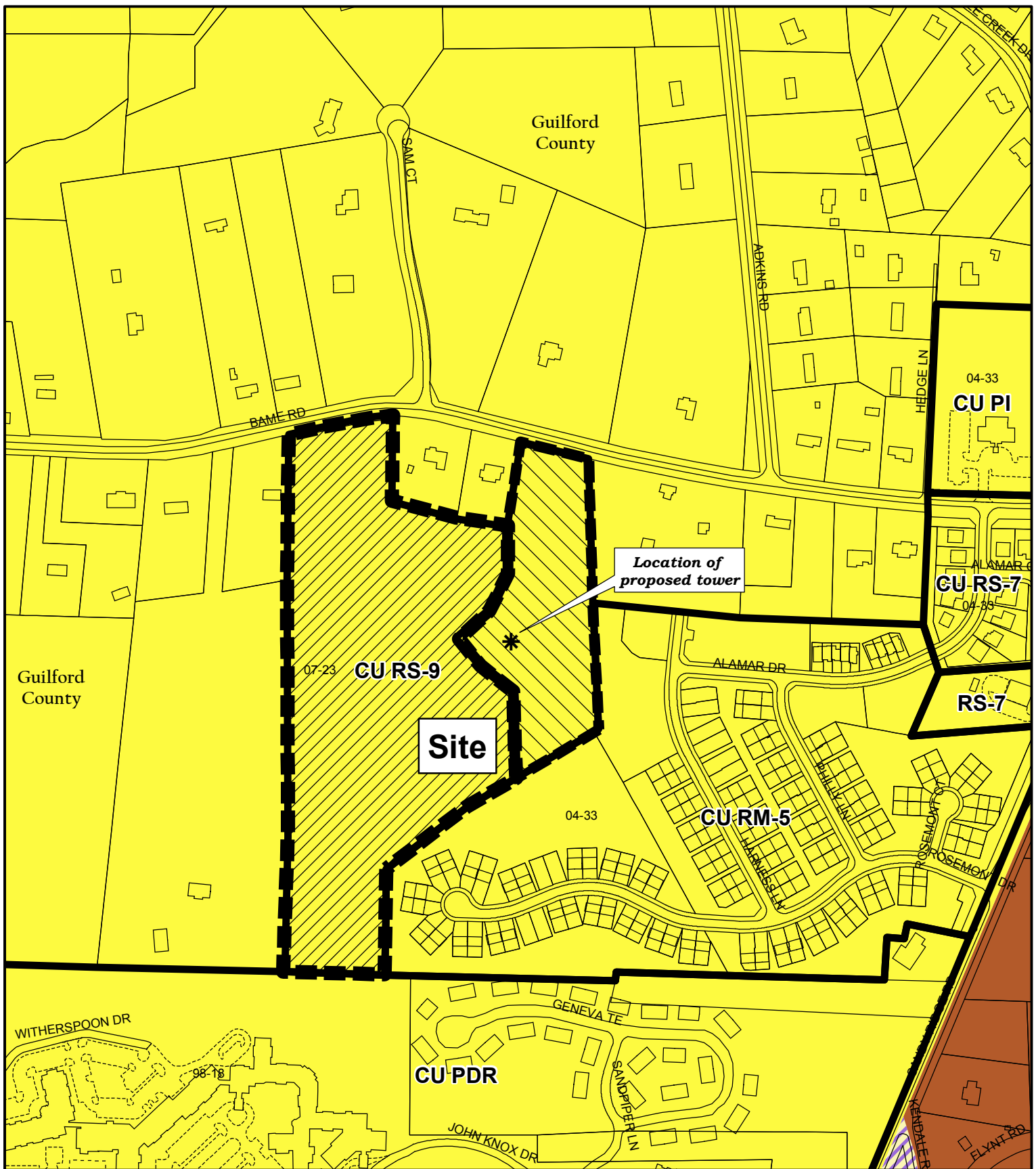
**Planning & Development
 Department**

City of High Point

Date: April 26, 2016



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ZONING MAP AMENDMENT ZA16-07

Land Use Plan

- Low-Density Residential
- Mixed Use Development
- Medium-Density Residential

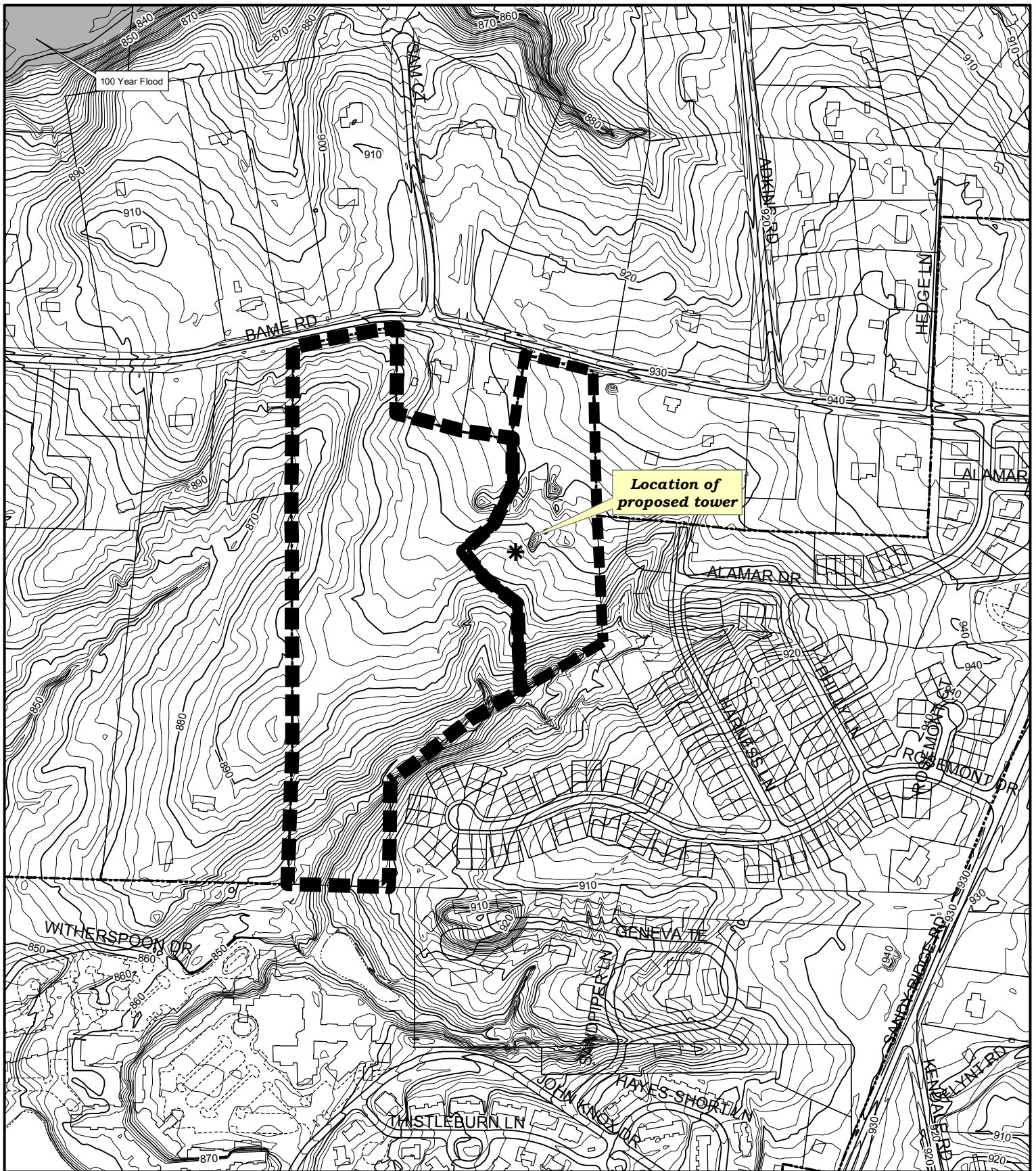
Planning & Development
Department

City of High Point

Date: April 26, 2016



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ZONING MAP AMENDMENT ZA16-07

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: April 26, 2016



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ZONING MAP AMENDMENT ZA16-07



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 April 26, 2016 and before the City Council of the City of High Point on May 16, 2016 regarding **Zoning Case 16-07** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on April 17, 2016, for the Planning and Zoning Commission public hearing and on May 4, 2016 and May 11, 2016, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

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

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Conditional Zoning Residential Single Family-9 (CZ RS-9) District**. Approximately 18.7 acres lying along the south side of Bame Road, approximately 2,500 feet west of Sandy Ridge Road (*8711 Bame Road*). The property is also known as Guilford County Tax Parcel 0216524 (portion).

The site is more specifically described as follows:

BEGINNING at a corner in the new southern margin of the right-of-way of Bame Road (public right-of-way varies), said corner also lying in the eastern property line of Margaret C. Lambe (Deed Book 2660, Page 0139, Guilford County Registry); THENCE with said new southern margin of Bame Road the following two (2) courses and distances: 1) North 77 degrees 33 minutes 07 seconds East 148.17 feet to a point and 2) along a curve to the right with a radius of 738.00 feet having a chord bearing and distance of North 83 degrees 57 minutes 54 seconds East 164.87 feet to a point in the western property line of Dorothea H. and Floyd O. Murray (Deed Book 4955, Page 780); THENCE leaving said new southern margin of the right-of-way of Bame Road South 01 degree 38 minutes 48 seconds West 242.96 feet to Murray’s southwest property corner; THENCE with Murray’s southern property line South 73 degrees 20 minutes 34 seconds East 200.39 feet to Murray’s southeast property corner and southwest property corner of Gregory Charles and Diana W. Prochnow; THENCE with Prochnow’s southern property line South 80 degrees 03 minutes 58 seconds East 150.04 feet to a point being Prochnow’s southeast property corner; THENCE with new property lines the following six (6) courses and distances: 1) South 00 degrees 37 minutes 29 seconds West 150.33 feet to a point; 2) South 27 degrees 35 minutes 40 seconds West 124.24 feet to a point; 3) South 46

degrees 43 minutes 24 seconds West 122.40 feet to a point; 4) South 37 degrees 10 minutes 15 seconds East 103.21 feet to a point; 5) South 50 degrees 10 minutes 21 seconds East 125.92 feet to a point and 6) South 00 degrees 50 minutes 00 seconds East 264.18 feet to a point in the northern property line of Saddle Brook Flats HOA, Inc. (Deed Book 7373, Page 1409); THENCE with the northwestern property lines of said Saddle Brook Flats HOA, Inc. the following three (3) courses and distances: 1) South 59 degrees 34 minutes 21 seconds West 168.56 feet to a point; 2) South 52 degrees 28 minutes 51 seconds West 304.63 feet to a point and 3) South 01 degree 41 minutes 11 seconds West 311.65 feet to a point in the northern property line of Presbyterian Homes, Inc. (Deed Book 4738, Page 406); THENCE with said northern property line of Presbyterian Homes, Inc. South 89 degree 57 minutes 01 seconds West 298.53 feet to the southeast property corner of the Sterling Living Trust (Deed Book 7228, Page 571); THENCE with the eastern property line of said Sterling Living Trust North 01 degree 20 minutes 59 seconds East 1203.38 feet to a point, being the northeast property corner of said Sterling Living Trust and the southeast property corner of said Margaret C. Lambe; THENCE with said eastern property line of Margaret C. Lambe North 01 degree 22 minutes 40 seconds East 427.81 feet to the POINT and PLACE of BEGINNING, containing 18.719 acres more or less, being more particularly described as a portion of parcel 0216524, pin 7804057478 and new lot A of Plat Book 173, Page 61, High Point Township, Guilford County, High Point, North Carolina.

This legal description was compiled from recorded documents from the Guilford County Registry and its sole use is for rezoning purposes.

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 Residential Single Family-9 (RS-9) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the RS-9 District and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Fencing, Wall, or Similar Barriers: In the event fencing, wall, or similar barriers are erected along the common areas or vicinity of the abutting the Bame Road right-of-way or the rear/side yards of lots within the vicinity of the Bame Road right-of-way, then a common fencing, wall or similar barrier plan shall be provided. This plan shall be provided prior to Preliminary Plat approval on the rezoning site.

B. Landscaping, Buffers and Screening.

A minimum twenty (20) foot wide street yard, planted at a Type C rate, shall be provided along the Bame Road frontage of the zoning site. This street yard shall be exclusive of any utility easements, except for perpendicular crossings

by utilities and roadways. In addition, this street yard shall be in common area and not part of lot area of and single family lot.

C. Transportation Conditions.

1. Right-of-way Dedication: The property owner shall dedicate a minimum of forty (42) feet of right-of-way along the Bame Road frontage of the zoning site, as measured from the existing centerline of Bame Road.
2. Access
 - a. The zoning site shall have one (1) point of access to Bame Road. No lot/dwelling unit shall take direct access (driveway access) onto Bame Road.
 - b. One (1) public street stub shall be installed to the western property boundary of the zoning site.
3. Improvements: The property owner shall improve Bame Road, from Adkins Road to the western property boundary, to minimum North Carolina Department of Transportation (NCDOT) standards.
4. The City of High Point Director of Transportation shall approve the exact location and design of all access points, turn lanes, and improvements. In addition, the City of High Point Director of Transportation and the North Carolina Department of Transportation (NCDOT) shall approve all construction and improvements.

SECTION 3

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

SECTION 4

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

SECTION 5

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

SECTION 6.

This ordinance shall become effective upon the date of adoption.

____th day of XXXXXXXXXX xx, 20XX.

Lisa B. Vierling, City Clerk

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on April 26, 2016 and before the City Council of the City of High Point on May 16, 2016 regarding **Zoning Case 16-07** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on April 17, 2016, for the Planning and Zoning Commission public hearing and on May 4, 2016 and May 11, 2016, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

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

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Residential Single Family-9 (RS-9) District**. Approximately 5.7 acres lying along the south side of Bame Road, approximately 1,900 feet west of Sandy Ridge Road (*8711 Bame Road*). The property is also known as Guilford County Tax Parcel 0216524 (portion).

The site is more specifically described as follows:

COMMENCING at a corner in the old southern margin of the right-of-way of Bame Road (public right-of-way varies), said corner also being the northwest property corner of Scotty M. and Phyllis B. Landreth (Deed Book 3502, Page 1844, Guilford County Registry); THENCE South 01 degrees 16 minutes 01 seconds East 12.60 feet to the true point of BEGINNING; THENCE with Landreth’s western property line South 01 degrees 16 minutes 01 seconds East 430.70 feet to Landreth’s southwest corner and northwest corner of Saddle Brook HOA, Inc. (Deed Book 7373, Page 1403); THENCE with the western property line of Saddle Brook HOA, Inc. and northern property line of Saddle Brook Flats HOA, Inc. (Deed Book 7373, Page 1409) the following two (2) courses and distances: South 01 degrees 16 minutes 01 seconds East 388.49 feet and 2) South 59 degrees 34 minutes 21 seconds West 285.39 feet to a new point in said northern line of Saddle Brook Flats HOA, Inc.; THENCE with new property lines the following six (6) courses and distances: 1) North 00 degrees 50 minutes 00 seconds West 264.18 feet to a point; 2) North 50 degrees 10 minutes 21 seconds West 125.92 feet to a point; 3) North 37 degrees 10 minutes 15 seconds West 103.21 feet to a point; 4) North 46 degrees 43 minutes

24 seconds East 122.40 feet to a point; 5) North 27 degrees 35 minutes 40 seconds East 124.24 feet to a point and 6) North 00 degrees 37 minutes 29 seconds East 150.33 feet to the southeast property corner of Gregory Charles and Diana W. Prochnow (Deed Book 5549, Page 2116); THENCE with said Prochnow's eastern property line North 09 degrees 57 minutes 52 seconds East 248.43 feet to a point, said point also being the new southern margin of the right-of-way of Bame Road; THENCE with said new southern margin of Bame Road along a curve to the right with a radius of 3,353.32 feet having a chord bearing and distance of South 75 degrees 18 minutes 50 seconds East 206.32 feet to the POINT and PLACE of BEGINNING, containing 5.735 acres more or less, being more particularly described as a portion of parcel 0216524, pin 7804057478 and new lot A of Plat Book 173, Page 61, High Point Township, Guilford County, High Point, North Carolina.

This legal description was compiled from recorded documents

SECTION 2

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

SECTION 3

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

SECTION 4

This ordinance shall become effective upon the date of adoption.

____th day of XXXXXXXXXX xx, 20XX.

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report

Zoning Case ZA 16-07

Submitted by Barry Siegal

Minutes for "Citizens Information Meeting" on the Rezoning of 18.7 Acres on Bame Road

A letter (see letter and mailing list attached) was sent to citizens who live within 300 feet of the property described below. The letter invited them to attend an informational meeting concerning the rezoning of this tract. The date and time set for this meeting was April 12, 2016 at 6PM at the office of Ed Price & Associates, Realtors.

On Tuesday evening, April 12, 2016, Bob Woodard, manager for Royal Homes of NC and Barry Siegal, Future developer of the 18.7 acres on Bame Road, met with eight (8) owners of property located within 300 feet of the proposed rezoning site. Carol Ferrell and Janet Brown with Ed Price & Associates were also in attendance. A register of the neighbors in attendance is attached.

Barry and Bob outlined the changes in the new rezoning proposal and discussed their plans for developing the property.

From the very beginning of the meeting the neighbors made it very clear that they were not receptive to any development on Bame Road. They expressed their anger toward River Landing and the Presbyterian Home for encroaching into their neighborhood and the City of High Point for annexing and rezoning the property. They believe that the City lied to them, misrepresented their intent for the area, and sent them down the river. A representative from River Landing was at the meeting and he was heckled at and spoken to in a very disrespectful manner. He left the meeting early as a result of the awful way he was treated.

The prospective Developer, Barry Siegal, tried to explain to the neighbors that the property was already rezoned RS-9 and that the only changes requested in the rezoning were a reflection of the subdivision of the property into two tracts, one ear marked for a single family development, Tract A, and the other that would remain under the current ownership which would have a cell tower which was previously approved by City Council. While most of the neighbors understood that, they expressed their position that no development should occur and that we were not welcomed into the neighborhood.

In our discussion, we shared with them the condition imposed by the City to stub a road to the western side of Tract A. They were opposed to the road stub and stated that it would not go anywhere because that property would never be developed. Some discussion occurred with regard to the location of the retention pond and we shared with them that the pond would be located on the property near the creek of the western side of Tract A. They asked about a buffer along the western side of the property adjoining one of their homes and we advised that a final plan had not yet been prepared but we expected that the lots would back up to the property line. They asked about the size of the lots, spacing between the homes and the value of the homes. It appeared that none of our answers, in which we tried to be clear and straightforward, were acceptable to them and that the only acceptable development was no development or very expensive homes \$500,000 plus on acre plus lots.

Most of the neighbors expressed their reservation about improvements to Bame Road and that this development would endanger their children, lead to crime and that the people buying these homes didn't deserve to live in their neighborhood.

Toward the end of the meeting we broached the subject of constructing a fence along the western property line in an effort to try to be a good neighbor in that regard. In some respect, this suggestion obtained some traction and we promise to send them a sketch plan that showed the lot development and agreed to meet with them again next Thursday, April 21, 2016.

The Developer and Builder answered all the questions of the neighbors. The neighbors left around 8pm. Most were still very bitter to us and angry with the City and distrustful of everyone outside their group.

Register Citizen Information Meeting

Wayne Cadick — Cadick14@yahoo.com

Randall Spencer — rspencer@spdbenefits.com

Patrick Sterling — LoriSterling6@gmail.com

Key Sterling ksterling@triad.rr.com

Floyd Murray FMURRAY003@triad.rr.com
8717 Bame Road - Colfax, NC 27235

Tina Webster twebster@presbyhomesinc.org
2109 Sandy Ridge Rd - Colfax, NC 27235

Dear Neighbor,

We, Carol Ferrell and Janet Brown, are REALTORS with Ed Price & Associates. We represent Scotty and Phyllis Landreth, who own property near 8707 Bame Road in High Point, NC. As you may recall, on October 4, 2007, Scotty and Phyllis Landreth, and Dallas and Evelyn Ring rezoned and annexed into the City of High Point two tracts of land that they owned fronting Bame Road and which contained a total of approximately 25 acres. The property was rezoned from Agricultural to Residential Single Family (CU RS-7) District. This rezoning (Case 07-23) had several conditions which included a maximum of 80 dwelling units (single family homes) on the site, two driveway cuts on Bame Road, and the improvement of Bame Road from Adkins Road to the western boundary of the property.

In December 2015, Scotty and Phyllis Landreth requested a special use permit to allow a Telecommunications Tower on the property (which included the property they acquired from Dallas and Evelyn Ring). The permit (Permit 15-02) was approved by the City in January 2016.

Scotty and Phyllis Landreth are now in the process of subdividing their 25 acre tract and selling the western portion of the site (18.7 acres) to BSC Holdings, Inc. who along with their homebuilding company Royal Homes of North Carolina, are requesting a rezoning to permit construction of single family homes on the western tract. The Landreths would retain ownership of the eastern tract (6.8 acres) which has the (future) cell tower location. The rezoning would permit this tract to be subdivided to allow the Landreths the opportunity to build a home for their daughter.

Royal Homes of North Carolina is a very well respected home builder in the Triad Area. It is their intent to build homes in the \$225,000 to \$250,000 price range. Homes may range from 2,500 to 3,000 square feet. You can see the style and quality of their homes by visiting their website www.Royalhomesofnc.com.

For your information, we are enclosing a copy of the Zoning Map Amendment ZA16-07 which shows the location of this 25 acre tract and proposed subdivision of it into the tract to be sold for development of single family homes to be constructed by Royal Homes of North Carolina (Tract A-CU RS-9). We are also enclosing a copy of the Conditional Use Application for the rezoning of this property. In essence, the zoning will remain the same as it was – that is Residential Single Family-9, but a few of the conditions have been modified slightly to reflect the subdivision of the property.

We invite you to meet with the developer, Barry Siegal, and the home builder, Bob Woodard to discuss their plans for this development. The meeting will be on Tuesday, April 12, 2016, at 6 PM at the offices of Ed Price and Associates located at 1220 N. Main Street, High Point, NC. Park in the back parking lot and come up the stairs to meet in the conference room.

We look forward to meeting you and showing you maps and plans and answering any questions you may have.

Respectfully,



Carol Ferrell

Janet Brown

2015-2 IH2 BORROWER LP
901 MAIN ST STE 4700
DALLAS TX 75202

AUMICK, CORA A
2103 ROSEMONT DR
COLFAX NC 27235

BIRMINGHAM, ANN M
2107 ROSEMONT DR
COLFAX NC 27235

BOWDEN, RUBY W
8728 BAME RD
COLFAX NC 27235

BRUCE O ESSICK AND CAROL H ESSICK
REVOCABLE LIVING TRUST ; ESSICK,
BRUCE O TRUSTEE ; ESSICK, CAROL H
TRUSTEE
932 SAM CT
COLFAX NC 27235

CADICK, DENBY WAYNE ; CADICK, BETTY
W
2104 ROSEMONT DR
COLFAX NC 27235

COMER, BETTY M
8733 BAME RD
COLFAX NC 27235

DUKE, ANNIE U
2105 ROSEMONT DR
COLFAX NC 27235

DYKES, IRIS W TR ; IRIS W DYKES
REVOCABLE EDUCATIONAL TRUST
2400 W GARY ST
BROKEN ARROW OK 74012

EVERETT, BARBARA S ; EVERETT,
WILBERT SPENCER
2115 ROSEMONT DR
COLFAX NC 27235

FRIES, LINDA L
2111 ROSEMONT DR
COLFAX NC 27235

GRIFFIN, HUGH A ; GRIFFIN, NANCY W
PO BOX 460
COLFAX NC 27235

HODGE, JOSEPH W ; HODGE, MARY R
2117 ROSEMONT DR
COLFAX NC 27235

HUGHES, DAVID C ; HUGHES, ANGELINE M
5023 HARNESS LN
COLFAX NC 27235

JOHNSON, SAMUEL JEROME ; JOHNSON,
MARY Q
8712 BAME RD
COLFAX NC 27235

JONES, FORREST RANDALL ; JONES,
APRIL R
2101 ROSEMONT DR
COLFAX NC 27235

LAMBE, MARGARET C
8729 BAME RD
COLFAX NC 27235

LANDRETH, PHYLLIS B ; LANDRETH,
SCOTTY M
940 GALLIMORE DAIRY ROAD
HIGH POINT NC 27265

LUCHS, LYNN B
2113 ROSEMONT DR
COLFAX NC 27235

MURRAY, FLOYD O ; MURRAY, DOROTHA H
8717 BAME RD
COLFAX NC 27235

PRESBYTERIAN HOMES INC
2109 SANDY RIDGE RD
COLFAX NC 27235

PROCHNOW, GREGORY CHARLES ;
PROCHNOW, DIANA W
8715 BAME RD
COLFAX NC 27235

RACZ FAMILY TRUST ; RACZ, NIKOLAUS
TRUSTEE ; TACZ, ERZSBET TRUSTEE
8736 BAME RD
COLFAX NC 27235

REO FUNDING SOLUTIONS III LLC
1170 PEACHTREE ST NE STE 2365
ATLANTA GA 30301

RICH, AMY
8706 BAME RD
COLFAX NC 27235

RIPP, HENRY ; RIPP, MAUREEN P
19263 SABAL LAKE DR
BOCA RATON FL 33434

RUMSEY, MELBA JEAN B ; BRYANT, JAMES
C
8730 BAME ROAD
COLFAX NC 27235

SADDLE BROOK FLATS HOA INC
221 JONESTOWN RD
WINSTON SALEM NC 27104

SADDLE BROOK HOA INC
200 W 2ND ST
WINSTON SALEM NC 27101

SCARBORO, HELEN S ; SCARBORO, RUFUS
B
2108 ROSEMONT DR
COLFAX NC 27235

SHORT, RICK J ; SHORT, PAULA M
5021 HARNESS LN
COLFAX NC 27235

SHUGART ENTERPRISES LLC
221 JONESTOWN RD
WINSTON-SALEM NC 27104

SPENCE, CAROLYN MCGEE
2106 ROSEMONT DR
COLFAX NC 27235

SPENCER, RANDALL W ; SPENCER, DIANE
B
2102 ROSEMONT DR
COLFAX NC 27235

STERLING LIVING TRUST ; STERLING,
JOHN KENNETH TRUSTEE ; STERLING,
KAY H TRUSTEE
8731 BAME RD
COLFAX NC 27235

TODD, LINDA H ; TODD, STUART A
5024 HARNESS LN
COLFAX NC 27235

VANCE, E C ; VANCE, DEBORAH M
2109 ROSEMONT DR
COLFAX NC 27235

WARWICK, ALVIN M JR ; WARWICK, CYNDI
H
2121 ROSEMONT DR
COLFAX NC 27235



**MANAGER'S BRIEFING BUDGET REVIEW SESSION
HIGH POINT MUNICIPAL BUILDING
MAY 2, 2016 – 3:30 P.M.
3RD FLOOR LOBBY CONFERENCE ROOM**

MEETING MINUTES

Present:

Mayor William S. Bencini, Jr.; Mayor Pro Tem Golden (Ward 1); and; Latimer Alexander (At-Large); Council Member Jason Ewing (Ward 6) (Joined meeting at 3:43 p.m.); Cynthia Davis (At-Large); Christopher Williams (Ward 2); Alyce Hill (Ward 3); and Jay Wagner (Ward 4)

Absent:

Council Members James Davis (Ward 5)

Staff Present:

Greg Demko, City Manager; Randy McCaslin, Deputy City Manager; Randy Hemann, Assistant City Manager; Eric Olmedo, Budget and Performance Manager; Laura Altizer, Budget Analyst; Roslyn McNeill, Budget Analyst; Jeron Hollis, Communications & Public Engagement Director; Mike McNair, Director of Community Development; Jeff Moore, Director of Financial Services; Angela Kirkwood, Human Resources Director; Tommy Reid, Fire Chief; Terry Houk, Public Services Director; Loren Hill, Economic Development Director; and Maria Smith, Deputy City Clerk; Lisa Vierling, City Clerk

News Media:

Pat Kimbrough, High Point Enterprise
Jordan Green, Triad City Beat

Handouts:

- City Council Budget Update

Note: These handouts will be incorporated into these proceedings, with the exception of the CAFR, which will be on file in the City Clerk's Office.

Mayor Bencini called the Manager's Briefing Budget Review Session meeting to order. Greg Demko, City Manager, reviewed the progress on the preparation of the 2017 Budget. He shared this was his second year in shaping the High Point budget and moving towards a system of priority-based budgeting which was one of the items discussed last year. He mentioned last year Council:

- Reduced property tax rate
- Eliminated 12 positions
- Reallocated 1.6M to programs identified as priorities which included:
 - \$500,000/neighborhood clean-up in blighted remediation

- Increased spending on street pavement
- Expanded code enforcement
- Increased library hours
- Increase appearance items for mowing and street sweeping
- Added Wi-Fi to Recreation Centers (with a property tax rate decrease)

Mr. Demko added for this year starting for January 2017, he began with budget department reviews to City Council and mainly core information. He reported that Council is working currently on a proposed budget, and Mr. Olmedo will review his presentation to show the current stands of the budget work and how he managed to move \$1M from existing budgets to put toward priority items on top of the \$1.6M from last year's budget. Mr. Demko plans to present to City Council on May 11th and then to follow on May 16th a Budget Public Hearing with opportunities for discussions with study sessions between May 18th-20th and targeted with the Council's Consideration/Adoption for Monday, June 6th.

Mr. Olmedo started with last year's reallocated savings of \$360,000. He noted that the Stormwater Fund was increased from \$2. to \$3. and that allowed the debt service from the Stormwater Fund pay for itself. Then all together it was \$1.6M as Mr. Demko stated.

He then noted some new priorities that were listed:

- \$500,000 for redevelopment efforts
- \$250,000 for the City Hall upgrades
- \$100,000 for the Countywide Economic Development
- Increased library hours
- Added Wi-Fi to Oakview, Allen Jay and Deep River
- Added four Code Enforcement Officers
- Added 3 full-time and 5 part-time to the Parks and Recreation and increased the mowing cycles and the appearance of the Right of Ways
- Increase the Communications and Public Engagement Department by 2 employees

Going back about three years ago, as they implemented the Environmental Services transition plan, he stated how they would decrease the tax rate and increase the fee that citizens pay for the solid waste collection over a three year process.

- FY 2013-14 = \$67.5 cents
- FY 2014-15 = \$66.4 cents
- FY 2015-16 = \$65 cents
- FY 2016-17 = \$63.75 cents (included in current budget development work)

Mr. Olmedo noted that what is included in the current numbers that would be seen later in the presentation are another \$1.25 cents decrease in the tax rate for a total of a \$3.75 cents. In addition, the solid waste fee was increased from \$5.00 to \$8.00, \$8.00 to \$11.00, and \$11.00 to \$14.00.

Council Member Alexander was concerned regarding the savings on the tax rate decrease and wanted to know what size house does a citizen need to have to be revenue neutral? Mr. Olmedo confirmed that it would need to be \$280,000. Council Member Alexander mentioned that the cost to government would be higher. He also advised that when you change your tax to a fee and then fees would not be deductible off your income tax and then if you own property was less than \$285,000 this would be a more expensive way that of paying for it than the other way.

Mr. Olmedo reviewed the method of the unintended consequence property of tax rate decrease. He calculated in \$600,000 less in sales tax over the last three years and has been lowering our rate and if we continue to lower our rate at an additional 1.257 for next year it should be an accumulative \$800,000.

Moving forward to the reallocations and prior to what Mr. Demko stated about \$1 million in various reductions had been made in the General Fund including one position. Mr. Olmedo reviewed what had been *added* to the General Fund.

He reported on the Stormwater fund.

- Went through the three months reviews with the departments.
- Showed business plans for the enterprise funds along with Stormwater as well.
 - Talked about increasing that rate to \$1 to be able to fund over the next five years. (That will allow us to pay for that service.)

Mr. Olmedo spoke briefly on the comparison with the other cities to what they charge and what City of High Point charges. Greensboro is at \$2.70 and City of High Point is at \$3.00 and with the current rate structure it would not be a five year plan instead it would be 18-year plan.

Mr. Demko requested direction from Council as to whether they should include that as part of the business plan in the proposed budget or not. Council Member C. Davis commented that she believes that it was too premature before Council sees the rest of the budget material being presented. Mayor Bencini saw the City Manager's question as if Council would like to follow a discussion. Mr. Demko raised the question if Council should put this in as part of the proposed budget as Council's idea wanting to accelerate the programs and wanting to keep the services we provide now and work them while adding the key strategic areas. He noted there is not enough money and to be able to do this would require a rate increase unless we plan to do it over an 18 year period. Council Member Alexander suggested that it could be bonded. Mr. Demko advised that the rate increase would be needed in order to bond it. He noted that the strategy with an enterprise fund would be normally a revenue bond and they could combine an enterprise fund to show the coverage and either way would it would be a source of repayment. Council unanimously came to a census to include it.

Moving on the General Fund, Mr. Olmedo reported:

- Appropriation to continue the funding that they did last year for redevelopment for \$500,000
- Forward High Point appropriation - \$250,000 (offset by reduction of current cost of \$125,000)
- Continuation of Countywide EDC Agreement - \$100,000
- Continuation of Façade Grant Program - \$50,000

Council Member C. Davis raised the question that the 500,000 that was used from last year was not used yet and now it seemed that we would add another \$500,000 to partner with Bank of North Carolina. She had an issue with that since it was supposed to be set aside to be used to remove deteriorated houses in neighborhoods and if we have not used any of that money that it was intended to be used for. She had spoken with Mark Walsh and they are not asking for a million dollars from the City of High Point to do the project at Meadowview and she does not understand the need for it. Council Member C. Davis mentioned that she will not support Forward High Point in the amount of \$250,000 because the individual would not be reporting back to this body. She referenced The EDC agreement and stated she still does not know how they spent the money the first time and there still seems to be a lot of unanswered questions.

Mr. Demko clarified the first one for the 500,000 that we set aside to work on to develop a program to remediate blight and issues in our Core. He reviewed the good success with first flow of contract code enforcements with the two that were hired and two on temporary contract. He shared within the first week they removed 309 signs and issued 105 nuisance violations and that was real evident with this

weekend's clean-up efforts. He continued as those signs were posted as the City is working on giving the due process to the people to cleaning up their yards or coming into consequences.

Mr. Demko stated that the additional 500,000 portions for redevelopment are to drive programs for how we drive improvements in the community. Council Member C. Davis thought the positions were funded for the General Fund for the hiring positions not out of the \$500,000. She thought the \$500,000 would be used for demolition or demolished properties that had trees growing out of the homes and with vines. She disagreed with it being part of the conversation. Mr. Demko does believe it was part of the conversation as it was developing the program to make the best impact of money and it is part of the General Fund.

Randy Hemann, Assistant City Manager, brought to Council's attention how the city has been prudent in working with the Guilford County Tax Office by looking at liens and being as efficient as possible. He would prefer to take a little broader look and not just spend it to be spending it, but to wait and spend it in the most prudent manner. He noted the nuisance process may not be as quick as everyone likes, but it would take time to be done right.

Council Member C. Davis agreed with Mr. Hemann regarding the status of these neighborhoods identified in Mr. McNair's presentation. She expressed concerns regarding a house on Shadybrook that had been demolished that was sitting there for 20+ years and noted there were absolutely no excuses for a house sitting there that long. She mentioned that we have set a standard so low that people have continued to live a certain way and felt it was as if the City of High Point is sending a message that these people do not matter. She stated that we can continue to dance around the issue that we are addressing, but we are not addressing it because we are only addressing those things that the majority in this room, and the movers and shakers of this City want. She felt the average citizen is being neglected.

Mayor Pro Tem Golden asked if the city had entered into an agreement with Bank of North Carolina yet. Mr. Demko responded that they have not and they have not come back with a program. Mayor Pro Tem Golden asked about the EDC program and if the city had paid the \$100,000 yet. Council Member C. Davis commented that she was not informed of that information. She remembered during the briefing that Council was informed that they considered taking the \$500,000 and adding another \$500,000 to it to couple with what Bank of North Carolina was doing. Mr. Demko stated that it was a possibility.

Council Member Williams inquired about the original \$500,000 that was allocated to the contractors for code enforcement. Mr. McNair responded for the first 90-day period it was about \$65,000. Mr. Williams asked if the city was now operating with five code enforcement officers and Mr. McNair confirmed this was correct. Council Member C. Davis asked if the other Council Members got a copy of what Council Member Williams was reading from and he noted he just got the information because he will be presenting it during the Council meeting tonight.

Mr. Olmedo reported on the lease with three more Fire Department apparatus for \$2M. He noted that we would continue our continuation of up to \$1.925 last year and added WiFi at:

- Southside
- Morehead
- Washington Terrace

Also, added \$100,000 for Neighborhood Traffic Calming Devices.

Council Member Alexander had a question on street resurfacing, and hoped Council would be briefed at some point in time on road ratings/miles/street lanes and figure how much money will actually be needed. He felt the city was throwing just short of \$2 million at a project and he believed that this is underfunded by 50 percent. Mr. Demko believes that it is about \$3.7 million to get a remaining service life that is recommended by the city's engineers through the road rating process. Deputy City Manager McCaslin

noted it was staff's intent to brief the Council on this, but this was one of the department presentations that got bumped. Mr. Demko agreed this is something that staff could bring to Council at the next Manager's Briefing. Council Member Alexander stated he would feel more comfortable having numbers to justify expenditures. He suggested if two pennies were added to the property tax, it would provide the money needed to resurface the streets.

Mr. Demko spoke briefly on the cost of living and merit increases and is recommending or proposing a pay for performance program and reinstating the pay for performance program and do from 0%-4% based on ratings and they are working on better training for our supervisors as far as how reviews are conducted and better documentation in the review process. Council Member C. Davis asked if this would be removing the cost of living percentage or if that would stay in place? Mr. Demko advised that right now, there is not a cost of living and this would be instead of that and this would be more of a pay of performance.

Mr. Olmedo advised additionally they have placed in the budget for Council's consideration eight grant funded police officer positions. They have applied for this Federal COPS Grant and will know in September if successful which requires a \$200,000 match for the personnel cost. He noted \$400,000 is included in the proposed budget to pay for vehicles and equipment that a new police officer needs. He noted when Chief Sumner gave his presentation he mentioned the need for uncommitted time to increase and decrease Signal 4 instances (when no officer are available to respond). This would help achieve those goals.

In the Transit Fund, he mentioned that we have included the increased service levels that have been discussed from the short range transit plan. That does have a General Fund impact because we would transfer City match from the General Fund and this would be \$120,000 additional to offset that grant. With that, it would increase 3 hours each weekday, 2 hours on Saturday, and does include the changes to implement the Palladium/Theatre route.

Mr. Olmedo reviewed the Pay as you Go projects in the General Fund:

- Electric System upgrade at City Hall (\$100,000 was put aside last year; \$400,000 total project cost). The idea was to put aside \$100,000 a year to pay for this much needed upgrade.
- Traffic Services storage building \$150,000
- Pay as you Go Projects for Parks and Recreation
 - Parking lot resurfacing (broke up into two years; the first year at \$492,000 and in 2018 will come back and ask for another \$490,000 to replace the parking lot at Blair Park and City Lake.

He mentioned there are three NCDOT projects that will require money to be set aside (grant dollars matched). He advised the bridge replacement is scheduled for 2019 (bridge only; does not include any of the interchange around the bridge). He was told by Mr. McDonald, Transportation Director, that if the city budgets a match, the State would more than likely allocate dollars for them to include the entire interchange construction project. He advised the MLK Drive sign change has not been to Council yet, but there would be an agreement for the City to pay back the money that the State paid to change out the signs on US 7. He noted the Skeet Club Road project for sidewalks that was a \$400,000 project and the city is requesting \$125,000 this year; and \$150,000 next year.

With all the needs included in the current budget, the City maintained the current service levels, committed to continue fund last year's priorities as well as the additional priorities. This brings the total of \$1.9 million in need. Mr. Demko pointed out this does not include any money for the sports/entertainment facility because the final numbers have yet to be received and the data was

inadequate at this point to be able to make any kind of recommendation on how the City should proceed. He also pointed out staff is in the middle of a space needs/facilities study and do not anticipate having it back in time for this year's budget.

Council Member C. Davis noted in the first budget Mr. Demko did, he had mentioned not wanting to spend a lot of money because of possible consideration of moving municipal government to another location and asked if these dollars could be saved if this is still a consideration. Mr. Demko advised that \$250,000 was set aside last year, but pointed out we are still short in the budget for how to fund it and Council would be discussing different strategies in either new revenues or cutting operations/services currently provided, etc.... Council Member C. Davis wanted to know if we have looked at vacant buildings throughout the City that might meet the needs and maybe working out some kind of arrangement for a donation of those buildings or structures to the city. Mr. Demko replied that he had.

Mr. Olmedo then reviewed the Municipal Vehicle tax. Currently the City of High Point charges \$5 for transit purposes. He noted last year, the Legislature approved cities to be able to raise this up to a \$30 fee without any special legislation. Currently, this means the city can use

- \$5 for any lawful purpose
- \$5 for Public transit
- \$20 Street maintenance

Mr. Olmedo reviewed the chart that shows what other cities have done and where they are currently at. The Municipal vehicle tax comparison which showed High Point at \$5. As Mr. Olmedo pointed out Greensboro is proposing to go from \$10 to \$20 and Greenville is proposing to go from \$20 to \$30. Fayetteville is proposing to go from \$10 to \$15.

He advised that \$5 means \$390,000 for High Point and this is what currently goes to the transit operations. Each additional \$5 increment would be \$390,000. If the city were to go to a \$30 vehicle tax, High Point would see an additional \$1.95 million in revenue.

Mr. Olmedo spoke about the Business registration fee and the Legislature took away our privilege license ability. He stated that the State Law allows cities to "charge a reasonable fee" which is generally considered \$25 or less. He stressed this is not meant to be a revenue generator, but it was more important to have an accurate list of cities doing business in the city limits.

Council Member Alexander stated he thought they did away with it and he had asked the League to propose a reasonable fee, but he did not think any action was taken on that yet. Mr. Demko explained that the privilege license was abolished by the Legislature but they started recognizing the value for municipalities to be aware of those doing business within the city. He recommended that the city start this process to help offset the cost.

Mr. Olmedo talked about the consideration of not lowering the property tax as much as was in the 3-year plan with Environmental Services. This would help offset that unintended consequence of the sales tax decline. He advised this year we are at slightly over 1% growth in assessed value and noted it is difficult to continue current operations at the current level because we are not growing as fast as some other cities. He noted the thought is if we reduce the tax rate by .25 cents instead of 1.25, we could retain about \$920,000 in revenue and this coupled with a business registration and increasing the municipal vehicle tax from \$5 to \$15 and using \$390,000 of that for general purposes, supplanting \$390,000 of the current \$1.925 in street maintenance and shifting those dollars over to general purposes, would just about make up the \$1.92 million in needs that we have.

Mr. Olmedo stated that the goal in putting the budget together was to maintain the service levels and address Council priorities and noted a lot of time has been spent over the past three to four months talking about the various departments and staff is asking Council to consider revenue options to fund these priorities.

In summary, Mr. Olmedo is asking Council to consider revenue options to fund these priorities.

- Property tax - \$920,000
- Business Registration Fee - \$125,000
- Municipal Vehicle Tax \$780,000
- Total- \$1,825,000

Council Member C. Davis pointed out the \$1.25 that was promised by the previous Council and asked if this would remain. Council Member Ewing explained this was for the Enterprise Fund. Mayor Pro Tem commented when this was done, the unintended consequences were not known. Mr. Demko noted this is the conversation that staff needs in order to get an indication how to shape and getting the operations the way Council wants the city to move forward. He pointed out a big piece in moving forward is how to gain increases in property values.

Council Member Alexander stated he would still like to find a way to put more money into street resurfacing. Council Member C. Davis agreed with Council Member Alexander in the fact that street resurfacing is something that the city is definitely charged to do. She believes that the private sector has its role and the municipal government has its role and she has seen that some want to do more with taxpayers dollars in regards for somebody starting a business than it is with maintaining the responsibilities that the city is supposed to be doing. She felt there are many fine institutions to fund the ballpark that keeps showing up and plenty of opportunities for those that want it to raise those dollars. She felt the City Council's focus should be on doing what they are charged to do, to maintain and provide the best quality of services possible.

Council Member Wagner asked if there is anything in the budget for a ballpark and Mr. Olmedo responded that there is not. Council Member C. Davis mentioned conversations that have been on- going regarding the ballpark and pointed out doing an amendment to the budget was not doing good business. Council Member Wagner felt that Council Member C. Davis is characterizing it like the city is funding the ballpark and neglecting services. He noted he is not privy to any of the conversations going on about the ballpark. Council Member C. Davis felt the bigger concern should be focusing on the needs at hand.

Mayor Bencini reiterated there is nothing in the budget about baseball and questioned why this was even part of the conversation. Council Member C. Davis stated because it would come up after the budget is adopted.

Council Member Alexander stated he does not have a problem moving the vehicle fees, but felt it was important to find a way to move the street resurfacing up. He would like to move it up and would like to figure out a long term strategy. Mr. Demko agreed with Council Member Alexander and shared that they have business plans and streets, parks, and sidewalks would be part of that discussion as well.

Mayor Bencini agreed with Council Member Alexander that there is a conversation on taxes, fees, and consequences of fees and would rather not do it that way, but if this was the only source available to get the city back on more of a sustainable program for the streets. Council Member Wagner stated he would be interested in seeing what would truly be revenue neutral.

Mr. Demko asked Council for some general direction and noted one of the big pieces of this was how do we push through our strategic items (curing blight, millennials and getting a catalyst project for driving new property tax values). He noted that although this was not in the budget, continuation of the façade improvement grants was and the addition that we have done in putting retail back in with economic development.

Council Member C. Davis asked what the increase would be if some of the blighted houses are removed in the neighborhoods that have been in that condition for generations. She does not see the City Council caring a whole lot about the people on the bottom part of the spectrum and this bothers her. Mr. Demko shared this is a piece of how to improve the property taxes. Council Member C. Davis reminded Council of the problems with existing and tangible things that could be seen and she felt Council is missing the fact that there are people living in areas that have made investments in their modest homes and they are important too. Council Member Williams spoke briefly regarding Council Member C. Davis' previous comments and noted she would be surprised about the money (\$500,000) they had spent and the positive responses he had received from neighborhoods such as: Burns Hill, Macedonia, Pershing. They all are responding to the sign violations, the efforts that are coming through. He shared they are happy with our efforts and he went further stating that this Council does care what they do!

Council Member C. Davis shared that she participated in the bus tour recently and contrary to what Council Member Williams is stating, the opposite was being said on the bus. Council Member C. Davis noted these people feel neglected and underserved. Council Member Wagner reiterated that we did address the blight and it was a unanimous vote and that we would not give up because it was not an overnight fix. Council Member Williams noted these were the priorities that came out of the Strategic Plan:

1. Blight removal
2. Millennial retention
3. Baseball

He pointed out the only thing that money is being spent on is the blight issue and shared that the money that has been raised so far for the baseball park has been private dollars.

Council Member Ewing pointed out just bulldozing dilapidated houses would not increase property values. It would have to be a combination between bulldozing dilapidated houses, redevelopment of those vacant lots and an increase of owner's appreciation of houses around those lots that need to be redeveloped. Council Member C. Davis stated those people are just as valuable in their day-to-day living and do not deserve having a house in that condition sitting next door for 30 years.

Council Member Alexander pointed out a building that was burned down in the City and wanted to know if we could get the demolition permit and then burn the building down first. Mr. Hemann responded that there is a State permit and also a City permit associated with that and they turn around with that in a couple of days. Tommy Reid, Fire Chief, stated they agreed they will sign and get notarized. Mr. Demko asked Council not to forget the core city study of the 15,500 properties that Mr. McNair and UNCG did as this is the baseline on how many of the blighted house issues are addressed. He noted this is an important tool that the city has in order to continue to monitor progress and staff plans on continuing to use it.

Mayor Pro Tem Golden took offense to Council Member C. Davis regarding the blight and noted he was offended that she said that the Council does not care. He noted he has seen more effort in the last year to address blight than he has seen twenty years prior.

He inquired about the equal payment plan that the city has for utilities and noted that the city failed to do the recert at the end of the year to see if the payments made were adequate or not. He pointed out people are getting bills for six year's worth of payments all of a sudden because the re-cert was not done by the

city at the end of the year. He questioned how the city failed to do the evaluation at the end of the year. The managers were not aware of the issue, but agreed to check on it.

Council Member C. Davis shared that it was not her intent to offend anyone on this Council but, on the other hand, she intends to speak her own personal truth. She encouraged anyone wanting to have dialogue with her to call her because the Mayor refuses to let her serve on any committees inside the city limits in which she was elected to serve.

Mr. Olmedo asked Council how they would like for staff to proceed and if it was Council's will for staff to include this in the final proposed budget that Council would see in nine days. Council Member Alexander stated he would like to see that and would also like to see if there might be another way of adding some dollars to street resurfacing. Council Member Ewing stated he would be fine if the fee needed to be increased more than \$15 in order to get done all the things that are needed especially for the thoroughfares and residential streets. Council Member Alexander felt it would need to be a property tax and it needs to stay as limited as possible in the fee area. He noted the cost of government to the poorest among us is increased moving from a tax to a fee.

Mayor Bencini then shared appreciation to Mr. Olmedo for all his efforts and laying out the budget and that Council has been given a lot to consider moving forward as to how to fund these things.

Mr. Demko explained that staff would put the budget together, get it out to Council on May 11th with a public hearing on the 16th and if any reviews are necessary, these could be done on May 18 – 20. He noted if Council would like to review the pavement management study, it could be put on the next agenda.

Council Member Alexander asked about Water/Sewer and Mr. Demko replied in continuing with the business plan, it would be a 4% increase.

There being no further discussion, the meeting adjourned at 4:58 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Maria A. Smith
Deputy City Clerk

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on April 26, 2016 and before the City Council of the City of High Point on May 16, 2016 regarding **Zoning Case 16-07** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on April 17, 2016, for the Planning and Zoning Commission public hearing and on May 4, 2016 and May 11, 2016, 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 16, 2016**.

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: **Conditional Zoning Residential Single Family-9 (CZ RS-9) District**. Approximately 18.7 acres lying along the south side of Bame Road, approximately 2,500 feet west of Sandy Ridge Road (*8711 Bame Road*). The property is also known as Guilford County Tax Parcel 0216524 (portion).

The site is more specifically described as follows:

BEGINNING at a corner in the new southern margin of the right-of-way of Bame Road (public right-of-way varies), said corner also lying in the eastern property line of Margaret C. Lambe (Deed Book 2660, Page 0139, Guilford County Registry); THENCE with said new southern margin of Bame Road the following two (2) courses and distances: 1) North 77 degrees 33 minutes 07 seconds East 148.17 feet to a point and 2) along a curve to the right with a radius of 738.00 feet having a chord bearing and distance of North 83 degrees 57 minutes 54 seconds East 164.87 feet to a point in the western property line of Dorothea H. and Floyd O. Murray (Deed Book 4955, Page 780); THENCE leaving said new southern margin of the right-of-way of Bame Road South 01 degree 38 minutes 48 seconds West 242.96 feet to Murray’s southwest property corner; THENCE with Murray’s southern property line South 73 degrees 20 minutes 34 seconds East 200.39 feet to Murray’s southeast property corner and southwest property corner of Gregory Charles and Diana W. Prochnow (Deed Book 5549, Page 2116); THENCE with Prochnow’s southern property line South 80 degrees 03 minutes 58 seconds East 150.04 feet to a point being Prochnow’s southeast property corner; THENCE with new property lines the following six (6)

courses and distances: 1) South 00 degrees 37 minutes 29 seconds West 145.59 feet to a point; 2) South 26 degrees 37 minutes 11 seconds West 126.41 feet to a point; 3) South 46 degrees 24 minutes 34 seconds West 128.39 feet to a point; 4) South 39 degrees 32 minutes 38 seconds East 96.55 feet to a point; 5) South 48 degrees 56 minutes 15 seconds East 133.34 feet to a point and 6) South 00 degrees 50 minutes 00 seconds East 262.26 feet to a point in the northern property line of Saddle Brook Flats HOA, Inc. (Deed Book 7373, Page 1409); THENCE with the northwestern property lines of said Saddle Brook Flats HOA, Inc. the following three (3) courses and distances: 1) South 59 degrees 34 minutes 21 seconds West 168.56 feet to a point; 2) South 52 degrees 28 minutes 51 seconds West 304.63 feet to a point and 3) South 01 degree 41 minutes 11 seconds West 311.65 feet to a point in the northern property line of Presbyterian Homes, Inc. (Deed Book 4738, Page 406); THENCE with said northern property line of Presbyterian Homes, Inc. South 89 degree 57 minutes 01 seconds West 298.53 feet to the southeast property corner of the Sterling Living Trust (Deed Book 7228, Page 571); THENCE with the eastern property line of said Sterling Living Trust North 01 degree 20 minutes 59 seconds East 1203.38 feet to a point, being the northeast property corner of said Sterling Living Trust and the southeast property corner of said Margaret C. Lambe; THENCE with said eastern property line of Margaret C. Lambe North 01 degree 22 minutes 40 seconds East 427.81 feet to the POINT and PLACE of BEGINNING, **containing 18.707 acres more or less**, being more particularly described as a portion of parcel 0216524, pin 7804057478 and new lot A of Plat Book 173, Page 61, High Point Township, Guilford County, High Point, North Carolina.

This legal description was compiled from recorded documents from the Guilford County Registry and its sole use is for rezoning purposes.

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 Residential Single Family-9 (RS-9) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the RS-9 District and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Fencing, Wall, or Similar Barriers: In the event fencing, wall, or similar barriers are erected along the common areas or vicinity of the abutting the Bame Road right-of-way or the rear/side yards of lots within the vicinity of the Bame Road right-of-way, then a common fencing, wall or similar barrier plan shall be provided. This plan shall be provided prior to Preliminary Plat approval on the rezoning site.

B. Landscaping, Buffers and Screening.

A minimum twenty (20) foot wide street yard, planted at a Type C rate, shall be provided along the Bame Road frontage of the zoning site. This street yard

shall be exclusive of any utility easements, except for perpendicular crossings by utilities and roadways. In addition, this street yard shall be in common area and not part of lot area of and single family lot.

C. Transportation Conditions.

1. Right-of-way Dedication: The property owner shall dedicate a minimum of forty (42) feet of right-of-way along the Bame Road frontage of the zoning site, as measured from the existing centerline of Bame Road.
2. Access
 - a. The zoning site shall have one (1) point of access to Bame Road. No lot/dwelling unit shall take direct access (driveway access) onto Bame Road.
 - b. One (1) public street stub shall be installed to the western property boundary of the zoning site.
3. Improvements: The property owner shall improve Bame Road, from Adkins Road to the western property boundary, to minimum North Carolina Department of Transportation (NCDOT) standards.
4. The City of High Point Director of Transportation shall approve the exact location and design of all access points, turn lanes, and improvements. In addition, the City of High Point Director of Transportation and the North Carolina Department of Transportation (NCDOT) shall approve all construction and improvements.

SECTION 3

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

SECTION 4

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

SECTION 5

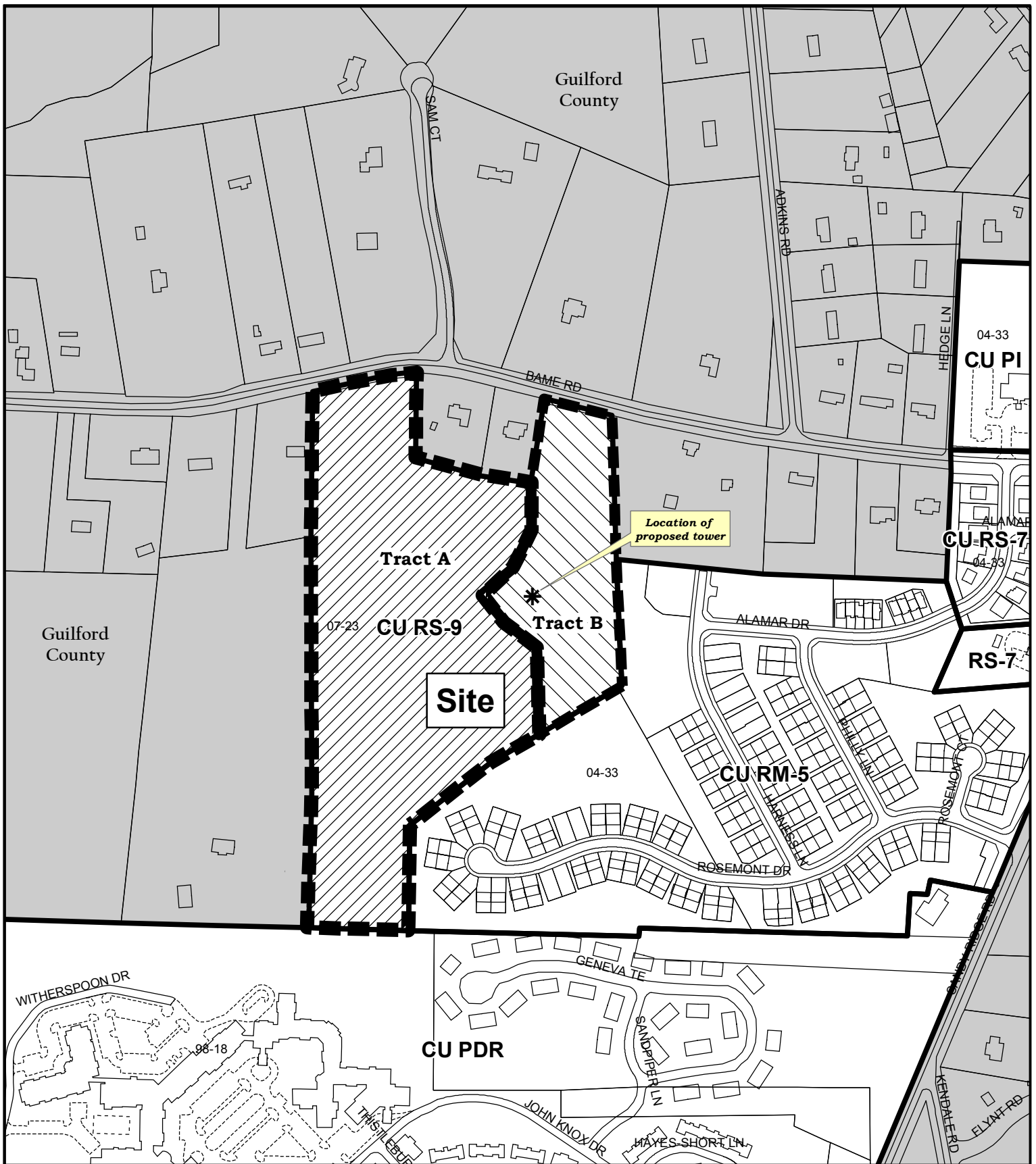
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

This ordinance shall become effective upon the date of adoption.

16th day of May, 2016.

Lisa B. Vierling, City Clerk



ZONING MAP AMENDMENT ZA16-07

From: Conditional Use Residential Single Family-9
To: Tract A - Conditional Zoning Residential Single Family-9
 Tract B - Residential Single Family-9

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

**Planning & Development
 Department**

City of High Point

Date: April 26, 2016



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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 April 26, 2016 and before the City Council of the City of High Point on May 16, 2016 regarding **Zoning Case 16-07** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on April 17, 2016, for the Planning and Zoning Commission public hearing and on May 4, 2016 and May 11, 2016, 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 16, 2016**.

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: **Residential Single Family-9 (RS-9) District**. Approximately 5.7 acres lying along the south side of Bame Road, approximately 1,900 feet west of Sandy Ridge Road (*8711 Bame Road*). The property is also known as Guilford County Tax Parcel 0216524 (portion).

The site is more specifically described as follows:

COMMENCING at a corner in the old southern margin of the right-of-way of Bame Road (public right-of-way varies), said corner also being the northwest property corner of Scotty M. and Phyllis B. Landreth (Deed Book 3502, Page 1844, Guilford County Registry); THENCE South 01 degrees 16 minutes 01 seconds East 12.60 feet to the true point of BEGINNING; THENCE with Landreth’s western property line South 01 degrees 16 minutes 01 seconds East 430.70 feet to Landreth’s southwest corner and northwest corner of Saddle Brook HOA, Inc. (Deed Book 7373, Page 1403); THENCE with the western property line of Saddle Brook HOA, Inc. and northern property line of Saddle Brook Flats HOA, Inc. (Deed Book 7373, Page 1409) the following two (2) courses and distances: South 01 degrees 16 minutes 01 seconds East 388.49 feet and 2) South 59 degrees 34 minutes 21 seconds West 285.39 feet to a new point in said northern line of Saddle Brook Flats HOA, Inc.; THENCE with new property lines the following six (6) courses and distances: 1) North 00 degrees 50 minutes 00 seconds West 262.26 feet to a point; 2) North 48 degrees 56 minutes 15 seconds West 133.34 feet to a point; 3) North

39 degrees 32 minutes 38 seconds West 96.55 feet to a point; 4) North 46 degrees 24 minutes 34 seconds East 128.39 feet to a point; 5) North 26 degrees 37 minutes 11 seconds East 126.41 feet to a point and 6) North 00 degrees 37 minutes 29 seconds East 145.59 feet to the southeast property corner of Gregory Charles and Diana W. Prochnow (Deed Book 5549, Page 2116); THENCE with said Prochnow's eastern property line North 09 degrees 57 minutes 52 seconds East 248.43 feet to a point, said point also being the new southern margin of the right-of-way of Bame Road; THENCE with said new southern margin of Bame Road along a curve to the right with a radius of 3,353.32 feet having a chord bearing and distance of South 75 degrees 18 minutes 50 seconds East 206.32 feet to the POINT and PLACE of BEGINNING, **containing 5.747 acres more or less**, being more particularly described as a portion of parcel 0216524, pin 7804057478 and new lot A of Plat Book 173, Page 61, High Point Township, Guilford County, High Point, North Carolina.

This legal description was compiled from recorded documents from the Guilford County Registry and its sole use is for rezoning purposes.

SECTION 2

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

SECTION 3

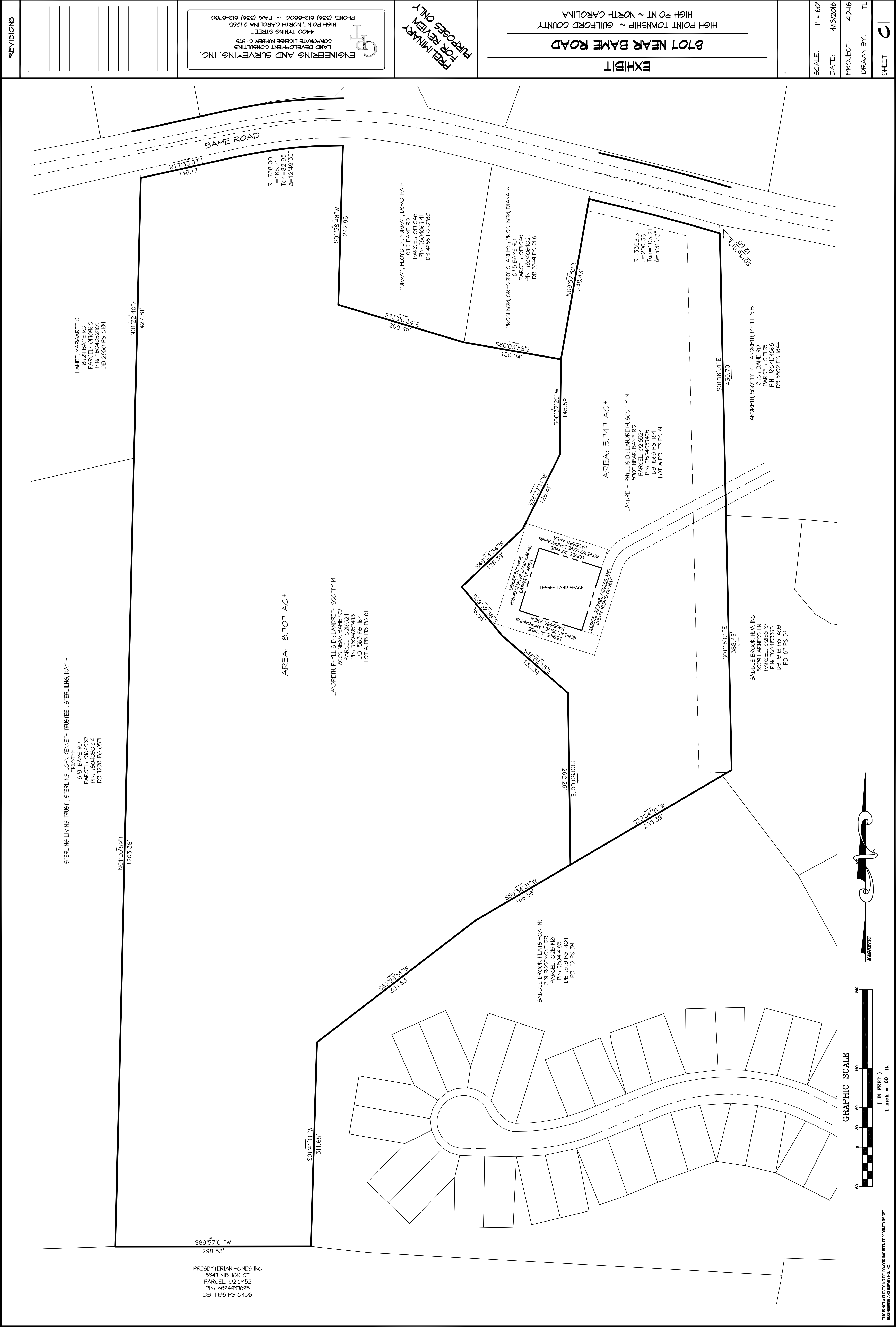
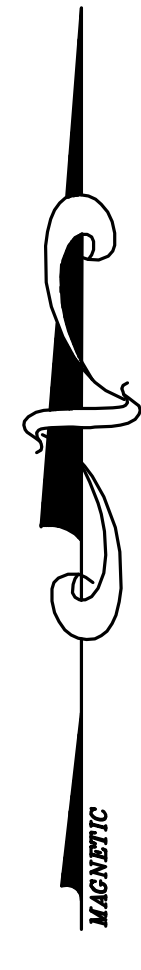
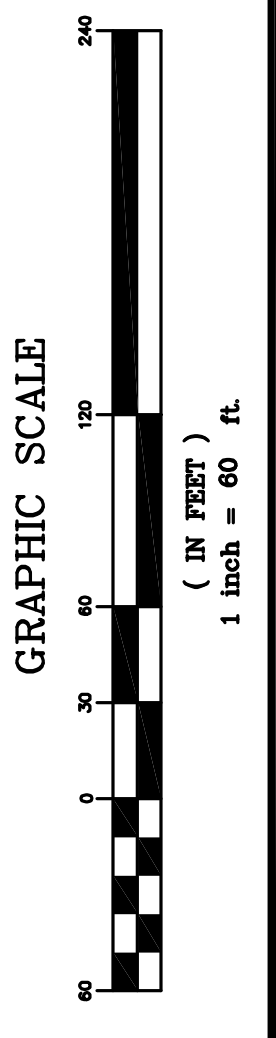
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

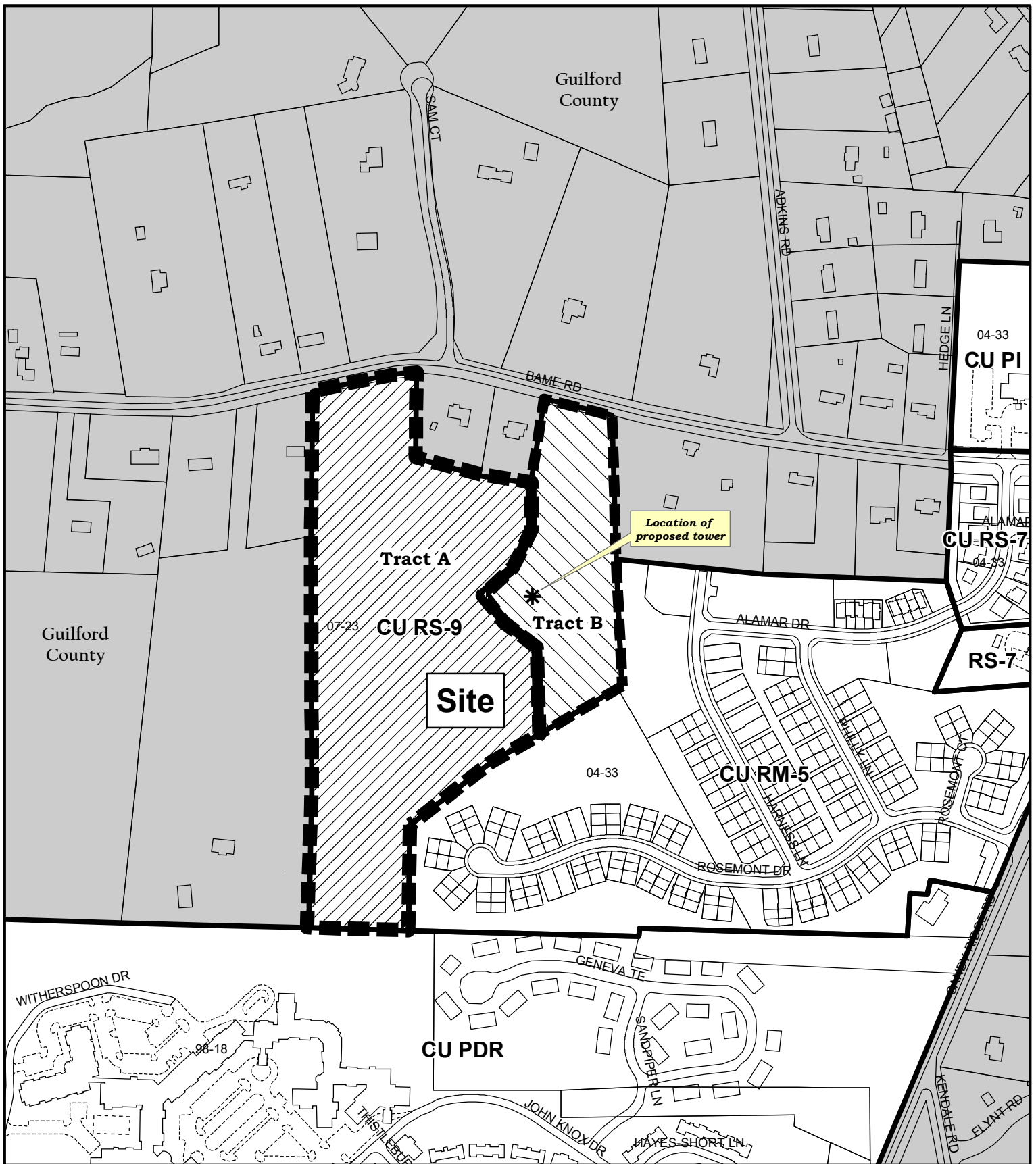
SECTION 4

This ordinance shall become effective upon the date of adoption.

16th day of **May 16, 2016.**

Lisa B. Vierling, City Clerk





ZONING MAP AMENDMENT ZA16-07

From: Conditional Use Residential Single Family-9
To: Tract A - Conditional Zoning Residential Single Family-9
 Tract B - Residential Single Family-9

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

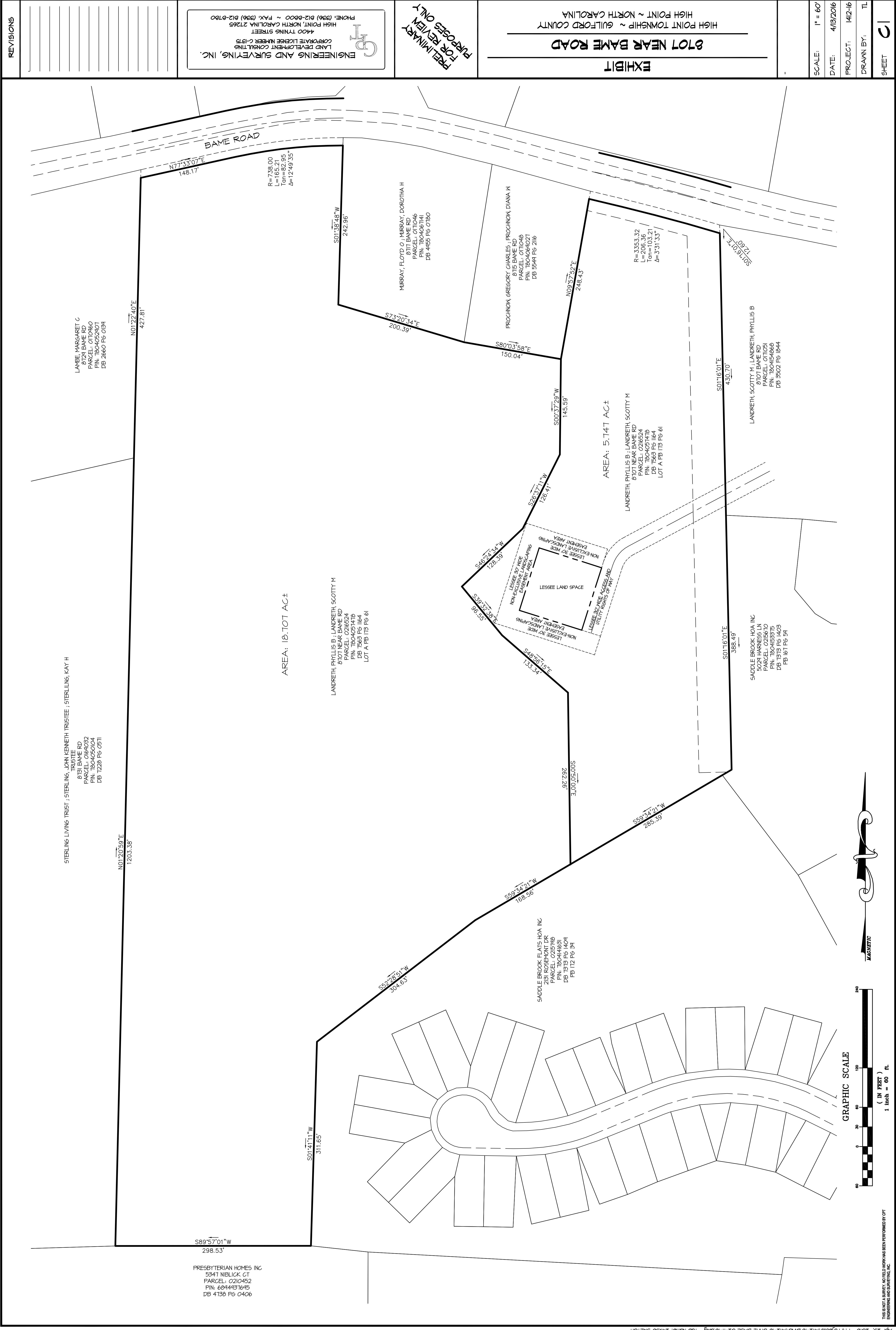
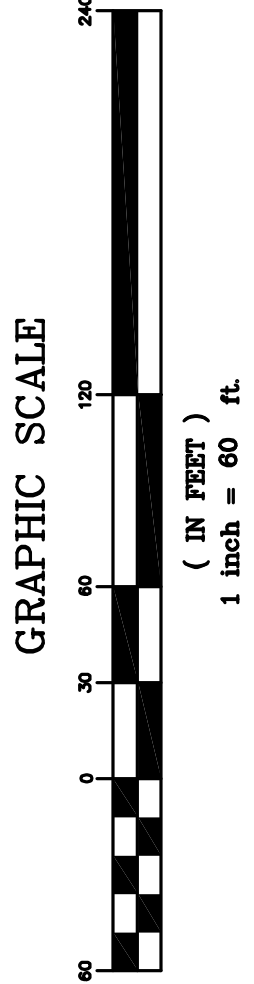
**Planning & Development
 Department**

City of High Point

Date: April 26, 2016



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 2016/pz/za16-07.mxd





FINANCE COMMITTEE

Chaired by Council Member J. Davis

Members: J. Davis, Alexander, C. Davis, and Hill

MAY 5, 2016 – 4:00 P.M.

CITY MANAGER'S CONFERENCE ROOM

MINUTES

Present:

Committee Chairman Jim Davis and Committee Member Latimer Alexander, Committee Member Cynthia Davis, and Committee Members Alyce Hill

Staff Present:

Eric Olmedo, Budget and Performance Manager; Roslyn McNeil, Budget Analyst; Jeron Hollis, Communications & Public Engagement Director; Maria Smith, Deputy City Clerk, and Lisa Vierling, City Clerk

Others Present:

Felicia Jones, Resident and Human Relations Commissioner and Ralph Rodland, Caring Services

Chairman J. Davis called the meeting to order and the Finance Committee reviewed the FY 2016-2017 Outside Agency Funding requests. The Finance Committee recommended the following agency funding requests be included and approved in the FY 2016-2017 Budget (highlighted in yellow).

Agency Name	FY 2015-2016 Approved Budget	FY 2016-2017 Requested Budget	FY 2016-2017 Committee Recommend
Caring Services	-	12,319	12,319
Emmanuel Senior Enrichment Center	-	45,000	-
High Point Arts Council	110,000	125,000	100,000
Macedonia Family Resource Center	16,500	27,000	15,000

Mt Zion Baptist Church	-	9,000	-
Open Door Ministries	20,000	20,000	20,000
Operation Xcel	-	19,124	15,000
Pink Cares Piedmont of NC	-	10,000	5,000
Seventh Day Adventist Church	-	20,000	15,000
Southwest Renewal Foundation	12,500	25,000	12,500
Theatre Arts Gallery	31,000	31,000	31,000
Triad Chargers	-	20,000	-
Welfare Reform Liaison Project, Inc.	15,000	35,000	-
West End Ministries	20,000	40,000	25,000
YWCA of High Point	-	60,000	50,000
High Point Steelers football	3,000		
The City Project Inc.	20,000		
YMCA of High Point	50,000		
Subtotal	298,000	498,443	300,819

Mr. Olmedo noted that he would do a summary of the recommendations so the recommendations could be presented at the next High Point City Council Special Meeting on May 11th. Committee Member Alexander recommended looking into donating city computers after being declared surplus to Mt. Zion Baptist Church. Mr. Olmedo will follow up regarding donating the computers.

There being no further business to come before the Committee, the meeting adjourned at 4:35 p.m.

Respectfully Submitted,

Maria A. Smith
Deputy City Clerk

Jim Davis, Chairman

CITY OF HIGH POINT

AGENDA ITEM



Title: Special Use 16-01 (City of High Point)

From: Lee Burnette, Planning & Development
Director

Meeting Date: May 16, 2016

Public Hearing: Yes

Advertising Date: May 4 & 11, 2016

Advertised By: Planning & Development

Attachments: A. Planning and Zoning Commission Recommendation
B. Special Use Staff Report
C. Special Use Permit

PURPOSE:

A request by the City of High Point (Electric Utilities Department) to allow a Utility Service Facility (electrical sub-station) in the Residential Single Family 7 (RS-7) District and the Residential Single Family-5 (RS-5) District. The site is lying along the east side of N. University Parkway, between Boundary Avenue and Graves Avenue (1404, 1406 & 1408 Boundary Avenue and 1605 Graves Avenue)

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. The Planning & Development Department recommended approval of this request as outlined in the staff report.
- B. The Planning & Zoning Commission recommended approval of Special Use 16-01 by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

City of High Point (Electric Utilities Department)

Special Use 16-01

At its April 26, 2016 public hearing, the Planning and Zoning Commission reviewed this request to allow a Utility Service Facility (electrical substation) in a residential zoning district. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval as outlined in the staff report.

Speaking in favor of the requests:

Speaking in favor was High Point Deputy City Manager, Randy McCaslin, and Garey Edwards, Electric Utilities Director for the City of High Point. These speakers provided an overview of this request and the manner in which the site will be developed. Key points noted were:

- This request is a public necessity as it will lessen service loads at three other electrical substations that jointly provide service to this area, which are currently overloaded.
- A significant amount of landscaping, consisting mostly of evergreen species, will be installed around the perimeter of the site to screen the facility from public view. Also, a 6-foot high wooden fence will be installed next to abutting single family residences.
- The placement of electrical substations are very specific as they require direct access to 100kv power lines, which are only available in limited areas of the City. This site was chosen because it's in the area needed for service, it's next to a 100kv powerline and its lower topography will help screen the equipment from view of the public.

Speaking in opposition of the requests:

Speaking in opposition was Susan Wood, executive director of Habitat for Humanity of High Point-Archdale & Trinity, 3645 Rising River Lane, Greensboro. She expressed the following concerns:

- Proximity of the site to the Habitat for Humanity homes along Graves Avenue and N. Hoskins Street. The proposed substation will not enhance this neighborhood.
- The facility may impede efforts to reduce drug activity in the area. The proposed vegetative screening may be used by people involved in illicit drug activity to hide and sell drugs.
- Ms. Wood suggested expanding the current electrical substation at the corner of N. University Parkway and E. Martin Luther King Jr. Drive, located approximately ½ mile south of this site.

The Commission asked Mr. McCaslin about Ms. Wood's suggestion to expand an existing substation. Mr. McCaslin responded that the city looked at expanding that facility; however, it is not close enough to the area that needs to be served and would require the installation of additional 100kv lines and 100-foot tall poles which has been unpopular in other areas of the City. In closing, Mr. McCaslin added that the city has a vested interest in the Habitat for Humanity community off Graves Avenue, since the City purchased many of those parcels and donated them to that non-profit agency. The City is a partner in the redevelopment of that abutting neighborhood and would not do anything to negatively impact that community.

Planning & Zoning Commission Action

The Commission closed the public hearing and after a brief deliberation agreed that the proposed electrical substation is a public necessity to provide reliable electric service to its citizens and that it meets all the city requirements for the special use permit.

The Commission recommended approval of Special Use 16-01, as recommended by staff, by a vote of 6-0.

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

**STAFF REPORT
SPECIAL USE 16-01
April 26, 2016**

Request	
Applicant: City of High Point	Owner: City of High Point
Proposal:	A Special Use Permit request to allow a Utility Service Facility (electrical sub-station) in the Residential Single Family-7 (RS-7) and the Residential Single Family-5 (RS-5) Districts.

Site Information	
Location:	Lying along the east side of N. University Parkway, between Boundary Avenue and Graves Avenue (1404, 1406 & 1408 Boundary Avenue and 1605 Graves Avenue).
Tax Parcel Numbers:	Guilford County Tax Parcels 0176476, 77 & 78 and 0190992
Site Acreage:	Approximately 1.08 acres
Current Land Use:	There is a vacant single family dwelling on the 1408 Boundary Avenue property, the remaining parcels are undeveloped.
Physical Characteristics:	The site has a gentle to moderately sloping terrain within its interior and a severely sloping terrain along its perimeter. The elevation along the perimeter of the site drops approximately 18 feet from its Graves Avenue frontage and drops approximately 10 feet from its Boundary Avenue frontage.
Water & Sewer Proximity:	A 6-inch and 12-inch City water line are lying adjacent to the site along Boundary Avenue, N. University Parkway and Graves Avenue. An 8-inch sewer line lies adjacent to the site along Boundary Avenue and Graves Avenue. Also, a 12-inch sewer line bisects the northwestern corner of the site.
General Drainage and Watershed:	The site drains in a northeasterly direction and development is subject to the City Lake General Watershed requirements. Engineered stormwater treatment measures are required for multifamily development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more.
Overlay Districts	City Lake General Watershed (GWA)

Adjacent Property Zoning and Current Land Use			
North:	RS-7	Residential Single Family-7 District	Single family dwellings
South:	RS-5	Residential Single Family-5 District	Church, single family dwelling and undeveloped parcel
East:	RS-5 RS-7	Residential Single Family-5 District Residential Single Family-7 District	Single family dwellings
West:	RS-7	Residential Single Family-7 District	Single family dwellings

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	This request is neither in conflict, nor does it promote, the Community Growth Vision Statement goals and objectives.
Land Use Plan Map Classification:	The site has the following land use designations: <u>Low-Density Residential:</u> These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre. <u>Moderate-Density Residential:</u> This classification includes a variety of detached or attached dwellings, generally including single family homes, cluster homes, duplexes and townhouses. Development densities shall range from five to eight dwelling units per gross acre.
Land Use Plan Goals, Objectives & Policies:	The following goals and objective of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods; Goal #4: Ensure that all required public services and facilities are sequenced to meet demands of development; Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses.
Relevant Area Plan(s): Core City Plan	University Parkway is identified as a key corridor in the Core City Plan and it recommends that it be treated as a gateway to the university for both aesthetic and functional improvements.
Zoning History:	<u>Zoning Case 10-10:</u> In 2010, the City Council approved the rezoning of the southern portion of this site and the abutting subdivision lying north of this site to a RS-5 District. This zoning application was submitted by the Community Development Department to foster redevelopment of the abutting neighborhood.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Boundary Avenue		Local Street	200 ft
	N University Parkway		Major Thoroughfare	270 ft
	Graves Avenue		Local Street	160 ft
Vehicular Access:	Boundary Avenue (public street)			
Traffic Counts: (Average Daily Trips)	N University Parkway		9,600 ADT (2013, NCDOT)	
Estimated Trip Generation:	No information			
Traffic Impact Analysis:	Required		Comment	
	<u>Yes</u>	<u>No</u> X	None	
Pedestrian Access:	Not applicable			

School District Information

Not applicable to this zoning case.

Details of Proposal

This is a request by the City of High Point Electric Utilities Department for a Special Use to place a “Utility Service Facility” (electric substation) in a residential zoning district. Utility Service Facilities are a land use allowed in all residential districts subject to obtaining special use permit approval. The Development Ordinance requires utility service facilities to meet specific development criteria in order to be generally compatible with the surrounding area in which the facility is located. The special use review is to ensure the facility is appropriate for that location and to ensure there are no impacts upon adjacent properties, or that any impacts are sufficiently mitigated.

The site is located within the Core City area and in close proximity to High Point University. Development associated with the expansion of the University has increased electrical demands in this area. Other substations in the surrounding areas have been forced to handle this increased service demand. The placement of a new electrical substation at this location will assist in providing for a more equalization of service load between the various substations in the surrounding area. In order for the Electric Utilities Department to keep up with this growing service demand, they have requested this special use to develop an electrical substation at this location.

Findings

A special use is an additional use to those permitted by right in a zoning district. Such a use requires analysis for its potential impact on the proposed site and its impact on surrounding properties. The purpose of the Special Use Permit process is to allow the Planning and Zoning Commission and City Council an opportunity to perform this analysis.

Section 9-3-14 of the Development Ordinance requires that certain findings be made before a Special Use Permit may be approved. 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 required findings.

That the use will not materially endanger the public health or safety if located where proposed; staff finds

Compliance	The proposed utility service facility will assist in improving the public health and safety by allowing the City to keep up with the growth occurring within this portion of the Core City.
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That the use meets all required standards, conditions and specifications of the Development Ordinance, and any additional restrictions imposed pursuant to Section 9-3-14(d) *Greater Restrictions*; staff finds

Compliance	Based upon the site plan provided, the request is meets the requirements of the Development Ordinance. As part of the Technical Review Committee (TRC) review of the grading of the site, a landscaping plan is required.
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	Based on preliminary review of a conceptual layout of the landscaping plan, there will be sufficient area to meet or exceed the required planting rates.
--	--

That the use will not substantially injure the value of adjoining or abutting property, or that it is a public necessity; staff finds

Compliance	❖ The facility is a public necessity; it will upgrade the City's overall electrical utilities infrastructure in this portion of the City and will assist in ensuring that electrical services are sequenced to meet demands of current citizens and future development. ❖ The proposed electrical substation will be located in the middle of the site. The area impacted by development will be an approximate 18,550-square foot compound area that covers approximately 40% of the site. The compound area, where the equipment will be located, will be surrounded by a security fence and the facility will receive minor traffic; just periodic visits for maintenance purposes. ❖ The topography of this site is such that the finished grade will be approximately 10 to 18 feet below the abutting streets, which will help screen this use. Landscaping will be installed at the higher grades around the perimeter of the site to further screen this facility from public view.
-------------------	---

That the location and character of the use shall be in harmony with the area in which it is located and in general conformity with the plan of development of the city and its environs; staff finds

Compliance	❖ The primary concern is the visual impact from the proposed electrical substation. For this request, the objective is to screen the facility from adjacent properties by taking advantage of the lower topography of the property and by exceeding minimum planting standards around the perimeter of the site at its higher elevations. The perimeter landscaping will consist of a variety of evergreen planting materials to provide year-round screening. A similar landscaping scheme (use of evergreen plantings) has been used at other electrical substation sites within the city (Penny Road facility and the Barrow Road facility). Based on experience at these other sites, within 3 to 5 years of planting, the landscaping has successfully screened the equipment within the fenced compound area. The combination of perimeter elevation difference and perimeter landscaping will help ensure development will be compatible with the surrounding area. ❖ The Type A planting yard is required to be installed along the eastern boundary of the site next to the abutting residential uses. This planting yard requires the installation of 14 trees and 33 shrubs every 100 linear feet (approximately 51 trees along the eastern portion of the site). Due to the configuration of the property an alternative landscaping plan, as allowed by the Development Ordinance, will be submitted to the TRC for approval. This plan may allow some reduction in the width of the planting yards; however, the planting rate (number of trees and shrubs to be installed) will not be reduced and will most likely exceed minimum
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	requirements of the ordinance. With the installation of a 6-foot high wood fence privacy fence at the property line next to the abutting single family homes and by making the 8-foot wide street planting yards wider, there will be sufficient area to meet and exceed the required planting rate on the site. ❖ Based upon the following, staff finds that the request will not substantially injure the value of adjacent property owners: ➤ There will be a limited area of impact; approximately 40% of the site will consist of the substation compound. The remaining area, approximately 0.6 acres, will be used as landscaping or buffer areas. ➤ The conceptual landscape plan under consideration consists of the installation of a 6-foot high wood fence along the eastern property line next to the single family homes, planting giant arborvitae trees next to the single family homes, and landscaping along the street frontages of the property. The arborvitae is a fast growing evergreen tree that has the ability to reach 20 – 25 feet in height. The lower topography of the site in conjunction with the perimeter landscaping will generally screen this use from the public.
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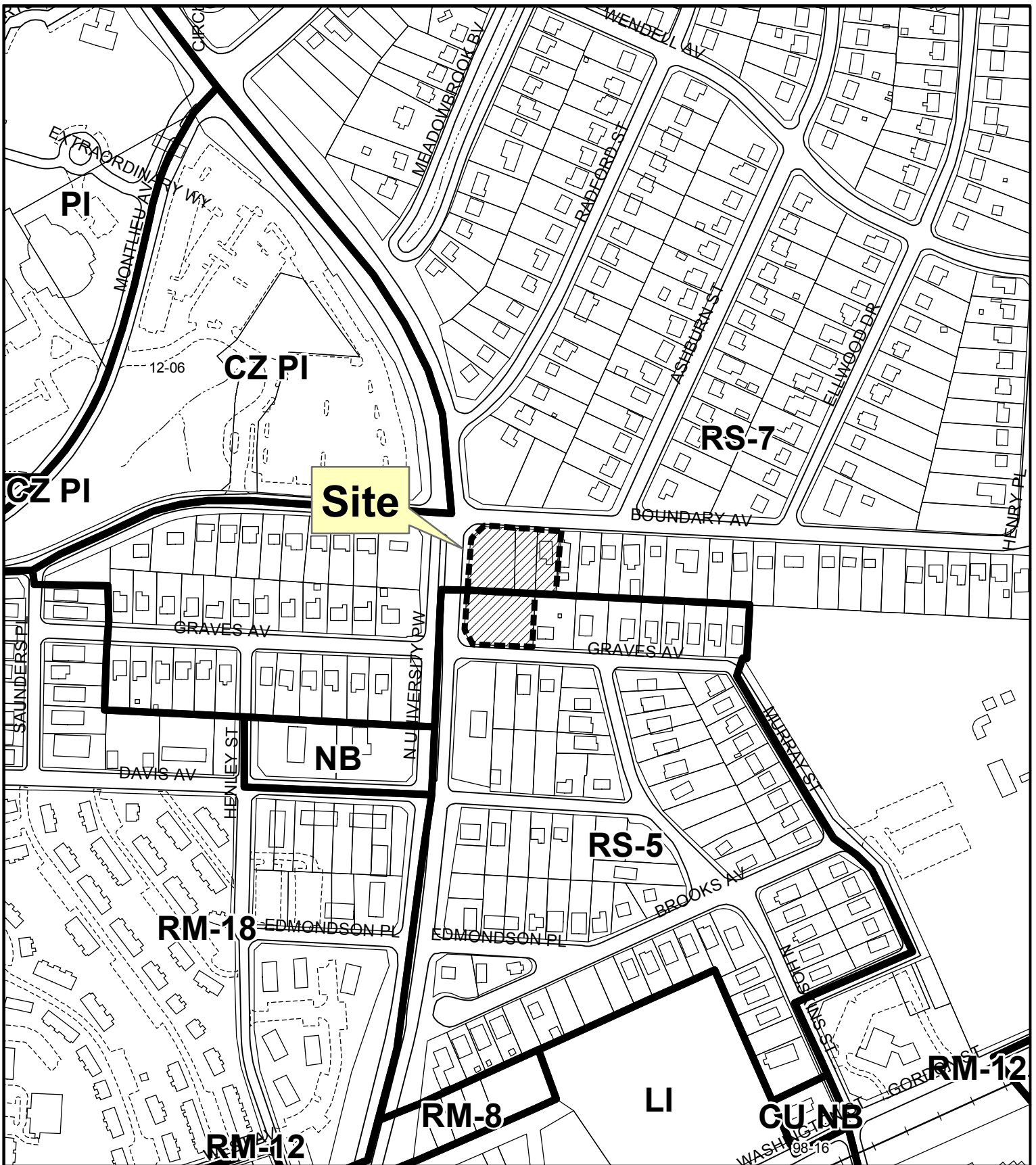
Recommendation

Based upon the conditions in the attached Special Use Permit application and the preliminary findings of facts, staff finds that the request is generally consistent with the surrounding zoning and development in this area. This use is a public necessity and will meet development criteria of the Development Ordinance.

The Planning and Development Department recommends approval of the request to permit a Utility Service Facility within the RS-5 and RS-7 Districts and the accompanying Special Use Permit.

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.



SPECIAL USE SU16-01

**Request: To allow an Utility Service Facility (substation)
in RS-5 and RS-7 districts**

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

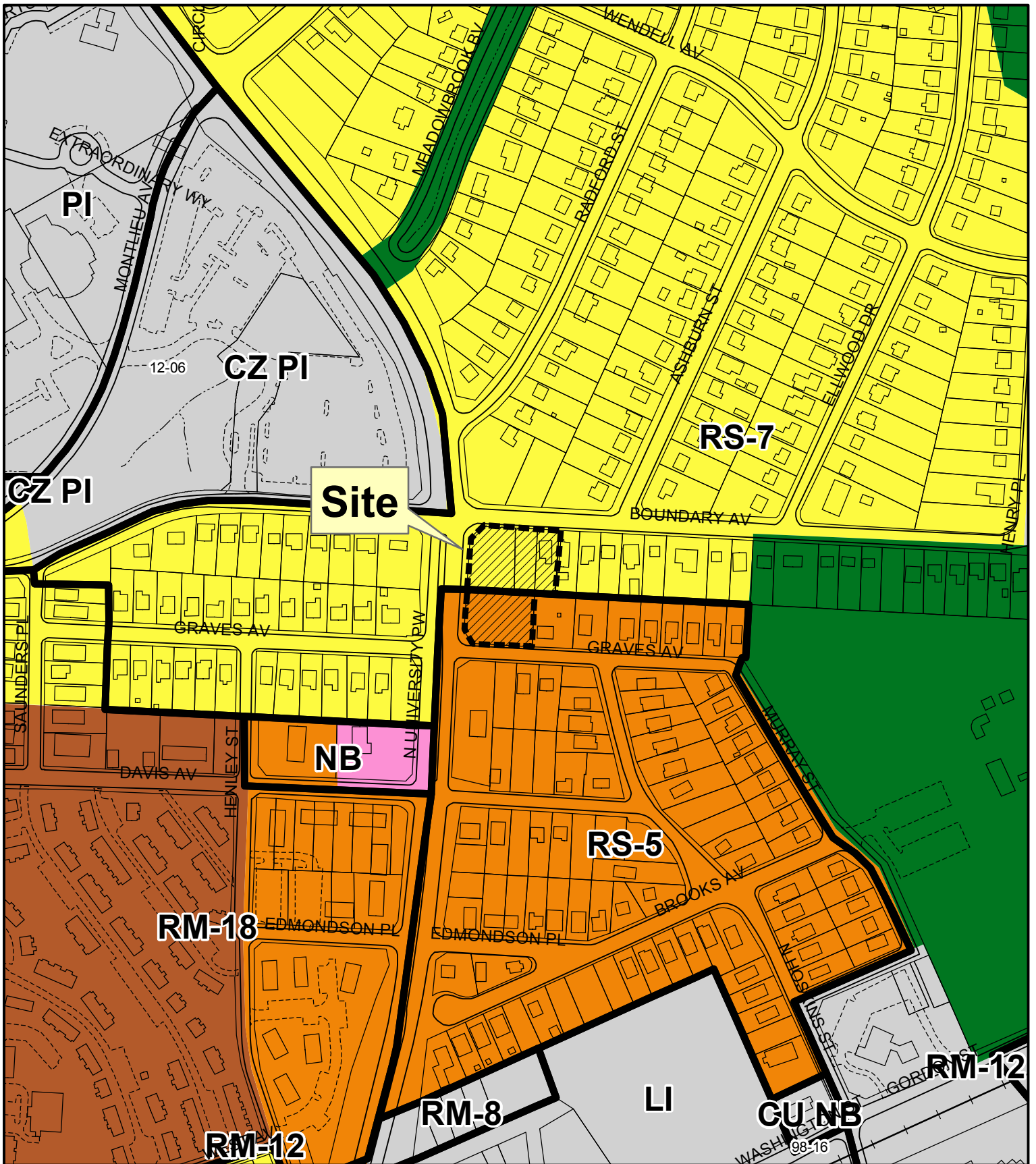
**Planning & Development
Department**

City of High Point

Date: April 26, 2016



Scale: 1"=300'
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2016/pz/su16-01.mxd



SPECIAL USE SU16-01

Land Use Plan

 Low-Density Residential	 Local/Convenience Commercial
 Moderate-Density Residential	 Institutional
 Medium-Density Residential	 Recreation/Open Space

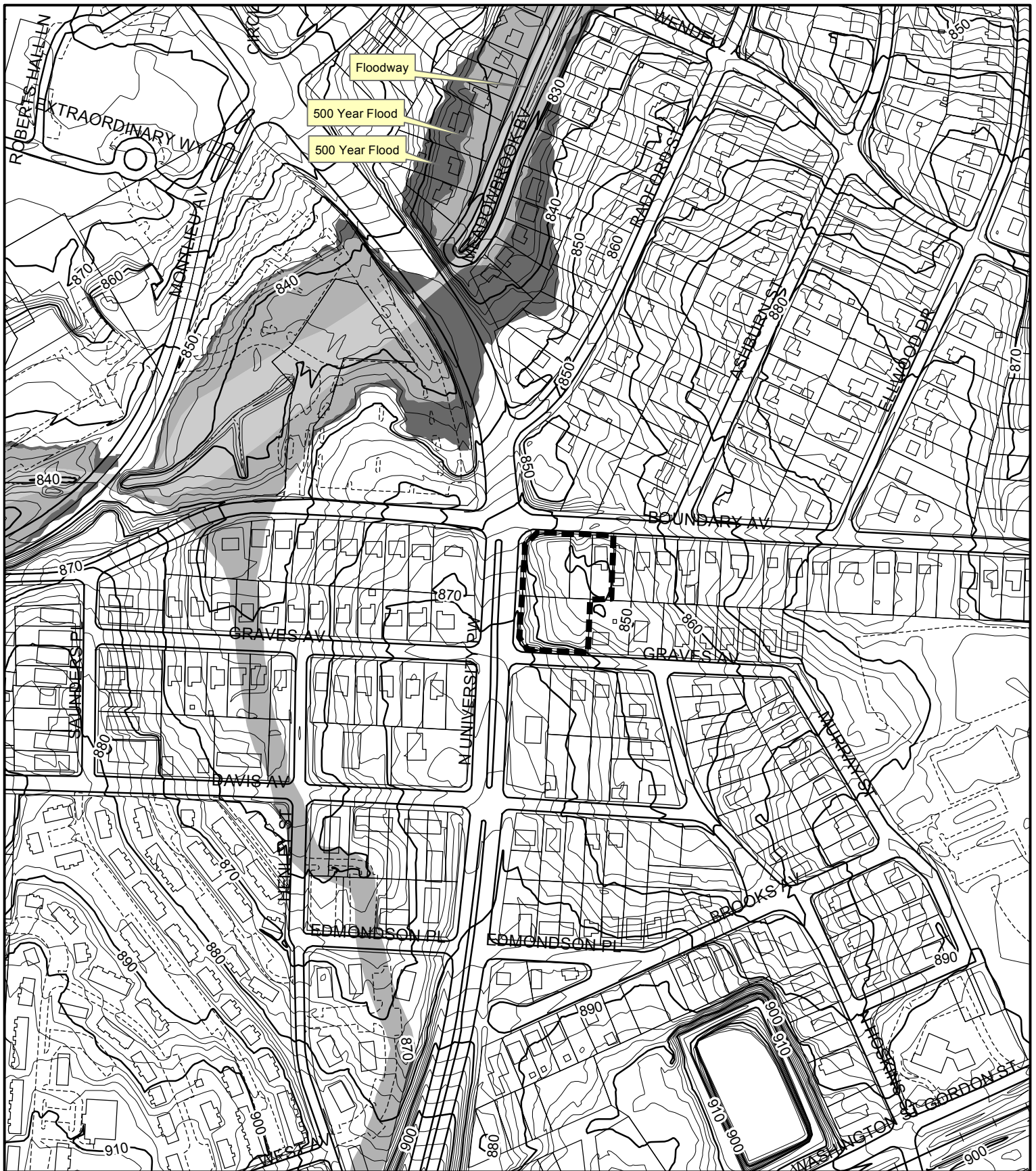
Planning & Development
Department

City of High Point

Date: April 26, 2016



Scale: 1"=300'
G:/Planning/Secure/ba-pz/
2016/pz/su16-01clu.mxd



SPECIAL USE SU16-01

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

Date: April 26, 2016



Scale: 1"=300'

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2016/pz/su16-01topo.mxd

SPECIAL USE SU16-01



SPECIAL USE PERMIT 15-05
CITY OF HIGH POINT, NORTH CAROLINA

THE CITY OF HIGH POINT CITY COUNCIL, PURSUANT TO SECTION 9-3-14, SPECIAL USE PERMITS, OF THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, APPROVED A SPECIAL USE PERMIT AND SITE PLAN FOR THE FOLLOWING USE, SUBJECT TO THE FOLLOWING CONDITION(S):

USE: Utility Service Facility (Electrical Sub-station).

CONDITIONS:

1. Development of the site shall be in accordance with the attached approved Special Use Permit sketch plan.
2. A minimum six (6) foot high opaque fence shall be installed along the eastern property line where the site abuts residential uses.
3. Landscaping shall include the planting of giant arborvitae trees (or similar evergreen trees) along the eastern boundary of the property, where the site abuts residential uses.

DESCRIPTION OF PROPERTY: A 1.08-acre parcel lying along the east side of N. University Parkway, between Boundary Avenue and Graves Avenue (*1404, 1406 & 1408 Boundary Avenue and 1605 Graves Avenue*). The site is also known as Guilford County Tax Parcel 0176476, 77 & 78 and 0190992.

This Special Use Permit and approved site plan are perpetually binding upon the above-described property, unless subsequently amended as provided in the Development Ordinance or until a use otherwise permitted in the zoning district is established.

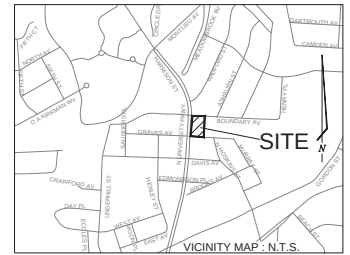
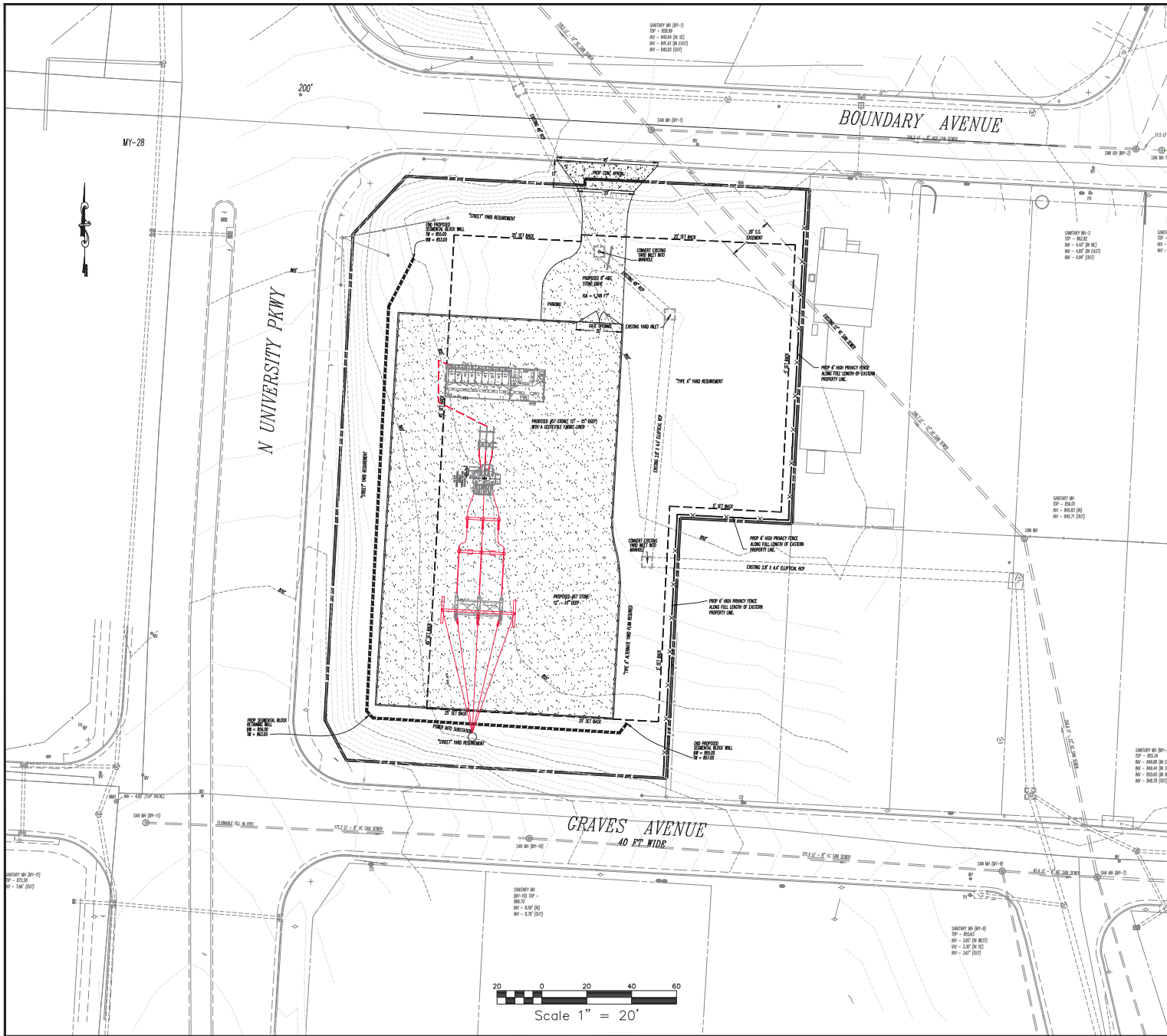
This Special Use Permit shall become void after eighteen (18) months from the date of City Council approval unless the Special Use authorized has begun and/or a footing inspection has been approved. If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced by a use otherwise permitted in the zoning district, then the Special Use shall be deemed abandoned and this Special Use Permit shall be null and void and of no effect. If for any reason any condition imposed by this Special Use Permit is found to be illegal or invalid, then this Special Use Permit shall be null and void and of no effect.

The issuance of this Special Use Permit authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE PERMIT 16-01 THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE 16ST DAY OF MAY, 2016.

Lisa B. Vierling
City Clerk

Date



**CITY OF HIGH POINT
ENGINEERING SERVICES
DEPARTMENT**
211 S. HAMILTON STREET
P.O. BOX 230
HIGH POINT, N.C. 27261
TELEPHONE (336) 883-3194
FAX (336) 883-4118
JOB No. P00379

WATERSHED REVIEW COMMITTEE ENDORSEMENT BLOCK

THIS WATERSHED DEVELOPMENT PLAN (DEV. # _____) IS APPROVED BY THE WATERSHED REVIEW COMMITTEE.

DIRECTOR OF PLANNING AND DEVELOPMENT DATE

OWNER'S / DEVELOPER CERTIFICATE OF COMPLIANCE

I, _____, ACCEPT THIS SUBMISSION AS MY PLAN OF DEVELOPMENT AND AGREE TO INSTALL ALL REQUIRED IMPROVEMENTS AND COMPLY WITH THE CONDITIONS OF

OWNER / DEVELOPER DATE

ENGINEER'S CERTIFICATE OF RUNOFF CONTROL

I CERTIFY THAT THIS PLAN WILL CONTROL RUNOFF IN COMPLIANCE WITH THE CITY OF HIGH POINT STORMWATER GUIDELINES FOR WATER QUALITY AND FLOOD CONTROL, AND THAT THE RUNOFF CONTROL MEASURES SHOWN ON THIS PLAN MEET OR EXCEED THE GUIDELINES OF THE SAME STORMWATER GUIDELINES FOR WATER QUALITY AND FLOOD CONTROL.

SIGNATURE DATE

WATERSHED INFORMATION

WATERSHED CLASSIFICATION: CITY LAKE GENERAL, HIGH POINT CITY LAKE
AVERAGE SLOPE OF SITE:

NOTES

- 1-EXISTING ZONING: RS-5 & RS-7 WITH PARCEL NUMBER AS SHOWN
- 2-PROXIMITY TO FLOODWAY AS DETERMINED BY FEMA: 252' AS SHOWN; THE SITE IS NOT IN A DEFINED FLOOD ZONE AREA AS SHOWN ON THIS MAP.
- 3-SOIL TYPE: EUB (NON-URBAN LAND COMPLEX) 2-10% SLOPES HYDROLOGIC GROUP = CLASS C
- 4-SEWAGE DISPOSAL: PUBLIC SANITARY SEWER
- 5-ALL OF THE EXISTING STRUCTURES AND DRIVEWAYS (IMPERVIOUS SURFACE AREA) WILL BE REMOVED.

IMPERVIOUS SURFACE AREA CALCULATIONS

EXISTING ISA	= 3,272 SF
PROPOSED ISA (DRIVEWAYS)	= 1,748 SF
TOTAL NET ISA REQUIRING TREATMENT	= -1,524 SF

TOTAL LOT AREA	= 1.083 ACRES (47,777.73 SF)
NET EFFECTIVE AREA	= 47,777.73 SF - (-1,524 SF) = 48,701.70 SF
PROP ISA DECREASE	= (-1,524) SF
PROP NET ISA DECREASE	= (-1,524) / 48,701.70 = 3.13%
TOTAL ISA DECREASE	= (-1,524) / 47,777.73 = 3.23%
PROP NET ISA DECREASE OF 3.13%	= NO WATER QUALITY DEVICE IS NEEDED.

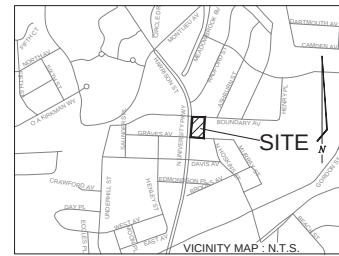
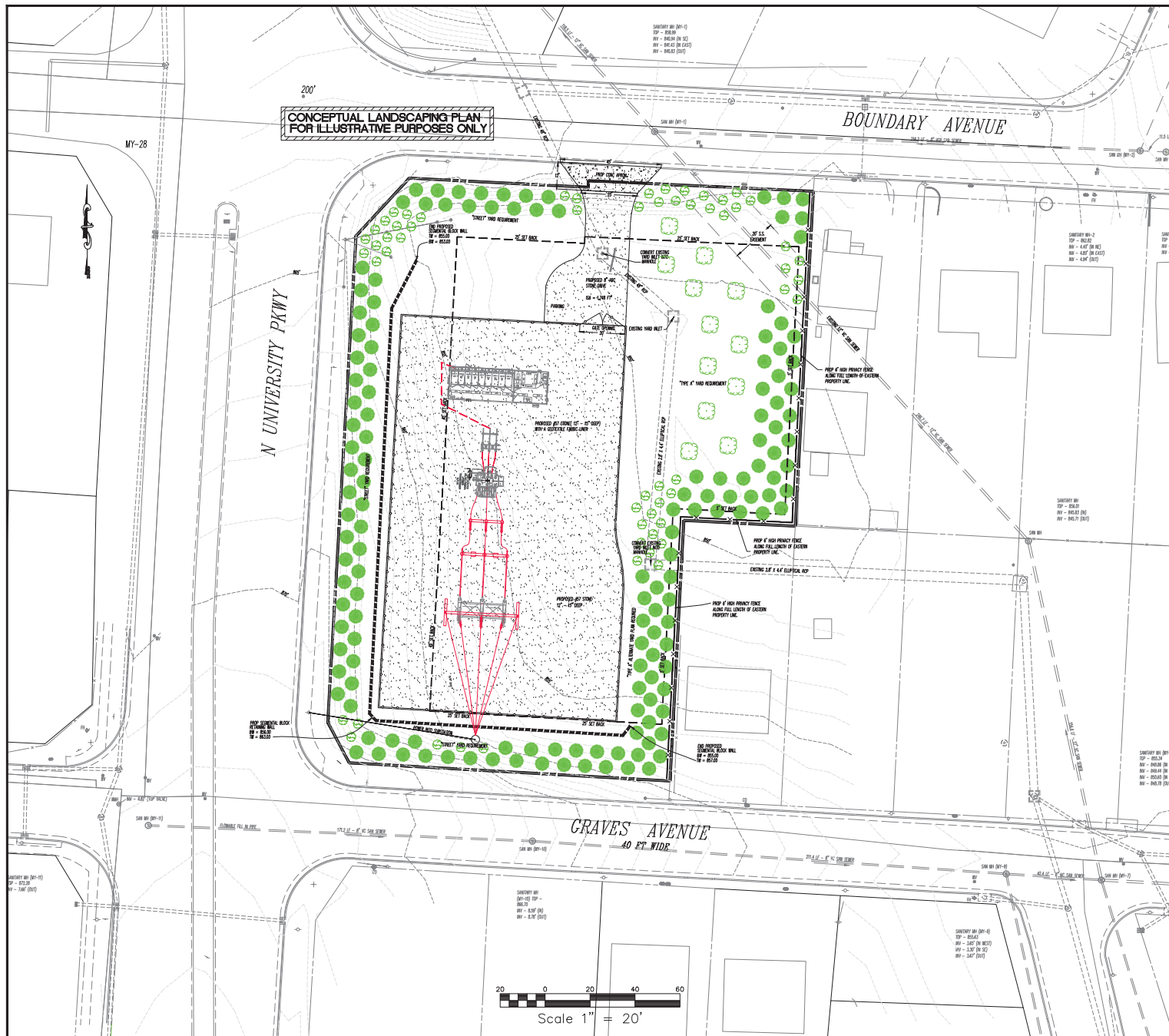
**CITY OF HIGH POINT
DEPARTMENT OF
ENGINEERING SERVICES**
211 S. HAMILTON STREET
P.O. BOX 230
HIGH POINT, N.C. 27261
TELEPHONE (336) 883-3194
FAX (336) 883-4118

**PRELIMINARY
FOR TPO REVIEW**

JOB NO:	P00379
DATE:	APRIL 2016
DESIGNED:	JMF
DRAWN:	JMF
CHECKED:	JSD
BY:	SCALE 1" = 20' HORIZONTAL

**SKETCH PLAN FOR
BOUNDARY AVENUE ELECTRIC SUB-STATION
EAST OF NORTH UNIVERSITY PKWY
NORTH OF GRAVES AVE
HIGH POINT - GUILFORD COUNTY - N.C.**

**SHEET NO.
1
OF 2**



SPECIAL USE PERMIT
SU-16-01

CITY OF HIGH POINT
ENGINEERING SERVICES
DEPARTMENT
211 S. HAMILTON STREET
P.O. BOX 230
HIGH POINT, N.C. 27261
TELEPHONE (336) 883-3194
FAX (336) 883-4118
JOB No. P00379

WATERSHED REVIEW COMMITTEE ENDORSEMENT BLOCK

THIS WATERSHED DEVELOPMENT PLAN (DEV. # _____) IS
APPROVED BY THE WATERSHED REVIEW COMMITTEE.

DIRECTOR OF PLANNING AND DEVELOPMENT DATE

OWNER'S / DEVELOPER CERTIFICATE OF COMPLIANCE

I, _____, ACCEPT THIS SUBMISSION
AS MY PLAN OF DEVELOPMENT AND AGREE TO INSTALL ALL
REQUIRED IMPROVEMENTS AND COMPLY WITH THE CONDITIONS OF

OWNER / DEVELOPER DATE

ENGINEER'S CERTIFICATE OF RUNOFF CONTROL

I CERTIFY THAT THIS PLAN WILL CONTROL RUNOFF IN COMPLIANCE WITH
THE CITY OF HIGH POINT STORMWATER GUIDELINES FOR WATER QUALITY
AND FLOOD CONTROL, AND THAT THE RUNOFF CONTROL MEASURES SHOWN
ON THIS PLAN MEET OR EXCEED THE GUIDELINES OF THE SAME.
STORMWATER GUIDELINES FOR WATER QUALITY AND FLOOD CONTROL.

SIGNATURE DATE

WATERSHED INFORMATION

WATERSHED CLASSIFICATION: CITY LAKE GENERAL, HIGH POINT CITY LAKE
AVERAGE SLOPE OF SITE:

NOTES:

- 1-EXISTING ZONING: RS-5 & RS-7
WITH PARCEL NUMBER AS SHOWN.
- 2-PROXIMITY TO FLOODWAY AS DETERMINED BY FEMA: 252' AS SHOWN;
THE SITE IS NOT IN A DEFINED FLOOD ZONE AREA AS SHOWN ON THIS MAP.
- 3-SOIL TYPE: EUB (NON-URBAN LAND COMPLEX) 2-10% SLOPES
HYDROLOGIC GROUP = CLASS C
- 4-SEWAGE DISPOSAL: PUBLIC SANITARY SEWER
- 5-ALL OF THE EXISTING STRUCTURES AND DRIVEWAYS (IMPERVIOUS
SURFACE AREA) WILL BE REMOVED.

IMPERVIOUS SURFACE AREA CALCULATIONS

EXISTING ISA	= 3,272 SF
PROPOSED ISA (DRIVEWAYS)	= 1,748 SF
TOTAL NET ISA REQUIRING TREATMENT	= -1,524 SF
TOTAL LOT AREA	= 1.083 ACRES (47,177.73 SF)
NET EFFECTIVE AREA	= 47,177.73 SF - (-1,524) SF = 48,701.70 SF
PROP ISA DECREASE	= (-1,524) SF
PROP NET ISA DECREASE	= (-1,524) / 48,701.70 = 3.13%
TOTAL ISA DECREASE	= (-1,524) / 47,177.73 = 3.23%
PROP NET ISA DECREASE OF 3.13%	= NO WATER QUALITY DEVICE IS NEEDED.

NOTE: AN ALTERNATIVE LANDSCAPING PLAN SHALL BE REQUIRED TO BE
SUBMITTED AND APPROVED BY THE TECHNICAL REVIEW COMMITTEE AS
PART OF THE SITE PLAN APPROVAL FOR THE PROPERTY.

EXHIBIT FOR
BOUNDARY AVENUE ELECTRIC SUB-STATION
EAST OF NORTH UNIVERSITY PKWY
NORTH OF GRAVES AVE
HIGH POINT - GUILFORD COUNTY - N.C.

SHEET NO.

2

OF 2

CITY OF HIGH POINT
DEPARTMENT OF
ENGINEERING SERVICES
211 S. HAMILTON STREET
P.O. BOX 230
HIGH POINT, N.C. 27261
TELEPHONE (336) 883-3194
FAX (336) 883-4118

PRELIMINARY
APRIL 2016
DESIGNED JHF
DRAWN JHF
CHECKED JSD
BY SCALE 1" = 20' HORIZONTAL

NOT FOR
CONSTRUCTION

CITY OF HIGH POINT AGENDA ITEM



Title: Front Loading Refuse Truck

From: Gary Smith, Fleet Director

Public Hearing: N/A

Attachments: Pictures of Burned Truck

Meeting Date: May 16, 2016

Advertising Date / N/A

Advertised By: N/A

PURPOSE:

The Solid Waste Division of Public Services has a front loading refuse truck in need of replacement due to a recent truck fire. Using a National Joint Powers Alliance (NJPA) contract a 2016 Peterbilt truck with New Way Front Loading refuse body is being recommended for council approval.

BACKGROUND:

The Solid Waste Division was using a 2012 Peterbilt front loader when a fire occurred on April 18, 2016. The fire started at the truck chassis and was the result of an electrical short. Prior to the fire Solid Waste had three front loader units, two front line units and one older spare. This purchase will restore the department to two front line trucks and a spare to have while their trucks are being serviced and repaired. The Peterbilt truck with New Way Front Loading refuse body is similar to the one they are currently using and will meet their needs. The price of \$228,987.22 is for one truck, body installation, and delivery. Estimated delivery is 30-45 days.

BUDGET IMPACT:

Due to the catastrophic nature of this event, funds were not budgeted for this purchase. A budget amendment ordinance is included on this agenda to fund the purchase of this vehicle.

RECOMMENDATION / ACTION REQUESTED:

The Fleet Services Department recommends purchasing one Peterbilt truck with New Way front loading refuse body from Scranton Manufacturing Company.



Burned Unit # 674



Proposed new truck



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Fleet Services**

COUNCIL AGENDA DATE: **May 16, 2016**

BID NO.: **NJPA** CONTRACT NO.: **112014-NWY** DATE OPENED:

DESCRIPTION:
2016 Peterbilt truck with 40 yard New Way body

PURPOSE:
The Solid Waste Division of Public Services is requesting a front loading refuse truck in need of replacement due to a recent truck fire. The Solid Waste Division was using a 2012 Peterbilt front loader when a fire occurred as the result of an electrical short.

COMMENTS:
The price of \$228,987.22 is for the truck, body installation, and delivery. Estimated delivery is 30-45 days.

RECOMMEND AWARD TO: **Scranton Manufacturing** AMOUNT: **\$228,987.22**

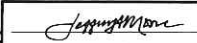
JUSTIFICATION:
This purchase will restore the department to two front line trucks and a spare to have while their trucks are being serviced and repaired. The Peterbilt truck with New Way Front Loading refuse body is similar to the one they are currently using and will meet their needs.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
501271	532401			\$228,987.22
TOTAL BUDGETED AMOUNT				

DEPARTMENT HEAD: **Gary L. Smith** Digitally signed by Gary L. Smith
Date: 2016.04.27 13:09:45 -04'00' DATE: **Apr 27, 2016**

The Purchasing Division concurs with recommendation submitted by the **Solid Waste Division and recommends award to the lowest responsible, responsive bidder **Scranton Manuf. Co.** in the amount of \$ **228,987.22**.**

PURCHASING MANAGER: **Erik S. Conti** Digitally signed by Erik S. Conti
DN: cn=Erik S. Conti, o, ou, email=erik.conti@highpointnc.gov, c=US
Date: 2016.05.06 12:58:55 -04'00' DATE: **May 6, 2016**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR:  Digitally signed by Jeffrey A. Moore
DN: cn=Jeffrey A. Moore, o=City of High Point, NC, ou=Financial Services Director, email=jffmoore@highpointnc.gov, c=US
Date: 2016.05.06 15:16:31 -04'00' DATE: **May 6, 2016**

CITY MANAGER: **Greg Demko** Digitally signed by Greg Demko
DN: cn=Greg Demko, o, ou, email=greg.demko@highpointnc.gov, c=US
Date: 2016.05.06 15:39:37 -04'00' DATE: **May 6, 2016**







May 11, 2016

Honorable Mayor and Members of the City Council
City of High Point, North Carolina

I am pleased to present the City's 2016-17 Annual Budget for your review and consideration. This budget was prepared in accordance with the provisions of the North Carolina General Statutes and the policies of the North Carolina Local Government Commission. This budget is balanced and reflects the City Council's commitment to responsible fiscal management, while enhancing services that improve the quality of life for the citizens of High Point. Funds included in the budget are adequate to continue providing the services I believe are expected by our citizens. The budget attempts to strike a balance between addressing the needs of today and providing flexibility to address the needs of the future.

The City Council met and adopted the following goals at the Strategic Planning session on March 22 of this year:

1. Increase the population of active, engaged, and entrepreneurial and working millennials living in High Point by 25%
2. 100% proactive enforcement of codes
3. Create a downtown catalyst project that produces:
 - o 500 private sector jobs
 - o 15-20 new restaurants and shops
 - o 250 additional housing units
 - o A centralized gathering place

This budget addresses the increase in millennial population goal through initiatives to redevelop parts of our core city. The 2015-2016 budget included the ability of the city to proactively enforce 100% of codes by hiring 4 additional code enforcement officers. The hiring of those positions as well as the use of an outside contractor is now addressing that strategic goal.

As you know, private monies have been raised to fund feasibility and fiscal impact studies for a downtown catalyst project. These studies are currently underway, and results of these studies are expected to be known in late summer.

This budget continues to address issues that were priorities last year, including enhancing Livability, Transparency, Accountability and Infrastructure. All these items are addressed with a tax rate decrease and without significantly sacrificing current levels of service.

TOTAL FY 2016-17 BUDGET

The total FY 2016-17 budgeted expenditures for the City of High Point amount to \$375,290,442. This is an increase of \$10,907,258 or 3.0% from the FY 2015-16 Budget. Details of these increases are summarized later in this message.

Below is a chart of total 2016-17 budgeted revenues and expenditures compared to the 2015-16 Adopted Budget:

CITY OF HIGH POINT						
TOTAL BUDGET SUMMARY						
Sources and Uses of Funds	FY 2015 Actual	Original FY 2016 Budget	FY 2016 Estimate	Proposed FY 2017 Budget	\$ Change Prop/Orig	% Change Prop/Orig
REVENUES						
Fund Balance	-	7,902,576	1,198,171	7,954,160	51,584	0.7%
Property Tax	59,860,273	59,854,492	59,545,063	59,913,410	58,918	0.1%
Sales & Use Taxes	25,696,388	26,002,070	26,535,000	26,967,500	965,430	3.7%
Intergovernmental Revenues	17,721,117	25,974,143	25,078,417	17,518,741	(8,455,402)	-32.6%
Licenses & Permits	3,866,657	3,111,917	3,109,213	4,463,650	1,351,733	43.4%
Charges for Services	205,475,622	218,012,047	227,181,994	231,663,644	13,651,597	6.3%
Miscellaneous Revenues	7,275,354	9,609,000	8,650,492	10,215,756	606,756	6.3%
Net Total Revenues	319,895,411	350,466,245	351,298,350	358,696,861	8,230,616	2.3%
Interfund Activities	16,837,362	13,916,939	13,855,876	16,593,584	2,676,645	19.2%
Total Revenues	336,732,773	364,383,184	365,154,226	375,290,445	10,907,261	3.0%
EXPENDITURES						
Personnel Services	91,779,296	96,223,907	94,481,432	114,408,469	18,184,562	18.9%
Operating Expenditures	159,198,830	181,269,888	177,056,444	169,646,569	(11,623,319)	-6.4%
Capital Outlay	14,478,568	25,043,630	25,000,604	15,061,460	(9,982,170)	-39.9%
Debt Service	28,414,520	29,206,075	29,836,773	31,539,908	2,333,833	8.0%
PayGo Capital	9,379,173	9,033,250	9,033,250	14,600,000	5,566,750	61.6%
Reimbursements	13,444,718	11,135,514	12,149,029	10,517,507	(618,007)	-5.5%
Contingency	-	1,150,000	-	3,566,518	2,416,518	210.1%
SubTotal	316,695,105	353,062,264	347,557,532	359,340,431	6,278,167	1.8%
Interfund Activities	11,878,212	11,320,920	11,505,776	15,950,014	4,629,094	40.9%
Total Uses of Funds	328,573,317	364,383,184	359,063,308	375,290,445	10,907,261	3.0%

FY 2016-17 MAJOR REVENUES HIGHLIGHTS

Total net revenues for FY 2016-17 are projected to increase \$8,230,616, which is a 2.3% increase from the FY 2015-16 Adopted Budget. The 2016-17 Budget proposes a number of changes to our current revenue basis, including a 0.25 cent tax rate decrease, a \$15 annual increase in motor vehicle taxes, a \$3/month increase in garbage collection fees, a 4.0% water-sewer rate increase, and a \$1/month increase in stormwater fees. Greater details are outlined below:

- The budget decreases the city's current \$.65 property tax rate by 0.25 cents, to \$.6475 cents. A penny on the tax rate generates approximately \$920,000. This decrease is less than the 1.25 cent decrease planned in the Environmental Services transition plan due to the unintended consequence of losing over \$800,000 in sales tax due to the ad valorem distribution method in Guilford County. This tax rate decrease completes the plan to move the Environmental Services Division from the General Fund to the Solid Waste Enterprise Fund. This rate decrease equals approximately \$230,000 in General Fund tax revenue.
- A \$15 annual increase in the Municipal Vehicle Tax, from \$5 annually to \$20 annually. This will increase street resurfacing funds by 20%, from \$1.925 million to \$2.315 million.

- A 4.0% water and sewer rate increase effective October 1, 2016 to continue the long range financial strategy of issuing water and sewer bonds to fund needed water and sewer system improvements. This rate increase is in line with the 4.0% to 6.0% recommended amount that was developed by the City in conjunction with Davenport and Company. This prudent long range financing strategy has been in place since 2004.
- An increase of stormwater ERU (equivalent residential unit) fees of \$1 per month, from \$3 to \$4. This increase will generate approximately \$1.3 million in additional revenue, which will fully fund \$21 million in needed stormwater projects around the City over the next five years. The first series of these revenue bonds are planned to be issued in the Spring of 2017.
- Increases the current \$11.00 per month solid waste collection fee to \$14.00 per month beginning July 1, 2016. This \$3.00 increase completes the three year plan to transition the Environmental Services Division from the General Fund to the Solid Waste Enterprise Fund. This rate increase will generate approximately \$1,465,000.

FY 2016-17 EXPENDITURE HIGHLIGHTS

This budget continues to fund the initiatives that were started in the previous years' budget. Enhanced Livability, Enhanced Transparency and Accountability, and Enhanced Infrastructure were key priorities last year, and this budget continues most of those initiatives.

Redevelopment and economic development continue to be important to the revitalization of High Point, and funding is included to address these priorities.

The needs, priorities and details of each fund are highlighted in detail throughout this document. Below are the major expenditure highlights included in the FY 2016-17 Proposed Budget:

- The following personnel related items are being proposed:
 - o Eliminate one Core City Administrator position
 - o The Police Department is applying for a Federal COPS grant which, if successful, will be used to hire 8 additional Police Officer positions. The outcome of the grant award will be known in September.
 - o Continues the cities Pay for Performance Program with a 0% - 4% merit increase on eligible employees' anniversary date. This proposal will help the city remain competitive in the retention of staff, and will give department directors more flexibility to reward high performing employees. The cost of this pay plan is approximately \$1,465,000 citywide. The cost by each major fund is: General Fund (\$1,200,000), Water/Sewer (\$138,000), Electric (\$68,000), all others (\$59,000).
 - o Citywide Personnel Services expenditures are budgeted to increase 2.9% and Operating Expenses are budgeted to increase 2.1% from the previous year. The year to year comparison shows an increase in Personnel Services from the previous year of \$18,184,562 or 18.9% and a decrease to the Operating

Expense category of \$11,623,319 or 6.4%. This is due to a reclassification to the way Insurance Reserve expenditures are budgeted.

- Funding of \$500,000 for redevelopment and blight removal efforts.
- Funding of the Forward High Point downtown development group in the amount of \$250,000.
- Continued funding of \$100,000 for the Guilford County Economic Development Alliance.
- Addresses the need for enhanced Wi-Fi connectivity by adding this service to Morehead, Washington Terrace and Southside recreation centers at a cost of \$38,000.
- Continuation of the Façade Grant Match for \$50,000.
- Increases funding for pay-as-we-go neighborhood Street resurfacing from \$1.925 million to \$2.315 million. Funds for the increase will come from \$5 of the proposed \$15 increase in the Municipal Vehicle Tax.
- Expands Transit Services by 3 additional weekday hours (from 6:30pm to 9:30pm) and 2 hours on Saturday (7:45am to 6:15pm) and changes routes and adds a feeder route to the Palladium area. Funds for this increased service will come in part from increased Federal Grants (\$480,000) and a City grant match (\$120,000).
- This budget plans includes funding for one additional transit bus. The funding for the \$560,000 total cost is shared between the Federal Government at 80% (\$504,000), State Government at 10% (\$28,000), and City funds at 10% (\$28,000).
- Replaces \$5.275 million in vehicles funded with a combination of cash and lease purchases from the Fleet division of the Central Services Fund. Replacements include an Electric Department bucket truck, two rear loader trucks and three automated trucks for Environmental Services, a compactor for the landfill, a vactor truck for the Water and Sewer Department, police cruisers, and an assortment of mid-sized sedans and light duty pickup trucks. Funding is also included to replace the current fuel site at Triangle Lake Road.
- Plans the acquisition of three Fire apparatus for \$2,000,000. These vehicles will be funded using lease purchase funds. This acquisition is in line with the long range fire apparatus replacement plan that has been developed that proposes a steady cash funding source and using a combination of lease purchase financing and cash funding.
- Includes issuing \$10.5 million in revenue bonds for the stormwater system. The proposed budget includes a \$1/month stormwater rate increase to pay the debt service on this bond issue. This funding will begin to address needed projects at Jacobs Place, Hamilton Street, Rockford/Rotary/Farris streets, Devonshire/Country Club and Ray Street/Hospital District.
- Includes \$797,100 for pay-as-we-go routine stormwater projects and \$525,000 for three additional leaf collection vehicles funded from stormwater fee revenue.

- Includes over \$29 million in pay as you go financing projects, which are detailed later in this letter.

2016-17 MAJOR FUND SUMMARIES

GENERAL FUND

The 2016-17 General Fund Budget of \$106,453,058 is \$3,701,569 or 3.6% more than the adopted 2015-16 budget of \$102,751,489. The 2016-17 General Fund Budget is balanced with revenues of \$102,897,443 and \$3,555,615 from prior year fund balances. General Fund revenues and expenditures are summarized below:

CITY OF HIGH POINT GENERAL FUND BUDGET SUMMARY						
Sources and Uses of Funds	FY 2015 Actual	Original FY 2016 Budget	FY 2016 Estimate	Proposed FY 2017 Budget	\$ Change Prop/Orig	% Change Prop/Orig
REVENUES						
Fund Balance	-	2,806,607	-	3,555,615	749,008	26.7%
Property Tax	56,854,251	56,870,148	57,588,064	56,792,208	(77,940)	-0.1%
Sales & Use Taxes	25,264,497	25,617,070	24,880,000	26,532,500	915,430	3.6%
Intergovernmental Revenues	10,435,591	9,709,203	9,867,536	9,846,723	137,520	1.4%
Licenses & Permits	1,831,670	1,120,800	1,841,430	2,448,650	1,327,850	118.5%
Charges for Services	4,330,153	4,233,361	4,265,810	4,562,362	329,001	7.8%
Miscellaneous Revenues	984,050	2,394,300	523,978	2,715,000	320,700	13.4%
Net Total Revenues	99,700,212	102,751,489	98,966,818	106,453,058	3,701,569	3.6%
EXPENDITURES						
Personnel Services	65,957,259	68,848,862	66,014,927	71,043,182	2,194,320	3.2%
Operating Expenditures	18,871,062	21,790,043	20,634,843	23,680,334	1,890,291	8.7%
Capital Outlay	770,455	2,678,258	1,074,735	2,600,739	(77,519)	-2.9%
Debt Service	453,322	628,406	409,905	928,459	300,053	47.7%
Reimbursements	-	86,896	86,071	-	(86,896)	-100.0%
Contingency	-	400,000	-	400,000	-	0.0%
SubTotal	86,052,098	94,432,465	88,220,481	98,652,714	4,220,249	4.5%
Interfund Activities	10,422,742	8,319,024	9,822,281	7,800,344	(518,680)	-6.2%
Total Uses of Funds	96,474,840	102,751,489	98,042,762	106,453,058	3,701,569	3.6%

GENERAL FUND REVENUES

Below is a summary of major General Fund revenue changes:

- Property tax revenues represent 53.3% or \$56,792,208 of the General Fund. Property tax collections are projected to decrease approximately \$78,000 or 0.1% due to a decrease in property tax rate, from .65 cents to .6475 cents, offset by modest growth in assessed valuation.

- Sales tax revenues represent about 25% of General Fund revenues and are projected to increase approximately \$915,430 or 3.6% due to estimated sales tax growth and a broadening of the sales tax base, and increased collections.
- License and permit fees are projected to increase \$1,327,850 or 118.5%. The majority of this increase is due to the proposed increase in the Municipal Vehicle Tax. The city currently charges \$5.00 per vehicle annually, and this proposed budget includes a rate increase of \$15.00 annually, for a total of \$20.00 annually per vehicle. This increase will generate an additional \$1.17 million. Per state law, \$5.00 of this increase will be used for general purposes and \$10.00 will be used for street repairs.
- Miscellaneous revenues are increasing approximately \$320,700 or 13.4% due to lease purchase proceeds related to fire truck purchases.

GENERAL FUND EXPENDITURES

Below is a summary of major General Fund expenditure changes:

- Personnel services are increasing \$2.2 million or 3.2% due to the impact of a proposed pay for performance merit program and increased health insurance premiums.
- Operating expenditures are increasing \$1.9 million or 8.7%. The majority of the increases are coming from increases to street resurfacing (\$390,000), Forward High Point (\$250,000), traffic calming devices (\$100,000), placeholder for equipment for grant funded police officers (\$400,000), and various other increases.
- Capital outlay is decreasing approximately \$77,500 or 2.9%.
- Debt service is increasing by \$300,053 or 47.7 due to the lease-purchase of 3 new fire apparatus totaling \$2,000,000 proposed in FY 2016-17.

ASSESSED PROPERTY VALUES

The combined total assessed valuation estimates from our four County taxing authorities is \$9,125,801,713 for 2016-17, for a 1.1% increase. The value of one cent in tax rate will produce approximately \$920,000 revenues. Below is a chart of our historic assessed value history:

CITY OF HIGH POINT ASSESSED VALUE HISTORY								
Fiscal Year	REAL PROPERTY				Personal Property	Public Service Companies	Total Assessed Value	% Inc yr/yr
	Residential Property	Commercial Property	Industrial Property	Total				
2006	3,481,796,314	2,491,980,410	942,275,410	6,916,052,134	1,372,316,382	117,923,262	8,406,291,778	0.9%
2007	3,615,085,429	2,530,768,578	942,311,760	7,088,165,767	1,409,442,958	122,178,728	8,619,787,453	2.5%
2008	3,778,859,150	2,729,035,922	994,596,450	7,502,491,522	1,441,055,968	131,332,066	9,074,879,556	5.3%
2009	4,231,853,123	2,408,171,911	1,005,788,880	7,645,813,914	1,452,697,393	131,984,351	9,230,495,658	1.7%
2010	4,279,155,000	2,483,747,575	1,008,165,180	7,771,067,755	1,417,186,050	131,456,290	9,319,710,095	1.0%
2011	n/a	n/a	n/a	7,682,834,650	1,402,419,615	129,766,404	9,215,020,669	-1.1%
2012	n/a	n/a	n/a	7,655,916,694	1,455,701,042	129,074,157	9,240,691,893	0.3%
2013	4,300,290,483	1,949,336,323	987,346,355	7,236,973,161	1,501,465,603	148,989,146	8,887,427,910	-3.8%
2014	4,315,429,943	2,149,860,980	969,318,600	7,434,609,523	1,489,840,190	128,387,727	9,052,837,440	1.9%
2015	4,397,388,367	1,872,215,206	977,839,178	7,247,442,751	1,555,428,785	126,857,380	8,929,728,916	-1.4%
2016 (est)	4,419,391,033	2,041,841,089	914,694,134	7,375,926,256	1,513,238,022	140,281,138	9,029,445,416	1.1%
2017 (est)	4,426,903,998	2,082,677,911	932,988,017	7,442,569,926	1,535,936,592	147,295,195	9,125,801,713	1.1%

TAX RATE AND COLLECTIONS

The proposed FY 2016-17 tax rate is 64.75 cents, which is a decrease of .25 cents from the Fiscal Year 2015-16 rate of 65.0 cents. This decrease is due to the third year of the plan to transfer the garbage collection service from the General Fund to the Solid Waste Fund.

The total proposed tax rate of 64.75 cents is divided between the General Fund and the General Debt Service Fund. The General Fund receives 61.35 cents, and the General Debt Service Fund receives 3.4 cents. Of the total current year estimated collections of \$58,498,670, the General Fund will receive \$55,986,794, and the General Debt Service Fund will receive \$3,102,773. A conservative blended collection rate of 98.5% is planned for current year tax collections since historically 98% of real property tax and 99% of automobile property tax is collected within the fiscal year. Below is a chart of the history of the tax rate, total tax levy, and collection amounts.

CITY OF HIGH POINT PROPERTY TAX COLLECTION HISTORY							
Fiscal Year	Tax Rate	Total Tax Levy	Collected within the Fiscal Year of the Levy		Total Collections to Date		% of Levy
			Amount	% of Levy	Prior Year Collections	Amount	
2005	0.54	45,007,822	44,189,414	98.2%	700,738	44,890,152	99.7%
2006	0.593	49,728,477	48,961,461	98.5%	635,428	49,596,889	99.7%
2007	0.608	52,426,916	51,598,122	98.4%	695,981	52,294,103	99.7%
2008	0.633	57,726,974	56,595,208	98.0%	944,770	57,539,978	99.7%
2009	0.633	58,805,839	57,501,339	97.8%	1,096,924	58,598,263	99.6%
2010	0.633	59,398,063	57,985,102	97.6%	1,174,951	59,160,053	99.6%
2011	0.633	58,762,018	57,169,238	97.3%	1,281,230	58,450,468	99.5%
2012	0.662	61,481,406	59,769,314	97.2%	1,204,119	60,973,433	99.2%
2013	0.675	60,356,131	58,559,431	97.0%	1,065,690	59,625,121	98.8%
2014	0.675	61,501,088	60,320,711	98.1%	969,507	61,290,218	99.7%
2015	0.664	60,110,841	60,085,364	100.0%	1,000,000	61,085,364	101.6%
2016 (est)	0.65	58,691,395	58,104,481	98.5%	1,000,000	59,104,481	100.7%
2017 (est)	0.6475	59,089,566	58,498,670	98.5%	n/a	n/a	n/a

WATER AND SEWER FUND

The \$51,642,201 Water and Sewer Fund Budget for 2016-17 represents a 5.8% or \$2,843,630 increase from the 2015-16 adopted budget of \$48,798,571 as summarized below:

WATER SEWER FUND BUDGET SUMMARY						
Sources and Uses of Funds	FY 2014 Actual	Original FY 2015 Budget	FY 2015 Estimate	Proposed FY 2016 Budget	\$ Change Prop/Orig	% Change Prop/Orig
REVENUES						
Fund Balance		1,310,707	-	2,262,066	951,359	72.6%
Intergovernmental Revenues	435,820	435,938	408,038	435,000	(938)	-0.2%
Charges for Services	45,244,609	46,781,926	46,856,472	48,663,135	1,881,209	4.0%
Miscellaneous Revenues	2,917,664	270,000	302,513	282,000	12,000	4.4%
Net Total Revenues	48,598,093	48,798,571	47,567,023	51,642,201	2,843,630	5.8%
EXPENDITURES						
Personnel Services	7,935,364	8,564,348	8,234,184	8,794,634	230,286	2.7%
Operating Expenditures	9,771,155	11,459,813	11,014,502	11,596,960	137,147	1.2%
Debt Service	17,039,884	17,735,068	18,499,410	18,446,217	711,149	4.0%
PayGo Capital	163,168	4,500,000	4,500,000	6,350,000	1,850,000	41.1%
Reimbursements	5,717,108	6,189,342	6,012,857	6,104,390	(84,952)	-1.4%
Contingency		300,000		300,000	-	0.0%
SubTotal	40,626,679	48,748,571	48,260,953	51,592,201	2,843,630	5.8%
Interfund Activities	4,817,000	50,000	50,000	50,000	-	0.0%
Total Uses of Funds	45,443,679	48,798,571	48,310,953	51,642,201	2,843,630	5.8%

WATER AND SEWER RATES

The 2016-17 Water and Sewer Fund includes a 4.0% water and sewer rate increase effective October 1, 2016. This increase is to fund the debt service on the approximately \$38 million in water and wastewater bonds that will be issued around the beginning of calendar year 2017.

This necessary rate increase is in line with the long-range capital financing plan that has been developed by Davenport & Company. This plan calls for annual rate increases between the 3.0% to 5.0% range to pay for this critical infrastructure development. This strategy was adopted in the early 2000s to avoid some of the 15-22% rate increases that were needed due to lack of proper long range planning. Below is a history of water and sewer rate increases:

CITY OF HIGH POINT HISTORIC ANNUAL WATER AND SEWER RATE INCREASES			
FISCAL YEAR	EFFECTIVE DATE	WATER % CHANGE	SEWER % CHANGE
FY 2001	7/1/2000	17.20%	15.70%
FY 2002	7/1/2001	5.00%	22.20%
FY 2003	7/1/2002	8.00%	15.00%
FY 2004	7/1/2003	6.30%	14.50%
FY 2005	10/1/2004	4.90%	4.90%
FY 2006	10/1/2005	4.90%	4.90%
FY 2007	10/1/2006	4.90%	4.90%
FY 2008	11/8/2007	4.85%	4.85%
FY 2009	10/1/2008	5.90%	5.90%
FY 2010	10/1/2009	5.00%	5.00%
FY 2011	10/1/2010	4.90%	4.90%
FY 2012	10/1/2011	4.90%	4.90%
FY 2013	no increase	0.00%	0.00%
FY 2014	no increase	0.00%	0.00%
FY 2015	7/1/2014	3.00%	3.00%
FY 2016	10/1/2015	3.50%	3.50%
FY 2017 (proposed)	10/1/2016	4.00%	4.00%

Water and sewer revenue rates are a critical component of funding the operation, maintenance and needed capital improvements for water treatment facilities and distribution lines, and for wastewater collection lines and treatment systems. Property taxes are not used to finance water and sewer utility services.

ELECTRIC FUND

The 2016-17 Electric Fund Budget of \$132,052,098 represents a 1.4% or \$1,865,064 increase from the 2015-16 Annual Budget of \$128,325,520. There is no change planned to the current rate structure. The wholesale power decrease by Electricities was implemented in 2015, and the City has earmarked \$2.4 million from the FY 2017 Budget for future rate stabilization.

Wholesale power cost for FY 2016-17 is budgeted at \$99,500,000, which is the single largest expense in the Electric Fund and citywide budget. The budget continues to include \$100,000 for assistance to qualified low income customers, as well as \$9,591,000 in major capital projects mentioned earlier in this message. These routine capital investments are necessary to maintain efficient and ongoing operation of the Electric System.

CITY OF HIGH POINT ELECTRIC FUND BUDGET SUMMARY						
Sources and Uses of Funds	FY 2015 Actual	Original FY 2016 Budget	FY 2016 Estimate	Proposed FY 2017 Budget	\$ Change Prop/Orig	% Change Prop/Orig
REVENUES						
Fund Balance	-	2,447,812	-	200,000	(2,247,812)	-91.8%
Charges for Services	129,358,641	127,590,222	131,274,624	131,613,098	4,022,876	3.2%
Miscellaneous Revenues	759,524	149,000	481,029	239,000	90,000	60.4%
Net Total Revenues	130,118,165	130,187,034	131,755,653	132,052,098	1,865,064	1.4%
EXPENDITURES						
Personnel Services	7,678,393	8,118,196	8,020,862	8,170,352	52,156	0.6%
Operating Expenditures	8,630,915	7,119,075	6,531,248	7,512,622	393,547	5.5%
Wholesale Power Cost	103,439,718	102,500,000	99,000,000	99,500,000	(3,000,000)	-2.9%
Reimbursements	3,027,675	3,383,099	3,383,099	3,281,606	(101,493)	-3.0%
Electric Capital	7,553,222	7,426,664	5,783,620	9,531,000	2,104,336	28.3%
Contingency	-	450,000	-	2,866,518	2,416,518	537.0%
SubTotal	130,329,923	128,997,034	122,718,829	130,862,098	1,865,064	1.4%
Interfund Activities	1,100,000	1,190,000	1,190,000	1,190,000	-	0.0%
Total Uses of Funds	131,429,923	130,187,034	123,908,829	132,052,098	1,865,064	1.4%

CAPITAL IMPROVEMENT PROGRAM

Capital investments and reinvestments are critical elements in the City's total Financial Program. Capital improvements are financed by one of four basic methods.

The first method involves the issuance of voter approved general obligation bonds generally backed and paid by property taxes. The second method is a slight variation of the first, and allows the City to issue small amounts of what are known as two-thirds general obligation bonds from time-to-time that do not require tax increases or voter approval. The third method involves revenue bonds, backed and paid by revenues from our water and sewer and our stormwater system. Revenue bonds do not require voter approval. Both general obligation and revenue bond financing involve principal, interest and cost of issuance expenses. The fourth method is pay-as-we-go capital financing. The pay-as-we-go alternative, developed and expanded in the past ten years, allows us to finance needed capital improvements from current revenues, grants and other funds, thereby avoiding the additional and higher cost associated with the issuance and financing of long-term debt.

The City has engaged Davenport & Company, LLC of Richmond, Virginia as our financial advisor since 2003. Davenport has assisted the City with general obligation and revenue bond planning and modeling, financial policies, rating agency strategies and interactions, bond issuance, investment analysis, and bond refunding analysis.

Capital investments are necessary for a city to replace existing and invest in new infrastructure. Debt financing of this infrastructure is a sound financial strategy as long as the borrowing is done in a strategic and conservative fashion. Local policies are in place to ensure that borrowing is done responsibly, and oversight of our borrowing practices are in place through the

Local Government Commission. The City is well prepared to address replacement of existing infrastructure and meet and provide for future growth and development.

GENERAL OBLIGATION BONDS

General obligation bonds are a common type of municipal bond that is secured by the full faith and credit of the tax rate to repay bond holders. This debt instrument was used to fund the 2004 bond authorization. The majority of those projects have been completed and it is time to begin making plans for a future bond authorization. Any new GO Bond authorization will include the following steps:

- Refining the existing debt capacity model
- Developing a debt affordability model which identifies sources of repayment for existing debt service and funds available for future debt service, including accumulated reserves
- Modeling the City's Capital Improvement Plan
- Analyzing the impacts of funding scenarios relative to the City's debt capacity and affordability
- Developing a comprehensive plan of finance
- Implementing the plan of finance

TWO-THIRDS GENERAL OBLIGATION BONDS

Two-thirds bonds are State authorized General Obligation bonds that may be issued without voter approval. The statute allows a local government to issue up to 2/3 of the amount of GO bonds that were paid off in the previous year. These bonds can be used for any other general obligation purpose, except they cannot be issued to finance auditoriums, coliseums, arenas, stadiums, civic centers or convention centers, art galleries, museums, historic properties, public transportation systems, cable television systems or redevelopment projects.

Since 2007, Council has authorized the issuance and use of \$21,515,000 in two-thirds generation bonds to complete a wide variety of needed improvements.

Through the years, two-thirds bonds have been used to improve and upgrade the Athletic Complex, Oak Hollow Campground, Washington Terrace swimming pool, City Lake dock and pier, Camp Ann restrooms, Lindsay Street utility and landscaping, sidewalk improvements, sidewalk and curb and gutter improvements on Cedrow Drive, a new fire training tower and site improvements at the fire training facility. and other improvements. Current projects under design or construction using two-thirds bond money include the current improvements to the Main Street corridor, the Library Plaza project, completion of the greenway, railroad bank stabilization, and various sidewalk improvements.

The current budget does not include a two-thirds bond issue, but there will be capacity to issue approximately \$6 – \$6.5 million in two-thirds bonds in this fiscal year.

WATER/SEWER AND STORMWATER REVENUE BONDS

Revenue bonds are municipal bonds that finance income-producing projects that are secured by a specified revenue source, such as water and sewer or stormwater rates. Revenue bonds are issued by the government agency for operations that run in the manner of a business, with operating revenues and expenses, such as our Water & Sewer Fund. The pledge to repay the bond is guaranteed by the rates of the Water & Sewer Fund.

The City has invested more than \$276,790,000 in various major water and wastewater projects in the past seventeen years. This includes the 2014 sale of \$39.1 million for projects such as the Westside Wastewater Treatment Plant, incinerator rebuild and upgrades, water/sewer line expansion to NC66/I-74, and various other projects.

Over the next five years, we anticipate financing and completing an estimated \$70.5 million in additional major water and wastewater bond projects, including issuance of approximately \$38 million in the FY 2016-17. Projects for this fiscal year include \$12,750,000 for the Westside Wastewater Treatment Plant Phase 3; \$8,000,000 for incinerator rehabilitation and emission improvements; \$6,300,000 for various outfall improvements, \$5,000,000 for utilities related to the widening of Skeet Club; \$2,100,000 for the replacement of the Ward Water Tank, and \$2,800,000 for the Ward Water Plant electrical rehabilitation; and others. These investments and the financing of these investments are included in our long-range business plan that has been developed in conjunction with Davenport and Company. Staff is evaluating the plan beyond the five year range and will be updating it as needed.

This budget also anticipates issuing \$10.5 million in revenue bonds for the stormwater system. Historically stormwater bonds have been issued as general obligation bonds. The proposed budget includes a \$1/month stormwater rate increase to pay the debt service on this bond issue. Revenue bonds do not require voter approval.

BOND AGENCY RATINGS

The City's capacity to finance and pay for needed improvements are evaluated from time to time by the following rating agencies: Moody's Investment Services, Standard & Poor's, and Fitch Ratings. Protecting and enhancing our bond ratings is one of our highest priorities.

The City has seen a series of bond rating upgrades since 2003, including the addition of a AAA bond rating assignment by Standard & Poor's. The City's bond ratings were re-affirmed in conjunction with our bond sale in April 2014, and Fitch Rating Services re-affirmed their ratings in March 2016. The City enjoys highly favorable bond ratings from each agency, which in turn lowers our cost of borrowing. These favorable ratings were due to strong and conservative financial management practices and adherence to financial policies, Local Government Commission regulations and state laws. The chart below shows High Point's current ratings:

BOND RATINGS			
Rating Action Date	Moody's	Standard & Poor's	Fitch
GENERAL OBLIGATION BONDS	Aa1	AAA	AA+
REVENUE BONDS	Aa2	AAA	AA+

High Point is one of sixteen cities in North Carolina that have achieved a AAA bond rating. The others include Apex, Carrboro, Cary, Chapel Hill, Charlotte, Cornelius, Durham, Fuquay-Varina, Greensboro, Huntersville, Morrisville, Raleigh, Wake Forest, Wilmington and Winston Salem.

DEBT SERVICE SUMMARY

High Point has managed debt service to intentionally keep our debt service costs stable from year to year. Management of our debt service is part of a long range debt management plan devised in conjunction with our financial advisors, Davenport and Company, and this plan adheres to the City of High Point's Fiscal Policies, Local Government Commission regulations, and state law. Annual debt service payments reflect the cost of rebuilding and adding capacity to the City's water, wastewater, transportation, public safety and other infrastructure elements. The total outstanding tax supported and utility supported debt is shown in the table below:

EXISTING ANNUAL DEBT SERVICE REQUIREMENTS									
	TAX SUPPORTED DEBT			UTILITY SUPPORTED DEBT			TOTAL DEBT SERVICE		
	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	TOTAL
FY 2017	6,314,188	2,519,334	8,833,522	10,790,839	7,455,378	18,246,217	17,105,027	9,974,712	27,079,739
FY 2018	5,741,829	2,339,471	8,081,300	10,015,488	7,120,108	17,135,596	15,757,317	9,459,579	25,216,896
FY 2019	5,326,073	2,149,986	7,476,059	9,730,825	6,745,831	16,476,656	15,056,898	8,895,817	23,952,715
FY 2020	4,895,321	1,950,757	6,846,078	9,094,657	6,368,339	15,462,996	13,989,978	8,319,096	22,309,074
FY 2021	4,789,794	1,748,977	6,538,771	9,184,657	5,991,077	15,175,734	13,974,451	7,740,054	21,714,505
FY 2022	4,723,697	1,538,761	6,262,458	9,056,612	5,586,064	14,642,676	13,780,309	7,124,825	20,905,134
FY 2023	4,666,130	1,337,899	6,004,029	7,625,521	5,188,121	12,813,642	12,291,651	6,526,020	18,817,671
FY 2024	4,494,632	1,130,439	5,625,071	7,724,640	4,823,664	12,548,304	12,219,272	5,954,103	18,173,375
FY 2025	4,488,330	944,541	5,432,871	8,031,636	4,444,499	12,476,135	12,519,966	5,389,040	17,909,006
FY 2026	4,394,275	775,364	5,169,639	8,304,539	4,056,920	12,361,459	12,698,814	4,832,284	17,531,098
FY 2027	4,087,015	600,585	4,687,600	8,417,609	3,657,231	12,074,840	12,504,624	4,257,816	16,762,440
FY 2028	3,539,239	429,327	3,968,566	8,782,609	3,269,613	12,052,222	12,321,848	3,698,940	16,020,788
FY 2029	2,565,214	270,623	2,835,837	9,147,609	2,871,697	12,019,306	11,712,823	3,142,320	14,855,143
FY 2030	1,939,168	151,703	2,090,871	9,537,609	2,457,553	11,995,162	11,476,777	2,609,256	14,086,033
FY 2031	590,000	57,438	647,438	9,900,000	2,035,115	11,935,115	10,490,000	2,092,553	12,582,553
FY 2032	590,000	39,000	629,000	10,310,000	1,586,659	11,896,659	10,900,000	1,625,659	12,525,659
FY 2033	305,000	19,825	324,825	6,000,000	1,212,328	7,212,328	6,305,000	1,232,153	7,537,153
FY 2034	305,000	9,913	314,913	6,265,000	912,486	7,177,486	6,570,000	922,399	7,492,399
FY 2035	-	-	-	3,310,000	680,277	3,990,277	3,310,000	680,277	3,990,277
FY 2036	-	-	-	3,435,000	519,203	3,954,203	3,435,000	519,203	3,954,203
FY 2037	-	-	-	2,130,000	394,600	2,524,600	2,130,000	394,600	2,524,600
FY 2038	-	-	-	2,230,000	296,250	2,526,250	2,230,000	296,250	2,526,250
FY 2039	-	-	-	2,345,000	181,875	2,526,875	2,345,000	181,875	2,526,875
FY 2040	-	-	-	2,465,000	61,625	2,526,625	2,465,000	61,625	2,526,625
Total	63,754,905	18,013,943	81,768,848	173,834,850	77,916,513	251,751,363	237,589,755	95,930,456	333,520,211

PAY-AS-WE-GO FINANCING

The City has made a commitment to fund a healthy level of pay-as-we-go financing for routine improvements, infrastructure maintenance, and grant matches of capital projects funded from state and federal grant programs.

Pay-as-we-go financing has increased in all funds by \$6,309,852 or 27.8%, from \$22,707,608 in 2015-16 to \$29,017,460 in 2016-17:

CITY OF HIGH POINT PAYGO SUMMARY BY FUND				
Fund	Original FY 2015 Budget	Proposed FY 2016 Budget	\$ Change Prop/Orig	\$ Change Prop/Orig
General - Other	1,761,508	1,743,739	(17,769)	-1.0%
General - Street Resurfacing	1,925,000	2,315,000	390,000	20.3%
GENERAL FUND SUB-TOTAL	3,686,508	4,058,739	372,231	10.1%
Obsolete W & S Lines	2,000,000	2,500,000	500,000	25.0%
Water & Sewer - Other	2,759,200	4,340,500	1,581,300	57.3%
WATER & SEWER SUB-TOTAL	4,759,200	6,840,500	2,081,300	43.7%
Landfill Phase IV	1,545,000	1,545,000	-	0.0%
Landfill - Other	820,000	1,921,000	1,101,000	134.3%
SOLID WASTE SUBTOTAL	2,365,000	3,466,000	1,101,000	46.6%
Electric	7,126,664	9,591,000	2,464,336	34.6%
Stormwater	818,500	1,322,100	503,600	61.5%
Other	3,951,736	3,742,121	(209,615)	-5.3%
Total Uses of Funds	22,707,608	29,020,460	6,312,852	27.8%

GENERAL FUND PAY-AS-WE-GO

General Fund pay-as-we-go capital investments have increased by \$372,231 or 10.0%, from \$3,686,508 in 2015-16 to \$4,058,739. The pay-as-we-go investments in the General Fund include:

Street Resurfacing	\$2,315,000
Recreation Center bleachers	224,000
Parks & Rec Mower and Tractor	70,000
Fire Station Generator (1 station)	25,000
Fire Station Training Center improvements	25,000
GIS Base Mapping	40,000
Streets – Salt Brine Production Unit	60,000
Traffic Division Marking Equipment/Arrow Board	38,000
Sidewalk construction	100,000
IT Equipment	334,739
Parks & Rec parking lot improvements	492,000
S. Main/Business 85 study (match)	75,000
I-74 Signing (match)	35,000
Skeet Club sidewalks widening (match)	125,000
City Hall electric system upgrade	<u>100,000</u>
General Fund Total	\$4,058,739

WATER AND SEWER PAY-AS-WE-GO

Water and Sewer pay-as-we-go capital reinvestments have increased \$2,080,800 or 33.4%, from \$4,759,200 in 2015-16 to \$6,840,500 for 2016-17. A list of 2016-17 Water and Sewer pay-as-we-go investments are shown below:

Replace Obsolete Neighborhood Water Lines	\$1,250,000
Replace Obsolete Neighborhood Sewer Lines	1,250,000
Water & Sewer Master Plan	525,000
Waterview Pump Station	200,000
Riverdale Force Main repairs	600,000
Developer reimbursements	100,000
Water Storage tank maintenance	100,000
Ward Plant HVAC rehab	325,000
Demolition of Kearns WTP	1,250,000
Operating Equipment and Machinery	490,500
Alum Sludge Removal	300,000
NCDOT – TIP Program	100,000
Water Meter Change-out	150,000
Water System Improvements	100,000
Sewer System Improvements	<u>100,000</u>
Water & Sewer Total	\$6,840,500

ELECTRIC PAY-AS-WE-GO

The \$9,591,000 in pay-as-we-go reinvestments in the 2016-17 Electric Fund represents a \$2,464,336 or 34.6% increase compared to the \$7,126,000 included in the 2015-16 Annual Budget:

Electric System Improvements	\$3,010,000
Underground Conversion	1,200,000
Automated Meter Reading	200,000
Load Management	148,000
Linden Substation 100kv conversion	1,000,000
Burton Substation 100kv conversion	1,463,000
Boundary Substation	1,200,000
Russell to Burton conversion	1,000,000
Operating Equipment and Machinery	60,000
Outdoor Lighting	<u>310,000</u>
Electric Capital Total	\$9,591,000

SOLID WASTE PAY-AS-WE-GO

The \$3,466,000 in 2016-17 pay-as-we-go is an increase of \$1,101,000 or 46.6% from FY 2015-16. Landfill related investments include funding for multi-year reserves for land purchases at Kersey Valley Phase V, funds for relocation of Kersey Valley Road, and future Phase IV development:

Landfill – Land Purchase	\$250,000
Kersey Valley Road Relocation	1,671,000
Landfill Phase IV	<u>1,545,000</u>
Landfill Capital Total	\$3,466,000

STORMWATER PAY-AS-WE-GO

The \$1,322,100 in 2016-17 pay-as-we-go is an increase of \$503,600 or 61.5% from FY 2015-16. StormWater investments include the following:

StormWater routine projects	\$797,100
3 Automated Leaf Collection vehicles	<u>525,000</u>
StormWater Capital Total	\$1,322,100

OTHER PAY-AS-WE-GO

The \$3,742,121 in other 2016-17 pay-as-we-go investments includes the scheduled replacement of vehicles, normal computer and radio replacements, routine stormwater projects, and others outlined below:

Fleet Replacement Program	\$3,425,000
Radio System Equipment	56,844
Computer System Replacements	<u>260,277</u>
Other Capital Total	\$ 3,742,121

FUND BALANCES/RETAINED EARNINGS

Fund balances and retained earnings are an absolutely critical, but often misunderstood and overlooked part of the Annual Budget. Fund balances and retained earnings consist of unencumbered and un-appropriated monies. They are essential for maintaining our strong bond ratings as well as to maintain positive year-round and year-to-year cash flows. Strong fund balances are essential as we plan ahead for subsequent budgets.

The North Carolina Local Government Commission recommends maintaining an 8.0% balance in each fund. This is necessary for maintaining positive year-round cash flows, reducing the need for short term borrowing, and assisting in maintaining investment grade bond rating. The High Point City Council adopted Fiscal Policy calls for a minimum 10.0% fund balance of estimated expenditures as a signal of financial strength and fiscal stability. The City of High Point applies the policy to all operating funds *except* the Water-Sewer Fund, which calls for a 50% fund balance, and the Economic Development, General Debt, and General Capital Project funds, which are covered by more specific strategic plans.

The Water & Sewer Fund is \$1,592,380 or 3.1% less than the target 50% fund balance due to fund balance appropriation related to one-time capital purchases. The long range business plan shows that the fund balance will be above 50% in FY 2019. The Solid Waste fund balance shortage of \$45,299 is just .3% below target.

The table below summarizes changes in annual fund balances/retained earnings, including early estimates for June 30, 2016:

CITY OF HIGH POINT FUND BALANCE AVAILABLE FOR APPROPRIATION						
FUND	ACTUAL JUNE 30, 2015	ESTIMATED BALANCE JUNE 30, 2016	APPROPRIATED FY 2016-17	ESTIMATED BALANCE JUNE 30, 2017	FUND BALANCE REQUIRE (est)	AMOUNT ABOVE MINIMUM FUND BALANCE
GENERAL	16,094,013	18,119,469	3,561,423	14,558,046	10,645,306	3,912,740
GENERAL DEBT	16,688,416	16,888,416	519,141	16,369,275	n/a	n/a
ECONOMIC DEV.	1,810,147	1,491,738	282,000	1,209,738	n/a	n/a
CENTRAL SERVICE	3,285,864	3,397,284	712,499	2,684,785	n/a	n/a
WATER & SEWER	25,924,010	26,490,787	2,262,066	24,228,721	25,821,101	(1,592,380)
ELECTRIC	16,627,803	19,474,627	200,000	19,274,627	13,205,210	6,069,417
MASS TRANSIT	342,784	1,413,454	-	1,413,454	441,179	972,275
PARKING	333,409	386,249	97,839	288,410	37,200	251,210
SOLID WASTE	948,425	1,611,866	-	1,611,866	1,657,165	(45,299)
STORMWATER	1,364,610	1,639,940	-	1,639,940	555,818	1,084,122
TOTAL	83,419,481	90,913,830	7,634,968	83,278,862	52,362,979	10,652,085

CONCLUSION

I am pleased to present to you a budget that addresses the strategic goals of the City Council of High Point. This budget continues to provide the quality programs and services our residents have come to expect and enjoy. High Point's financial condition is stable and strong. The FY 2016-17 Budget is balanced, meets all statutory requirements, and addresses many of the critical issues that Council has expressed interest in addressing.

I want to thank the City Council and the community for their interest, engagement and assistance. The work we do cannot be successful without the partnership of citizens and community agencies from all areas of the city. I look forward to a bright future as we continue to make High Point the single most livable, safe and prosperous community in America.

I want to acknowledge all of the staff members who assist in the preparation of this policy document. The efforts and professionalism of Eric Olmedo, Laura Altizer, Roslyn McNeill, Cindy Smith, Jeff Moore, Randy McCaslin, Randy Hemann, Jeron Hollis and the rest of our executive team are appreciated. I also thank the Mayor and City Council for your leadership and commitment to the City of High Point.

Respectfully submitted,



Greg Demko
City Manager



AN ORDINANCE TO ADOPT A NEW DEVELOPMENT ORDINANCE

WHEREAS, the existing Development Ordinance was adopted by the High Point City Council on January 7, 1992 and subsequently amended;

WHEREAS, the City Council of the City of High Point adopted the Core City Plan on February 8, 2007 which called for numerous changes in existing Development Ordinance standards to promote and enable a strong and stable urban core;

WHEREAS, an assessment of the existing Development Ordinance was conducted in 2009 and later updated in 2012 that defined the scope of needed ordinance revisions and established the objectives for a new Development Ordinance;

WHEREAS, an advisory committee was formed to review and recommend changes to the draft ordinance prepared by the City's consultant;

WHEREAS, numerous community sessions were held over a three-year period with various stakeholders and underrepresented populations in the city along with general public meetings to solicit comments on regulatory changes and on the draft ordinance;

WHEREAS, based upon the comments and recommended changes solicited the consultants produced a public hearing draft Development Ordinance for the Planning & Zoning Commission's consideration;

WHEREAS, notice was published in the High Point Enterprise on January 31, 2016 and February 3, 2016 and a public hearing was held before the Planning and Zoning Commission on February 9, 2016 pursuant to Chapter 160A-387 of the General Statutes of North Carolina;

WHEREAS, the Planning and Zoning Commission recommended a new Development Ordinance for adoption to City Council on March 22, 2016; and

WHEREAS, notice was published in the High Point Enterprise on May 1, 2016; May 4, 2016 and May 11, 2016 and a public hearing was held on the Planning & Zoning Commission's recommended Development Ordinance before the City Council on May 16, 2016 pursuant to Chapter 160A-364 of the General Statutes of North Carolina.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT THAT:

SECTION 1. A technical ordinance entitled "Development Ordinance" is hereby adopted and shall consist of:

- A. High Point Development Ordinance Planning & Zoning Commission Recommended Draft dated March 22, 2016.

SECTION 2. The Code of Ordinances of the City of High Point Title 9 "Development" Chapters 1 through 10, which constituted the existing Development Ordinance, are hereby repealed.

SECTION 3. The Code of Ordinances of the City of High Point Title 9 "Development" is hereby amended to add a new Chapter 1 "Development Ordinance" as follows:

Chapter 1 Development Ordinance

The Development Ordinance is hereby adopted as a technical ordinance that is available for public inspection in the office of the City Clerk.

SECTION 4. The Code of Ordinances of the City of High Point Title 9 "Development" Chapter 11 "Development Inspection Regulations" shall be recodified as Chapter 2 "Inspection Regulations" including Articles A through K.

SECTION 5. The Code of Ordinances of the City of High Point Title 9 "Development" Appendices 1 through 16 are hereby deleted from the Code of Ordinances, however, Appendix 8 "Street Closing Policy", Appendix 9 "Street Name and Address Assignment Standards", Appendix 13 "Traffic Impact Analysis Policy", and 16 "City of High Point Water & Sewer Utility Extension Policy", which were previously adopted as policies by the City Council, shall remain in effect as policies but not contained within the Code of Ordinances.

SECTION 6. For a period of one year from the effective date of this ordinance, property owners shall have the option to decline use of the zoning district uses and standards of the new Development Ordinance, specifically Chapter 3 "Zoning Districts", Chapter 4 "Uses", and Chapter 5 "Development Standards", and elect to use the zoning district uses and standards of the existing Development Ordinance, specifically Chapter 4 "Zoning Regulations" and Chapter 5 "Zoning: Other Standards" as it applied to property on the effective date of this ordinance. The property owner's election to use the existing Development Ordinance zoning district uses and standards shall be established in writing at the time an application for a permit or land development plan is submitted and such existing Development Ordinance regulations shall be utilized in whole and not in part for the entire project.

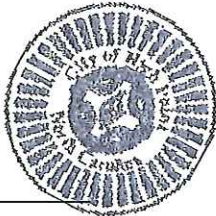
SECTION 7. Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 8. This ordinance shall become effective on January 1, 2017

Adopted by the High Point City Council
This the 16th day of May 2016

ATTEST:


Lisa Vierling, City Clerk




William S. Bencini, Jr., Mayor

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

TEXT AMENDMENT: 16-01

Ordinance #7208/16-28

APPLICANT: Zaki Uddin Khalifa

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 26, 2016 and before the City Council on May 16, 2016 regarding **Text Amendment 16-01**; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on April 17, 2016 for the Planning and Zoning Commission public hearing and May 4 & 11, 2016 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 May 16, 2016;

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

An amendment affecting Section 9-4-5(a)(1), *Special District* which contains the description or boundaries of the *Main Street District*.

SECTION 1.

9-4-5 SPECIAL DISTRICTS

(a) Main Street District

(1) Boundaries:

The Main Street Zoning District is divided into four sections, referred to as sub-areas A, B, C and D. All of the district sub-areas share the same fundamental concepts and have similar requirements; however there are some differences in the requirements regarding the setback from a street, sign standards, landscape standards, and permitted uses.

The sub-areas are located as follows. Sub-area A extends from the intersection of North Main Street and Eastchester/Westchester Drive south to a line perpendicular to North Main Street that is 160-feet north of the right-of-way of State Avenue. Sub-Area B extends from a line perpendicular to North Main Street that is 160-feet north of the right-of-way of State Avenue south to the intersection of North Main Street and Ray Avenue. Sub-area C extends from the intersection of South Main Street and Grimes **Taylor** Avenue and **East Grimes Avenue** south to the intersection of South Main Street and Market Center Drive. Subarea D extends from the intersection of South Main Street and Market Center Drive south to the intersection of South Main Street and Business Interstate 85.

SECTION 2.

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

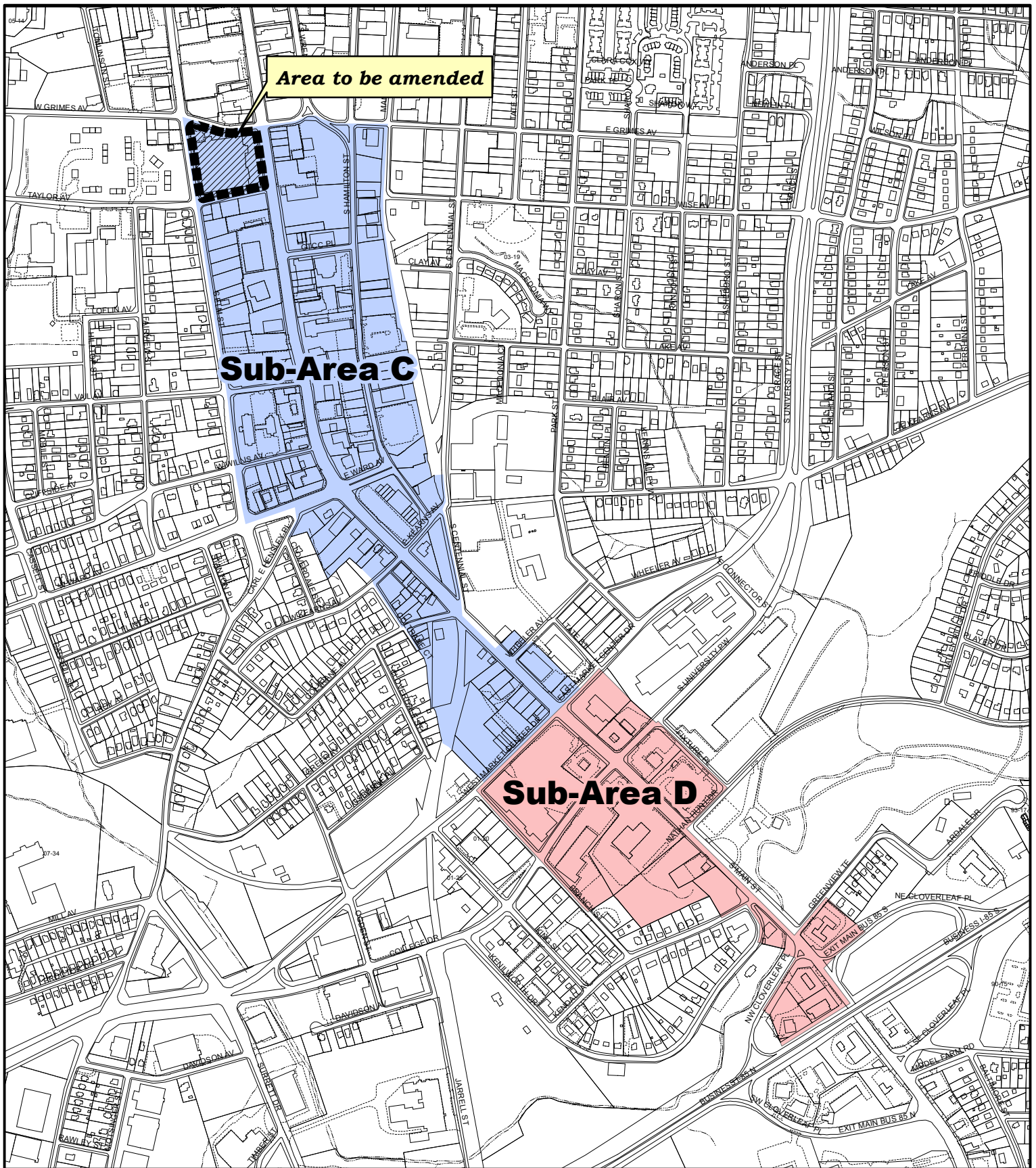
SECTION 3.

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

SECTION 4.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The 16th day of May, 2016
Lisa B. Vierling, City Clerk



TEXT AMENDMENT TA16-01

Amendment to Main Street (MS) District Boundary

Existing Zoning Boundary
Subject Property Boundary



Planning & Development
Department

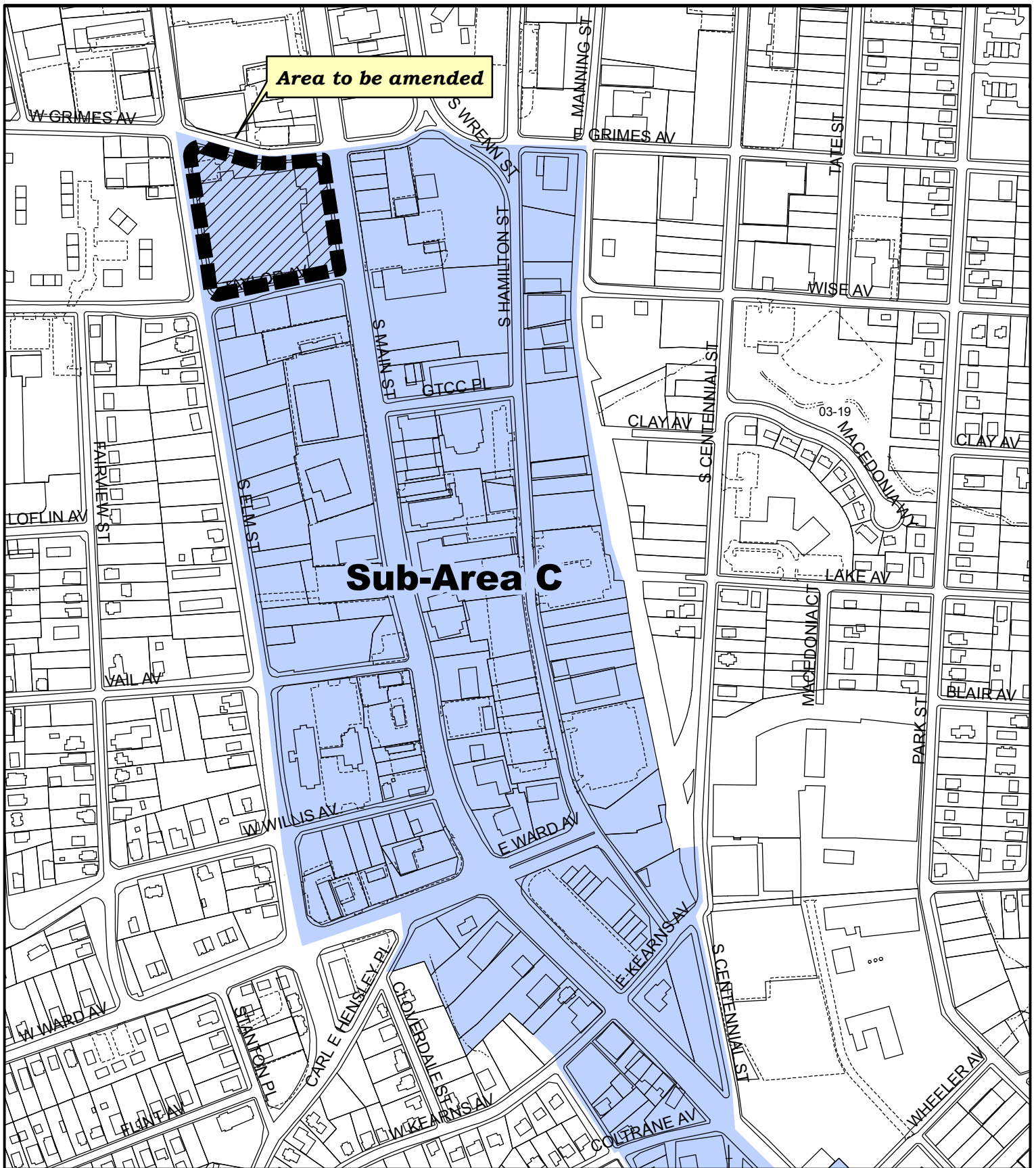
City of High Point

Date: April 26, 2016



Scale: 1"=900'

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2016\pz\ta16-01.mxd



TEXT AMENDMENT TA16-01

Amendment to Main Street (MS) District Boundary

Existing Zoning Boundary
Subject Property Boundary



Planning & Development
Department

City of High Point

Date: April 26, 2016



Scale: 1"=400'

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2016\pz\ta16-01-b.mxd

CITY OF HIGH POINT

AGENDA ITEM



Title: New Development Ordinance

From: Lee Burnette, Planning & Development
Director

Meeting Date: May 16, 2016

Public Hearing: Yes

Advertising Date: May 1, 4 & 11, 2016

Advertised By: Planning & Development

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

PURPOSE:

A request by the Planning and Zoning Commission to adopt a new Development Ordinance.

BACKGROUND:

Staff report, ordinance of adoption, and the Planning & Zoning Commission Recommendation are enclosed. An electronic copy of the Planning and Zoning Commission Recommended Draft March 22, 2016 is available on the City's website at: <https://www.highpointnc.gov/DocumentCenter/View/4274>.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. On February 9, 2016, a public hearing was held before the Planning and Zoning Commission regarding the new Development Ordinance and the public hearing was closed at their March 22, 2016 meeting. The Planning & Zoning Commission recommended approval of the new Development Ordinance, as amended, by a vote of 7-0.
- B. Staff recommends **approval** of the Planning and Zoning Commission Recommended Draft March 22, 2016 as outlined in the attached staff report and ordinance of adoption.

PLANNING AND ZONING COMMISSION RECOMMENDATION

New Development Ordinance

At its February 9, 2016 public hearing, the Planning and Zoning Commission reviewed a request to adopt a new Development Ordinance. Mark Walsh, Jim Armstrong, Ozzie Hough, Tom Kirkman, and Ed Squires, members of the Commission, were present. Ms. Heidi Galanti, Planning Administrator, presented the ordinance and recommended approval of the request as outlined in the staff report and addendum.

Ms. Judy Stalder of TREBIC, spoke and requested changes to: the Eastchester Gateway Overlay; uses allowed in the Light Industrial (LI) district; street access; penalties for unauthorized removal of required landscaping; density and design in pocket neighborhoods; and the penalty for grading without a permit.

Mr. Chuck Truby of CPT Engineering, spoke and requested a change in the Eastchester Gateway Overlay building setback.

Mr. Keith Price of Samet Corporation, spoke and requested that there be a one year period where an applicant could choose to use either the old or the new development ordinance.

The Planning Commission held the public hearing open to allow time to consider the changes that were requested.

On February 23, 2016 the Planning and Zoning Commission held a work session to discuss the recommended changes and held the public hearing open until March 22, 2016 to finalize the recommendation to City Council.

On March 22, 2016 the Planning and Zoning Commission concluded the public hearing after hearing from Judy Stalder of TREBIC. Ms. Stalder requested a few additional changes to Pocket Neighborhoods and further clarification of the Street Access standards.

Mark Walsh, Jim Armstrong, Ozzie Hough, Tom Kirkman, Andy Putnam, Marie Stone and Ed Squires, members of the Commission, were present. The Planning & Zoning Commission recommended approval of the November 2015 Public Hearing Draft of the new Development Ordinance, as amended by the February 9, 2016 addendum, the revised February 23, 2016 addendum, and the direction from Assistant City Attorney Brent Cole, by a vote of 7-0.

CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT
NEW DEVELOPMENT ORDINANCE STAFF REPORT
April 4, 2016

Request

Proposal: To adopt a new development ordinance that governs zoning, environmental and subdivision regulations.

Background

The following is a summary of the history of how and why a new development ordinance was written:

- 2007 – Core City Plan was adopted and called for a rewrite of the Development Ordinance primarily because the current ordinance, which was last rewritten in 1992, is:
 - Oriented towards suburban development
 - Difficult for infill and revitalization
 - Treated as one size fits all for development
- 2008/2009 – Consultants prepared a Code Assessment of the current Development Ordinance
 - Conducted stakeholder interviews and a Citizen Preference Survey
 - Worked with an 11-member Citizen Advisory Committee
 - Identified need to rewrite ordinance to:
 - Create a more user-friendly code
 - Implement the Core City Plan
 - Protect and revitalize the city’s neighborhoods and gateway corridors
 - Create more livable and sustainable development in the suburban/greenfield area
 - Create additional flexibility and incentives to encourage development
 - Presented the assessment to Planning and Zoning Commission and City Council and received notice to proceed with the rewrite of the Development Ordinance
- FY10/11 budget - Unable to fund the project
- Fall 2010 applied for HUD Community Challenge Grant and the project was not funded
- Fall 2011 applied for HUD Community Challenge Grant and the project was funded
- 2012
 - Established an 18-member UPDATE Advisory Committee (UAC)
 - Consultants refreshed the 2009 Code Assessment
 - Held stakeholder interviews, citizen preference survey meetings with the city’s English and non-English speaking population, and general public meeting on the completed document
 - Held joint meeting with the Planning and Zoning Commission and City Council

- Started drafting the new ordinance
- 2013 – 2015 – Produced the draft of the new ordinance in 3 separate modules
 - Held review meetings with the UAC (multiple review meetings on each module)
 - Held public review meetings with English and Non-English speaking population
 - Tested the draft ordinance with the assistance of the development community
 - Held joint meetings with the Planning and Zoning Commission and City Council on each module
- Adoption Process
 - Held two general public meetings (December 3 & 10, 2015)
 - Held work session with Planning and Zoning Commission (December 8, 2015)
 - Held work session with City Council (January 4, 2016)

Details of Proposal

The Public Review Draft, dated November 2015, was provided for public review and distributed to the Planning and Zoning Commission and the City Council. The document includes 10 chapters that govern zoning, environmental and subdivision regulations. The document is to be a replacement of the City's current Development Ordinance which was last rewritten in 1992.

Since the November 2015 Public Hearing Draft was released, the following changes have been made and incorporated into the Planning and Zoning Commission Recommended Draft March 22, 2016:

- Amended the translation of the Institutional (I) and Parks and Natural Resources (PNR) districts so that the former Public and Institutional (PI) district translates directly to the new Institutional (I) district and the Parks and Natural Resources District (PNR) is a standalone new district. [Table 1.9]
- Added "Assembly, major" as a permitted use in the Parks and Natural Resources (PNR) District to correct an oversight, which will allow uses such as stadiums and ballparks as permitted in the PNR district. [Section 4.1.9]
- Removed the requirements for an HVAC system and the construction standards for market showroom tents as recommended by the Manager's Office. [Section 4.3.5.E.1.(b)(2)]
- Revised maintenance warranties to be limited to stormwater management facilities due to a recent change in State legislation. [Sections 7.2.3 and 7.2.4]
- Increased the number of days a nonconforming showroom can cease operation before forfeiting its nonconforming status from 365 days to two years to allow more time to reinstate a showroom use. [Section 8.2.3.A.2(a)]
- Allowed for a reduced building setback option in the Eastchester Gateway Corridor Overlay when parking is not located between the building line and Eastchester Drive. [Section 3.8.7.F.3]
- Revised the characteristics of the Retail Sales use category to clarify that the use types are primarily intended for, but not solely for the general public. [Table 4.2.6.H.1]
- Revised the characteristics of the Wholesale Trade use category to clarify that the use types are primarily intended for, but not solely for the industrial, institutional, trade or commercial businesses. [Table 4.2.7.F.1]
- Revised the description of the Bulky Item Sales use types to include manufactured homes and modular homes [Table 4.2.6.H(a)]
- Added Truck Stop as a use which included:

- Adding it to the Principal Use Table as a special use in the LI district and permitted in the HI district. [Table 4.1.9]
 - Adding it as a use type in the Retail Sales use category [Table 4.2.6.H.(f)]
 - Adding use standards pertaining to setbacks abutting a residential district and location. [Section 4.4.3.F.4]
- Clarified the existing Streets Access standards [Section 5.2.2.A]. Staff will also be making Street Access the first Determination of the new Ordinance that will include graphics to show examples of what the standard means for the staff & public.
- Revised Unauthorized Removal of Required Landscaping to clarify that when required landscaping is removed without prior authorization, the replacement landscaping must be placed in the same yard area from which it was removed unless an alternate landscape plan is approved. [Section 5.5.16.C.2]
- Pocket neighborhoods are a voluntary single-family residential development type that will be allowed in the core city as long as they meet the standards in Section 5.14.6. The following are changes that were made:
- Increased the gross density to allow for a 10% increase in density over the underlying district. [Section 5.14.6.C.3]
 - Removed front porch and window placement requirements [Section 5.14.6.D.2]
- Removed the requirement for an administrative adjustment for the expansion or enlargement of nonconforming uses as long as they meet the standards in the nonconforming use section. [Table 2.5.2.C, Section 8.2.2 and Section 8.2.3]
- Allowed nonconforming single-family and duplex dwellings to expand or enlarge beyond 25%. [Section 8.2.3.E]
- Added nonconforming schools to the nonconforming section and allowed them to be expanded or enlarged with the same standards as market showrooms and single-family and duplex dwellings. [Section 8.2.3.F]
- Revised the definition of the terms “may, can and should” to clarify that they are not mandatory. [Section 10.1.10]

Following the adoption of the new Development Ordinance text, a new zoning map will need to be prepared. Formerly, the City had 38 zoning districts and in the new Development Ordinance there are 28. Many of the new districts are a translation from the old districts (see Table 1.9 Zoning District Translation in the new Development Ordinance). A translation means that the zoning district has been renamed and in some cases combined with other districts and a rezoning is not required. For example, properties zoned RS-40, RS-20, RS-15 and RS-12 under the old Development Ordinance have been translated to the R-3 district in the new Development Ordinance.

There are some instances where properties must be reclassified which will require a rezoning of the property to a new zoning district. For example, the Public and Institutional (PI) district under the old Development Ordinance has been split and changed into two different districts, the Institutional (I) and the Parks and Natural Resources (PNR) district. Therefore, areas that were zoned PI under the old Development Ordinance have been evaluated under the new ordinance’s standards and some will need to be rezoned to the appropriate new zoning district in the new Development Ordinance based on the current use of the property. Due to the time that it will take for the rezonings to be prepared, there will need to be a delayed effective date for the new Development Ordinance.

Additionally, the City is creating a mapping application that will be available to the public on the City's website. This mapping application will allow the public to type in an address to see how the property was zoned under the old Development Ordinance and how it will be zoned under the new Development Ordinance. There will also be a link to fact sheets that show the differences between the old and new districts.

When the new ordinance goes into effect, the City will allow applicants to either use the zoning standards in the new Development Ordinance or the old Development Ordinance for a period of one year from the effective date. The purpose is to provide options in case some unforeseen circumstances arise with the new Development Ordinance that could unintentionally delay an applicant from moving forward with a development project.

Analysis

The new Development Ordinance achieves the goals that were identified in the Code Assessment at the beginning of the project. The ordinance implements the recommendation of the Core City Plan, it is more user-friendly, it protects existing neighborhoods, it promotes more livable development in greenfield areas, and it adds flexibility and incentives. These goals were achieved through changes such as: enhanced structure and organization, clarification and codifying all development review procedures, recognizing urban character through the use of dual dimensional standards, reducing parking standards, allowing alternative forms of development, and adding sustainable development incentives.

Consistency with Adopted Plans:

The proposed new Development Ordinance is appropriate and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

Staff Comments:

The proposed Development Ordinance is consistent with and supported by the City's adopted plans, especially the Core City Plan.

Reasonableness/Public Interest:

An approval of the proposed new Development Ordinance is considered reasonable and in the public interest.

Staff Comments:

Staff suggests that the approval of the Planning and Zoning Commission Recommended Draft March 22, 2016 is reasonable and in the public interest because: 1) it implements the recommendations of the Core City Plan, 2) it achieves the goals that were set out in the beginning of the project, and 3) represents the work of the advisory committee, and the input from the general public.

Recommendation

Staff recommends approval of the Planning and Zoning Commission Recommended Draft March 22, 2016 because it implements the recommendations of the Core City Plan; it achieves the goals that were set out in the beginning of the project; and it represents the work of the advisory committee, and the input from the general public.

Required Action

Planning and Zoning Commission:

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

City Council:

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

Report Preparation

This report was prepared by Planning and Development Department staff member(s) Heidi H. Galanti, AICP, Planning Services Administrator, and reviewed by Robert L. Robbins, AICP, Development Services Administrator and G. Lee Burnette, AICP, Director.

AN ORDINANCE TO ADOPT A NEW DEVELOPMENT ORDINANCE

WHEREAS, the existing Development Ordinance was adopted by the City Council on January 7, 1992 and subsequently amended;

WHEREAS, the City Council of the City of High Point adopted the Core City Plan on February 8, 2007 which called for numerous changes in existing Development Ordinance standards to promote and enable a strong and stable urban core;

WHEREAS, an assessment of the existing Development Ordinance was conducted in 2009 and later updated in 2012 that defined the scope of needed ordinance revisions and established the objectives for a new Development Ordinance;

WHEREAS, an advisory committee was formed to review and recommend changes to the draft ordinance prepared by the City's consultant;

WHEREAS, numerous community sessions were held over a three-year period with various stakeholders and underrepresented populations in the city along with general public meetings to solicit comments on regulatory changes and on the draft ordinance;

WHEREAS, based upon the comments and recommended changes solicited the consultants produced a public hearing draft Development Ordinance for the Planning & Zoning Commission's consideration;

WHEREAS, notice was published in the High Point Enterprise on January 31, 2016 and February 3, 2016 and a public hearing was held before the Planning and Zoning Commission on February 9, 2016 pursuant to Chapter 160A-387 of the General Statutes of North Carolina;

WHEREAS, the Planning and Zoning Commission recommended a new Development Ordinance for adoption to City Council on March 22, 2016; and

WHEREAS, notice was published in the High Point Enterprise on May 1, 2016; May 4, 2016 and May 11, 2016 and a public hearing was held on the Planning & Zoning Commission's recommended Development Ordinance before the City Council on May 16, 2016 pursuant to Chapter 160A-364 of the General Statutes of North Carolina.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT THAT:

SECTION 1. A technical ordinance entitled "Development Ordinance" is hereby adopted and shall consist of:

- A. High Point Development Ordinance Planning & Zoning Commission Recommended Draft dated March 22, 2016.

SECTION 2. The Code of Ordinances of the City of High Point Title 9 "Development" Chapters 1 through 10, which constituted the existing Development Ordinance, are hereby repealed.

SECTION 3. The Code of Ordinances of the City of High Point Title 9 "Development" is hereby amended to add a new Chapter 1 "Development Ordinance" as follows:

Chapter 1 Development Ordinance

The Development Ordinance is hereby adopted as a technical ordinance that is available for public inspection in the office of the City Clerk.

SECTION 4. The Code of Ordinances of the City of High Point Title 9 "Development" Chapter 11 "Development Inspection Regulations" shall be recodified as Chapter 2 "Inspection Regulations" including Articles A through K.

SECTION 5. The Code of Ordinances of the City of High Point Title 9 "Development" Appendices 1 through 16 are hereby deleted from the Code of Ordinances, however, Appendix 8 Street Closing Policy", Appendix 9 "Street Name and Address Assignment Standards", Appendix 13 "Traffic Impact Analysis Policy", and 16 "City of High Point Water & Sewer Utility Extension Policy", which were previously adopted as policies by the City Council, shall remain in effect as policies but not contained within the Code of Ordinances.

SECTION 6. For a period of one year from the effective date of this ordinance, property owners shall have the option to decline use of the zoning district uses and standards of the new Development Ordinance, specifically Chapter 3 "Zoning Districts", Chapter 4 "Uses", and Chapter 5 "Development Standards", and elect to use the zoning district uses and standards of the existing Development Ordinance, specifically Chapter 4 "Zoning Regulations" and Chapter 5 "Zoning: Other Standards" as it applied to property on the effective date of this ordinance. The property owner's election to use the existing Development Ordinance zoning district uses and standards shall be established in writing at the time an application for a permit or land development plan is submitted and such existing Development Ordinance regulations shall be utilized in whole and not in part for the entire project.

SECTION 7. 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 8. This ordinance shall become effective on January 1, 2017

Adopted by the City Council
This the ____ day of 2016
Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: **Zoning Map Amendment 16-06** (Zaki Uddin Khalifa); AND
Text Amendment 16-01 (Zaki Uddin Khalifa)

From: Lee Burnette, Planning & Development
Director

Meeting Date: May 16, 2016

Public Hearing: Yes

Advertising Date: May 4 & 11, 2016

Advertised By: Planning & Development

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

PURPOSE:

Zoning Map Amendment 16-06

A request to rezone approximately 3.46 acres from the Main Street (MS) District to the Central Business (CB) District. The site is lying along the west side of S. Main Street, between W. Grimes Avenue and Taylor Avenue (600 S. Main Street).

AND

Text Amendment 16-01

A request to amend Section 9-4-5(a)(1) (Special District) of the Development Ordinance to revise the boundary of the Main Street (MS) District.

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. The Planning & Development Department recommended approval of both requests as outlined in the staff reports.
- B. The Planning & Zoning Commission recommended approval of Zoning Map Amendment 16-06 by a vote of 6-0.
- C. The Planning & Zoning Commission recommended approval of Text Amendment 16-01 by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Zaki Uddin Khalifa

Zoning Map Amendment 16-06

Text Amendment 16-01

At its April 26, 2016 public hearing, the Planning and Zoning Commission reviewed Zoning Map Amendment 16-06 and Text Amendment 16-01. Mr. Herbert Shannon, Senior Planner, presented both cases and recommended approval of these requests as outlined in their respective staff reports.

Speaking in favor of the requests:

Speaking in favor of these requests, on behalf of the applicant, was Mr. John Ruffin, executive vice president of Meridian Realty, 147 S. Cherry Street; Suite 200, Winston-Salem, NC.

Speaking in opposition of the request:

No one spoke in opposition to either request.

Planning & Zoning Commission Action (Zoning Map Amendment 16-06)

The Planning & Zoning Commission recommended approval of this request, as recommended by staff, by a vote of 6-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Map Amendment 16-06 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because: 1) The request is consistent with the Land Use Map; 2) The site is within an established commercial corridor and directly abuts the CB District. The manner in which it is developed fits the character of the CB District; and 3) This would be a logical extension of the CB District and will still provide a clear transition between the downtown areas and the southern Main Street corridor.

Planning & Zoning Commission Action (Text Amendment 16-01)

The Planning & Zoning Commission recommended approval of this request, as recommended by staff, by a vote of 6-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Text Amendment 16-01 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because: 1) With respect to consistency with adopted plans, this text amendment is not in conflict with the Land Use Plan; 2) Approval of the text amendment would be a logical extension of the limits of the downtown area as this block abuts the CB District and its development pattern is generally more consistent with that of the downtown area; 3) This is a minor adjustment, approximately 350 feet, in the boundary line of the sub area C portion of the Main Street District; and 4) Rather than using property lines to set a boundary description, this proposal uses a permanent physical feature (Taylor Avenue right-of-way) as the new boundary description.

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

**STAFF REPORT
ZONING MAP AMENDMENT 16-06
April 26, 2016**

Request	
Applicant: Zaki Uddin Khalifa	Owner: Zaki Uddin Khalifa
Zoning Proposal: To rezone an approximately 3.46-acre parcel.	From: MS Main Street District
	To: CB Central Business District

Site Information	
Location:	Lying along the west side of S. Main Street, between W. Grimes Avenue and Taylor Avenue (600 S. Main Street).
Tax Parcel Number:	Guilford County Tax Parcel 0172544
Site Acreage:	Approximately 3.46 acres
Current Land Use:	Furniture retail sales store
Physical Characteristics:	The site is developed with an approximately 97,200 square foot commercial building.
Water and Sewer Proximity:	Multiple City utility lines (6, 8, 10, 16 & 24-inch water lines and 8-inch sewer lines) are lying adjacent to the site along S. Main Street, S. Elm Street, W. Grimes Avenue and Taylor Avenue.
General Drainage and Watershed:	The site is relatively flat and drains in a westerly direction, and development is subject to the Randleman Lake General Watershed Area (GWA) requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that exceeds 6% or more of the site.
Overlay District:	Randleman Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	CB	Central Business District	Market Showroom and office use
South:	MS	Main Street District	Automotive dealership
East:	MS	Main Street District	Automotive dealership
West:	GB	General Business District	Furniture retail sales, appliance
	RM-18	Residential Multifamily-18 District	store and multifamily development

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	<u>Obj. 6B:</u> Given the direct economic benefits derived from the High Point Market, as well as the invaluable international recognition it brings to the community, continue efforts to sustain, promote and support the High Point Market.

Land Use Plan Map Classification:	The site has a Local/Convenience Commercial land use designation. This classification is intended to accommodate moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.
Land Use Plan Goals, Objectives & Policies:	This request is neither in conflict, nor does it promote, the goals and objectives of the Land Use Plan.
Relevant Area Plan:	<u>Core City Plan:</u> This plan, adopted in 2007, was a major initiative undertaken to guide development and revitalization of High Point's 11-square mile core area, including its downtown and surrounding neighborhoods. One of the distinct places identified for enhancement was the historic downtown, which the plan acknowledged had lost its traditional function as a place where a mix of different land uses come together to create vibrancy at all hours of the day. Instead, it recommended the creation of a "Showroom District" through the establishment of regulatory boundaries that would essentially concede the area to furniture showrooms, thus allowing for continued growth of the Market, but free up adjacent areas to fulfill the role of a traditional downtown. The site in question was included just inside the Showroom District at its southernmost end, directly adjacent to the South Main Street Mixed Use Corridor.
Zoning History:	<u>Zoning Map Amendment Case 08-11:</u> This 2008 zoning case established the Main Street (MS) zoning district along portions of the North and South Main Street corridor. The northern segment of this district generally includes those properties fronting on N. Main Street from Ray Avenue to Eastchester/Westchester Drive (NC 68). The southern segment of this district, which includes the current zoning request, generally includes those properties fronting along S. Main Street from Grimes Avenue to Business 85. <u>Zoning Map Amendment Case 09-10:</u> This 2009 zoning case, which was denied by the City Council, proposed to establish a Market Overlay District where new market showrooms would be allowed. The proposed overlay district bordered the zoning site to the north along W. Grimes Avenue.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	S. Main Street	Major Thoroughfare	340 ft.
	Taylor Avenue	Local Street	400 ft.
	S. Elm Street	Major Thoroughfare	475 ft.
	W. Grimes Avenue	Collector Street	420 ft.
Vehicular Access:	There are existing driveway access points to the site from S. Main Street, S. Elm Street and W. Grimes Avenue.		

Traffic Counts: (Average Daily Trips)	S. Main Street Taylor Avenue S. Elm Street W. Grimes Avenue	14,000 (2013, NCDOT ADT Count) 1,000 (2013, NCDOT ADT Count) 3,900 (2013, NCDOT ADT Count) 400 (2013, NCDOT ADT Count)
Estimated Trip Generation:	No information	
Traffic Impact Analysis:	Required	
	<u>Yes</u>	<u>No</u> X
	None	
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.	

School District Comment

Not applicable to this zoning case.

Details of Proposal

This site currently sits at the southern edge of the downtown area and is currently developed with a 97,200 square foot furniture retail facility. The applicant is requesting rezoning to the Central Business (CB) District zoning classification in order for the facility to be used for a Market Showroom use. In conjunction with this zoning request, the applicant has also submitted an amendment to the Development Ordinance (Text Amendment Case 16-01) to remove this block from the Main Street (MS) District, Sub Area C, so as to allow the requested CB District to be considered for this property. Approval of this zoning request is contingent upon approval of this text amendment application.

Staff Analysis

This site is located at the southern boundary of the downtown area. The various blocks lying north of this site primarily consist of multistory structures that occupy most of the property. South of this site (south of Taylor Avenue), except for the GTCC campus, development primarily consists of smaller single-story retail structures with development (buildings) occupying less than 50% of a city block.

The CB District encourages higher intensity and compact urban development; whereas the MS District proposes to foster mixed-use development that integrates residential uses. Due to this site being at the edge of the established CB District and the manner in which the site is developed (higher intensity commercial use occupying the entire parcel), the development on this property is more in line with the goals established for the CB District.

Consistency with Adopted Plans:

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

Staff Comments:

The proposal to rezone the site out of the MS District is appropriate due to the character of the existing building and its proximity to other similar buildings in the CB District. Due to the size

of the existing building, it is uniquely suited for conversion to a similar scale reuse. It was also identified as being within the “Showroom District” recommended by the Core City Plan, and is otherwise consistent with, or at least not in conflict with, the goals and objectives of relevant planning documents.

Reasonableness/Public Interest:

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

Staff Comments:

In this case, staff suggests that the approval of this request is reasonable and in the public interest because: 1) The request is consistent with the Land Use Map; 2) The site is within an established commercial corridor and directly abuts the CB District. The manner in which it is developed fits the character of the CB District; and 3) This would be a logical extension of the CB District and will still provide a clear transition between the downtown areas versus the southern Main Street corridor.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone this 3.46-acre parcel to the CB District. The requested CB District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

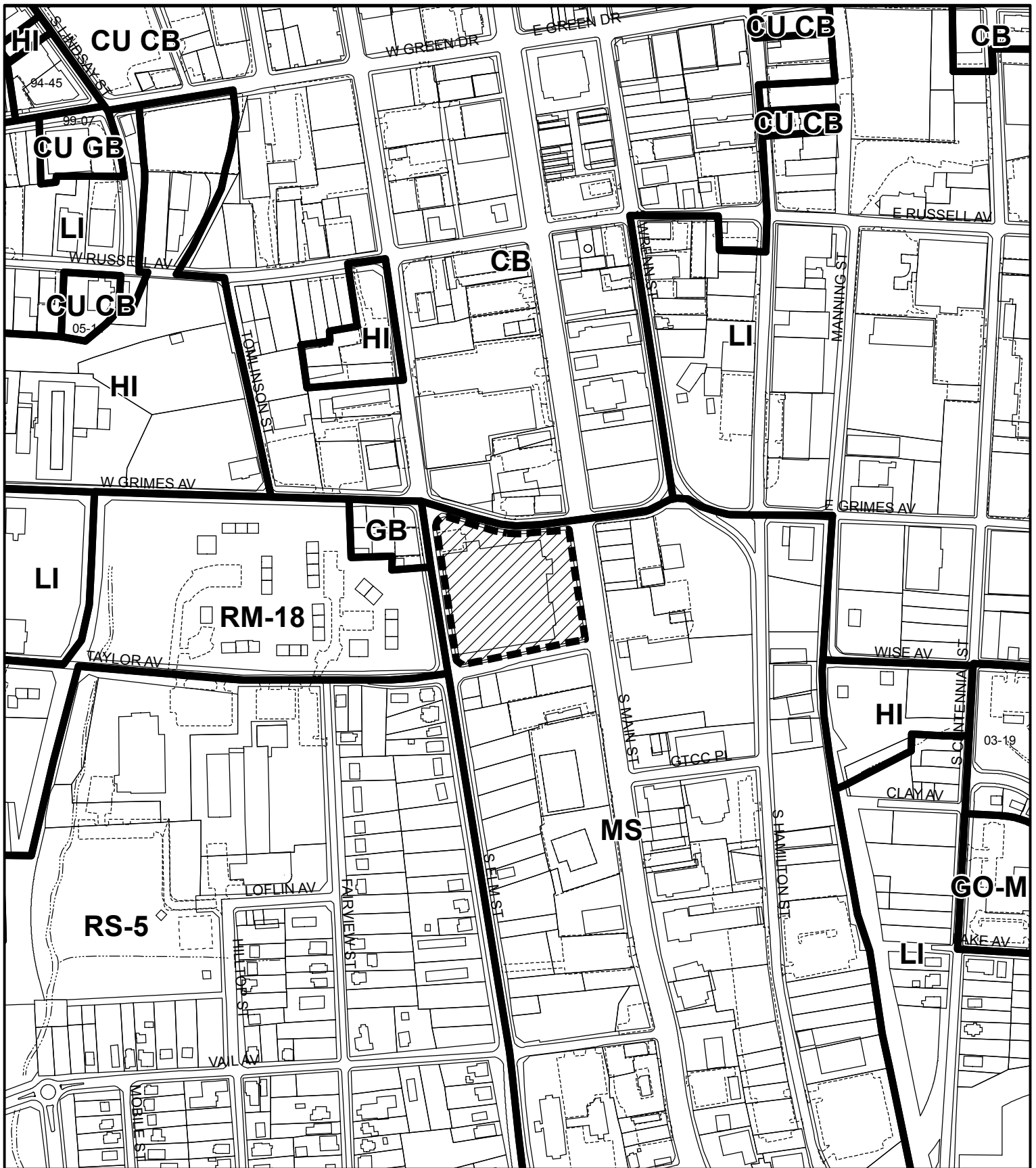
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City’s adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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



ZONING MAP AMENDMENT ZA16-06

From: Main Street
To: Central Business

Existing Zoning Boundary
Subject Property Boundary



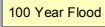
Planning & Development
Department

City of High Point

Date: April 26, 2016



Scale: 1"=400'
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Topography

**Planning & Development
Department**

City of High Point

Date: April 26, 2016



Scale: 1"=400'

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2016/pz/z16-06topo.mxd

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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 April 26, 2016 and before the City Council of the City of High Point on May 16, 2016 regarding **Zoning Case 16-06** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on April 17, 2016, for the Planning and Zoning Commission public hearing and on May 4, 2016 and May 11, 2016, 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 16, 2016.

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: **Central Business (CB) District.** The property is approximately 3.46 acres lying along the west side of S. Main Street, between W. Grimes Avenue and Taylor Avenue (600 S. Main Street). The property is also known as Guilford County Tax Parcel 0172544.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

This ordinance shall become effective upon the date of adoption.
16th day of May, 2016.

Lisa B. Vierling, City Clerk

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

**STAFF REPORT
TEXT AMENDMENT 16-01
April 26, 2016**

Request	
Applicant: Zaki Uddin Khalifa	Affected Ordinance Sections: Section 9-4-5(a)(1) (Special District) <i>Main Street District Boundaries</i>
Proposal: To revise the boundary of the Main Street (MS) District (northern boundary of sub-area C).	

Background

In 2008, the City Council adopted Zoning Case 08-11, which established the Main Street (MS) zoning district along portions of the North and South Main Street corridor. This district was established to foster a wide range of retail, service, and office uses, as well as to encourage mixed-use development that included an integration of residential uses. The MS District was divided into various sub-areas (A thru D) that provided specific design standards to reflect the character of development envisioned for each specific segment of this corridor. The northern segment of this district (which includes sub areas A and B) generally includes those properties fronting on N. Main Street from Ray Avenue to Eastchester/Westchester Drive (NC 68). The southern segment of this district (which includes sub areas C and D) generally includes those properties fronting along S. Main Street from Grimes Avenue to Business 85.

Details of Proposal

This text amendment proposes to revise the northern boundary line of sub-area C of the MS District. The applicant desires to move this northern line of sub-area C one block south, from W. Grimes Avenue to Taylor Avenue, in order to allow the property at 600 S. Main Street to be rezoned and incorporated into the CB District. In conjunction with this text amendment request, the applicant has also submitted a Zoning Map Amendment application to rezone the property at 600 S. Main Street from the MS District to the CB District (ZA-16-06).

Analysis

The applicant desires to establish a Market Showroom use on the property at 600 S. Main Street, but the MS District does not permit this use. Historically, land use policy enacted by the City Council has had the goal of keeping Market Showroom uses primarily concentrated in the core area. A change to the MS District could be in conflict with this policy. However; with this site being located at the edge of the CB District, the applicant has requested this amendment of the boundary description of the MS District be revised in order to allow this property to be considered part of the CB District.

This site is located at the southern boundary of the CB District along S. Main Street. The various city blocks lying north of this site primarily consist of multistory structures that occupy most of

the property. South of this site (south of Taylor Avenue), except for the GTCC campus, development primarily consists of smaller single story retail structures with development (buildings) occupying less than 50% of a city block. The CB District encourages high intensity, compact urban development; whereas the MS District proposes to foster mixed-use development that integrates residential uses. Due to this block being at the edge of the established CB District and the manner in which the site is developed with a larger commercial use occupying the entire block, the character of this block is more in line with the goals established for the CB District.

Recommendation

Staff recommends approval.

Since the development characteristics of this block are consistent with the compact development characteristics typically found in the CB District; and the proposed amendments move this boundary line a relatively small distance (approximately 350 feet), staff supports this minor adjustment in the boundary of the MS District.

Required Action

Planning and Zoning Commission:

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

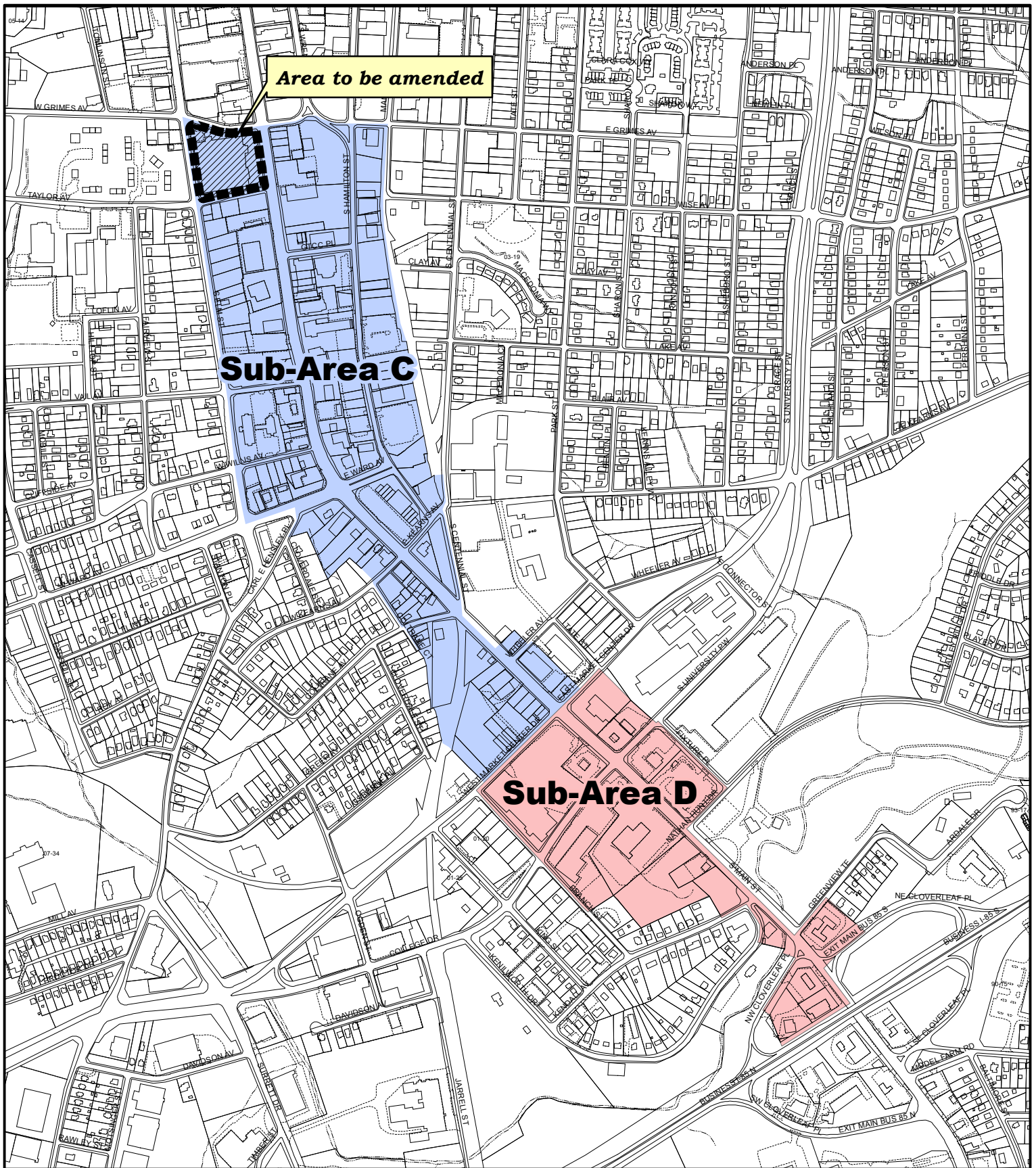
City Council:

Upon rendering its decision in this case, the High Point City Council must also place in the official record a statement of consistency with the City's Land Use Plan. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Council, or, if the Council is in disagreement with staff's findings, 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) With respect to consistency with adopted plans, this text amendment is not in conflict with the Land Use Plan; 2) Approval of the text amendment would be a logical extension of the limits of the downtown area as this block abuts the CB District and its development pattern is generally more consistent with that of the downtown area; 3) This is a minor adjustment, approximately 350 feet, in the boundary line of the sub area C portion of the Main Street District; and 4) Rather than using property lines to set a boundary description, this proposal uses a permanent physical feature (Taylor Avenue right-of-way) as the new boundary description.

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.



TEXT AMENDMENT TA16-01

Amendment to Main Street (MS) District Boundary

Existing Zoning Boundary
Subject Property Boundary



Planning & Development
Department

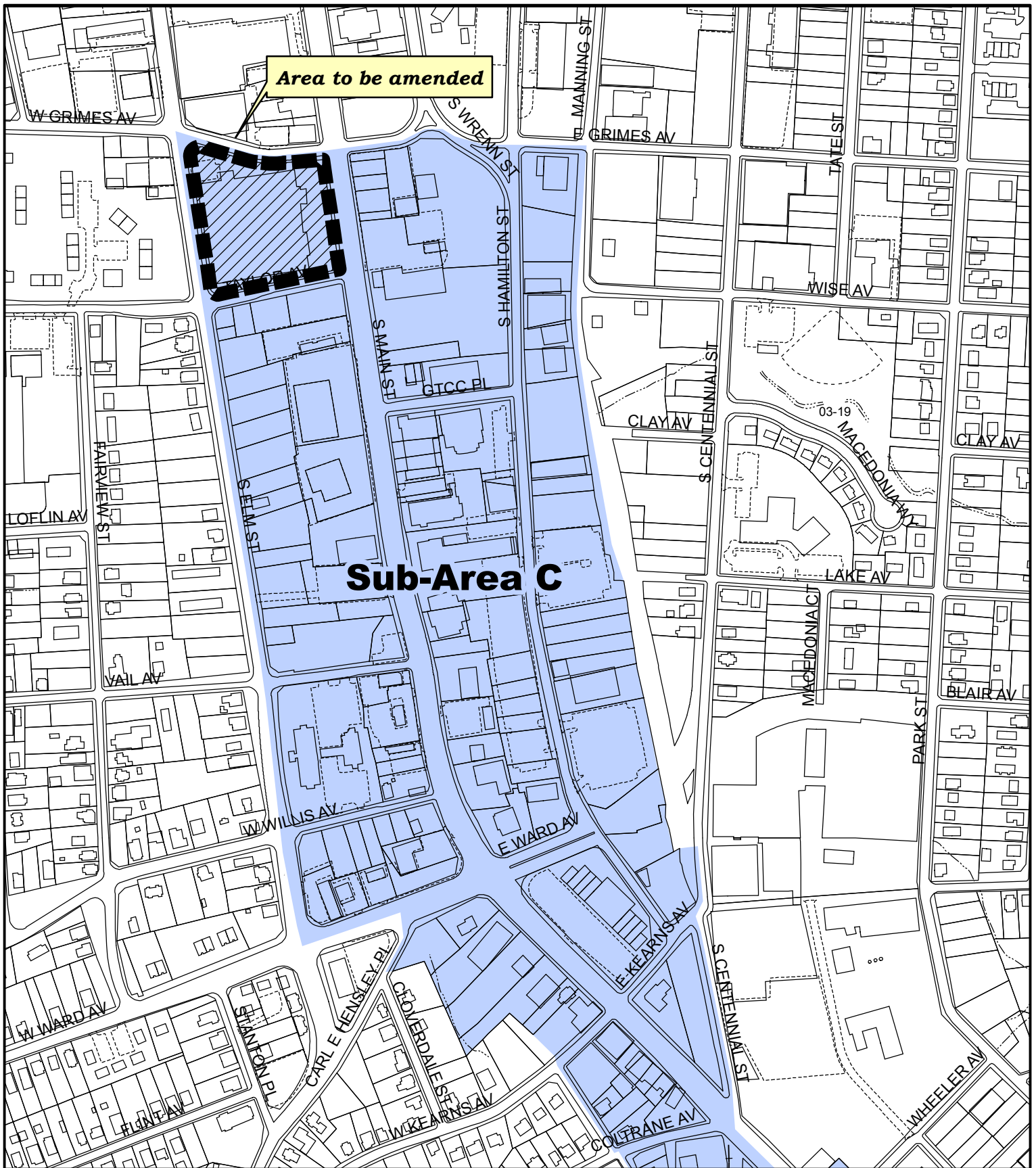
City of High Point

Date: April 26, 2016



Scale: 1"=900'

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2016\pz\ta16-01.mxd



TEXT AMENDMENT TA16-01

Amendment to Main Street (MS) District Boundary

Existing Zoning Boundary
Subject Property Boundary



Planning & Development
Department

City of High Point

Date: April 26, 2016



Scale: 1"=400'

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2016\pz\ta16-01-b.mxd

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

TEXT AMENDMENT: 16-01

Ordinance #xxxx / 16-xx

APPLICANT: Zaki Uddin Khalifa

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 26, 2016 and before the City Council on May 16, 2016 regarding **Text Amendment 16-01**; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on April 17, 2016 for the Planning and Zoning Commission public hearing and May 4 & 11, 2016 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 May 16, 2016;

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

An amendment affecting Section 9-4-5(a)(1), *Special District* which contains the description or boundaries of the *Main Street District*.

SECTION 1.

9-4-5 SPECIAL DISTRICTS

(a) Main Street District

(1) Boundaries:

The Main Street Zoning District is divided into four sections, referred to as sub-areas A, B, C and D. All of the district sub-areas share the same fundamental concepts and have similar requirements; however there are some differences in the requirements regarding the setback from a street, sign standards, landscape standards, and permitted uses.

The sub-areas are located as follows. Sub-area A extends from the intersection of North Main Street and Eastchester/Westchester Drive south to a line perpendicular to North Main Street that is 160-feet north of the right-of-way of State Avenue. Sub-Area B extends from a line perpendicular to North Main Street that is 160-feet north of the right-of-way of State Avenue south to the intersection of North Main Street and Ray Avenue. Sub-area C extends from the intersection of South Main Street and Grimes **Taylor** Avenue and **East Grimes Avenue** south to the intersection of South Main Street and Market Center Drive. Subarea D extends from the intersection of South Main Street and Market Center Drive south to the intersection of South Main Street and Business Interstate 85.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The 16th day of May, 2016
Lisa B. Vierling, City Clerk

CITY OF HIGH POINT

AGENDA ITEM



Title: Approval of Lease City-Owned Residences

From: Kim Thore, Right of Way Coordinator

Public Hearing: N/A

Attachments: Site Map

Meeting Date: May 16, 2016

Advertising Date: April 12, 2016

Advertised By: Legal Office

PURPOSE:

The City of High Point, upon Council approval, proposes to enter into five-year lease agreements on residential dwellings located on lands purchased for future City use. The proposed lease agreements contain an early termination item for convenience that allows the Landlord to terminate the lease upon a sixty day written notice to tenant.

BACKGROUND:

There are a total of five properties with dwellings that were purchased in the past by both the Public Services and the Library/Museum Departments at various times for future use. With the exception of one house, the long term plans will be to demolish the dwellings. Each lease agreement generates stable annual revenue from monthly rents. The property addresses are: 118 Underhill Street, 1420 Bragg Avenue, 3300 Hillside, 809 Aberdeen Road, and 811 Aberdeen Road. A public notice of these proposed leases was published in the April 12, 2016 edition of the High Point Enterprise Newspaper.

BUDGET IMPACT:

The proposed revenue to be generated from these rentals is \$33,420 annually.

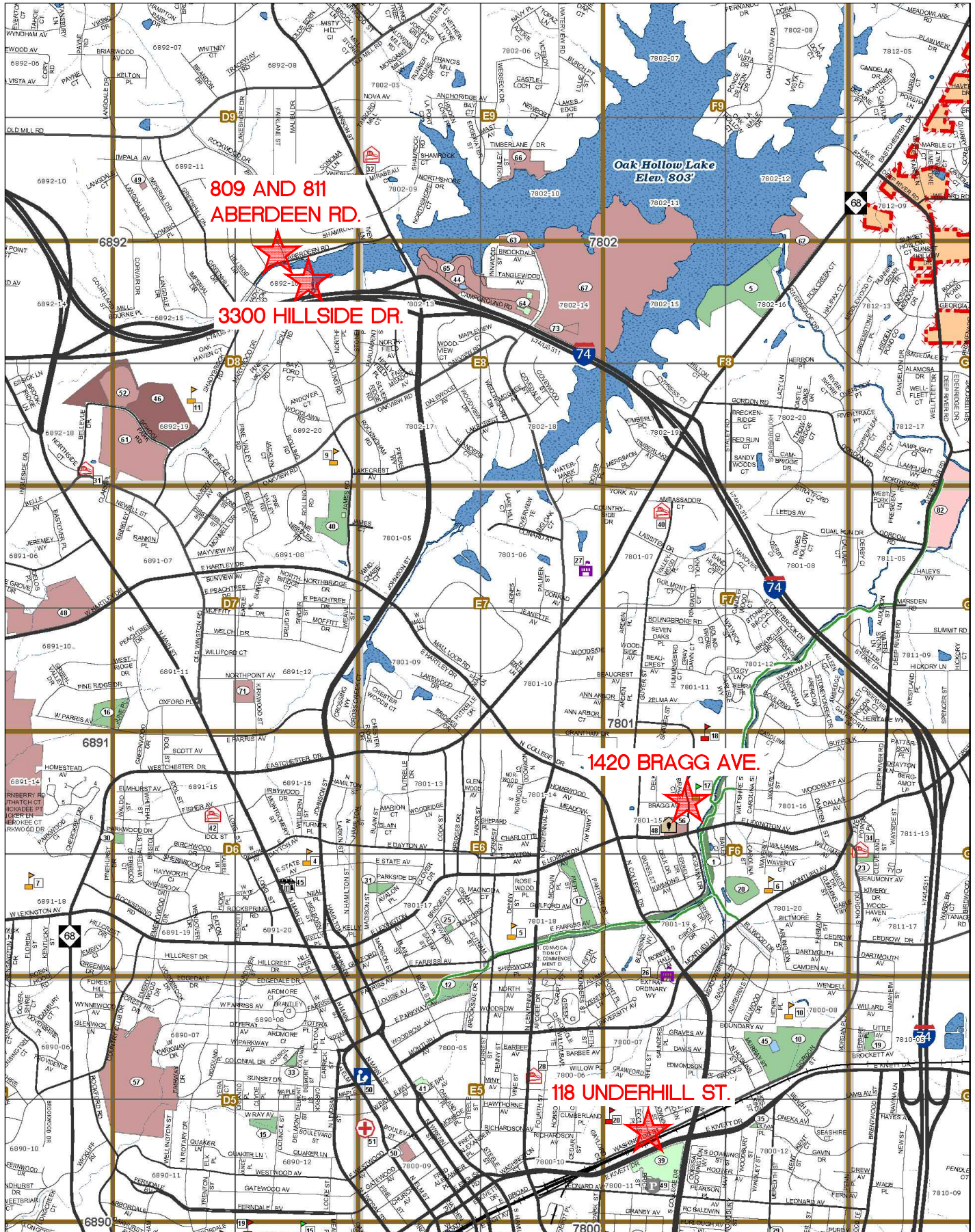
RECOMMENDATION / ACTION REQUESTED:

Council approval is requested to authorize the appropriate City Official to execute all necessary documents.

LEASE OF CITY-OWNED RESIDENCES

•THIS MAP IS BASED OFF A CoHP GIS 2015 STREET MAP AND IS NOT TO SCALE.

PROJECT #: 2503



CITY OF HIGH POINT

AGENDA ITEM



Title: Clarification to Ordinance to Demolish –
1110 Blain Street

From: Mike McNair, Director Community
Development and Housing

Meeting Date: May 16, 2016

Public Hearing: No

Advertising Date:

Advertised By:

Attachments: A. Staff report
B. Ordinance to Demolish
C. Map
D. Pictures

PURPOSE:

A request by Community Development and Housing to continue with an ordinance authorizing the demolition of a single family dwelling located at 1110 Blain Street. Ordinance originally adopted March 21, 2016 with an inaccuracy in the staff report (structure's value was listed at \$1,700 when actual value was \$7,100.00).

BACKGROUND:

After a Notice of Violation was issued and a hearing held, an Order to Repair or Demolish was issued on December 13, 2012. No action occurred by the compliance date of March 13, 2013. The necessary repairs to the dwelling exceed its current tax value and demolition is warranted.

The owner requested extensions due to pending litigation with the insurance company regarding the claim. Staff worked with the owner in good faith that the owner to make repairs or removed the structure. To date, the structure has not been removed or repairs started. The repair cost of \$40,000 still exceeds 50% of the structure's value (\$7,100) and as such, the mistake in the staff report was clerical and not material to the March 21, 2016, staff recommendation.

BUDGET IMPACT:

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

RECOMMENDATION / ACTION REQUESTED:

Staff recommends the City continue with effectuating the adopted ordinance to demolish this single family dwelling and the accessory structure based upon the enclosed staff report.

PENDING ACTION:

City shall immediately proceed with demolition. After City demolition, the property owner is billed for the cost. If the bill is unpaid, then the City places a lien on the property.

**COMMUNITY DEVELOPMENT AND HOUSING
LOCAL CODE ENFORCEMENT**

**ORDINANCE
REQUEST:**

Ordinance to Demolish

PROPERTY ADDRESS:

1110 Blain Street

OWNER:

CBC Investment Properties, LLC

**FIRST
INSPECTION:**

11-16-2012

Summary of Major violations:

- Fire on the exterior rear wall
- Fire damaged ceiling joists
- Fire damaged roof at rear of the building
 - Holes in the ceiling
- Fire damaged rear porch flooring
 - Inoperable heating system

**HEARING
RESULTS:**

12-13-2012

The owner did appear for the hearing to discuss violations. During the hearing, the following Findings of Fact were established. There are numerous violations of the Minimum Housing Code. There are structural violations creating an unsafe dwelling due to the extensive fire damaged condition of the dwelling. In its present state, necessary repairs to the dwelling exceed 50% of the current tax value of the structure. The Guilford County Tax value of the dwelling is \$7,100.00. The repair estimate is \$40,300.00

ORDER(S) ISSUED:

12-13-2012

Order to Repair or Demolish

Compliance Date: 3-13-2013

APPEALS:

No appeals to date.

OWNER ACTIONS:

There have been no permits issued and repairs have not started.

EXTENSIONS:

The owner requested two 90 –day extensions due to the fact that they were in litigation with the insurance company over the settlement which were granted.

CURRENT STATUS:

Conditions remain the same.

UPDATE:

This case is being brought back due to an error in the tax value of the dwelling in the original submittal to Council. It was listed as being \$1,700.00 when the correct tax value is \$7,100.00. This case is being brought back before Council to have this value corrected for the record, it does not change staff's recommendation previously submitted.

AN ORDINANCE REQUIRING THE INSPECTOR OF THE CITY OF HIGH POINT TO DEMOLISH CERTAIN PROPERTY PURSUANT TO ARTICLE 19 OF THE GENERAL STATUTES OF NORTH CAROLINA; AND, TITLE 9, CHAPTER 11, ARTICLE E, OF THE MINIMUM HOUSING CODE OF THE CITY OF HIGH POINT.

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

SECTION 1: That the City Council of the City of High Point finds as a fact that the following described property has been ordered to be demolished, and it further finds as a fact that the owner has been ordered to demolish said building at his expense and said Owner has failed to comply with said order.

SECTION 2: That the Inspector of the City of High Point is hereby authorized and directed to proceed with the demolition of the following described building in accordance with Code of Ordinances and Article 19 of Chapter 160A of the General Statutes of North Carolina.

PROPERTY LOCATION

1110 Blain Street
High Point, NC

OWNER (S)

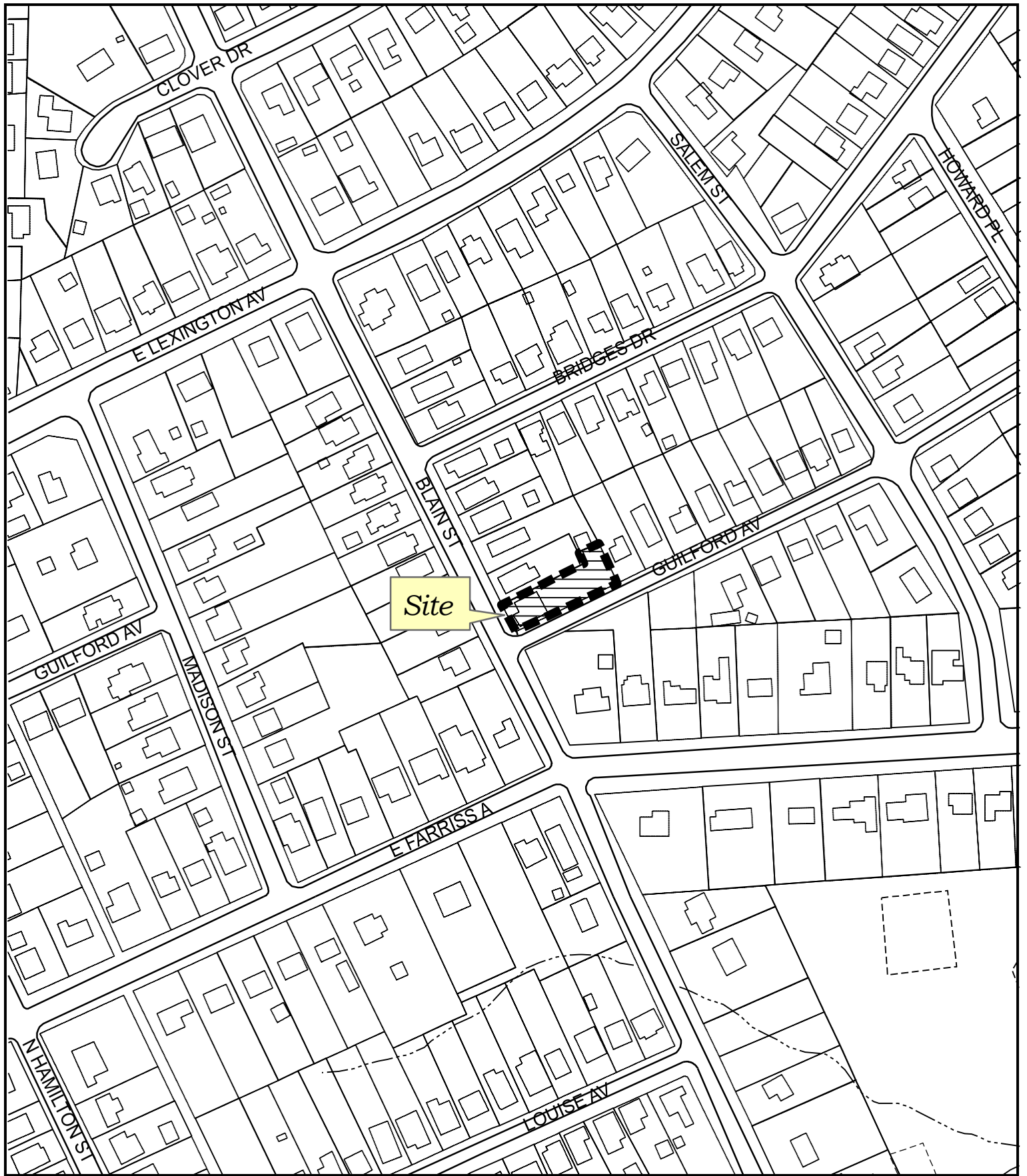
CBC Investment Properties, LLC
6211 Hickory Creek Rd
Winston Salem, NC 27107

SECTION 3: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4: That this ordinance shall become effective from and after its passage as by Law provided.

Adopted by City Council,
This the 16st day of May, 2016

Lisa B. Vierling, City Clerk



1100 Blain Street

Ordinance to Demolish



Location of subject property

Planning and Development
Department

City of High Point

Date: May 5, 2016



Scale: 1"=200'
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1110 Blain Street 5-6-16



**Previous Picture submitted at
March 21, 2016 City Council Meeting**



1110 Blain Street – Rear of house 5-6-16



Fence at rear of property – 5-6-16



Side of house 5-6-16



Front of house on Blain Street 5-6-16





**Previous interior pictures
submitted at March 21, 2016 City
Council Meeting
1110 Blain St.**



CITY OF HIGH POINT

AGENDA ITEM



Title: Appointment – Doris Patrick – HPC

From: Council Member Jeff Golden

Meeting Date: May 16, 2016

Advertising Date /

Advertised By:

Public Hearing: N/A

Attachments: Bio

PURPOSE:

To appoint Doris Patrick to the Historic Preservation Commission

BACKGROUND:

Council Member Jeff Golden is recommending the appointment of Doris Patrick to the Historic Preservation Commission as the Ward 1 appointment. Appointment will be effective immediately and will expire July 1, 2018.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the appointment of Doris Patrick to the Historic Preservation Commission effective immediately and expiring July 1, 2018.

Profile

L. Doris

First Name

Patrick

Last Name

leedoriespatrick@yahoo.com

Email Address

407 Lardner Place

Street Address

Suite or Apt

High Point

City

NC

State

27260

Postal Code

Within High Point Corporate Limits

What district do you live in?

Home: (336) 886-8553

Primary Phone

Mobile: (336) 689-5777

Alternate Phone

Employer

Which Boards would you like to apply for?

Economic Development Corporation, Historic Preservation Commission

1

Ward you reside in?

Interests & Experiences

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

Upload a Resume

Have you participated in Leadership High Point?

☒ Yes ☐ No

2004

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

Female

Gender

CITY OF HIGH POINT

AGENDA ITEM



Title: Appointment – Matthew Farabow - CAC

From: Council Member Alyce Hill

Meeting Date: May 16, 2016

**Advertising Date /
Advertised By:**

Public Hearing: N/A

Attachments: Bio

PURPOSE:

To appoint Mathew Farabow to the Citizens Advisory Council.

BACKGROUND:

Council Member Alyce Hill is recommending the appointment of Matthew Farabow to the Citizens Advisory Council as the Ward 3 appointment. Appointment will be effective immediately and will expire May 31, 2018.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

Council is requested to confirm the appointment of Matthew Farabow to the Citizens Advisory Council effective immediately and expiring May 31, 2018.

Application for Appointment to Boards and Commissions

Status: submitted

Profile

All appointments to City boards and commissions are made by the Mayor and City Council and are not limited to those persons who fill out applications.

Matthew

First Name

Farabow

Last Name

mfarabow@northstate.net

Email Address

5025 Bennington Way

Street Address

Suite or AptHigh Point

City

NC

State

27262

Postal Code

Within High Point Corporate Limits

Please select your residency status.

Business: (336) 889-4777

Primary Phone

Mobile: (336) 782-0935

Alternate Phone

Christ United Methodist Church

Employer

Which Boards would you like to apply for?Citizens Advisory Council3

Ward you reside in?

Interests & Experiences

Please tell us about yourself and why you want to serve.

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

Senior Minister at Christ United Methodist Church. Doctor of Ministry: Doctoral Dissertation on Community Development through Missional Outreach Initiatives. Community Resource Network: Board Chair 2012-14.

Member 2010-2014. Hartley YMCA Board 2012-14 Chaplain High Point University 2013. Long-time resident of High Point. Graduate of Westchester Country Day School.

[Resume2.docx](#)

Upload a Resume

Have you participated in the City Government 101 Course?

☐ Yes ☒ No

If yes, please list the year in which you participated in the Government 101 Course:

Have you participated in Leadership High Point?

☐ Yes ☒ No

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

Male

Gender

Applications will be retained and active for a two-year period

The Rev. Dr. Matthew S. Farabow

Objective Serving people with ministries that attracts them to Christ, incorporates them into the life of the community they live in, and empowers them to reach out to the world in love and charity.

**Professional
Experience**

June 2009-present **Christ United Methodist Church** High Point, NC
Senior Minister

- Preaching, teaching, worship leadership
- General church duties including administration, visitation, and programming
- Development of new nurture and worship ministries
- Staff Development, leadership development, management, and leadership
- Vision planning, vision casting, and implementation of new missional ministries

June 2012-present **High Point University** High Point, NC
Adjunct Professor

- Chaplain to University
- Liaison to University Board of Stewards
- Professor of Religious Studies
- Adjunct Professor of Non-Profit Studies

June 2003-June 2009 **Shiloh United Methodist Church** Lexington, NC
Senior Pastor

- Preaching, teaching, worship leadership
- General church duties including administration, visitation, and programming
- Development of new Nurture and Outreach programs
- Significant growth in membership and involvement
- Implemented and completed the construction of New Family Life Center

June 2000-June 2003 **Baltimore United Methodist Church** East Bend, NC
Pastor

- Preaching, teaching, worship leadership
- Visitation
- General church duties including administration and program ministries
- Significant growth in membership

June 1996-June 2003 **Centenary United Methodist Church** Winston-Salem, NC
Associate Minister of Youth, Young Adult, and Church-wide Events

- Leading youth program
- Developing ministries to Young Adults
- Worship Leadership
- Significant growth in involvement and ministries for youth and young adults

January 1988-1992 **Young Life International** Greensboro & Raleigh, NC
Volunteer Youth Leader

- Worked with high school youth at Grimsley High School Young Life
- Director of Young Life at Sanderson High School
- Coordinated outreach trips and bible studies for high school youth

Education

2009-2012	Drew University Theological School Doctor of Ministry: Congregational Development & Church Growth <i>Dissertation Title: Creating a Servant Leadership Program for a Congregation in Transition</i> 3.83 g.p.a.	Madison, NJ
1993-1996	Duke University Divinity School Master of Divinity Extensive electives in Theology	Durham, NC
1986-1990	Guilford College Bachelors of Science in Sports Management 3 Year Letterman in Men's Soccer	Greensboro, NC
1998	University of Guadalajara Studies in Community Development, Economics in a 3 rd World Country and Spanish Language & Arts	Guadalajara, Mexico

Ordination

June 1995 Ordained Deacon in the Western North Carolina Conference of the United Methodist Church
June 1999 Ordained Elder in the Western North Carolina Conference of the United Methodist Church

Teaching Experience

High Point University Adjunct Professor of Religion August 2012-May 2013
High Point University Adjunct Professor of Non-Profit Studies- January 2014-present

Interests	I feel called to lead, develop, and share in an environment which will nurture spiritual development and Christian unity through partnerships and community development. My gifts are in the areas of relational ministry which reaches out to all people. I have travelled extensively both professionally and personally and I am fluent in Spanish.	
Personal	Married to Amanda Farabow and we have 4 children together, Sydney (17), Jordan (16), Kenton (14), and JT (14). My personal interests are soccer (coaching and playing), reading, fly fishing, contemplation and spending time travelling with my family.	
Community Involvement	Communities in Schools of Lexington/Davidson County <i>Board Chair 2011</i>	2007-2011
	Life Center of Davidson County, Lexington, NC <i>Board Member</i>	2007-2012
	Hartley Family YMCA <i>Board Member</i>	2012-2014
	Community Resource Network <i>Board Chair 2013-14</i>	2011-2014
References	Dr. Michael B. Brown, Senior Minister, Marble Collegiate Church 5th Avenue at 29th Street, New York, NY, 10001 (212) 686-2770 mbrown@marblechurch.org Dr. Nido Quebein, President, High Point University 833 Montlieu Avenue, High Point, NC 27262 (336) 841-9000 nquebein@highpoint.edu Bishop Thomas B. Stockton, Retired UMC Bishop 1244 Arbor Road, Winston Salem, NC 27104 (336) 464-1921 LivAlive@northstate.net Bishop Larry Goodpaster, Bishop, Western North Carolina Conference 3400 Shamrock Dr., Charlotte, NC 28215 (704) 535-2260 Bishop@wnccumc.org	

CITY OF HIGH POINT

AGENDA ITEM



Title: Wharton-Smith, Inc.
Eastside WWTP Solids Handling Improvements
Change Order 3

From: Terry Houk – Public Services Director

Meeting Date: May 16, 2016

Public Hearing: No

Advertising Date: N/A

Advertised By: N/A

Attachments: Attachment A – Change Order Documents

PURPOSE:

The City of High Point disposes bio-solids from the wastewater system via incineration. The current solids handling equipment, due to age and serviceability life, requires replacement and upgrades. The work for this project will include installation of two new centrifuges, two new cake pumps, and rehabilitation of the incinerator to comply with new EPA air emission requirements.

The City has prepurchased the centrifuges, cake pumps, and incinerator under separate bids. This project will install all the new equipment and any additional required equipment to make the new solids handling system operational.

BACKGROUND:

During the process of upgrading the system multiple unforeseen issues were identified that required additional replacement and or modification to ensure that this system would be fully functional and meet requirements for the service life of the system. Public Services in conjunction with the engineering firm concluded that the improvements were needed and the costs were justifiable.

BUDGET IMPACT:

Funds for this project are in the following account:

421779-533701-421111025205-40201

RECOMMENDATION / ACTION REQUESTED:

Council is requested to approve Change Order 3 to Wharton - Smith, Inc. for \$371,083.73 and authorize the appropriate city official to execute all necessary documents.

Change Order

No. 3

Date of Issuance: May 2, 2016

Effective Date: May 2, 2016

Project: Eastside WWTP Solids Handling Improvements	Owner: City of High Point	Owner's Contract No.: Bid No. 13-121014
Contract: Eastside WWTP Solids Handling Improvements		Date of Contract: January 29, 2015
Contractor: Wharton-Smith, Inc.		Engineer's Project No.: 3460-014

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

For work described on page 3 and in attached documents.

Attachments (list documents supporting change):

RFP/WCD No. 11 with W-S WCP # 21; RFP/WCD No. 12 with W-S WCP # 22r2; RFP/WCD No. 13 with W-S # 23; RFP/WCD No. 14 with W-S WCP # 24; RFP/WCD No. 15 with W-S WCP # 25; RFP/WCD No. 16 with W-S WCP # 26r1; RFP/WCD No. 17 with W-S WCP # 27; RFP/WCD No. 18 with W-S WCP # 28r1; RFP/WCD No. 19 with W-S WCP #29r1; RFP/WCD No. 20 with W-S WCP # 30; RFP/WCD No. 22 with W-S WCP # 33, and RFP/WCD No. 23 with W-S WCP # 31r1.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$8,847,850.00

[Increase] [Decrease] from previously approved
Change Orders No. 0 to No. 2:

\$179,535.68

Contract Price prior to this Change Order:

\$9,027,385.68

Increase of this Change Order:

\$371,083.73

Contract Price incorporating this Change Order:

\$9,398,469.41

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☒ Calendar days

Substantial completion (days or date): February 25, 2016

Ready for final payment (days or date): March 26, 2016

[Increase] [Decrease] from previously approved Change Orders
No. 0 to No. 2:

Substantial completion (days): 90

Ready for final payment (days): 90

Contract Times prior to this Change Order:

Substantial completion (days or date): March 25, 2016

Ready for final payment (days or date): June 24, 2016

Increase of this Change Order:

Substantial completion (days or date): 19

Ready for final payment (days or date): 19

Contract Times with all approved Change Orders:

Substantial completion (days or date): June 13, 2016

Ready for final payment (days or date): July 13, 2016

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Hazen & Sawyer	By: _____ City of High Point (Authorized Signature)	By: _____ City of High Point - Finance
Date: _____	Date: _____	Date: _____

ACCEPTED by CONTRACTOR:	Wharton-Smith, Inc.
By: _____ Contractor (Authorized Signature)	<u>Company Seal</u>
Date: _____	

DESCRIPTION / JUSTIFICATION

1. WHARTON-SMITH WCP # 21 (RFP/WCD NO. 11 – REMOVE & REPLACE INCINERATOR ROOF SPRAY SYSTEM)

The Owner requested removal and replacement of the existing incinerator roof spray system due to age. **Cost increase for changes is \$53,098.55.**

2. WHARTON-SMITH WCP # 22r2 (RFP/WCD NO. 12 – MODIFICATIONS TO FUEL OIL PUMPS AND PIPING)

Owner requested modifications to fuel oil pumps and piping and modifications to provide better access in the Incinerator Building. **Cost increase for changes is \$46,157.60.**

3. WHARTON-SMITH WCP # 23 (RFP/WCD NO. 13 – REPLACEMENT OF SCRUBBER COOLING WATER PUMPS)

The Owner requested removal and replacement of the scrubber cooling water pumps due to age. **Cost decrease for changes is \$84,926.26.**

4. WHARTON-SMITH WCP # 24 (RFP/WCD No. 14 – RELOCATE TRANSFORMER TX-LP-11 AND MBC-01 STARTER)

Transformer and starter had to be relocated so that the Westside Receiving Station VFDs could be placed inside the electrical room. **Cost increase for this work is \$4,016.17.**

5. WHARTON-SMITH WCP # 25 (RFP/WCD No. 15 – ROTATING DEMISTER AND MODIFYING INLET/OUTLET DUCTS)

To improve maintenance access to the demister, rotating the demister and modifying inlets and outlets was required. **Cost increase for this work is \$8,863.35.**

6. WHARTON-SMITH WCP # 26R1 (RFP/WCD No. 16 – PROVIDING 480 VAC POWER SUPPLY TO FCV-4101 AND FCV-32)

The Owner requested changing actuators for flow control valves FCV-4101 and FCV-32 from 120 to 480 VAC. **Cost increase for this work is \$4,861.92.**

7. WHARTON-SMITH WCP # 27 (RFP/WCD No. 17 – BACKFLOW PREVENTERS FOR PW PIPING INSIDE THE SOLIDS FACILITY)

The Owner requested that PW be provided to the polymer makeup units, and the cake feed pump equipment manufacturer requested PW to be provided to the pumps and lubrication systems in lieu of NPW **Cost increase for this work is \$12,365.29.**

8. WHARTON-SMITH WCP # 28R1 (RFP/WCD No. 18 – INCINERATOR ROOF SYSTEM REPLACEMENT – PHASE No. 2)

The Owner elected to remove and replace the existing roofing system for the Incinerator Building to facilitate installation of the new incinerator and ancillary equipment. The cost associated with this work is for the remaining removal of the roof and replacement with a new roofing system. **Cost increase for this work is \$76,781.03.**

9. WHARTON-SMITH WCP # 29R1 (RFP/WCD No. 19 – RELOCATION OF EXISTING SCRUBBER COOLING WATER PUMP DISCHARGE PIPING)

Piping had to be modified to accommodate relocation of the new scrubber cooling water pumps. New discharge locations were also provided. **Cost increase for this work is \$48,365.90.**

10. WHARTON-SMITH WCP # 30 (RFP/WCD No. 20 – ADDITION OF REMOTE ALARM PANEL FOR AIT-200)

An additional remote alarm panel for AIT-200 is required for one exterior door to the cake pump room to alert personnel of the presence of hydrogen sulfide. **Cost increase for this work is \$5,885.36.**

11. WHARTON-SMITH WCP # 33R1 (RFP/WCD No. 22 – RELOCATE EXISTING SAND SILO AIR COMPRESSOR)

The existing sand silo air compressor must be relocated due to spatial constraints. **Cost increase for this work is \$15,759.68.**

12. WHARTON-SMITH WCP # 31R1 (RFP/WCD No. 23 – REROUTE GAC DRAIN)

Modifications were required to avoid interferences with buried utilities. **Cost increase for this work is \$10,002.62.**

13. TIME EXTENSION FOR ADDITIONAL WORK

A time extension of **19 days** was awarded to Wharton-Smith for work associated with RFPs 11, 12, 13, 15, 19, and 23.

CITY OF HIGH POINT

AGENDA ITEM

**Title: Front Loading Refuse Truck Budget Amendment****From:** Eric Olmedo, Budget Manager**Meeting Date:** May 16, 2016**Public Hearing:** N/A**Advertising Date:** N/A**Advertised By:** N/A**Attachments:** Budget ordinance

PURPOSE:

A budget amendment is needed to appropriate funds to replace a front loading refuse truck that was damaged due to a fire.

BACKGROUND:

The Solid Waste Division was using a 2012 Peterbilt front loader when a fire occurred on April 18, 2016. The fire started at the truck chassis and was the result of an electrical short. Prior to the fire Solid Waste had three front loader units, two front line units and one older spare. This purchase will restore the department to two front line trucks and a spare to have while their trucks are being serviced and repaired.

Funding for the replacement vehicle will need to be appropriated from fund balance in the Central Services – Fleet Replacement Fund and the Solid Waste Fund. To date \$43,350 has been paid into Central Services for the replacement of this vehicle. The remainder will come from the Solid Waste Fund.

This proposed budget amendment will allocate funds from the following sources:

Central Service Fund – fund balance -	\$ 43,350
Solid Waste Fund – fund balance -	<u>\$185,638</u>
Total -	\$ 228,988

BUDGET IMPACT:

The Budget Amendment will increase the Solid Waste Fund by \$185,638 to account for the transfer from Solid Waste to the Central Services Fund. The Central Services Fund will increase by \$228,988 to pay for the replacement vehicle. Both the Fleet Replacement Fund and the Solid Waste Fund have sufficient funds available to cover this expense.

RECOMMENDATION / ACTION REQUESTED:

The Budget Department recommends and asks the Council to approve the budget amendment.

“AN ORDINANCE AMENDING THE 2015-2016 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO APPROPRIATE FUNDS FOR A FRONT LOADER REFUSE TRUCK REPLACEMENT

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

Section 1. The City of High Point has determined it is in the City’s best interest to replace a front loader refuse truck. The City intends to fund the purchase through existing funds in the Solid Waste Fund and the Fleet Replacement Fund.

Section 2. The 2015-2016 Budget Ordinance of the City of High Point, should be amended as follows:

(A) That the Solid Waste Fund revenues be amended as follows:

Appropriated Fund Balance	\$185,638
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(B) That the Solid Waste Fund expenditures be amended as follows:

Transfer to Fleet Replacement Fund	\$185,638
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That the Fleet Replacement Fund revenues be amended as follows:

Appropriated Fund Balance	\$43,350
Transfer from Fleet Replacement Fund	\$185,638

That the Fleet Replacement Fund expenditures be amended as follows:

Capitla Equipment and Machinery	\$228,988
---------------------------------	-----------

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 May 16, 2016

CITY OF HIGH POINT

AGENDA ITEM



Title: **Zoning Map Amendment 16-06** (Zaki Uddin Khalifa); AND
Text Amendment 16-01 (Zaki Uddin Khalifa)

From: Lee Burnette, Planning & Development
Director

Meeting Date: May 16, 2016

Public Hearing: Yes

Advertising Date: May 4 & 11, 2016

Advertised By: Planning & Development

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

PURPOSE:

Zoning Map Amendment 16-06

A request to rezone approximately 3.46 acres from the Main Street (MS) District to the Central Business (CB) District. The site is lying along the west side of S. Main Street, between W. Grimes Avenue and Taylor Avenue (600 S. Main Street).

AND

Text Amendment 16-01

A request to amend Section 9-4-5(a)(1) (Special District) of the Development Ordinance to revise the boundary of the Main Street (MS) District.

BACKGROUND:

Staff report and the Planning & Zoning Commission's recommendation is enclosed.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

- A. The Planning & Development Department recommended approval of both requests as outlined in the staff reports.
- B. The Planning & Zoning Commission recommended approval of Zoning Map Amendment 16-06 by a vote of 6-0.
- C. The Planning & Zoning Commission recommended approval of Text Amendment 16-01 by a vote of 6-0.

PLANNING AND ZONING COMMISSION RECOMMENDATION

Zaki Uddin Khalifa

Zoning Map Amendment 16-06

Text Amendment 16-01

At its April 26, 2016 public hearing, the Planning and Zoning Commission reviewed Zoning Map Amendment 16-06 and Text Amendment 16-01. Mr. Herbert Shannon, Senior Planner, presented both cases and recommended approval of these requests as outlined in their respective staff reports.

Speaking in favor of the requests:

Speaking in favor of these requests, on behalf of the applicant, was Mr. John Ruffin, executive vice president of Meridian Realty, 147 S. Cherry Street; Suite 200, Winston-Salem, NC.

Speaking in opposition of the request:

No one spoke in opposition to either request.

Planning & Zoning Commission Action (Zoning Map Amendment 16-06)

The Planning & Zoning Commission recommended approval of this request, as recommended by staff, by a vote of 6-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Zoning Map Amendment 16-06 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because: 1) The request is consistent with the Land Use Map; 2) The site is within an established commercial corridor and directly abuts the CB District. The manner in which it is developed fits the character of the CB District; and 3) This would be a logical extension of the CB District and will still provide a clear transition between the downtown areas and the southern Main Street corridor.

Planning & Zoning Commission Action (Text Amendment 16-01)

The Planning & Zoning Commission recommended approval of this request, as recommended by staff, by a vote of 6-0.

Upon making its recommendation, the Planning & Zoning Commission stated that its approval of Text Amendment 16-01 would be consistent with the City's adopted plans. Additionally, the Commission concurred with the staff report and found its approval recommendation reasonable and in the public interest because: 1) With respect to consistency with adopted plans, this text amendment is not in conflict with the Land Use Plan; 2) Approval of the text amendment would be a logical extension of the limits of the downtown area as this block abuts the CB District and its development pattern is generally more consistent with that of the downtown area; 3) This is a minor adjustment, approximately 350 feet, in the boundary line of the sub area C portion of the Main Street District; and 4) Rather than using property lines to set a boundary description, this proposal uses a permanent physical feature (Taylor Avenue right-of-way) as the new boundary description.

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

**STAFF REPORT
ZONING MAP AMENDMENT 16-06
April 26, 2016**

Request	
Applicant: Zaki Uddin Khalifa	Owner: Zaki Uddin Khalifa
Zoning Proposal: To rezone an approximately 3.46-acre parcel.	From: MS Main Street District
	To: CB Central Business District

Site Information	
Location:	Lying along the west side of S. Main Street, between W. Grimes Avenue and Taylor Avenue (600 S. Main Street).
Tax Parcel Number:	Guilford County Tax Parcel 0172544
Site Acreage:	Approximately 3.46 acres
Current Land Use:	Furniture retail sales store
Physical Characteristics:	The site is developed with an approximately 97,200 square foot commercial building.
Water and Sewer Proximity:	Multiple City utility lines (6, 8, 10, 16 & 24-inch water lines and 8-inch sewer lines) are lying adjacent to the site along S. Main Street, S. Elm Street, W. Grimes Avenue and Taylor Avenue.
General Drainage and Watershed:	The site is relatively flat and drains in a westerly direction, and development is subject to the Randleman Lake General Watershed Area (GWA) requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that exceeds 6% or more of the site.
Overlay District:	Randleman Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	CB	Central Business District	Market Showroom and office use
South:	MS	Main Street District	Automotive dealership
East:	MS	Main Street District	Automotive dealership
West:	GB	General Business District	Furniture retail sales, appliance
	RM-18	Residential Multifamily-18 District	store and multifamily development

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	<u>Obj. 6B:</u> Given the direct economic benefits derived from the High Point Market, as well as the invaluable international recognition it brings to the community, continue efforts to sustain, promote and support the High Point Market.

Land Use Plan Map Classification:	The site has a Local/Convenience Commercial land use designation. This classification is intended to accommodate moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.
Land Use Plan Goals, Objectives & Policies:	This request is neither in conflict, nor does it promote, the goals and objectives of the Land Use Plan.
Relevant Area Plan:	<u>Core City Plan:</u> This plan, adopted in 2007, was a major initiative undertaken to guide development and revitalization of High Point's 11-square mile core area, including its downtown and surrounding neighborhoods. One of the distinct places identified for enhancement was the historic downtown, which the plan acknowledged had lost its traditional function as a place where a mix of different land uses come together to create vibrancy at all hours of the day. Instead, it recommended the creation of a "Showroom District" through the establishment of regulatory boundaries that would essentially concede the area to furniture showrooms, thus allowing for continued growth of the Market, but free up adjacent areas to fulfill the role of a traditional downtown. The site in question was included just inside the Showroom District at its southernmost end, directly adjacent to the South Main Street Mixed Use Corridor.
Zoning History:	<u>Zoning Map Amendment Case 08-11:</u> This 2008 zoning case established the Main Street (MS) zoning district along portions of the North and South Main Street corridor. The northern segment of this district generally includes those properties fronting on N. Main Street from Ray Avenue to Eastchester/Westchester Drive (NC 68). The southern segment of this district, which includes the current zoning request, generally includes those properties fronting along S. Main Street from Grimes Avenue to Business 85. <u>Zoning Map Amendment Case 09-10:</u> This 2009 zoning case, which was denied by the City Council, proposed to establish a Market Overlay District where new market showrooms would be allowed. The proposed overlay district bordered the zoning site to the north along W. Grimes Avenue.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	S. Main Street	Major Thoroughfare	340 ft.
	Taylor Avenue	Local Street	400 ft.
	S. Elm Street	Major Thoroughfare	475 ft.
	W. Grimes Avenue	Collector Street	420 ft.
Vehicular Access:	There are existing driveway access points to the site from S. Main Street, S. Elm Street and W. Grimes Avenue.		

Traffic Counts: (Average Daily Trips)	S. Main Street Taylor Avenue S. Elm Street W. Grimes Avenue	14,000 (2013, NCDOT ADT Count) 1,000 (2013, NCDOT ADT Count) 3,900 (2013, NCDOT ADT Count) 400 (2013, NCDOT ADT Count)
Estimated Trip Generation:	No information	
Traffic Impact Analysis:	Required	
	<u>Yes</u>	<u>No</u> X
	None	
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.	

School District Comment

Not applicable to this zoning case.

Details of Proposal

This site currently sits at the southern edge of the downtown area and is currently developed with a 97,200 square foot furniture retail facility. The applicant is requesting rezoning to the Central Business (CB) District zoning classification in order for the facility to be used for a Market Showroom use. In conjunction with this zoning request, the applicant has also submitted an amendment to the Development Ordinance (Text Amendment Case 16-01) to remove this block from the Main Street (MS) District, Sub Area C, so as to allow the requested CB District to be considered for this property. Approval of this zoning request is contingent upon approval of this text amendment application.

Staff Analysis

This site is located at the southern boundary of the downtown area. The various blocks lying north of this site primarily consist of multistory structures that occupy most of the property. South of this site (south of Taylor Avenue), except for the GTCC campus, development primarily consists of smaller single-story retail structures with development (buildings) occupying less than 50% of a city block.

The CB District encourages higher intensity and compact urban development; whereas the MS District proposes to foster mixed-use development that integrates residential uses. Due to this site being at the edge of the established CB District and the manner in which the site is developed (higher intensity commercial use occupying the entire parcel), the development on this property is more in line with the goals established for the CB District.

Consistency with Adopted Plans:

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

Staff Comments:

The proposal to rezone the site out of the MS District is appropriate due to the character of the existing building and its proximity to other similar buildings in the CB District. Due to the size

of the existing building, it is uniquely suited for conversion to a similar scale reuse. It was also identified as being within the “Showroom District” recommended by the Core City Plan, and is otherwise consistent with, or at least not in conflict with, the goals and objectives of relevant planning documents.

Reasonableness/Public Interest:

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

Staff Comments:

In this case, staff suggests that the approval of this request is reasonable and in the public interest because: 1) The request is consistent with the Land Use Map; 2) The site is within an established commercial corridor and directly abuts the CB District. The manner in which it is developed fits the character of the CB District; and 3) This would be a logical extension of the CB District and will still provide a clear transition between the downtown areas versus the southern Main Street corridor.

Recommendation

Staff Recommends Approval:

The Planning & Development Department recommends approval of the request to rezone this 3.46-acre parcel to the CB District. The requested CB District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

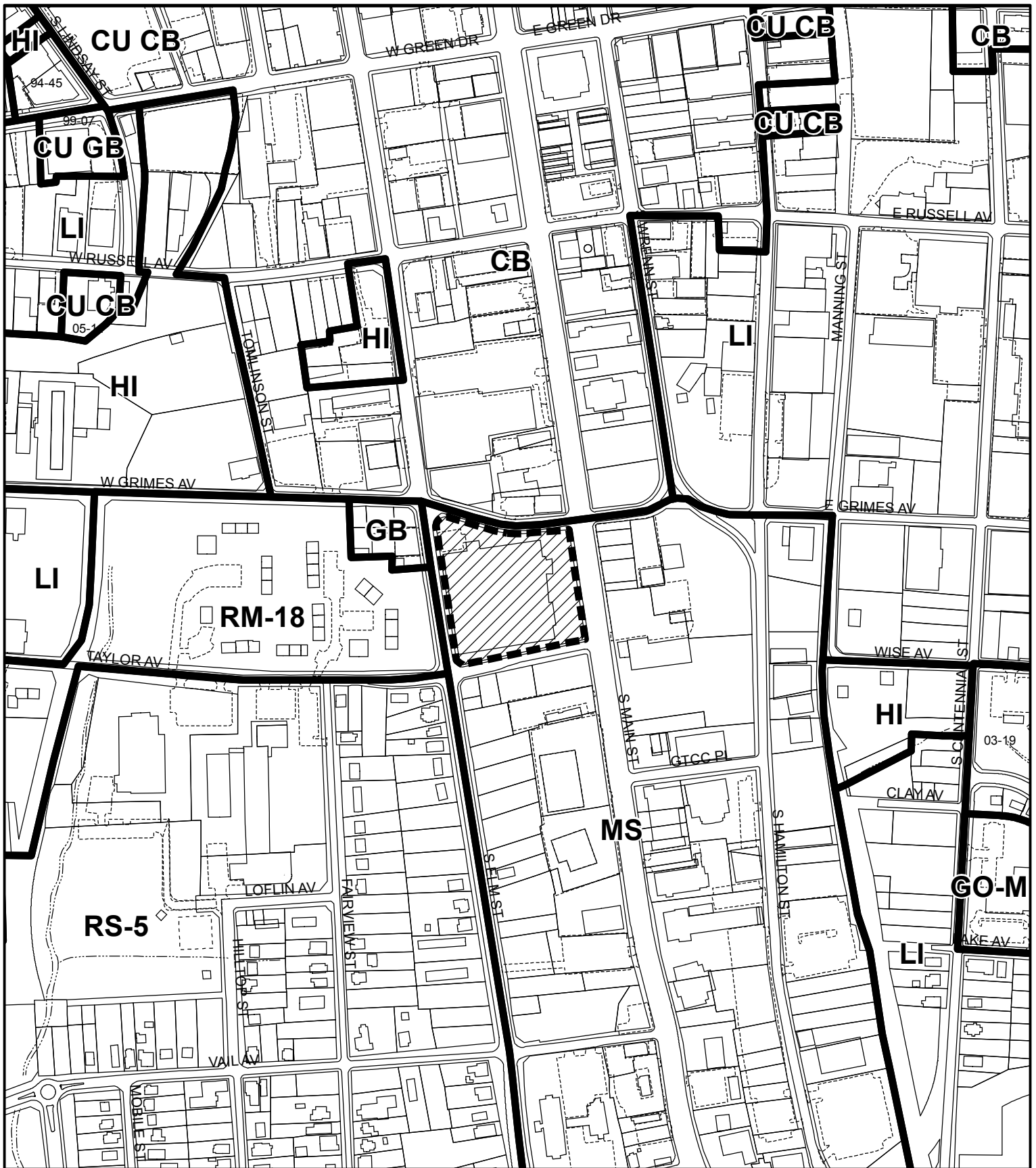
The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City’s adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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



ZONING MAP AMENDMENT ZA16-06

From: Main Street
To: Central Business

Existing Zoning Boundary
Subject Property Boundary



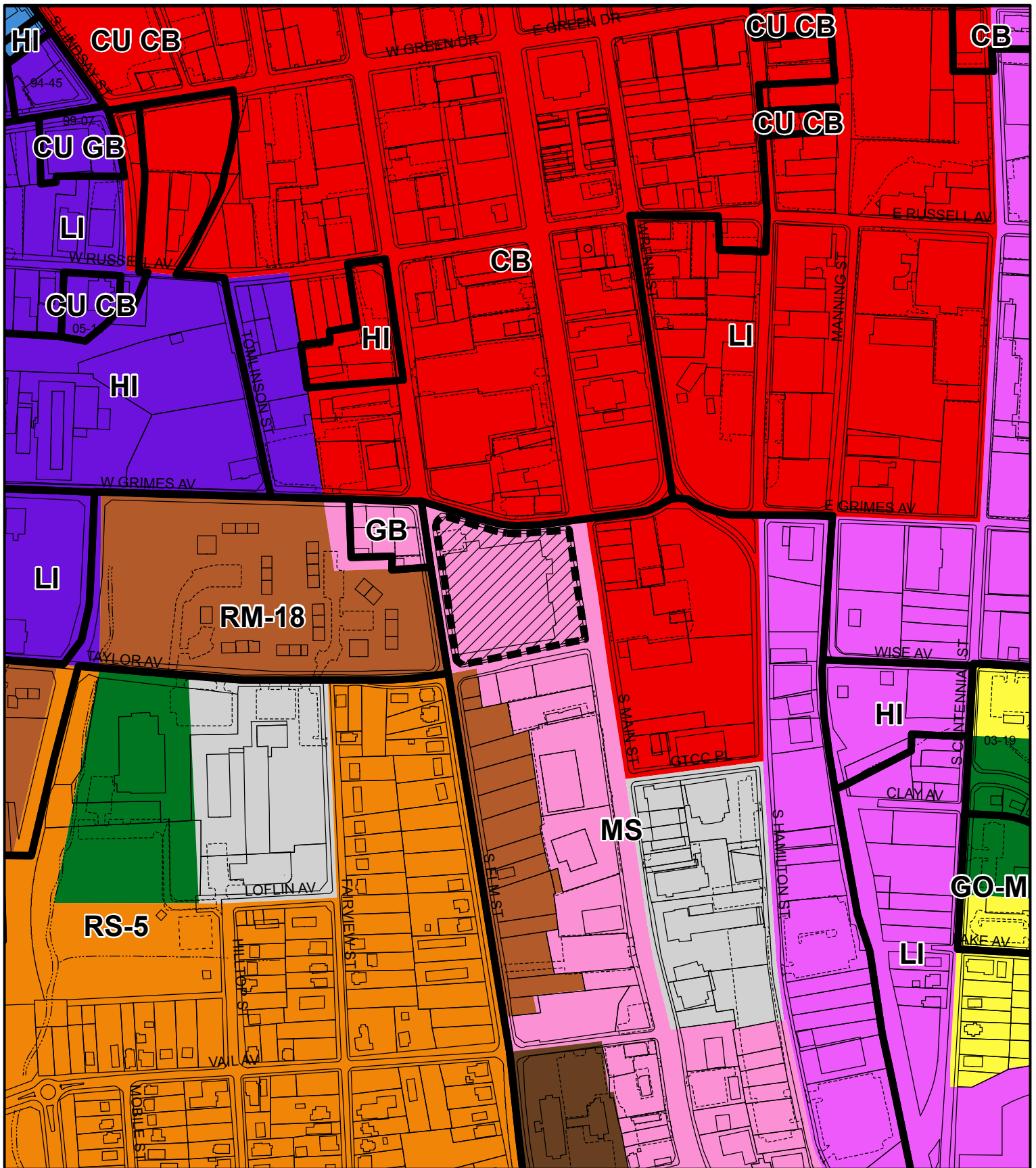
Planning & Development
Department

City of High Point

Date: April 26, 2016



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ZONING MAP AMENDMENT ZA16-06

Land Use Plan

	Low-Density Residential		Community/Regional Commercial
	Moderate-Density Residential		Light Industrial
	Medium-Density Residential		Heavy Industrial
	High-Density Residential		Institutional
	Local/Convenience Commercial		Recreation/Open Space

Planning & Development
Department

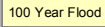
City of High Point

Date: April 26, 2016



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Topography

**Planning & Development
Department**

City of High Point

Date: April 26, 2016



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ZONING MAP AMENDMENT ZA16-06



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 April 26, 2016 and before the City Council of the City of High Point on May 16, 2016 regarding **Zoning Case 16-06** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings were published in the High Point Enterprise on April 17, 2016, for the Planning and Zoning Commission public hearing and on May 4, 2016 and May 11, 2016, 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 16, 2016.

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: **Central Business (CB) District.** The property is approximately 3.46 acres lying along the west side of S. Main Street, between W. Grimes Avenue and Taylor Avenue (600 S. Main Street). The property is also known as Guilford County Tax Parcel 0172544.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

This ordinance shall become effective upon the date of adoption.
16th day of May, 2016.

Lisa B. Vierling, City Clerk

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

**STAFF REPORT
TEXT AMENDMENT 16-01
April 26, 2016**

Request	
Applicant: Zaki Uddin Khalifa	Affected Ordinance Sections: Section 9-4-5(a)(1) (Special District) <i>Main Street District Boundaries</i>
Proposal: To revise the boundary of the Main Street (MS) District (northern boundary of sub-area C).	

Background

In 2008, the City Council adopted Zoning Case 08-11, which established the Main Street (MS) zoning district along portions of the North and South Main Street corridor. This district was established to foster a wide range of retail, service, and office uses, as well as to encourage mixed-use development that included an integration of residential uses. The MS District was divided into various sub-areas (A thru D) that provided specific design standards to reflect the character of development envisioned for each specific segment of this corridor. The northern segment of this district (which includes sub areas A and B) generally includes those properties fronting on N. Main Street from Ray Avenue to Eastchester/Westchester Drive (NC 68). The southern segment of this district (which includes sub areas C and D) generally includes those properties fronting along S. Main Street from Grimes Avenue to Business 85.

Details of Proposal

This text amendment proposes to revise the northern boundary line of sub-area C of the MS District. The applicant desires to move this northern line of sub-area C one block south, from W. Grimes Avenue to Taylor Avenue, in order to allow the property at 600 S. Main Street to be rezoned and incorporated into the CB District. In conjunction with this text amendment request, the applicant has also submitted a Zoning Map Amendment application to rezone the property at 600 S. Main Street from the MS District to the CB District (ZA-16-06).

Analysis

The applicant desires to establish a Market Showroom use on the property at 600 S. Main Street, but the MS District does not permit this use. Historically, land use policy enacted by the City Council has had the goal of keeping Market Showroom uses primarily concentrated in the core area. A change to the MS District could be in conflict with this policy. However; with this site being located at the edge of the CB District, the applicant has requested this amendment of the boundary description of the MS District be revised in order to allow this property to be considered part of the CB District.

This site is located at the southern boundary of the CB District along S. Main Street. The various city blocks lying north of this site primarily consist of multistory structures that occupy most of

the property. South of this site (south of Taylor Avenue), except for the GTCC campus, development primarily consists of smaller single story retail structures with development (buildings) occupying less than 50% of a city block. The CB District encourages high intensity, compact urban development; whereas the MS District proposes to foster mixed-use development that integrates residential uses. Due to this block being at the edge of the established CB District and the manner in which the site is developed with a larger commercial use occupying the entire block, the character of this block is more in line with the goals established for the CB District.

Recommendation

Staff recommends approval.

Since the development characteristics of this block are consistent with the compact development characteristics typically found in the CB District; and the proposed amendments move this boundary line a relatively small distance (approximately 350 feet), staff supports this minor adjustment in the boundary of the MS District.

Required Action

Planning and Zoning Commission:

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

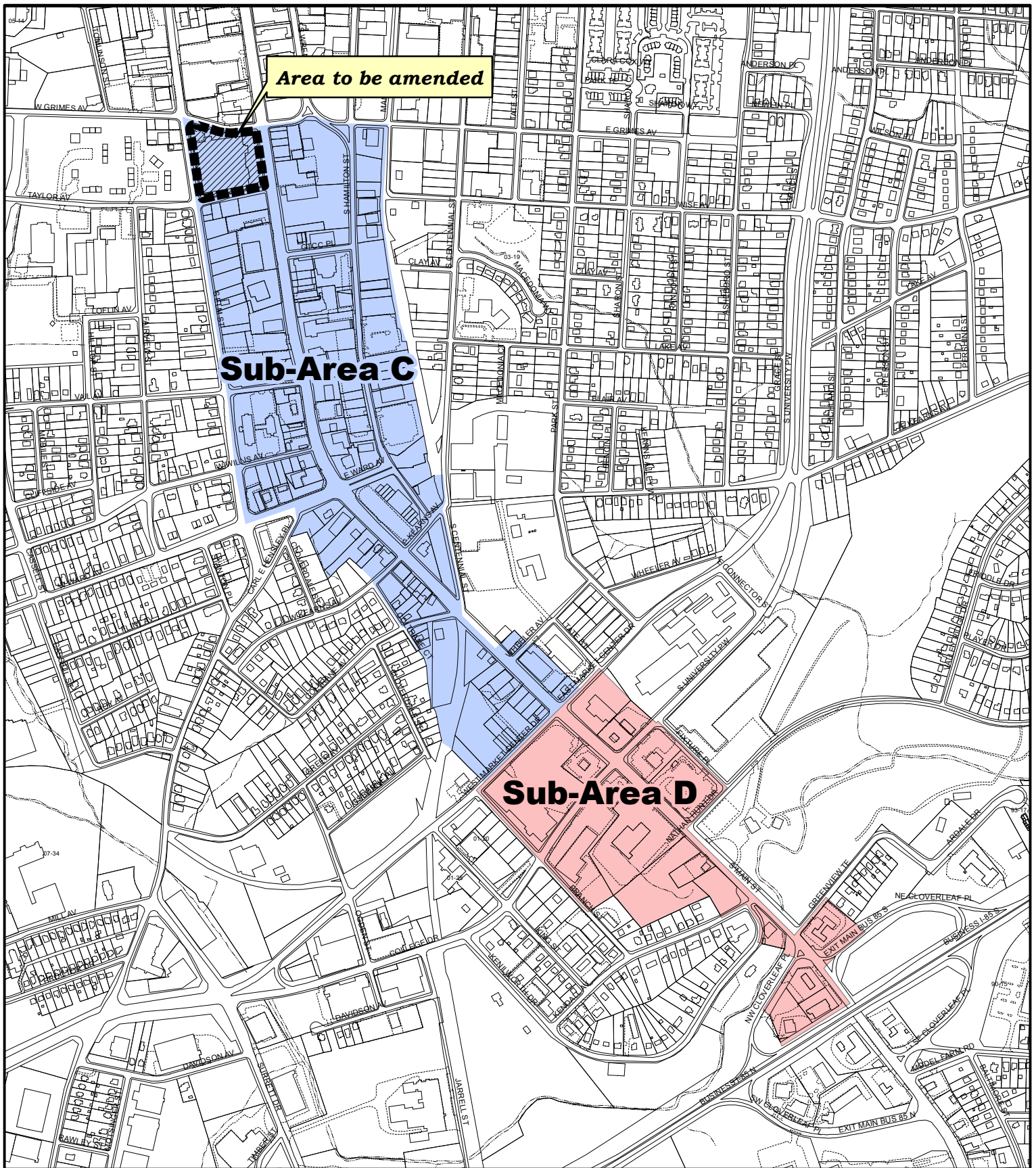
City Council:

Upon rendering its decision in this case, the High Point City Council must also place in the official record a statement of consistency with the City's Land Use Plan. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Council, or, if the Council is in disagreement with staff's findings, 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) With respect to consistency with adopted plans, this text amendment is not in conflict with the Land Use Plan; 2) Approval of the text amendment would be a logical extension of the limits of the downtown area as this block abuts the CB District and its development pattern is generally more consistent with that of the downtown area; 3) This is a minor adjustment, approximately 350 feet, in the boundary line of the sub area C portion of the Main Street District; and 4) Rather than using property lines to set a boundary description, this proposal uses a permanent physical feature (Taylor Avenue right-of-way) as the new boundary description.

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.



TEXT AMENDMENT TA16-01

Amendment to Main Street (MS) District Boundary

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

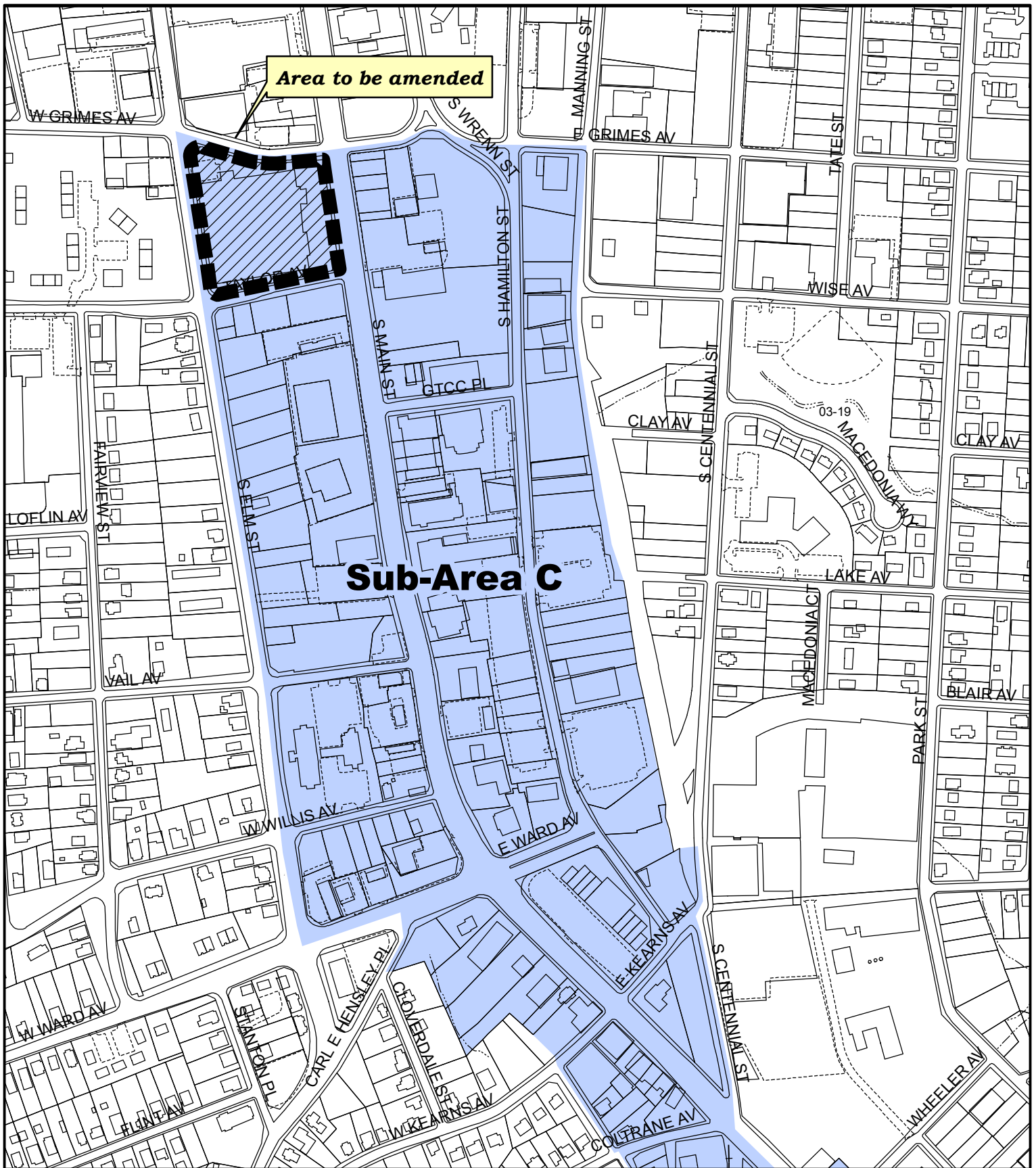
**Planning & Development
 Department**

City of High Point

Date: April 26, 2016



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TEXT AMENDMENT TA16-01

Amendment to Main Street (MS) District Boundary

Existing Zoning Boundary
Subject Property Boundary



Planning & Development
Department

City of High Point

Date: April 26, 2016



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

TEXT AMENDMENT: 16-01

Ordinance #xxxx / 16-xx

APPLICANT: Zaki Uddin Khalifa

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 26, 2016 and before the City Council on May 16, 2016 regarding **Text Amendment 16-01**; and

WHEREAS, notice of the public hearings was published in the High Point Enterprise on April 17, 2016 for the Planning and Zoning Commission public hearing and May 4 & 11, 2016 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 May 16, 2016;

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

An amendment affecting Section 9-4-5(a)(1), *Special District* which contains the description or boundaries of the *Main Street District*.

SECTION 1.

9-4-5 SPECIAL DISTRICTS

(a) Main Street District

(1) Boundaries:

The Main Street Zoning District is divided into four sections, referred to as sub-areas A, B, C and D. All of the district sub-areas share the same fundamental concepts and have similar requirements; however there are some differences in the requirements regarding the setback from a street, sign standards, landscape standards, and permitted uses.

The sub-areas are located as follows. Sub-area A extends from the intersection of North Main Street and Eastchester/Westchester Drive south to a line perpendicular to North Main Street that is 160-feet north of the right-of-way of State Avenue. Sub-Area B extends from a line perpendicular to North Main Street that is 160-feet north of the right-of-way of State Avenue south to the intersection of North Main Street and Ray Avenue. Sub-area C extends from the intersection of South Main Street and Grimes Taylor Avenue and East Grimes Avenue south to the intersection of South Main Street and Market Center Drive. Subarea D extends from the intersection of South Main Street and Market Center Drive south to the intersection of South Main Street and Business Interstate 85.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

This ordinance shall become effective upon adoption.

Adopted by the City Council
City of High Point, North Carolina
The 16th day of May, 2016
Lisa B. Vierling, City Clerk