

City of High Point

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

Meeting Agenda

Monday, October 18, 2010

4:45:00 PM

Council Chambers

Committee of the Whole

*Rebecca R. Smothers, Mayor
M. Christopher Whitley, Mayor Pro Tem
Latimer B. Alexander, IV, William S. Bencini,
Mary Lou Blakeney, Foster Douglas, John Faircloth,
Michael D. Pugh, Bernita Sims*

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE**PRESENTATION OF ITEMS****FINANCE COMMITTEE****100305 Change Order - ARRA Funded Obsolete Sewer Main Rehabilitation Contract - Breece Enterprises**

Council is requested to approve a change order to the Breece Enterprises contract in the amount of \$109,916.05 to finalize the America Recovery & Reinvestment Act assistance (ARRA) funded obsolete sewer main rehabilitation contract.

PUBLIC SAFETY COMMITTEE**100295 Ordinance - Vacate/Close Structure - 3309 Colony Drive**

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a structure located at 3309 Colony Drive belonging to Michael R. Gonneville.

100296 Ordinance - Vacate/Close Structure - 1620 E. Kivett Drive

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a structure located at 1620 E. Kivett Drive belonging to DDH Partners.

100297 Ordinance - Vacate/Close Structure - 1606-B West Avenue

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a structure located at 1606-B West Avenue belonging to Rashan Patterson.

100298 Ordinance - Vacate/Close Structure - 1608-B West Avenue

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a structure located at 1608-B West Avenue belonging to Rashan Patterson.

100299 Ordinance - Demolition of Structure - 235 Woodbury Street

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 235 Woodbury Street belonging to Garrett Property, LLC.

100300 Ordinance - Demolition of Structure - 1411 W. English Road

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1411 West English Road belonging to Ricky Lee & Jill D. Holbert.

100301 Ordinance - Demolition of Structure - 1413 W. English Road

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1413 W. English Road belonging to Ricky Lee and Jill D. Holbert.

100302 Ordinance - Demolition of Structure - 1503 Bridges Drive

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1503 Bridges Drive belonging to Elkes Carpet Outlets, Inc.

PUBLIC SERVICES COMMITTEE**100303 Resolution - Discarded Computer Equipment and Television Management Plan**

Approval of a Resolution approving and endorsing the discarded computer equipment and television management plan as an amendment to the Guilford County Solid Waste Management Plan.

PLANNING & DEVELOPMENT COMMITTEE**Pending Items****100174 Appeal of Technical Review Committee (TRC) Decision**

Consideration of an appeal of the Technical Review Committee's decision to require dedication of right-of-way for a proposed subdivision located at the southeast corner of Greensboro Road and Enterprise Drive.

The petitioner has reached a satisfactory compromise with NCDOT regarding the dedication of right of way for this project and requests that Council removed this item from the Agenda.

6/21/2010 Committee of the Whole referred

Planning and
Development Committee

NEW BUSINESS**100304 Resolution - Consolidation of the Piedmont Triad Council of Governments and the Northwest Piedmont Council of Governments**

Consideration of Resolution of preliminary support for the consolidation of the Piedmont Triad Council of Governments and the Northwest Piedmont Council of Governments.

PUBLIC HEARINGS ON ITEMS - 5:30 p.m.

100306**Resolution - Street Abandonment 10-12 - High Point University**

A request by High Point University to abandon the improved right of way of Fifth Court, which is lying east of Fifth Street between E. Farriss Avenue and North Avenue (private).

100307**Resolution - Street Abandonment 10-13 - High Point Regional Hospital**

A request by High Point Regional Hospital to abandon an improved portion of Quaker Lane and an improved portion of Pine Street, lying east of Lindsay Street, between Westwood Avenue and W. Ray Avenue.

ADJOURNMENT

**RESOLUTION OF PRELIMINARY SUPPORT FOR THE CONSOLIDATION OF THE
PIEDMONT TRIAD COUNCIL OF GOVERNMENTS AND THE NORTHWEST
PIEDMONT COUNCIL OF GOVERNMENTS**

WHEREAS, the consolidation of the Piedmont Triad Council of Governments (PTCOG) and the Northwest Piedmont Council of Governments (NWPCOG) is under consideration by their respective member governments; and

WHEREAS, preliminary information concerning the potential consolidation of the two Regional Councils of Governments indicates that the consolidation would benefit the citizens of the respective member counties and municipalities; and

WHEREAS, the final decision concerning consolidation will be considered further by the City of High Point and the other member governments at a later time as additional information about the consolidation and its ramifications is developed;

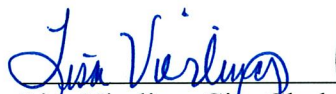
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT that it considers the proposed consolidation of PTCOG and NWPCOG to offer significant potential benefits to the citizens of their respective member governments, and encourages all member governments to carefully consider such consolidation.

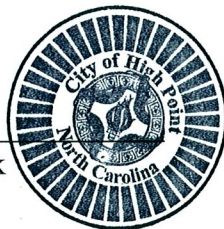
Adopted this 18th day of October, 2010.

CITY OF HIGH POINT

By: 
Rebecca R. Smothers, Mayor

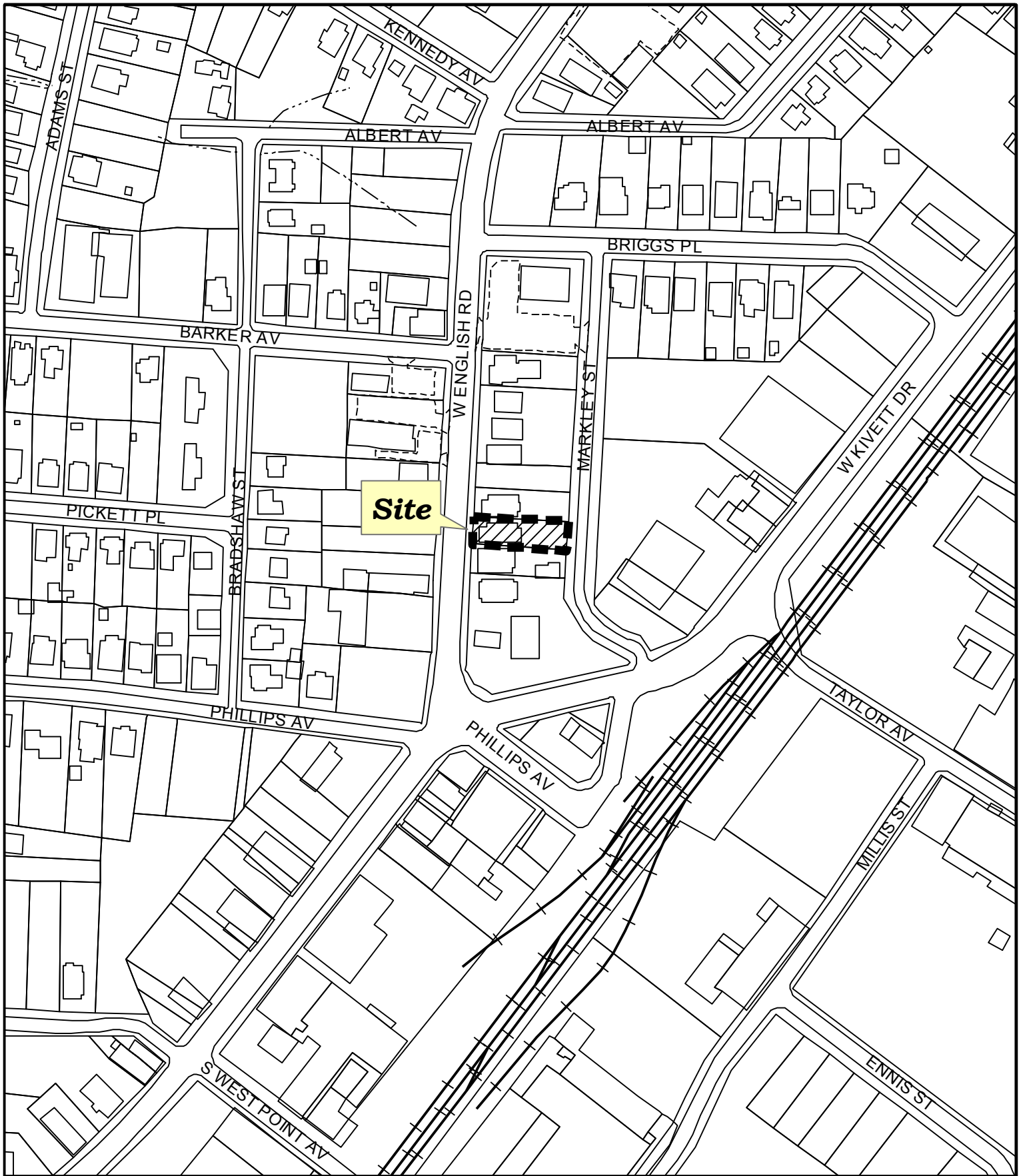
Attested to:


Lisa Vierling, City Clerk



**DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION DIVISION
HOUSING ENFORCEMENT**

ORDINANCE REQUEST:	Ordinance to Demolish
PROPERTY ADDRESS:	1413 W English Rd
OWNER:	Ricky Lee & Jill D Holbert
FIRST INSPECTION: 07-29-10	Number of Violations: Unsafe <u>6</u> Minor <u>20</u> 1) cracks and holes in exterior walls – entire exterior 2) rotten porch ceiling 3) missing plumbing fixtures throughout dwelling 4) heating equipment damaged by vagrants 5) structural deficiencies on rear porch 6) no smoke detectors
HEARING RESULTS: 08-24-10	The owner did not appear for the hearing. 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. Based upon utility activity, the dwelling has not been occupied since 2008. Due to the deteriorated condition of the dwelling and the associated blight on the neighborhood and that fact that the repairs exceed 50% of the tax value, the Order to Repair or Demolish was issued. The Guilford County Tax value of the dwelling is \$11,900. The repair estimate is \$11,770.
ORDER(S) ISSUED: 24-10	Order to Repair or Demolish with a compliance date 08- of 09-24-10
APPEALS:	No appeals to date.
OWNER ACTIONS:	The owner has not obtained any permits or made any repairs.
EXTENSIONS:	None requested
CURRENT STATUS: 10-08-10	Conditions still exist. Dwelling is vacant and secure.



1413 West English Road

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: October 11, 2010



Scale: 1"=200'
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ord-demo.mxd



1413 West English Road



1413 West English Road

**DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION SERVICES DIVISION
HOUSING ENFORCEMENT**

**ORDINANCE
REQUEST:**

Ordinance to Vacate

**PROPERTY
ADDRESS:**

1620 E Kivett Dr

OWNER:

DDH Partners

**FIRST
INSPECTION
8-3-2010**

Number of Violations: Major 4 Minor 20
1) holes in exterior walls
2) leaking bathroom plumbing fixtures
3) floor system not level throughout dwelling
4) rotten exterior wall studs

**HEARING
RESULTS:
8-16-2010**

The owner did not appear for the hearing. During the hearing, the following findings of fact were established. There are numerous violations of the Minimum Housing as recorded in the report of violations. The inspection was in response to complaints from tenant. The dwelling is occupied by two adults at the time of the inspection however the tenants moved on 9-3-2010. The ordinance is requested to allow the inspector vacate, close and placard the dwelling in accordance with State statutes.

**ORDER(S)
ISSUED:
8-16-2010**

Order to Repair with a compliance date of 9-16-2010

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

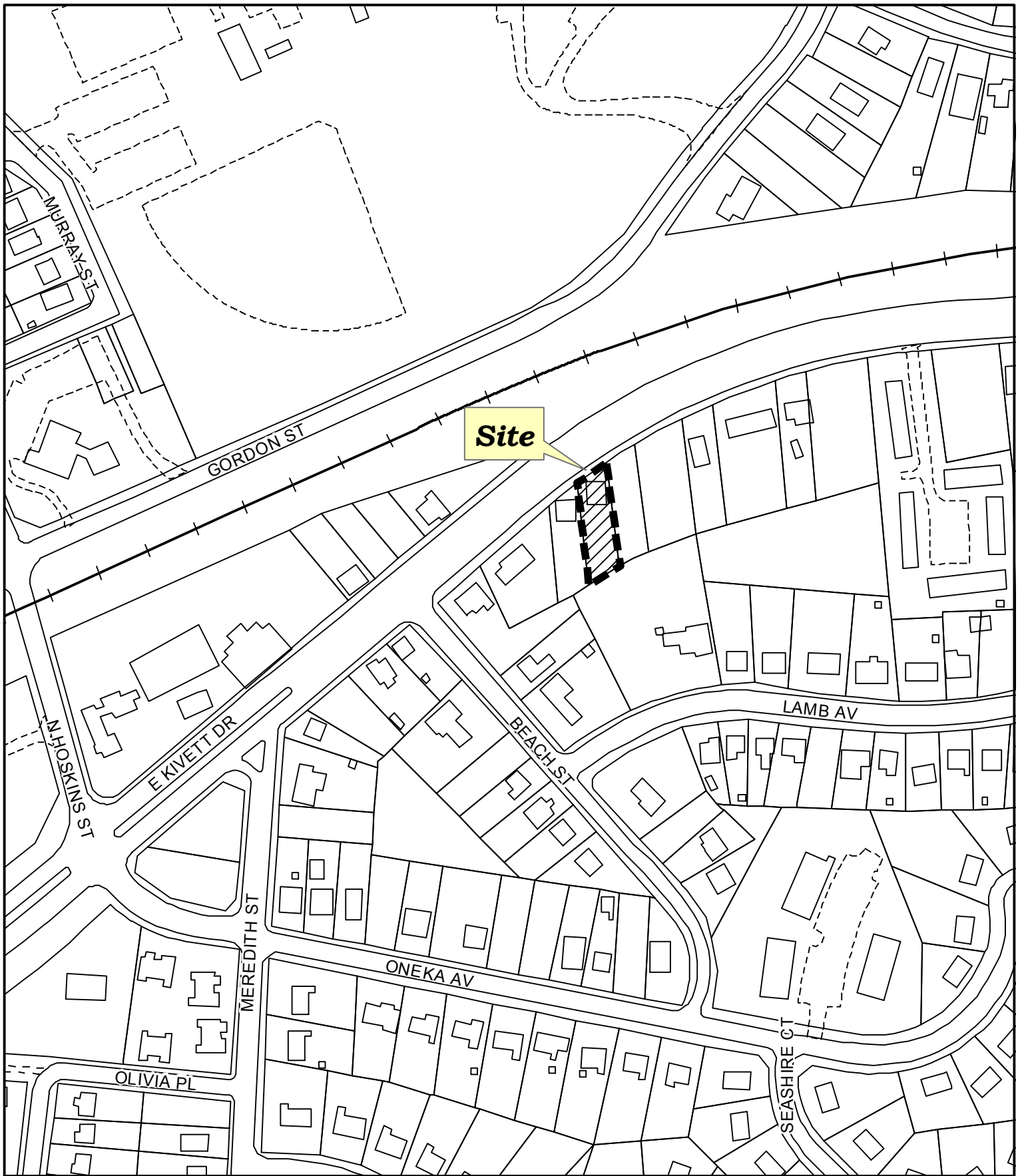
The owner has not obtained any permits or made any repairs.

EXTENSIONS:

None requested by the owner.

**CURRENT
STATUS:
9-17-2010**

Conditions still exist. Dwelling is vacant and secure.



1620 East Kivett Drive

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: October 11, 2010



Scale: 1"=200'
y/ba-pz/inspection/vacate



1620 E. Kivett Drive

PLANNING AND ZONING COMMISSION RECOMMENDATION

On September 28, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Andrew Putnam and Mr. Mark Walsh.

High Point Regional Hospital

Street Abandonment Case 10-13

A request by High Point Regional Hospital to abandon an improved portion of Quaker Lane and an improved portion of Pine Street, lying east of Lindsay Street, between Westwood Avenue and W. Ray Avenue.

Mr. Mark Schroeder presented the request to the Commission and recommended approval of Street Abandonment Case 10-13 as outlined in the staff report.

Speaking in favor of the request was Mr. Jim Morton of 3718 Sagamore Drive in Greensboro, representing High Point Regional Hospital. Mr. Morton stated the hospital is requesting this abandonment to assist in the placement of an emergency generator to support their new data center and there are no plans to doing anything with the road except to maintain it and keep the current traffic circulation pattern. He advised the Commission that he takes no exception to the city's retention of utility easements or providing an egress easement to the abutting property at 316 Westwood Avenue so that owner can maintain his current traffic circulation pattern.

Speaking neither in favor nor in opposition to the request was Dr. David Andrews. Dr. Andrews stated that he is the owner of 316 Westwood Avenue and he wanted it on record that he is requesting the city to require the hospital to grant him an easement to protect his egress rights and provide a copy of the recorded easement for his records.

No one spoke in opposition to the request.

With the understanding that High Point Regional Hospital will provide the requested egress easement for 316 Westwood Avenue, the Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 10-13, with the retention of public utility and sanitary sewer easements, by a vote of 6-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-13
September 28, 2010**

Request	
Applicant: High Point Regional Health System	Proposal: Abandonment of an improved portion of Quaker Lane and Pine Street (identified as Avery Street and Pine Street on a plat titled "Fuller Place" as recorded in Plat Book 9 Page 66) lying east of Lindsay Street between Westwood Avenue and W. Ray Avenue.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
N. Lindsay Street	Major Thoroughfare	56 ft. right-of-way – 31 ft. curb & gutter
Quaker Lane	Local Street	50 ft. right-of-way – 37 ft. curb & gutter
Pine Street	Local Street	50 ft. right-of-way – 32.7 ft. curb & gutter

Adjacent Property Zoning and Current Land Use		
North	Public Institutional (PI)	Hospital
East	Public Institutional (PI)	Hospital
South	General Office – Moderate (GO-M)	Medical Offices
West	General Office – Moderate (GO-M)	Right-of-way

Analysis
The right-of-way being considered for abandonment is approximately 0.546 acres in area approximately 50 feet in width by 476 feet in length. The right-of-way contains 12-inch and 15-inch sanitary sewer lines. In addition, there is an 8-inch waterline in Quaker Lane and a 6-inch waterline in Pine Street with multiple connections and fire hydrants. All property, including the parcel at the intersection of Quaker and Pine, abutting the portion of the right-of-way proposed for abandonment has access to N. Lindsay Street or is in contiguous ownership of High Point Regional Health System. The property owned by Mr. David Andrews at 316 Westwood Avenue currently has an egress easement across High Point Regional Hospital and High Point Regional Health System property to the current terminus of Pine Street. The easement is necessary due to an existing one-way egress traffic pattern. A private agreement must be established to allow continued egress back to a public street. Alternatively, the parking alignment could be modified at 316 Westwood Avenue to eliminate the need for the egress.

Findings
The Technical Review Committee (TRC) reviewed this request on June 23, 2010 and identified no issues that would prevent its abandonment. In accordance with the Street Closing Policy adopted by City Council in February 1985 additional right-of-way on abutting streets needing

additional right-of-way can be acquired during this process. A small area of additional right-of-way containing approximately 405 square feet is necessary at the southeast corner of the Quaker Lane and N. Lindsay Street intersection. In addition, an egress easement is being provided to the property owner of 316 Westwood Avenue to allow continued vehicular egress out to a public right-of-way.

Easements shall be retained over the existing public utilities within the right-of-way including: sanitary sewer, water, electric, and storm drainage. An exclusion map establishing the easements (for utilities and vehicular egress) and recombining existing lots is ready for recordation pending approval of the abandonment.

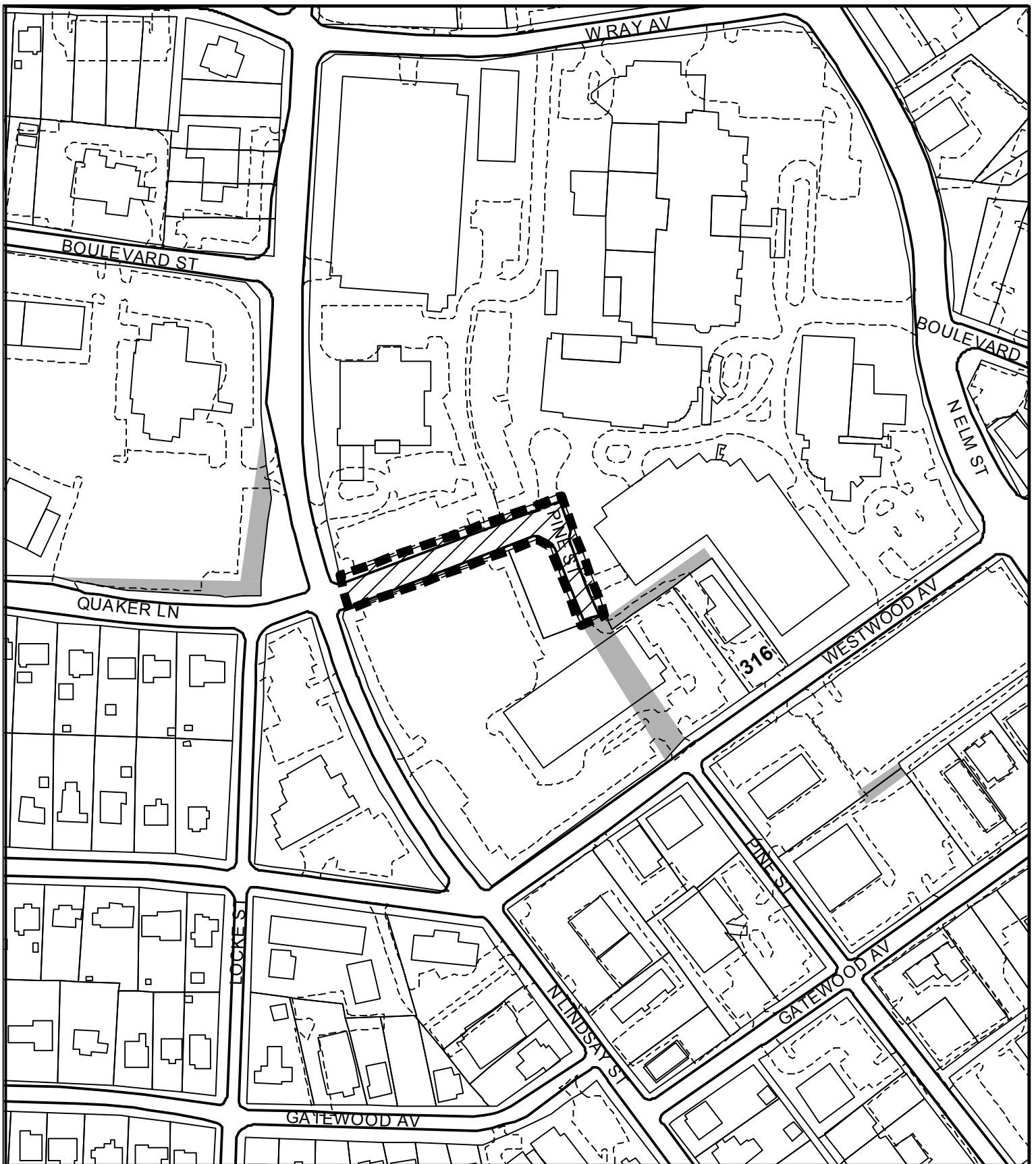
This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means of ingress and egress to their property.

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment with the establishment of an vehicular egress easement to benefit 316 Westwood Avenue and the retention of the following public utility easements: 1) A 20-foot sanitary sewer easement centered on the existing lines; 2) A 20-foot waterline easement centered on the existing lines (including service lines to existing hydrants); 3) A 30-foot electric utility easement centered on the existing overhead lines; and 4) A 30-foot storm sewer easement centered on the existing public storm pipes based on preliminary findings that it is not contrary to the public interest, and that no property in the vicinity of the street abandonment would be deprived of reasonable means of ingress or egress.

Report Preparation

This report was prepared by Planning and Development Department staff member Mark Schroeder, AICP, Senior Planner and reviewed by Bob Robbins, AICP, Development Administrator, and Lee Burnette, AICP, Director.



STREET ABANDONMENT REQUEST SA10-13

Applicant: High Point Regional Hospital
Area: 0.546 acres



Location of requested street abandment

**Planning & Development
 Department**

City of High Point

Date: September 22, 2010



Scale: 1"=200'

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Looking east from N. Lindsay Street down Quaker Lane.



Looking south from Quaker Lane/Pine Street intersection down Pine Street. The egress driveway shown left of the “Do not Enter” sign.



Aerial with the abandonment area highlighted.

Engineering Services Department

B. Keith Pugh, P.E.

DIRECTOR



Date: October 11, 2010

To: Pat Pate, Assistant City Manager

From: Keith Pugh, Engineering Services *BKPF*

Re: City Council Agenda – Final Adjusting Change Order, ARRA Funded, Obsolete Sewer Main Rehabilitation Contract – City Contract ENG-2009-05

On Thursday, May 28, 2009 the City of High Point received and opened bids for Contract ENG-2009-05, Obsolete Sewer Main Rehabilitation. City council awarded Breece Enterprises the construction contract at the bid price of \$774,734.00. The construction contract contains nine projects of various scope and complexity. The projects included in this work are part of the city's American Recovery and Reinvestment Act (ARRA) projects. A construction contingency account (separate from the construction contract) was established at the beginning of the project in the amount of \$170,000.

Construction began during August 2009 and finished during May 2010. The original Engineer's Estimate was \$1,191,500.

The purpose of this change order is to finalize the construction contract. The State's construction representative was kept informed of all scope changes and changes due to existing conditions as they occurred. The amount of this change order falls within the contingency allowance set aside for this contract.

The primary changes in the work occurred on the Downtown Cluster, Phase 1, Downtown Cluster, Phase 2, and the Creekside Outfall projects. The major changes are described below and detailed in the attachment.

Downtown Cluster Outfalls, Phase 1 - additional expenditures of \$61,015 – additional/changes in the work included: increased amount of select backfill material due to the poor condition of material removed from the outfall trench, additional asphalt pavement repairs needed due to existing conditions, additional fill dirt needed to level backyards after the line work, additional stone needed to stabilize trench sections and re-establish an existing gravel parking lot.

Downtown Cluster Outfalls, Phase 2 - additional expenditures of \$7,320 – additional/changes in the work included: increased amount of select backfill material due to the poor condition of material removed from the outfall trench, eliminated an existing manhole that could not be adjusted in the field due to proximity to existing graveyard and gravesites.

Engineering Services Department

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OBSOLETE SEWER MAIN REHABILITATION – ARRA

FINAL ADJUSTING CHANGE ORDER

Creekside Outfall – additional expenditures of \$52,759 - additional/changes in the work included: increased height of existing manholes to lift their tops out of the designated flood plain, installed new epoxy-coated ductile iron pipe to connect existing sewer lines to new manholes, additional hours of subsurface investigation to determine sewer services condition and location, various service lateral repairs required during construction, rock excavation in trench required to install the new sewer line on proper grade, sewer by-pass pumping required during a portion of the rehabilitation work.

Engineering Services recommends that City Council approves the Final Adjusting Change Order (Change Order #1) for Contract ENG-2009-05 for Obsolete Sewer Main Rehabilitation to Breece Enterprises in the amount of \$109,916.05. Approval of this change order will bring the contract value to \$884,650.05.

Funding for the change order is available in the following accounts:

421779-533701-421091023202-40201	\$ 50,550.00	\$ 107.30 (+)
421779-533701-421091023203-40201	\$ 275,425.00	\$ 52,754.25 (+)
421779-533701-421091023204-40201	\$ 199,755.00	\$ 61,015.40 (+)
421779-533701-421091023205-40201	\$ 94,652.00	\$ 7,320.40 (+)
421779-533701-421091023206-40201	\$ 16,230.00	\$ 12,218.50 (-)
421779-533701-421091023207-40201	\$ 45,155.00	\$ 109.20 (+)
421779-533701-421091023208-40201	\$ 32,551.00	\$ 1,081.00 (+)
421779-533701-421091023209-40201	\$ 27,186.00	\$ 237.00 (+)
421779-533701-421091023210-40201	<u>\$ 33,230.00</u>	<u>\$ 490.00 (-)</u>
Total:	\$ 774,734.00	\$ 109,916.05 (+)

/bkp

Cc: Mr. Jeff Moore, Finance Director
Mr. Bob Martin, Purchasing Division
Mr. Chris Thompson, Public Services
Mr. Terry Houk, Public Services
Mr. Chip Vanderzee, Public Services
Mr. Leon Adams, Adams and Clark Enterprises, Inc.
Mr. Randy McNeill, Davis-Martin-Powell Assoc.

Change Order #1 - ATTACHMENT

Contract 2009-05 – ARRA Funded, Obsolete Sewer Main Rehabilitation contract

(please note that this is a unit price contract and totals for the items stated below may not equal the change order total amount due to individual line item overruns and/or underruns)

DOWNTOWN CLUSTER OUTFALL PHASE ONE

1. Select Backfill Material, Class I (Cubic Yard)
 - A. Location:
Additional select backfill material used in the trench line on Oakland Place and parking lot 518 North Hamilton Street.
 - B. Justification for Change:
Due to the condition of the soil that was removed from the trench a field change was made to bring in select backfill material.
 - C. Cost:
(908.00 Cu. Yds. @ \$40.00) = \$36,320.00
2. Rehabilitate Existing San. Sewer Manhole (Linear Feet)
 - A. Location:
North side of Monroe Place at station 26+27.49.
 - B. Justification for Change:
Due to deteriorate condition of existing sanitary sewer manhole a field change was made to rehabilitate the manhole.
 - C. Cost:
(6.80 L.F. @ \$135.00) = \$918.00.
3. Fill Dirt (Cubic Yard).
 - A. Location:
Along the construction easement through the back yards from station 22+50 to Station 26+27.49 (Monroe Place).
 - B. Justification for Change:
Due to condition of material a field change was made to bring in fill dirt to level the backyards.
 - C. Cost:
(132.00 Cu, Yds. @ \$20.00) = \$2,640.00
4. Asphalt Pavement (Ton):
 - A. Locations:
To repair the trench along Oakland Place and parking lot for 518 North Hamilton Street.
 - B. Justification for Change:
Due to condition of Oakland Place and parking for 518 North Hamilton Place additional asphalt was used to restore Oakland Place and parking lot back to or better condition before the new sewer main was installed.
 - C. Cost:
(107 tons @ \$80.00) = \$8,560.00

5. Clean Stone Number 57 for Trench Stabilization (Ton):
 - A. Location:
Beginning at station 17+50 to station 26+27.
 - B. Justification for Change:
Addition stone was needed to stabilize the trench bottom due to poor soil conditions.
 - C. Cost:
(86.80 tons @ \$30.00) = \$2,604.00
6. Incidental Stone Base (Ton):
 - A. Location:
Parking lot behind 508 North Hamilton Street (Chest of Drawers).
 - B. Justification for Change:
Field change by inspector at the request of property owners.
 - C. Cost:
(135.83 tons @ \$30.00) = \$4,074.90.
7. 8-Inch x 4-Inch D.I. Wye with Eight Bend (Each):
 - A. Locations:
Two additional services where located on the back side of property facing North Hamilton Street.
 - B. Justification for Change:
The additional D.I. wye was needed to tie existing services to new main.
 - C. Cost:
(2 each @ \$1,000.00) = \$2,000.00
8. 8-Inch x 6-Inch D.I. Wye with Eight Bend (Each):
 - A. Location:
311 Monroe Place.
 - B. Justification for Change;
Additional 8-inch x 6-inch D.I. Wye was needed to tie the property at 311 Monroe Place to new main.
 - C. Cost:
(1 each @ \$800.00) = \$800.00
9. Replacing Existing Fences:
 - A. Locations:
510 Monroe Place and 511 Oakland Place.
 - B. Justification for Change:
At the request of the City the contractor reworked or replaced fence due to complaints from property owners.
10. 8-Inch Fernco Coupling (Each):
 - A. Location:
311 Monroe Place:
 - B. Justification for Change:
8-inch Fernco coupling was needed to tie the house service at 311 Monroe Place to the new main.

- C. Cost:
(1 each @ \$200.00) \$200.00
- 11. 6-Inch P.V.C. Pipe (Linear Foot):
 - A. Location:
311 Monroe Place.
 - B. Justification for Change:
6-inch P.V.C. pipe was needed to tie the house service at 311 Monroe Place to new main.
 - C. Cost:
(10 L.F. @ \$15.00) = \$150.00
- 12. Top Soil (Cubic Yard):
 - A. Location:
Back of property from approx station 22+25 to 25+25.
 - B. Justification for Change:
In order to seed a field change was made to bring in top soil due to condition of existing soil.
 - C. Cost:
(14.14 C.Y. @ \$30.00) = \$424.20.

DOWNTOWN CLUSTER OUTFALL PHASE TWO

- 1. Select Backfill Material (Cubic Yard):
 - A. Location:
Additional select backfill material used in the trench line a various location beginning at Montlieu Avenue station 4+75 to East Ray Street station 16+58.
 - B. Justification for Change:
Due to the condition of the soil that was removed from the trench a field change was made to bring in select backfill material to stabilize the trench.
 - C. Cost:
(183.00 Cu. Yds. @ \$20.00) = \$3,660.00
- 2. Eliminated Sanitary Sewer Manhole (Each):
 - A. Location:
Station 15+00 Oakland Street plan sheet 3 of 3.
 - B. Justification for Change:
Manhole number 3 at station 15+00 was located inside the property lines of Oakwood Cemetery and by adjusting the manhole it would have eliminated eight graves site at a cost of \$40,000.00 according to the cemetery owner.
 - C. Cost:
(1 each @ \$3,685.00) = \$3,685.00

CREEKSIDE OUTFALL

- 1. Rehabilitate Existing Sanitary Sewer Manhole (Vertical Foot):
 - A. Location:

- Existing manholes along creek.
 - B. Justification for Change:
Manhole section have been added to manholes along the creek in order to get the top of each manhole above the floodplain.
 - C. Cost:
(58 Ft. @ \$135.00) = \$7,830.00
2. 12-Inch Epoxy Ductile Iron Sewer Pipe (Linear Foot):
- A. Location:
Where new manholes were installed.
 - B. Justification for Change:
Where new manholes were installed a section of ductile iron sewer pipe was used to tie the manhole to existing V.C. line.
 - C. Cost:
(109.00 L.F. @ \$80.00) = \$8,720.00
3. 10-Inch V.C. Sewer Pipe Point Repair 0 to 6-Ft. (Linear Foot):
- A. Location:
Along Creekside Outfall Line.
 - B. Justification for Change:
After cleaning and T.V. inspection of the sewer main additional locations were identified that needed repair.
 - C. Cost:
(35 L.F. @ \$60.00) = \$2,100.00
3. 12-Inch Transition Couplings (Each):
- A. Locations:
A various location along Creekside Outfall line
 - B. Justification for Change:
To connect D.I. Pipe to V.C. Pipe
 - C. Cost:
(8 each @ \$500.00) = \$4,000.00
4. 4-Inch Sewer Backwater Valve (Each):
- A. Locations:
 - B. Justification for Change:
During the video of the sewer main 3 each sewer services were located that were not on the plans.
 - C. Cost:
(3 each @ \$800.00) = \$2,400.00
5. Subsurface Exploration (Hour):
- A. Location:
At various service lines and clean outs.
 - B. Justification for Change:
To locate service lines and clean outs.
 - C. Cost:
(20 Hour @ \$300.00) = \$6,000.00.

6. 4-Inch P.V.C. Combination Schedule 40 (Each):
 - A. Location:
At each sewer service line.
 - B. Justification for Change:
To replace damaged or broken V.C. combination.
 - C. Cost:
(14 Ea. @ \$200.00) = \$2,800.00

7. 4-Inch P.V.C. Schedule 40 Vertical Stack (Vertical Foot):
 - A. Location:
At each service line;
 - B. Justification for Change:
To replace damaged or broken V.C. stacks.
 - C. Cost:
(17.50 V.F. @ \$10.00) = \$175.00

8. 4-Inch P.V.C. Schedule 40 Service Line (Linear Foot):
 - A. Location:
At each service line.
 - B. Justification for Change:
To replace damaged or broken service lines.
 - C. Cost:
(64.50 L.F. @ \$200.00) = \$645.00

9. Rock Excavation In Trench (Cubic Yard):
 - A. Location:
Where existing outfall line was replace with D.I.pipe.
 - B. Justification for change:
Rock had to be removed in order to install the D.I. pipe to correct grade and alignment.
 - C. Cost:
(17.10 C.Y. @ \$300.00) = \$5,130.00

10. Sewer Main By-Pass Pumping (Lump Sum)
 - A. Location:
Creekside outfall line station 3+77 to station 54+18 plan sheet number 1 through 7.
 - B. Justification of change:
It was necessary to use bypass pumping of sewage flow to rehab, clean, point repairs, And rehab manholes.
 - C. Cost:
(1 L.S. @ \$10,000.00)= \$10,000.00

**DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION SERVICES DIVISION
HOUSING ENFORCEMENT**

**ORDINANCE
REQUEST:**

Ordinance to Vacate

**PROPERTY
ADDRESS:**

1608-B West Av

OWNER:

Rashan Patterson

**FIRST
INSPECTION
7-2-2010**

Number of Violations: Major 5 Minor 23
1) windows inoperable throughout the house
2) no operable smoke detectors
3) loose water heater electrical connection
4) rotten bathroom floor
5) heat source unsafe to operate – exposed wiring

**HEARING
RESULTS:
8-12-2010**

The owner did not appear for the hearing. During the hearing, the following findings of fact were established. There are numerous violations of the Minimum Housing as recorded in the report of violations. The inspection was in response to complaints from tenant. The dwelling is occupied by one adult and three minor children at the time of the inspection however the tenants moved on 9-20-2010. All utilities are on hold. The ordinance is requested to allow the inspector vacate, close and placard the dwelling in accordance with State statutes.

**ORDER(S)
ISSUED:
8-12-2010**

Order to Repair with a compliance date of 9-8-2010

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

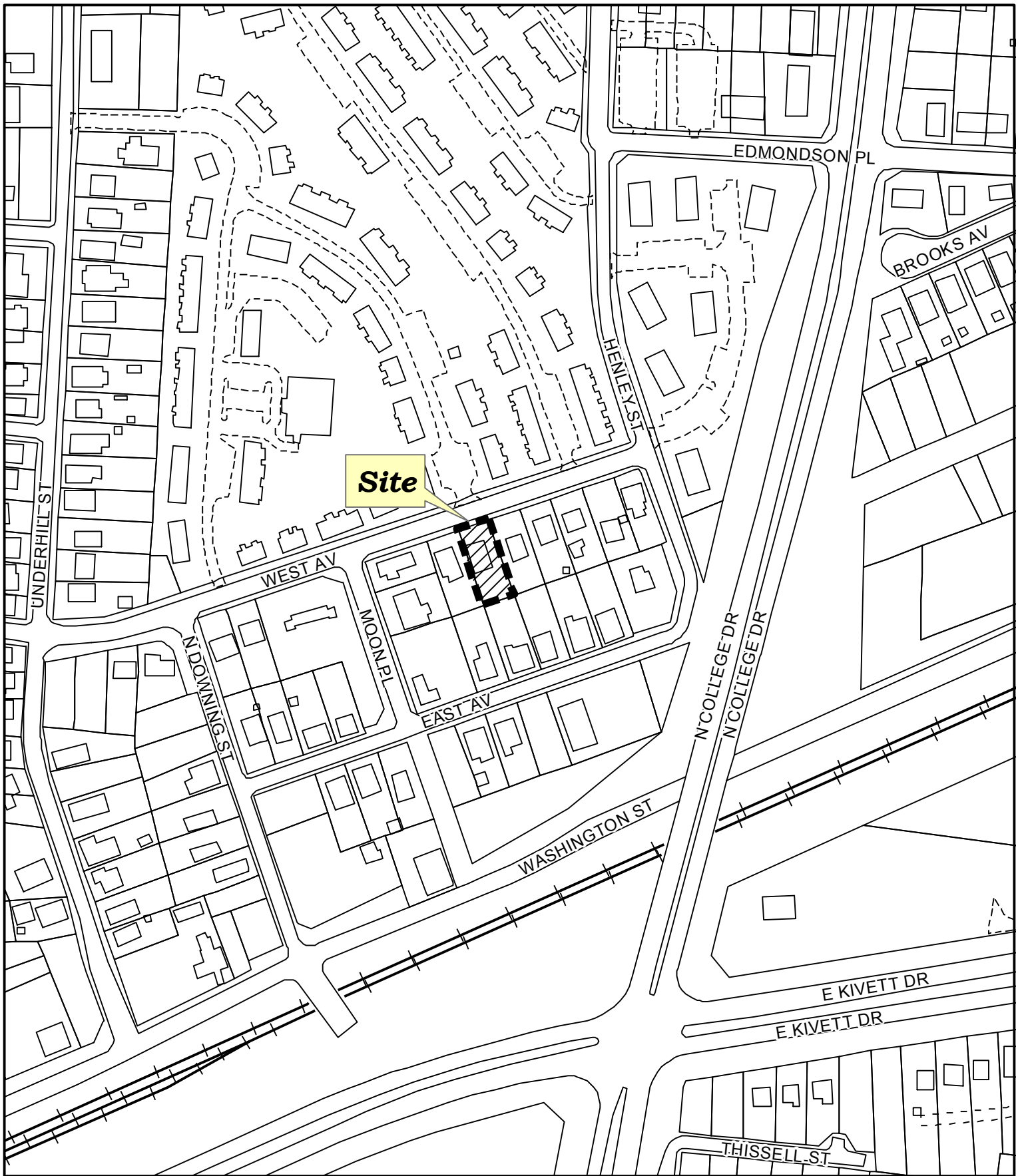
The owner has obtained a building permit on 7-16-2010 and has started some repairs.

EXTENSIONS:

None requested by the owner.

**CURRENT
STATUS:
10-11-2010**

Conditions still exist. Dwelling is vacant and secure.



1608-B West Avenue

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: October 14, 2010



Scale: 1"=200'
y/ba-pz/inspection/vacate



1608-B West Avenue

**DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION SERVICES DIVISION
HOUSING ENFORCEMENT**

**ORDINANCE
REQUEST:**

Ordinance to Vacate

**PROPERTY
ADDRESS:**

1606-B West Av

OWNER:

Rashan Patterson

**FIRST
INSPECTION
7-1-2010**

Number of Violations: Major 5 Minor 11
1) windows inoperable throughout the house
2) no operable smoke detectors
3) loose and exposed wiring at baseboard heaters
4) rotten bathroom floor
5) heat source unsafe to operate – exposed wiring

**HEARING
RESULTS:
7-14-2010**

The owner did not appear for the hearing. During the hearing, the following findings of fact were established. There are numerous violations of the Minimum Housing as recorded in the report of violations. The inspection was in response to complaints from tenant. The dwelling is occupied by one adult at the time of the inspection however the tenants moved on 8-16-2010. All utilities are on hold. The ordinance is requested to allow the inspector vacate, close and placard the dwelling in accordance with State statutes.

**ORDER(S)
ISSUED:
8-16-2010**

Order to Repair with a compliance date of 9-16-2010

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

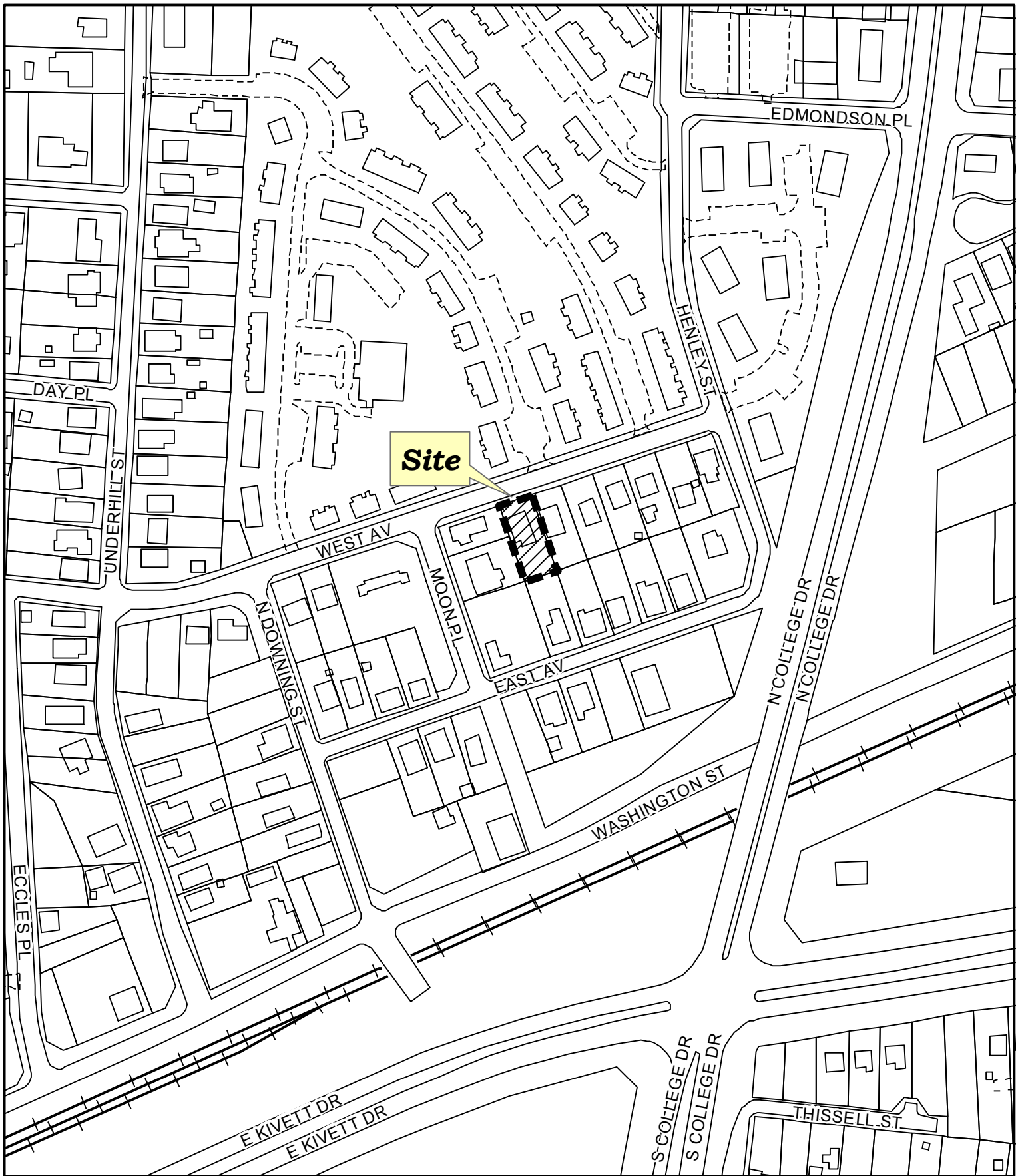
The owner has obtained a building permit on 7-16-2010 and has started some repairs.

EXTENSIONS:

None requested by the owner.

**CURRENT
STATUS:
10-11-2010**

Conditions still exist. Dwelling is vacant and secure.



1606-B West Avenue

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: October 11, 2010



Scale: 1"=200'
y/ba-pz/inspection/vacate



1606-B West Avenue

Public Services Department

Richard D. McMillan, P.E.
ASSISTANT DIRECTOR



MEMORANDUM

DATE: October 13, 2010
TO: Pat Pate, Assistant City Manager
W. Chris Thompson, PE, Director of Public Services
FROM: Richard D. McMillan, P.E., Asst. Director of Public Services *Richard D. McMillan*
SUBJECT: Agenda Item – North Carolina Electronics Ban

The State of North Carolina has passed a ban on electronic equipment from being disposed of in landfills (North Carolina General Statute 130A-309.141). This bill bans discarding computer equipment such as desktop computers, laptops, keyboards, video monitors, printers, scanners, fax machines, or other devices associated with computers, as well as TVs into landfills. These materials are to be recycled.

This ban becomes effective July 1, 2011. The City will no longer collect these materials for landfill disposal after this date.

There are several options for residents to recycle these materials:

- As part of the Guilford County Household Hazardous Waste (HHW) Program, residents may take these materials to EcoFlo free of charge. EcoFlo is located at 2750 Patterson Street, Greensboro (open Wednesday through Saturday);
- The City of High Point will hold periodic HHW collection days for High Point residents to dispose of these materials;
- Area Goodwill Industries operates an electronics recycling program for residents and collects computer equipment for recycling.

In addition to the electronics ban, local governments are required to endorse the ban and amend their solid waste management plans by December 31, 2010, to become eligible for State funding. The attached Council Action satisfies this requirement.

If you have any questions, please contact me. Thank you.



**RESOLUTION OF THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA
APPROVING AND ENDORSING THE DISCARDED COMPUTER EQUIPMENT AND
TELEVISION MANAGEMENT PLAN AS AN AMENDMENT TO THE GUILFORD COUNTY
SOLID WASTE MANAGEMENT PLAN**

WHEREAS, it is a priority of the City of High Point and Guilford County to protect the public health and the environment through the safe and effective management of solid waste; and

WHEREAS, the computer equipment and television waste stream is growing rapidly in volume and complexity and can introduce toxic materials into solid waste landfills; and

WHEREAS, it is in the best interest of the citizens of this State to have convenient, simple, and free access to recycling services for discarded computer equipment and televisions; and

WHEREAS, North Carolina General Statute 130A-309.130 bans these materials from landfills and requires each unit of local government, either individually or in cooperation with other units of local government, to amend its solid waste management plan to include a plan for the management of electronics waste in order to become eligible to receive state funding for electronics management; and

WHEREAS, the Discarded Computer Equipment and Television Management Plan, an amendment to the Guilford County Solid Waste Management Plan, is required to be submitted to the State of North Carolina by December 31, 2010, and must be approved and adopted by resolution prior to being submitted to the State; and

WHEREAS, the City of High Point was represented during the planning process and has been involved with the development of the Guilford County Solid Waste Management Plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of High Point approves and endorses the Discarded Computer Equipment and Television Management Plan as an amendment to the Guilford County Solid Waste Management Plan.

Adopted by the High Point City Council this _____ day of _____, 2010.

ATTEST:

Lisa B. Vierling, MMC
City Clerk

DISCARDED COMPUTER EQUIPMENT & TELEVISION MANAGEMENT PLAN

Introduction

Effective July 1, 2011, discarded computer equipment and televisions will be banned from disposal in landfills in North Carolina, and will be required to be reused or recycled. Local governments will be required to manage the discarded computer equipment and televisions within their jurisdiction. Guilford County and its municipalities have developed this amendment to the Solid Waste Management Plan to meet statutory requirements and to continue to provide residents with electronics recycling through a permanent collection program as well as special collection events.

Existing Programs

- Guilford County and the City of Greensboro currently partner to manage a permanent collection program for residents to recycle electronics, including computer equipment, televisions and any other personal devices containing a microchip. The program is operated by EcoFlo, Inc. at their facility located at 2750 Patterson Street, Greensboro, and is part of the household hazardous waste collection program. The site is open to residents four days per week, Wednesday through Saturday.
- In addition, Guilford County, alone or in conjunction with one or more of its municipal partners, sponsors electronics collection events at various locations throughout the community. Current annual events include Spring Clean-up, E-Cycle and Clean & Green.
- The discarded electronics collected through the permanent program and special collection events are marketed for recycling by the contractor. To date, Guilford County has contracted with EcoFlo, Inc. and Synergy Recycling, LLC for electronics recycling. Guilford County and the City of Greensboro do periodic audits and also ensure that contractors meet the certification requirements established in the legislation.
- Goodwill Industries also operates an electronics recycling collection program for residents at its various locations in Guilford County.

Public Awareness Program

Guilford County works with its municipal partners to promote electronics recycling on all local government websites, and on local government television stations. Guilford County also partners with a local television station and a radio communications company to inform the public of changes in state law, about the permanent electronics collection program and of special electronics collection events. Guilford County provides in-school recycling education programs for students and their parents at elementary schools throughout the school year as well. Information concerning manufacturer take-back programs will also be included in the County's public awareness efforts.

Tracking and Reporting

Guilford County requires its electronics recycling contractors to provide regular reports, by month and by event, detailing the type and number of units recycled as well as the type and tonnage of electronics materials collected. These figures were used to compile the electronics portion of the FY 2008-09 and FY 2009-10 Solid Waste and Materials Management Annual Reports.

Local Government Interactions

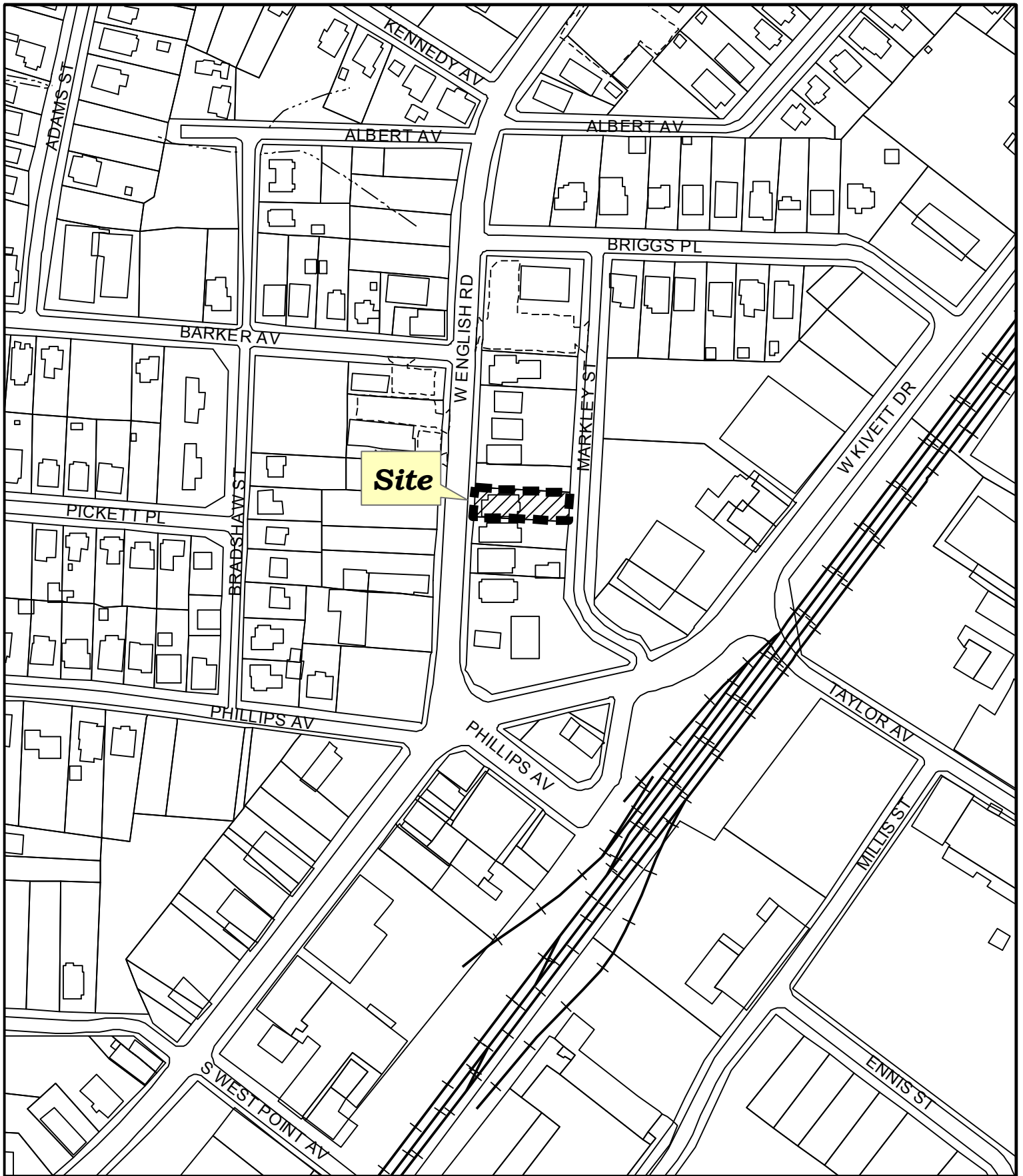
- Guilford County currently partners with the City of Greensboro to subsidize and manage the existing e-waste collection program for residents that is a part of the joint HHW program.
- Guilford County provides electronics recycling for residents in the unincorporated areas of the county and in the towns of Gibsonville, Jamestown, Oak Ridge, Pleasant Garden, Sedalia, Stokesdale, Summerfield and Whitsett and in the cities of Archdale and High Point.
- Guilford County partners with the towns and cities within its jurisdiction to provide special e-waste collection events throughout the county.

Accounting for Expenditures

Guilford County will set up a separate Electronics Management Account into which all funds received through distributions from the state's electronics management account are deposited. A detailed register of all expenditures paid from this Electronics Management Account will be maintained, as is currently done with the existing scrap tire and white goods management accounts, and all reporting to the state will be completed and submitted as required by law.

**DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION SERVICES DIVISION
HOUSING ENFORCEMENT**

ORDINANCE REQUEST:	Ordinance to Demolish
PROPERTY ADDRESS:	1411 W English Rd
OWNER:	Ricky Lee & Jill D Holbert
FIRST INSPECTION: 07-29-10	Number of Violations: Unsafe <u>7</u> Minor <u>20</u> 1) missing plumbing fixtures, tub, kitchen sink 2) no smoke detector 3) exposed wiring through out 4) damaged heating equipment by vagrants 5) roof, facia, eaves in need of repair 6) no water heater 7) rotten exterior boards – entire dwelling
HEARING RESULTS: 08-13-10	The owner did not appear for the hearing. 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. Based upon utility activity, the dwelling has not been occupied since 2005. There have been reports from the Police Department of vagrancy. Due to the deteriorated condition of the dwelling and the associated blight on the neighborhood and that fact that the repairs exceed 50% of the tax value, the Order to Repair or Demolish was issued. The Guilford County Tax value of the dwelling is \$7,400. The repair estimate is \$11,770.
ORDER(S) ISSUED: 08-17-10	Order to Repair or Demolish with a compliance date of 09-13-10
APPEALS:	No appeals to date.
OWNER ACTIONS:	The owner has not obtained any permits or made any repairs.
EXTENSIONS:	The owner requested a 12-month extension which was not approved.
CURRENT STATUS: 10-08-10	Conditions still exist. Dwelling is vacant and secure.



1411 West English Road

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

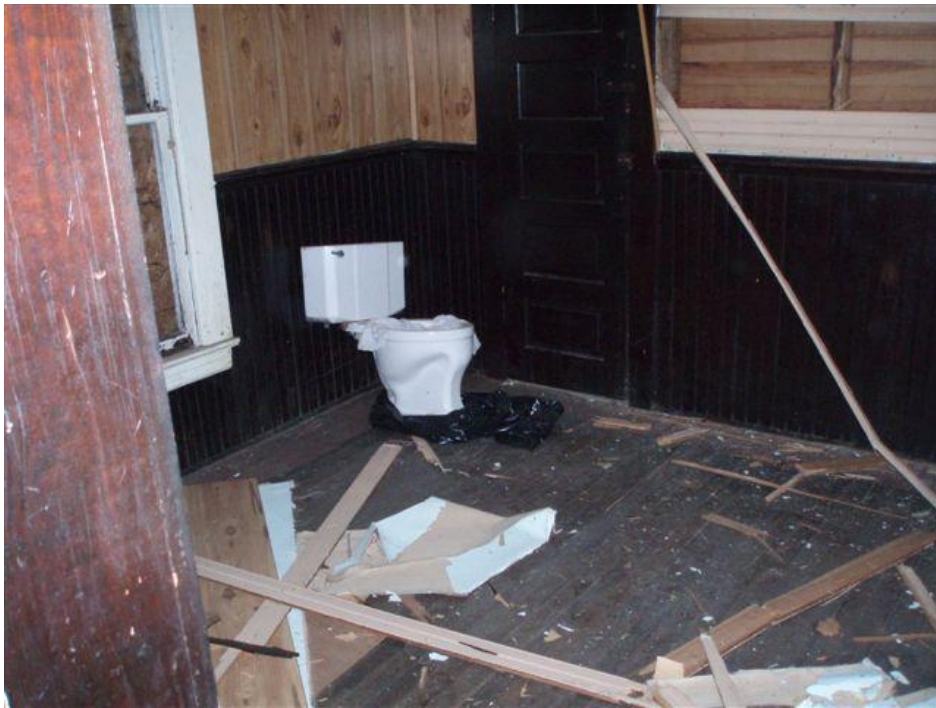
City of High Point

Date: October 11, 2010

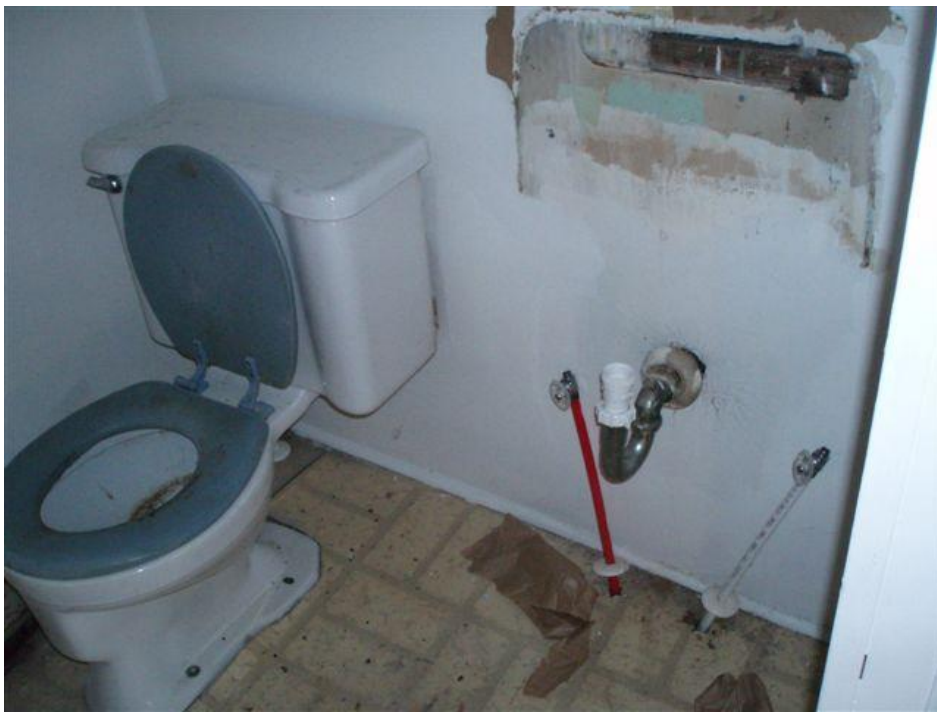


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1411 West English Road



1411 West English Road

**DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION SERVICES DIVISION
HOUSING ENFORCEMENT**

**ORDINANCE
REQUEST:** Ordinance to Demolish

**PROPERTY
ADDRESS:** 235 Woodbury St

OWNER: Garrett Property, LLC

**FIRST
INSPECTION:** Number of Violations: Unsafe 4 Minor 22
8-12-10 1) cracked/damaged foundation wall
2) floors not level/ sagging floor system/termite damage
3) inoperable/missing plumbing fixtures in bathroom
4) no smoke detectors

**HEARING
RESULTS:**
08-30-10 The owner did not appear for the hearing. 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. The dwelling is vacant as of 8-2-2010. Due to the deteriorated condition of the dwelling and the associated blight on the neighborhood and that fact that the repairs exceed 50% of the tax value, the Order to Repair or Demolish was issued. The Guilford County Tax value of the dwelling is \$16,500 The repair estimate is \$11,175.00

**ORDER(S)
ISSUED:**
08-30-10 Order to Repair or Demolish with a compliance date of 09-30-10

APPEALS: No appeals to date.

**OWNER
ACTIONS:** The owner has not obtained any permits or made any repairs even though the owner stated on 10-07-10 it is his intent is to make repairs to dwelling

EXTENSIONS: None requested

**CURRENT
STATUS:**
10-07-10 Conditions still exist. Dwelling is vacant and secure.



235 Woodbury Street

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: October 11, 2010



Scale: 1"=200'

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235 Woodbury Street



235 Woodbury Street



235 Woodbury Street

**DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION SERVICES DIVISION
HOUSING ENFORCEMENT**

ORDINANCE REQUEST:	Ordinance to Demolish
PROPERTY ADDRESS:	1503 Bridges Dr
OWNER:	Elkes Carpet Outlets, Inc
FIRST INSPECTION:	Number of Violations: Major <u>1</u> Minor <u>25</u> 1) cracked/damaged foundation at front and right side of dwelling 2) front outside light fixture missing – exposed wiring 3) insufficiently supported floor system at front of dwelling 4) insufficiently supported piers – front of dwelling 5) rotten roof rafters at rear of dwelling 6) rotten floors at rear of the dwelling 7) storage/accessory building to be demolished as well
04-09-2010	
HEARING RESULTS:	
04-26-2010	The owner did not appear for the hearing. 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. The inspection has made after receiving a complaint from the Police Department that the dwelling was not secure. Dwelling was secured by city action. The dwelling has been vacant since July 2009 Due to the deteriorated condition of the dwelling and the associated blight on the neighborhood and that fact that the repairs exceed 50% of the tax value, the Order to Repair or Demolish was issued. The Guilford County Tax value of the dwelling is \$13,000. The repair estimate is \$19,320.
ORDER(S) ISSUED:	Order to Repair or Demolish with a compliance date
04-26-2010	of 05-27-2010
APPEALS:	No appeals to date.
OWNER ACTIONS:	The owner has not obtained any permits or made any repairs even though he has stated it is his intent to made repairs to the dwelling.
EXTENSIONS:	None requested
CURRENT STATUS:	Conditions still exist. Dwelling is vacant and secure.
10-07-2010	



1503 Bridges Drive

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: October 11, 2010



Scale: 1"=200'

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1503 Bridges Drive



1503 Bridges Drive



1503 Bridges Drive

**DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION SERVICES DIVISION
HOUSING ENFORCEMENT**

**ORDINANCE
REQUEST:**

Ordinance to Vacate

**PROPERTY
ADDRESS:**

3309 Colony Dr

OWNER:

Michael R. Gonneville

**FIRST
INSPECTION
7-28-2010**

Number of Violations: Major 4 Minor 11
1) inoperable smoke detectors
2) faulty electrical switch in rear bedroom
3) floor system not level
4) severe termite damage to interior partitions

**HEARING
RESULTS:
8-9-2010**

The owner did not appear for the hearing. During the hearing, the following findings of fact were established. There are numerous violations of the Minimum Housing as recorded in the report of violations. The inspection was in response to complaints from tenant. The dwelling is occupied by two adults at the time of the inspection however the tenants moved on 9-1-2010. The ordinance is requested to allow the inspector vacate, close and placard the dwelling in accordance with State statutes.

**ORDER(S)
ISSUED:
8-9-2010**

Order to Repair with a compliance date of 9-07-2010

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

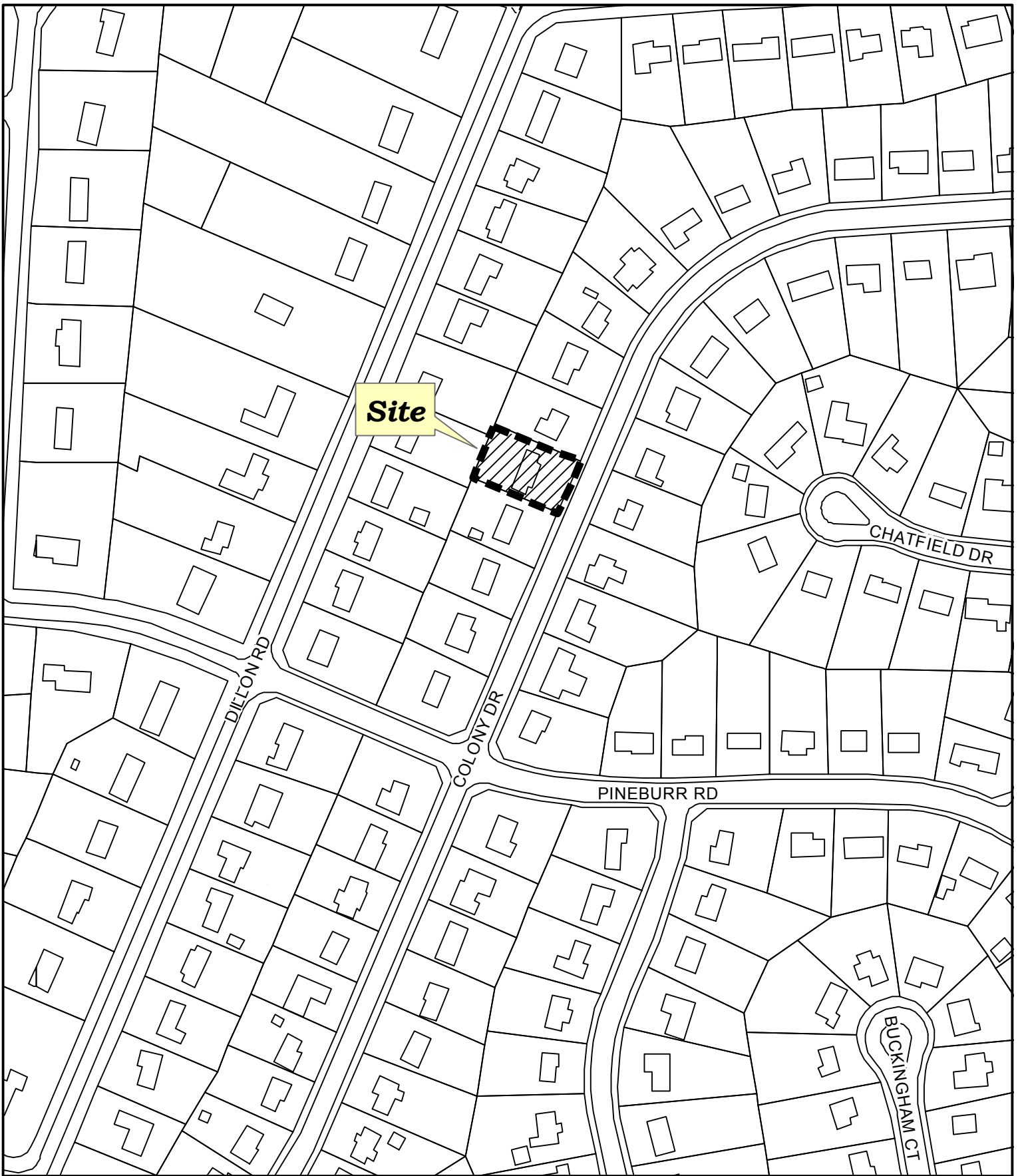
There have been no permits issued to begin to repair structural deficiencies. Some minor violations have been repaired.

EXTENSIONS:

None requested by the owner.

**CURRENT
STATUS:
10-11-2010**

Conditions still exist. Dwelling is vacant and secure.



3309 Colony Drive

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: October 11, 2010



Scale: 1"=200'
y/ba-pz/inspection/vacate



3309 Colony Drive

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

**STAFF REPORT
TECHNICAL REVIEW COMMITTEE APPEAL
June 21, 2010**

Request	
Applicant: Mr. Robbie Perkins, CCIM	Owner(s): CDHP, LLC
Proposal: Consideration of an appeal of the Technical Review Committee's decision to require dedication of right-of-way for a proposed subdivision located at the southeast corner of Greensboro Road and Enterprise Drive.	Relevant Ordinance Section(s): Section 9-6-7(g) of the Development Ordinance requiring an applicant to appeal a Technical Review Committee action within 30 days. Appeals to a TRC action are heard by City Council.

Site Information	
Location:	<i>Southeast of the intersection of Greensboro Road and Enterprise Drive.</i>
Site Description:	<i>Proposed 4 lot subdivision</i>

Statement of Appeal

On May 4, 2010 staff received an email from Mr. Robbie Perkins, President of NAI Piedmont Triad appealing the dedication of public right-of-way along Greensboro Road. The property owner, CDHP, LLC, submitted a Sketch Plan for a 4 lot subdivision on April 7, 2010. The item was reviewed on April 14, 2010 and printed comments were mailed and posted on April 15, 2010. The appeal is in conformance with Section 9-6-7(g) of the Development Ordinance requiring an applicant to appeal a Technical Review Committee action within 30 days. Appeals to a TRC action are heard by City Council.

Background and Circumstances of the Case

The development proposal has been processed through two Technical Review Committee reviews. The most recent review was held by TRC on April 14, 2010 and comments were mailed on April 15, 2010. This review and comment process enabled the applicant to appeal the requirement for right-of-way dedication in accordance with Section 9-6-7(g) of the Development Ordinance.

Staff Analysis and Comment

A memo from Mark McDonald, Director of Transportation is attached which addresses the specific reasoning behind the decision made by the TRC. In addition, the memo responds to specific comments provided in the appeal email received on May 4, 2010.

Conclusions

Based on the development ordinance, state statutes, and city policies the City has the authority to require right-of-way dedication when a subdivision is proposed. The TRC decision to require right-of-way dedication along Greensboro Road is based on these policies.

Report Preparation

This report was prepared by Planning and Development Department staff member Mark Schroeder, AICP, Senior Planner and reviewed by Bob Robbins, AICP, Development Administrator, and Lee Burnette, AICP, Director.



June 14, 2010

To: Lee Burnette, Director of Planning and Development

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

Subject: Appeal of the TRC Requirement to Dedicate Right of Way (Dev # 7685)
Enterprise Road

My staff and I have reviewed the appeal by CDHP, LLC and have the following comments:

This development was originally submitted to the City of High Point Technical Review Committee (TRC) as a single tract for development in December 2001. Comments were sent to the developer in January 2002 that outlined, among other things, the requirement that the area needed for the construction of the Jamestown Bypass (State TIP Project U-2412) be reserved until such time as the NCDOT could acquire the necessary right-of-way. This requirement meant no development could take place within an area (approximately 0.5 acre) bordering the existing right-of-way along Greensboro Road and Enterprise Drive. CDHP, LLC then chose to not proceed with development of the property.

Seven years later, in December 2009, CDHP, LLC resubmitted this site as a subdivision to the TRC for review. Comments sent to the developer in January 2010 included the requirement of right-of-way dedication for U-2412 as called for by the City's Development Ordinance, Section 9-6-16 (c) 1. This is a typical comment for every subdivision that occurs on a roadway that is scheduled for future widening or other improvements.

In addition to the history of this project, below are comments related to specific points included in CDHP, LLC's email appealing the TRC decision in January 2010:

- 1) *"The TRC is requiring dedication of right of way of approximately one acre of property required for the proposed Jamestown connector project."*

As stated above the amount of right-of-way necessary for the U-2412 project is approximately 0.5 acres. The requirement for dedication is in compliance with the City's subdivision design standards and affects the property's entire frontage along Greensboro Road and approximately 265 feet along the east side of Enterprise Drive.

- 2) *“CPHP, LLC purchased the property on February 15, 2001 with the intent to develop the property into a convenience store, hotel and restaurant complex that would serve northern High Point and the traveling public using NC 311. When the Jamestown Bypass project was announced our plans had to be put on hold, waiting for NCDOT to determine an exact route for the road.”*

Planning for the Jamestown Bypass project dates back more than two decades, long before CDHP, LLC’s purchase of the property. The site plan submitted in 2001 only included a convenience store with gas pumps, without subdivision of the property. To avoid delaying the CDHP, LLC project, City staff had conversations with NCDOT and their consultants about the right-of-way impact on this property. From these discussions, the route for the Jamestown Bypass across this property could be determined with about 90% certainty. Since the developer was not requesting subdivision at that time, City staff did not require dedication of the right-of-way, just that the potential right-of-way be reserved for future acquisition by NCDOT.

- 3) *“In the middle of negotiations, NCDOT indicated that it did not have funds available to purchase the right of way. In summer, 2009, NCDOT indicated that the part of the Jamestown Bypass project had been put on indefinite hold, and was not in the program of work to be started between 2010-2015.”*

During the period between 2001 and 2009, NCDOT determined that the TIP would have to be restructured. The result has been a reallocation of funding priorities statewide. This has also caused many projects to be delayed beyond their expected start dates. Since the U-2412 project was already separated into two sections (A and B), the B section (on the Greensboro side of Guilford College Road) was given funding in the current TIP (2009-2015). Funding for the A section will follow in a future TIP update, and its schedule will be adjusted to reflect when adequate funding will be available.

- 4) *“CDHP, LLC has borrowed money to finance its purchase of the land and is being damaged by its inability to make reasonable use of the property. Clearly, the value of right of way that the TRC proposes to take is at least \$264,000, and the property cannot be reasonably developed without subdivision. CDHP, LLC, is caught between the subdivision regulations of the City of High Point, the budget and decision making delays caused by NCDOT, and an economy that is making commercial real estate development very difficult.”*

CDHP, LLC, could have proceeded with the development of this property in 2002 with the reservation of right-of-way.

- 5) *“The attached Conditional Use Permit issued by the City of High Point in July 28, 1998 references the Jamestown Bypass, and requires right of way be set aside for five years with a three year extension if NCDOT has begun to acquire right of way for the project. This requirement expired in 2006. We simply want to retain our position to collect a fair value for right of way that NCDOT says it needs for a*

project that is in limbo, while developing the remainder of the property that is not affected by the Jamestown connector project.”

The referenced Conditional Use permit does not apply to the CDHP, LLC development. The property in the CU permit concerns a parcel approximately 200 feet away from the CDHP, LLC property and the requirements in that CU permit were based on the best information available at that time. Likewise, the best information available in 2001 was used to determine the right-of-way impact for the CDHP, LLC property.

- 6) *“We would appreciate consideration of the High Point City Council in waiving the requirement of right of way dedication. We have waited almost ten years, and cannot afford to wait another ten to twenty years for the NCDOT to determine the schedule for this project. We do not believe it is fair and equitable for the City of High Point to extract right of way worth almost 50% of the initial cost of the property as a part of a subdivision necessary to do business because of a stalled NCDOT project.”*

CDHP, LLC’s delay from 2002 to 2010 cannot be tied to the requirement for right-of-way dedication. This requirement was only made after CDHP, LLC resubmitted this site as a subdivision in December 2009, and as noted, it is in compliance with the current High Point Development Ordinance, Section 9-6-16.

In requiring the right-of-way dedication of the current subdivision submittal from CDHP, LLC, staff is applying the rules for right-of-way dedication set forth by City Council in the High Point Development Ordinance. The Department of Transportation respectfully requests that this subdivision be treated like any other subdivision that has occurred in High Point and that the requirement for right-of-way dedication be upheld.

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

PLANNING AND ZONING COMMISSION RECOMMENDATION

On September 28, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Andrew Putnam and Mr. Mark Walsh.

High Point University

Street Abandonment Case 10-12

A request by High Point University to abandon the improved right-of-way of Fifth Court, which is lying east of Fifth Street between E. Farriss Avenue and North Avenue (private).

Mr. Mark Schroeder presented the request to the Commission and recommended approval of Street Abandonment Case 10-12 as outlined in the staff report.

Speaking in favor of the request was Mr. Ron Guerra of 833 Montlieu Avenue, Director of Construction at High Point University. Mr. Guerra stated that the university would like to abandon this public street and make it a private street to provide access for student housing in the future. He also stated that he took no exception to the city retaining utility easements.

No one spoke in opposition to the request.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 10-12, with the retention of public utility and sanitary sewer easements, by a vote of 6-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-12
September 28, 2010**

Request	
Applicant: High Point University	Proposal: Abandonment of an improved right-of-way of Fifth Court (identified as Sherwood Court on a plat titled "Plat No. 2 – Sherwood Park" as recorded in Plat Book 11 Page 67) lying east of Fifth Street between E. Farriss Avenue and North Avenue (private)

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Fifth Street	Local Street	50 ft. right-of-way – 31 curb & gutter
Fifth Court	Local Street	50 ft. right-of-way – 20 ribbon pavement

Adjacent Property Zoning and Current Land Use		
North	Residential Single Family – 7 (RS-7)	Single family residential
East	Conditional Use Public Institutional (CU PI)	University dormitories
South	Conditional Use Public Institutional (CU PI)	University dormitories
West	Residential Single Family – 7 (RS-7)	Single family residential

Analysis	
The right-of-way being considered for abandonment is approximately 0.44 acres in area and approximately 50 feet in width by 400 feet in length. The right-of-way contains an 8-inch sanitary sewer line, a 6-inch waterline, a gas line, and overhead electric lines. All property abutting Fifth Court is owned by High Point University. The single family residential structures will remain. All of the residences are occupied by students with the exception of 1000 Fifth Street (at the intersection of Fifth Street and Fifth Court), the most recent property acquisition.	

Findings	
The Technical Review Committee (TRC) reviewed this request on August 18, 2010 and identified no issues that would prevent its abandonment.	

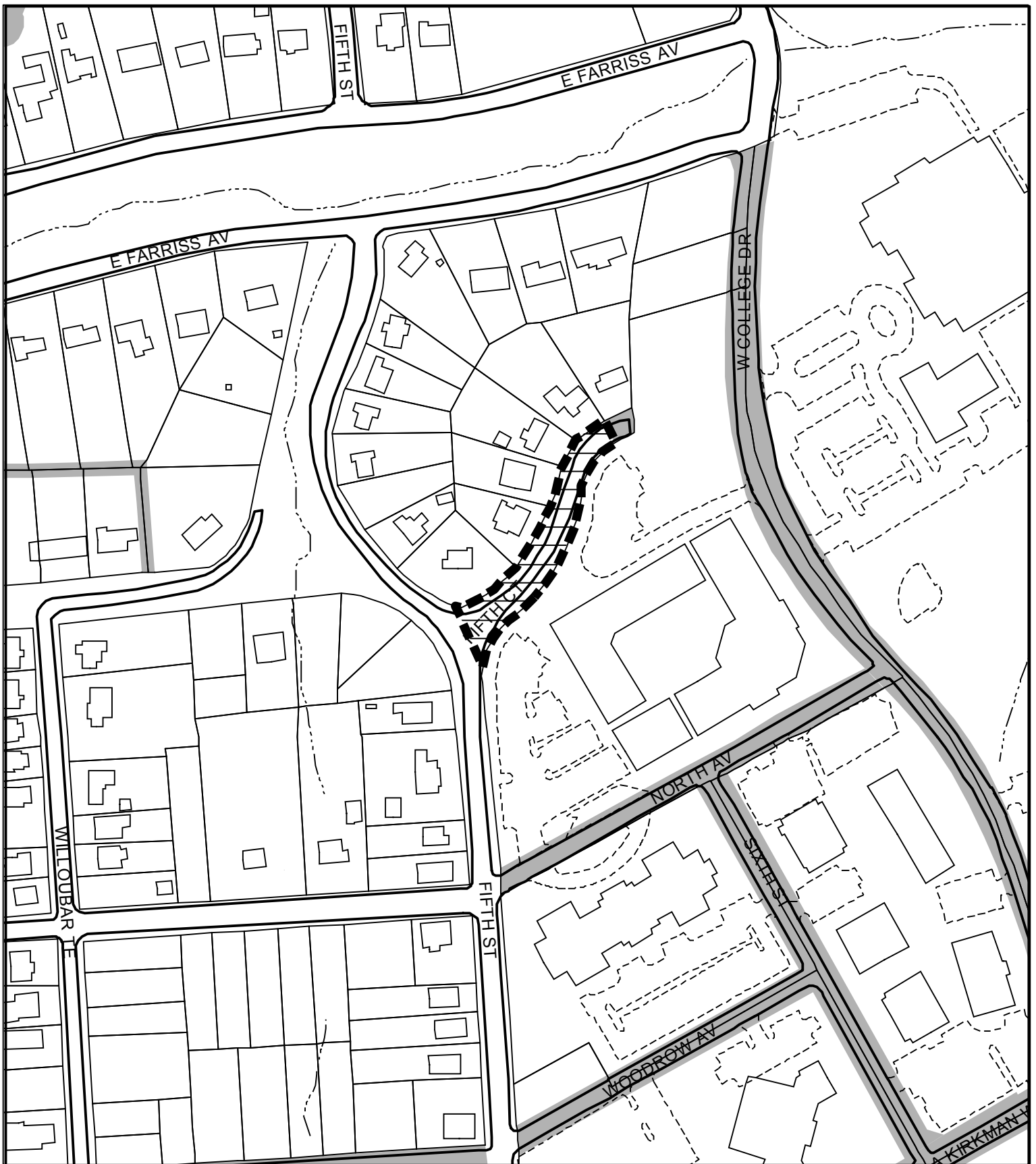
Easements shall be retained over the existing public utilities within the right-of-way. This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means of ingress and egress to their property.

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment with the retention of the following: 1) A 20-foot sanitary sewer easement centered on the existing lines; 2) A 20-foot waterline easement centered on the existing lines (including service lines to existing hydrants); 3) A 30-foot electric utility easement centered on the existing overhead lines; and 4) A 20-foot piedmont natural gas easement centered on the existing gas line. This recommendation is based on preliminary findings that it is not contrary to the public interest, and that no property in the vicinity of the street abandonment would be deprived of reasonable means of ingress or egress.

Report Preparation

This report was prepared by Planning and Development Department staff member Mark Schroeder, AICP, Senior Planner and reviewed by Bob Robbins, AICP, Development Administrator, and Lee Burnette, AICP, Director.



STREET ABANDONMENT REQUEST SA10-12

Applicant: High Point University
Area: 0.44 acres



Location of requested street abandment

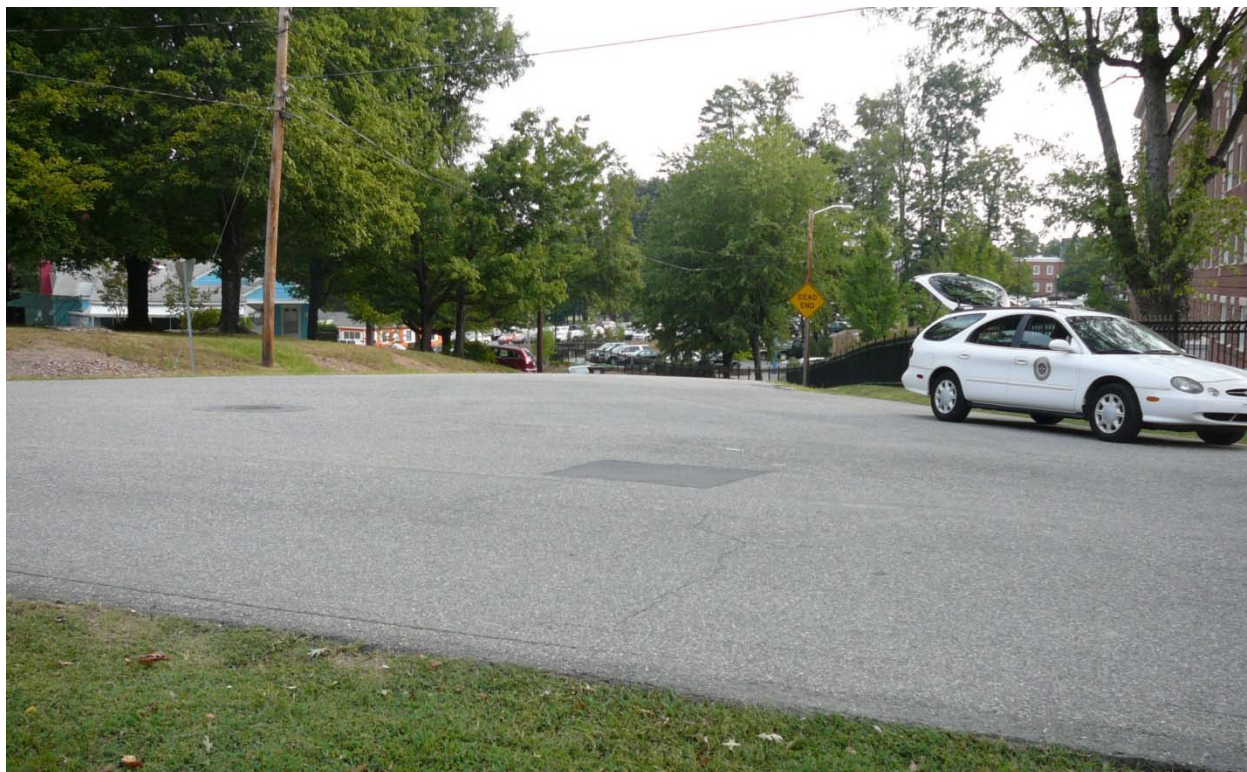
**Planning & Development
 Department**

City of High Point

Date: August 18, 2010



Scale: 1"=200'
 y:/ba-pz/2009/pz/sa10-12.mxd



Looking north from the intersection of Fifth Street and Fifth Court.



Looking south from current terminus of Fifth Court toward Fifth Street.



Aerial with the abandonment area highlighted.



**RESOLUTION OF THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA
APPROVING AND ENDORSING THE DISCARDED COMPUTER EQUIPMENT AND
TELEVISION MANAGEMENT PLAN AS AN AMENDMENT TO THE GUILFORD COUNTY
SOLID WASTE MANAGEMENT PLAN**

WHEREAS, it is a priority of the City of High Point and Guilford County to protect the public health and the environment through the safe and effective management of solid waste; and

WHEREAS, the computer equipment and television waste stream is growing rapidly in volume and complexity and can introduce toxic materials into solid waste landfills; and

WHEREAS, it is in the best interest of the citizens of this State to have convenient, simple, and free access to recycling services for discarded computer equipment and televisions; and

WHEREAS, North Carolina General Statute 130A-309.130 bans these materials from landfills and requires each unit of local government, either individually or in cooperation with other units of local government, to amend its solid waste management plan to include a plan for the management of electronics waste in order to become eligible to receive state funding for electronics management; and

WHEREAS, the Discarded Computer Equipment and Television Management Plan, an amendment to the Guilford County Solid Waste Management Plan, is required to be submitted to the State of North Carolina by December 31, 2010, and must be approved and adopted by resolution prior to being submitted to the State; and

WHEREAS, the City of High Point was represented during the planning process and has been involved with the development of the Guilford County Solid Waste Management Plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of High Point approves and endorses the Discarded Computer Equipment and Television Management Plan as an amendment to the Guilford County Solid Waste Management Plan.

Adopted by the High Point City Council this 18th day of October 2010.

ATTEST:


Lisa B. Vierling, MMC
City Clerk

