

City of High Point

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

Meeting Agenda

Monday, September 21, 2009

4:45:00 PM

Council Chambers

Committee of the Whole

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

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE**PRESENTATION OF ITEMS****FINANCE COMMITTEE - Council Member Whitley, Chair**

Committee Members - Bencini, Douglas, Alexander

090234**Contract - Bid No. 08 - Grimes & Taylor Stormwater Project - Triangle Grading & Paving**

Approval of contract awarding Bid No. 08 for the construction of the Grimes and Taylor Stormwater Improvement project. Purchasing and Public Services recommend that contract be awarded to Triangle Grading and Paving Company in the amount of \$2,050,249.65 which is the lowest responsible and responsive bidder meeting specifications.

090239**Resolution - Automated Refuse and Recycling Collection Program**

City Council is requested to authorize the City Manager and Financial Services Director to accept the proposal for the lease-purchase agreement with Wachovia Bank NA, to authorize the borrowing as evidenced in the attached resolution, and to prepare and execute the necessary documents in connection with the financing agreement.

Pending Items**090050****Revised Economic Incentive Policy**

Council is requested to adopt a revised economic incentive policy redirecting incentive dollars to the Core City and south High Point.

3/5/2009

Committee of the Whole referred

Committee of the Whole

PUBLIC SAFETY COMMITTEE - Council Member Faircloth, Chair

Committee Members - Douglas, Pugh, Alexander

090220**Ordinance to Demolish Structure - 1003 E. Russell Avenue**

Consideration of ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1003 E. Russell Avenue belonging to George Brown.

090221**Ordinance to Demolish Structure - 2405 Brentwood Street**

Consideration of ordinance ordering the housing inspector to effectuate the demolition of a structure located at 2405 Brentwood Street belonging to Browns Chapel Holiness Church.

090222 Ordinance to Demolish Structure - 402 Walnut Street

Consideration of ordinance ordering the housing inspector to effectuate the demolition of a structure located at 402 Walnut Street belonging to the R.E. Mitchell, heirs.

090236 Driveway Ordinance Amendment

Council is requested to approve amendments to the City of High Point Driveway Ordinance.

090240 Request for Public Hearing - Hi Tran Route and Schedule Changes

Council is requested to establish the date of Monday, November 2, 2009 at 5:30 p.m. to receive public comments on significant route and schedule changes to the existing Westchester Drive Route.

PUBLIC SERVICES COMMITTEE - Council Member Sims, Chair

Committee Members - Blakeney, Faircloth, Whitley, Alexander

PLANNING & DEVELOPMENT COMMITTEE -Council Member Bencini, Chair

Committee Members - Blakeney, Pugh, Sims, Faircloth

090223 Request to Initiate Zoning Map Amendment - Market Overlay District

A request by the Planning and Development Department to initiate a zoning map amendment for the proposed Market Overlay District.

090224 Resolution of Intent - Street Abandonment 09-19 - High Point University

Approval of a Resolution of Intent that establishes a public hearing date of Monday, October 19, 2009 at 5:30 p.m. to consider a request to abandon an improved portion of Fifth Court. The portion of the right-of-way proposed to be abandoned is lying at the eastern terminus of Fifth Court, approximately 400 feet northeast of its intersection with Fifth Street.

090225 Resolution of Intent - Street Abandonment 09-20 - City of High Point

Approval of a Resolution of Intent that establishes a public hearing date of Monday, November 16, 2009 at 5:30 p.m. to consider a request to abandon an improved portion of Sheffield Street, lying north of Tuxedo Way approximately 400 feet northeast of Habersham Road.

090226 Resolution of Intent - Street Abandonment 09-21 - City of High Point

Approval of a Resolution of Intent that establishes a public hearing date of Monday, November 16, 2009 at 5:30 p.m. to consider a request to abandon an unimproved portion of an unnamed right-of-way between Brentwood Street and New Street, lying east of the Gavin Drive and Brentwood Street intersection.

090227 Resolution of Intent - Street Abandonment 09-22 - City of High Point

Approval of a Resolution of Intent that establishes a public hearing date of Monday, November 16, 2009 at 5:30 p.m. to consider a request to abandon an unimproved portion of an unnamed alley located between N. Centennial Street and Fourth Street, lying north of Richardson Avenue.

090238 Resolution Supporting Council Member Alexander - NCLM 2nd Vice President

Council is requested to adopt a resolution supporting the candidacy of Council Member Latimer Alexander as 2nd Vice President of the North Carolina League of Municipalities (NCLM).

PUBLIC HEARINGS ON ITEMS**090237 Public Hearing - Proposed Financing - Property at 607 Idol Street**

Monday, September 21, 2009 at 5:30 p.m. is the date and time established by City Council to received public comments on the proposed financing for the purchase of property located at 607 Idol Street for the JobLink site.

Planning & Development Committee - Council Member Bencini, Chair**090228 Ordinance - Annexation 09-02 - City of High Point - Penny Road**

Consideration of a contiguous annexation of approximately 2.68 acres owned by the City of High Point. The site is lying along the east side of Penny Road, approximately 560 feet south of East Fork Road (1646 Penny Road), and also known as Guilford County Tax Parcel 15-94-7007-0-1020-00-016.

090229 Ordinance - Rezoning Case 09-06 - City of High Point - Penny Road

Residential Single Family-15 (RS-15) District.
A request by the City of High Point Electric Utilities Department to rezone an approximately 2.6 acre parcel from the Residential Single Family-40 (RS-40) District and Agricultural (AG) District, within Guilford County's zoning jurisdiction, to a Residential Single Family-15 (RS-15) District. The site is lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and is addressed as 1646 Penny Road. Approval of this rezoning request is contingent upon City Council approval of an annexation of city owned property.

090230 Special Use Permit 09-01 - City of High Point - Penny Road

A request by the City of High Point Electric Utilities Department for a Special Use Permit to allow a utility service facility use within the Residential Single Family-15 (RS-15) District. The site consists of approximately 2.6 acres lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and addressed as 1646 Penny Road.

090231**Resolution - Street Abandonment 09-16 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved portion of N. Hoskins Street, lying north of Graves Avenue opposite N. Hoskins Street.

090232**Resolution - Street Abandonment 09-17 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved portion of Fairmont Avenue lying north of Wendell Avenue, approximately 750 feet west of Gordon Street.

090233**Resolution - Street Closing 09-18 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved portion of Arlington Avenue lying north of Wendell Avenue, approximately 300 feet east of Henry Place.

ADJOURNMENT

September 16, 2009



MEMORANDUM

AGENDA ITEM

TO: Randy McCaslin
Assistant City Manager

Pat Pate
Assistant City Manager

FROM: Mark McDonald, P.E.
Transportation Director

SUBJECT: Driveway Ordinance Changes

The Department of Transportation recommends the attached changes to the City's Driveway Ordinance. These changes, shown in bold underlined typeface, were reviewed with Councilman Faircloth and the Public Safety Committee at their July meeting, with a recommendation for approval by the full Council.

At the end of each section, I have included a commentary (in *italics*) with our reasons for recommending these changes. One minor amendment has been made since our meeting with the Committee in July; we have reconsidered the initial recommendation to remove the south end of Brentwood Street (I-85 Business/US 29-70 to Fairfield Road) from the Major Thoroughfares listing. This was the only deletion recommended, and after further thought staff believes that removing this segment would be inconsistent with respect to similar corridors listed in the Ordinance.

With your concurrence, these items can be placed on the September 21 City Council meeting agenda. If approved, we recommend that the changes become effective October 1, 2009.

Amandeep Mann will be available at the meeting to address any further questions from Council regarding the proposed changes. Please advise if you have questions or comments regarding these recommendations.

* * * * *

Department of Transportation

September 16, 2009



The Department of Transportation recommends amendments to the City Driveway Ordinance, as summarized below:

Section 6-1-75 Permit fee.

Fees for permits shall be fixed from time to time by the City Council. A copy of the fee schedule is on file in the Office of the City Clerk and the City Department of Transportation.

Fee Schedule	Cost Per Driveway
Single Family Residential	\$30.00
Duplex, Triples	\$30.00
Multi-Family Residential	\$50.00
Commercial/Industrial	\$50.00
Private Street Entrance	\$50.00

Cost Per Type of Permit	Cost Per Driveway Permit
Structure Moving	\$100.00
Other, Street/Lane/Sidewalk Closure, Street/Sidewalk Cut	\$5.00, \$30.00 for first three days and \$60 for a period of up to two weeks.
Street Cut	\$1.00

Staff Commentary: Permit costs for duplex and triplex residential units will be the same as multi-family residential.

Permit costs for all street/lane/sidewalk closures and/or cuts in the public right-of-way will be the same. An increase in the fee for a permit is recommended because of the staff time required to review the project, process the permit, and perform periodic site checks to ensure that proper traffic control measures are being followed. We believe an increase in the standard permit fee to \$30 is reasonable and in line with fees charged by other North Carolina municipalities for similar services.

Most permits issued for lane closures, etc. are necessary only for a couple of days. We generally set the end date a day or two beyond what the contractor requests, to account for delays caused by weather or other unforeseen conditions. Contractors working on projects of longer duration (more



September 16, 2009

than 3 consecutive calendar days) may obtain an extended time permit (up to two weeks) at a reduced rate.

Section 6-1-78 Number and spacing of driveway approaches.

Reduce the minimum driveway spacing for residential driveways on a single lot from 40 feet to **30 feet**.

Staff Commentary: Small lot residential properties often do not have adequate frontage to accommodate a second drive with the existing spacing requirement of 40 feet (the “D” dimension on the attached figure for “Spacing Between Single Family Double Driveways”). While multiple driveways on residential properties are infrequent, a second cut is occasionally requested to create a circle driveway so the residents (and visitors) have the option of pulling forward to enter the street instead of backing out. This is particularly advantageous on busier streets, at locations where sight distance may be limited, or for inexperienced and elderly drivers who are not comfortable backing into the street. Currently, lots that are less than 70 feet wide do not qualify for a second driveway.

Our staff queried several other North Carolina cities (Asheville, Chapel Hill, Charlotte, Clinton, Concord, Durham, Fayetteville, Greensboro, Henderson, Hillsborough, Jacksonville, Kannapolis, Mooresville, and Raleigh) and found that only Jacksonville and Asheville have higher spacing requirements (50 and 100 feet, respectively). Several cities have no spacing requirement between driveways on the same lot, while others range from 20 to 30 feet. Several cities also limit the number of driveways per residential lot to two (2).

The recommended spacing of 30 feet will allow staff to accommodate the occasional request for a second driveway on lots with less than 70 feet of frontage, and will bring High Point’s minimum spacing requirement more in line with other North Carolina municipalities.

Section 6-1-85 Turn Lanes and tapers, deceleration lanes.

(b) (1) The use or development requires one hundred (100) or more off-street parking spaces. The use or development will generate more than fifty (50) **entering** trips during the peak hours of 7 - 9 AM, 11 AM - 1 PM and 4 - 6 PM through a single driveway. Data shall be based on the Institute of Transportation Engineers manual titled *Trip Generation* and based upon the highest land use permitted by the zoning classification as affected by any restrictions imposed by any conditional use permit, special use permit, or other legally enforceable restriction.

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Staff Commentary: The current ordinance mandates the construction of turn lanes for development projects based on the total number of entering and exiting trips associated with the development. Since exiting trips have no direct correlation to the need for turn lanes that provide ingress, it is not practical to consider them for this purpose. The distribution of site-generated trips entering the development will determine whether right turn lanes, left turn lanes, or a combination of both will be required, based on the results of a traffic impact study and a review by Transportation staff.

Section 6-1-86 Requirements for major thoroughfares.

The major thoroughfares or portions thereof to which the following sections apply are listed in Title 10, Chapter 1, Article P, Schedule 20. A copy of this schedule is on file in the Office of the City Clerk and the Department of Transportation. These requirements apply to all driveways **except single family residential** approaches constructed in the right-of-way along the major thoroughfare or along the intersecting side streets. **Additional single family driveways may be permitted as described in section 6-1-78 if there are no sight distance or other safety concerns with the additional access.** The requirements become effective on the date of designation by City Council.

Staff Commentary: This change would permit the construction of a second driveway to properties zoned for single family residential uses on major thoroughfares, subject to a staff review of existing site and roadway conditions, and all dimensional requirements being met. A change in zoning from single family residential to any other zoning type, or a change in primary use by right that is substantially different from single family residential, would render a second driveway as non-conforming and could result in its closure. These conditions would be noted on the driveway permit when it is issued, and kept on file in the Department of Transportation.

Section 6-1-90 Turn lanes, tapers, deceleration lanes on major thoroughfares.

(b) Minimum turn lanes specifications for major thoroughfares are:

Minimum **Storage** Length: ~~200~~ **100*** feet

Minimum Taper **Length**: ~~250~~ **150*** feet

*** The storage length and taper may vary depending upon the existing roadway geometry, traffic conditions and the impacts of the proposed land use.**

Staff Commentary: The current minimum storage and taper lengths for turn lanes on major thoroughfares (200 and 250 feet, respectively) are not practical for most developments (see attached figure "Requirements for Turn Lanes on Major Thoroughfares"). Traffic volumes generated by a

September 16, 2009



typical development project, average travel and posted speeds on the affected roadway, and property frontage restrictions all work against the design and construction of improvements that extend to 450 feet. Such improvements are very costly and rarely prove to be as effective as intended.

Reducing the minimums by 100 feet each addresses these concerns and gives staff greater flexibility to determine when more is actually better. Supply would be driven more by need, based on actual conditions, the results of a traffic study, and the application of design standards and guidelines, than by arbitrary values that would in most cases far exceed demand.

Section 10-1-291, Article P, Major Thoroughfares Designated for Supplemental Regulations Under Title 6, Article D, Section 6-1-86 through Section 6-1-89

Several new corridors have been added to Major Thoroughfares listing in this section (list and map attached).

Staff Commentary: As High Point grows, the character and purpose of our transportation network changes. Traffic volumes are generally increasing, and our ability to keep pace by providing more roadway capacity is decreasing. The application of access management measures is often the most cost effective way to preserve street capacity and improve traffic safety. To do this, and to recognize their importance to the overall system, several roadway corridors (or specific segments thereof) are recommended for addition to the Major Thoroughfare list in the Driveway Ordinance. These routes generally match those listed on the Comprehensive Transportation Plan (formerly the Long Range Transportation Plan) for the High Point urbanized area; adding them to the Driveway Ordinance listing will increase staff's ability to consistently and effectively apply regulatory measures that can prolong a thoroughfare's useful life.

Transportation and Traffic

Article P Section 10-1-291

Schedule 20 Major Thoroughfares Designated for Supplemental Regulations Under Title 6, Article D, Section 6-1-86 through Section 6-1-89

<u>Thoroughfare</u>	<u>Boundary</u>	<u>Adoption Date</u>
Brentwood Street	From US 29-70 to Fairfield Rd.	10-16-86
Eastchester Drive	From N. Main St. to City Limits	10-16-86
Fairfield Road	From S. Main St. <u>Brentwood St.</u> to US 29-70	10-16-86
Intermediate Loop	From Lexington Av. <u>Kivett Dr.</u> to Westover Dr.	10-16-86
S. College Drive	From Surrett Dr. to S. Main St. <u>Kivett Dr.</u>	10-16-86
N. Main Street	From Oxford Pl. <u>Eastchester Dr.</u> to City Limits	10-16-86
S. Main Street	From Fairfield Rd. <u>Market Center Dr.</u> to City Limits	10-16-86
W. Market Center	From English Rd. to S. Main St. <u>Kearns Av.</u>	10-16-86
Piedmont Parkway	From NC 68 to City Limits	11-02-89
Wendover Avenue	From Eastchester Dr. to City Limits	11-02-89
Westchester Drive	From N. Main Street to English Rd.	10-16-86
Kivett Drive	From Brentwood St. <u>Centennial St.</u> to Pendleton St.	
	City Limits <u>Jackson Lake Rd.</u>	8-19-04
Green Drive	From US 311/I-74 to Brentwood St. <u>S. College Dr.</u>	8-19-04
Triangle Lake Road	From US 311/I-74 to Kroll Ln. <u>Hickory Chapel Rd.</u>	8-19-04
Greensboro Road	From Deep River Rd. to a point 250' east of	
	Enterprise Dr. <u>Montlieu Av. to Penny Rd.</u>	8-19-04
<u>Lexington Avenue</u>	<u>From N. College Dr. to Montlieu Av.</u>	

~~Kivett Drive~~ ~~From Scientific St to I-85 Business/US 29-70~~

~~8-19-04~~

Clinard Farms Road **From Eastchester Dr. to Johnson St.**

Sandy Ridge Road **From Johnson St. to I-40**

Johnson Street **From Eastchester Dr. to Sandy Ridge Rd.**

Skeet Club Road **From Eastchester Dr. to Johnson St.**

English Road **From Phillips Av. to City Limits**

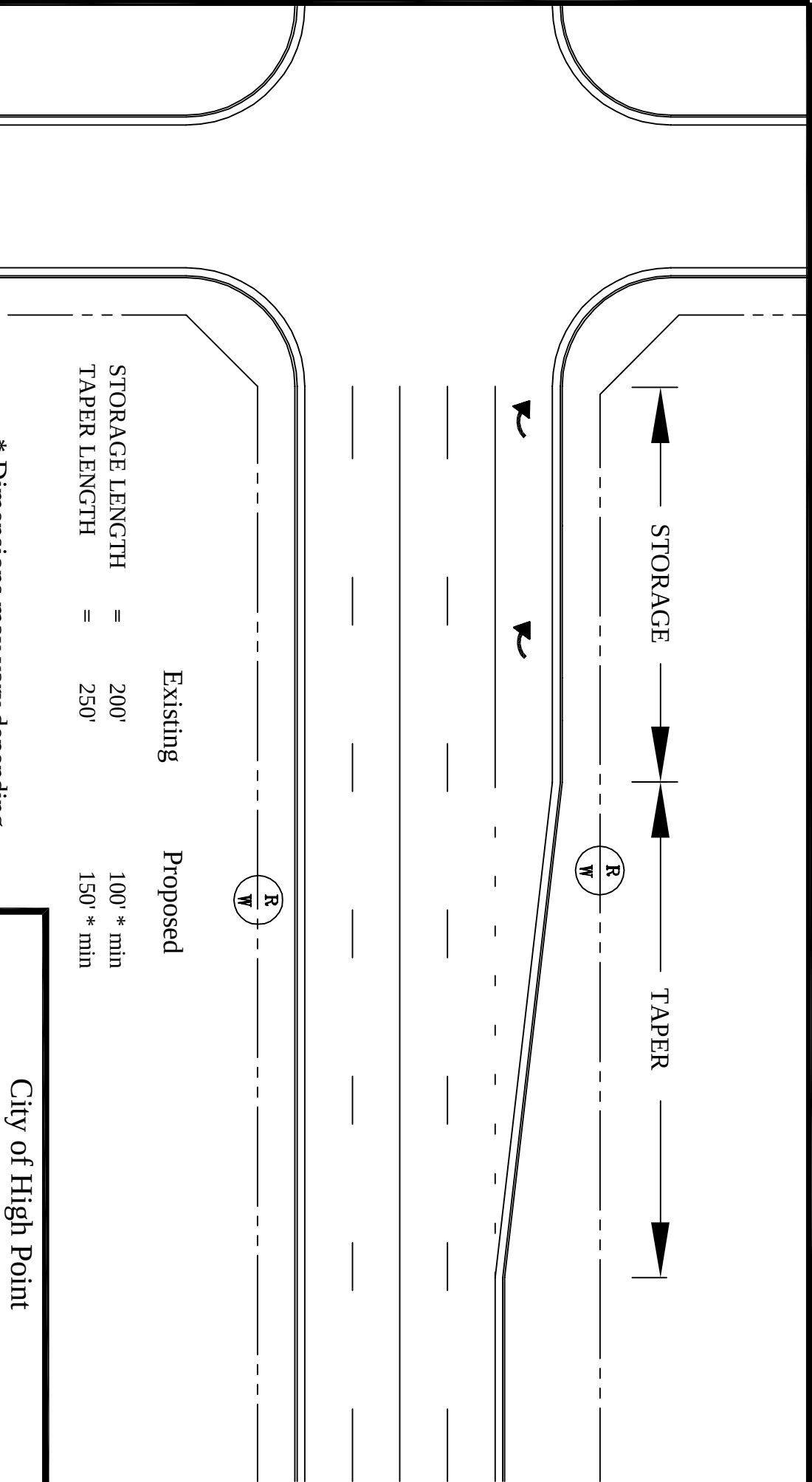
W. Green Drive **From W. Market Center Dr. to I-85 Business/US 29-70**

Notes:

Deletions are noted with ~~striketrough~~.

Changes and additions noted in **bold** and underlined typeface.

Adoption dates will be revised pending approval by City Council.



STORAGE LENGTH	=	200'	100' * min
TAPER LENGTH	=	250'	150' * min

Existing	Proposed
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* Dimensions may vary depending upon the existing roadway geometry, traffic conditions and the impacts of the proposed land use.

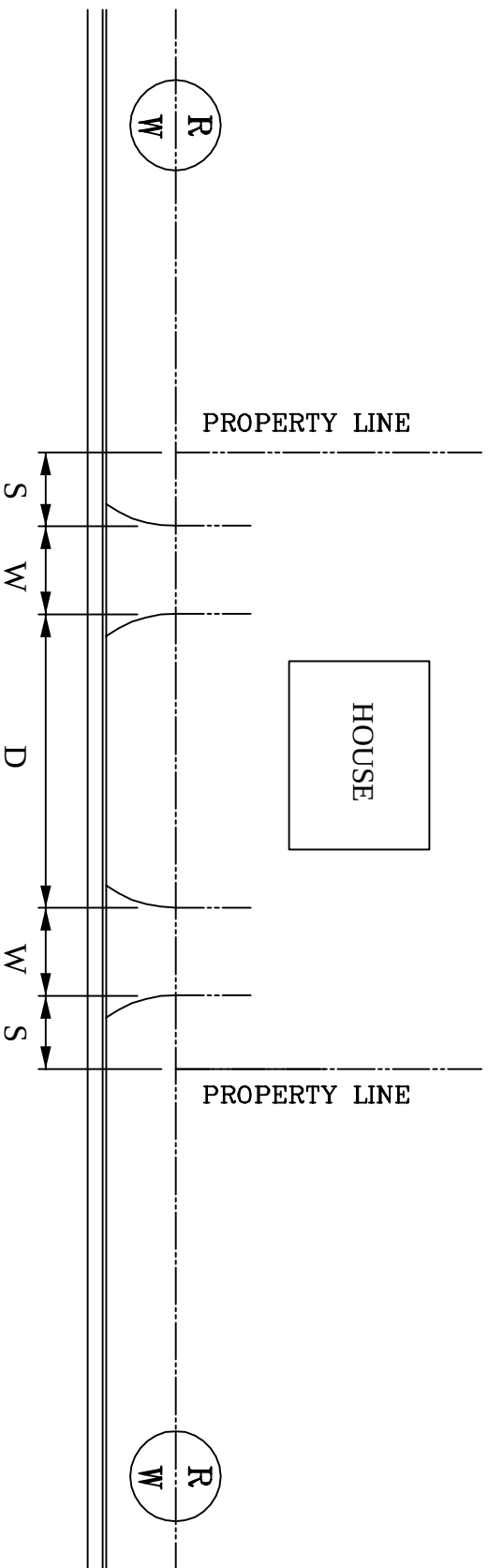
City of High Point

Department of Transportation

Requirements for Turn Lanes on Major Thoroughfares

Date: 9/3/09

Name: Turn Lane Example



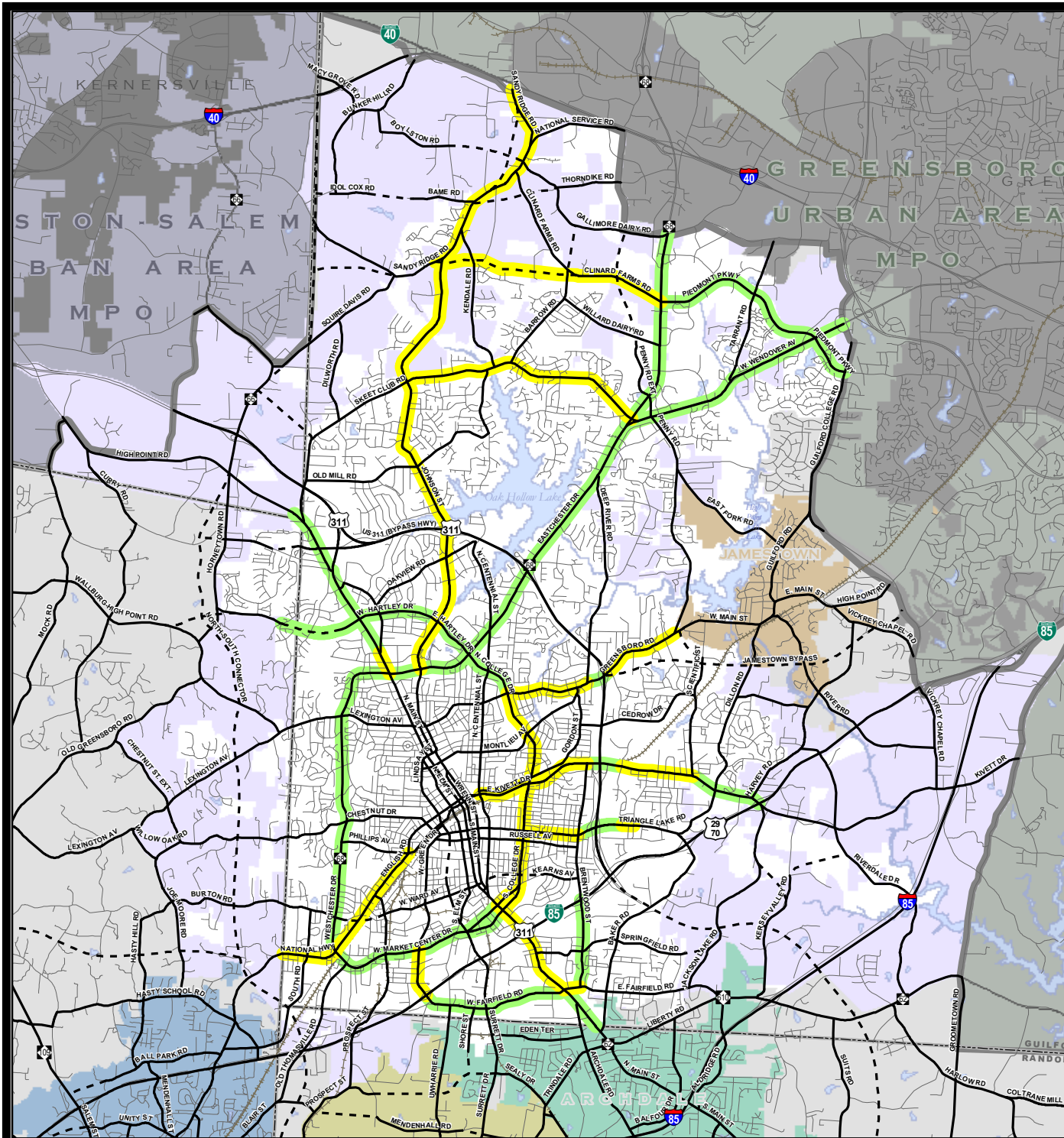
- D = DISTANCE BETWEEN DRIVEWAYS =
- S = SIDE CLEARANCE =
- W = WIDTH =

Standard Requirements
Major Thoroughfare Requirements

- 40' min. 30' min.
- 3' min.
- 12' min 20' max

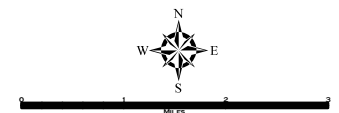
100' min.

City of High Point	
Department of Transportation	
Spacing Between Single Family Double Driveways	
Date: 8/27/09	Name: Driveway Examples



CITY OF HIGH POINT
**DRIVEWAY
ORDINANCE**
MAJOR THOROUGHFARES

- PROPOSED
- EXISTING



HIGH POINT
NORTH CAROLINA'S INTERNATIONAL CITY
CITY OF HIGH POINT
TRANSPORTATION DEPARTMENT
P.O. Box 230
HIGH POINT, NC 27261
(336) 822-4792
WWW.HPDOT.NET
MAP DATE: JUNE 2009
DISCLAIMER: This map is provided as a public information resource and every reasonable effort has been made to assure the quality of the map. This data, information, and related graphics are not legal documents and are not intended to be used as such. The City of High Point makes no warranty, expressed or implied, as to the accuracy, reliability, utility, or completeness of this information. The City of High Point assumes no liability either for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any maps or information provided herein.

Publish four (4) consecutive weeks: **October 16, 23, 30, & November 6, 2009**

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA09-22)

WHEREAS, the City Council is requested to close an unimproved portion of an unnamed alley (see PB 2 Pg 67) located between N. Centennial Street and Fourth Street, lying north of Richardson Avenue.

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to close the street and calling a public hearing on the question;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the street above described and sets Monday, November 16, 2009, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building, High Point, on the closing of said street.

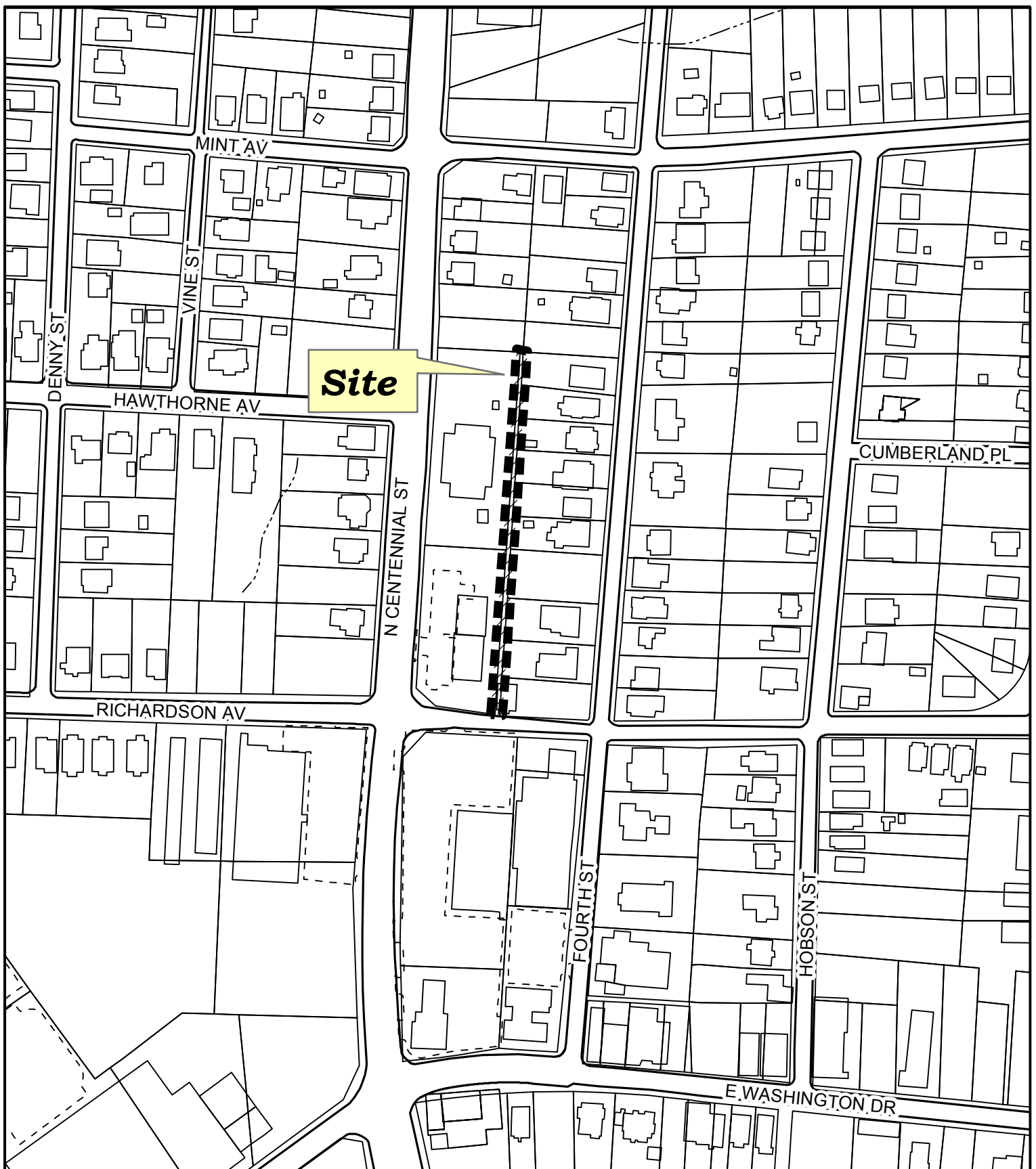
Persons wishing to be heard either for or against the said street closing are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call 336/883-3298 or TDD# 336/883-8517.

Further information pertaining to this request is available at the Planning and Development in the Municipal Office Building, 211 South Hamilton Street, Room 316, High Point, North Carolina, 336/883-3544 or FAX 336/883-3056.

By Order of the City Council
This the 21th day of September, 2009.

Lisa B. Vierling, City Clerk

Petition Submitted By:
City of High Point - Technical Review Committee



STREET ABANDONMENT REQUEST SA09-22

Applicant: Technical Review Committee

Area: 0.13 acres



Location of requested street abandonment

**Planning & Development
Department**

City of High Point

Date: September 10, 2009



Scale: 1"=200'
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**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
ANNEXATION CASE 09-02
September 21, 2009**

Request	
Applicant: City of High Point (Electric Utilities Department)	Owner(s): City of High Point
Proposal: Voluntary contiguous annexation of property owned by the City of High Point.	Effective Date: Upon adoption.
	Associated Zoning Case: Z09-06 & SUP09-01

Site Information	
Location:	Lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and is addressed as 1646 Penny Road.
Tax Parcel Numbers:	15-94-7007-0-1020-00-016 (Guilford County)
Site Acreage:	Approximately 2.6 acres.
Current Land Use:	Undeveloped parcel.
Current Fire District:	The site is currently within the Deep River Fire District. However the Deep River Fire District has a contract for this portion of their service area to be served by the City of High Point Fire Department.
Proposed Development:	There is a separate application for a special use permit to establish a utility service facility use (electrical sub-station) upon the property (<i>see Special Use Permit Case 09-01</i>).
Proposed Unit Type, Number and Average Value:	Based upon development data provided by the applicant, the proposed utility service facility for this site is estimated to generate less than 10 vehicle trips per day.
Proposed Build-out Schedule:	Within 18 – 24 months.
Physical Characteristics:	The site is relatively flat containing no noteworthy features.
Water and Sewer Proximity:	A 12-inch City water line and a 24-inch City sanitary sewer line runs along the Penny Road frontage of the site.
General Drainage and Watershed:	The site drains in a general south to southeast direction and development is subject to the Oak Hollow Lake WCA, Tier 4 requirements. Engineered storm water treatment measures are required for development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more. Within Tier 4 of the Oak Hollow Lake WCA, there is a maximum 50% impervious area standard.
Overlay District(s):	Oak Hollow Lake WCA, Tier 4

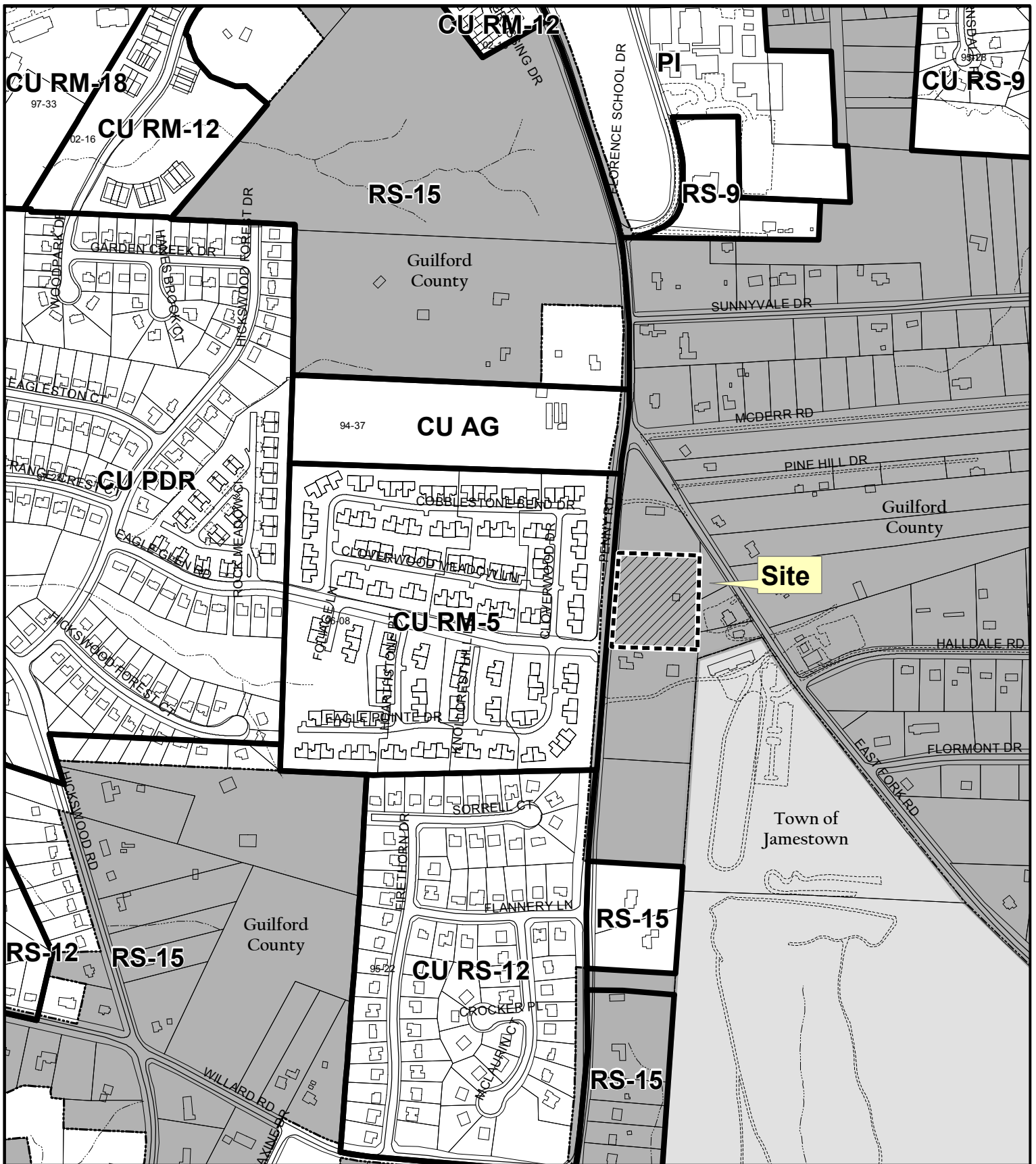
Adjacent Property Zoning and Current Land Use		
North:	Highway Business (HB) District (<i>Guilford County</i>)	Lounge/Night Club
South:	Residential Single Family-40 (RS-40) District (<i>Guilford County</i>) Agricultural (AG) District (<i>Guilford County</i>)	Single family dwelling
East:	Agricultural (AG) District (<i>Guilford County</i>)	Single family dwelling
West:	Conditional Use Residential Multifamily-5 (CU RM-5) District	Townhome development

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Penny Road	Major Thoroughfare	280 feet
Vehicular Access:	Penny Road		

City Department Comment Summary
Official City department comment was not requested for this proposed annexation as the site is adjacent to several large residential subdivisions currently served by the City. Annexation petitions for non-residential uses or residential uses within close proximity to existing service areas do not trigger the need for individual department comment.

Additional Comment / Revenue Impact
This annexation petition is a logical progression of the City's annexation policy for this area as it abuts existing City of High Point corporate limits. City services and service vehicles are already established in this area and the inclusion of this parcel will not negatively impact the City's ability to provide services in this area. The site is proposed to be developed as a City of High Point utility service facility. The placement of the facility at this location will upgrade the City's overall electrical utilities infrastructure in this northeastern portion of the City's Planning area and will assist in ensuring that City electric utility services are available to meet demands of future revenue producing development.

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



ANNEXATION REQUEST ANX09-02

Applicant: City of High Point
Area: 2.4 acres

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

**Planning & Development
 Department**

City of High Point

Date: July 1, 2009



Scale: 1"=500'
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**DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION SERVICES
HOUSING ENFORCEMENT DIVISION**

ORDINANCE

REQUEST: Ordinance to Demolish

PROPERTY

ADDRESS: 402 Walnut Street

OWNER:

R. E. Mitchell, Heirs

FIRST

INSPECTION:

2-16-2009

Number of Violations: Unsafe 5 Minor 41

- 1) upgrade electrical 4) missing plumbing fixtures
- 2) no smoke detector 5) foundation damage (tree roots)
- 3) heat inoperable

HEARING

RESULTS:

3-18-2009

Dwelling substandard; owner did not appear for hearing

ORDER(S)

ISSUED:

3-18-2009

Order to Repair or Demolish (90-day)
compliance date of 6-18-2009

APPEALS:

None

OWNER

ACTIONS:

no actions taken

STATUS OF

CLOSED DWELLINGS:

Vacant, no permits or repairs

COMPLIANCE

DATE STATUS:

6-18-2009

Conditions still exist

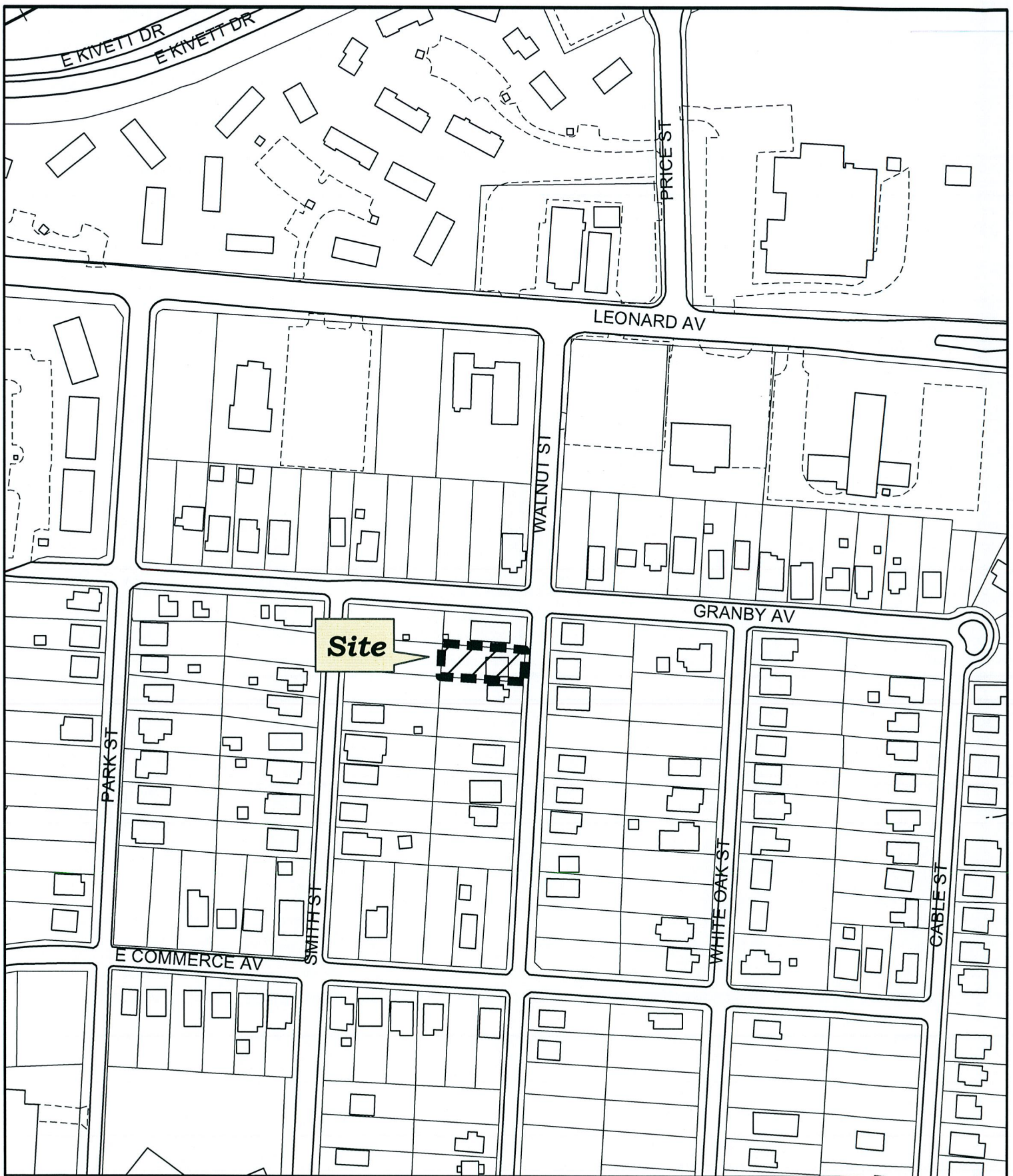
EXTENSIONS:

none requested

STAFF COMMENTS:

Guilford County Tax \$17,200
Estimated Repairs \$23,650

Dwelling was inspected on 2-10-1995 with an Order to Repair or Vacate issued. This property is one of the original housing master list.



402 Walnut Street

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: August 19, 2009



Scale: 1"=200'

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ord-demo.mxd



402 Walnut Street



MEMORANDUM

September 16, 2009

MEMO TO: Pat Pate, Assistant City Manager

FROM: Jeffrey A. Moore, Financial Services Director

SUBJECT: Public Hearing for Council-JobLink Property Financing

Please place the following items for City Council's consideration at their September 21, 2009, City Council meeting:

Monday, September 21, 2009, at 5:30 pm is the date the City Council established a public hearing pursuant to NC General Statute 160A-20 for the purpose of hearing public comments related to the proposed financing for the purchase of real property at 607 Idol Street for the JobLink site. The notice of public hearing was advertised in the High Point Enterprise on September 10, 2009.

Accounting
336.883.3240

Internal Audit
336.883.3122

Purchasing
336.883.3219

Treasury Services
336.883.3230



2009066088

GUILFORD CO, NC FEE \$18.00

PRESENTED & RECORDED:

10-27-2009 11:04:53 AM

JEFF L. THIGPEN

REGISTER OF DEEDS

BY: MARY MORGAN

DEPUTY-HP

BK: R 7069

PG: 2198-2200

Return to: Fred P. Baggett, City Attorney

P.O. Box 230

High Point, NC 27261

Resolution No. 1556/09-84

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 21st DAY OF SEPTEMBER, 2009 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, the Technical Review Committee has petitioned the City Council of the City of High Point to close **an unimproved portion of N. Hoskins Street (see Plat Book 6 Page 181), lying north of Graves Avenue opposite N. Hoskins Street;** and being more fully described as follows:

Street Abandonment 09-16

Being all right-of-way located between Guilford County Tax Parcels 18-00-0229-0-0023-00-007 and 18-00-0229-0-0017-00-002 located north of the northern limits of the Graves Avenue. The right-of-way is approximately 50 feet in width and 124 feet in length. The right-of-way is identified as Hoskins Drive and is between Lots 14 and 17 as depicted on the Washington Terrace Plat, recorded in Plat Book 6 Page 181 in the Guilford County Register of Deeds.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 17th day of August, 2009 at 4:45 p.m. setting the 21st day of September, 2009 at 5:30 p.m., in the Council Chambers of the Municipal Building, as the time and place for a public hearing before said Council on said petition, and public notice of said time and place was ordered given, all pursuant to North Carolina G.S. 160A-299; and,

WHEREAS, due and proper notice of said hearing to be heard on the petition at this meeting of City Council was made by publication in the High Point Enterprise for four (4) consecutive weeks, beginning August 21, 28, September 4, & 11, 2009; and,

WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to close **an unimproved portion an unimproved portion of N. Hoskins Street (see Plat Book 6 Page 181), lying north of Graves Avenue opposite N. Hoskins Street**; and,

WHEREAS, it appearing to the satisfaction of this Council and the Council finds as a fact that the said right of way as herein described is not necessary for ingress and egress to any land adjoining said street; that the closing of said street is not contrary to the public interest and that no other individual, firm or corporation owning property in the vicinity of said street, or in the subdivision in which said street is located, will be deprived of reasonable means of ingress or egress to this property.

NOW THEREFORE BE IT RESOLVED:

1. That **an unimproved portion of an unimproved portion of N. Hoskins Street (see Plat Book 6 Page 181), lying north of Graves Avenue opposite N. Hoskins Street** be closed pursuant to North Carolina G.S. 160A-299; and,
2. The City of High Point will retain a Sanitary Sewer Easement of 20' in width centered over the existing sewer line.
3. The City of High Point will retain a Public Drainage Easement of 20' in width centered over the existing stormwater line.
4. That a copy of this resolution be filed in the Office of the Register of Deeds for Guilford County, North Carolina.

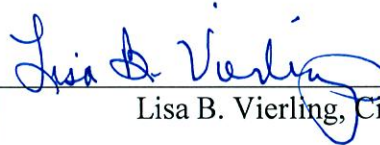
By order of the City Council,
this the 21st day of September, 2009
Lisa B. Vierling, City Clerk

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

Certified Copy

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing Resolution is a true and accurate copy adopted by the City Council in official Session on September 21, 2009 and upon approval by City Council will be recorded in Book 84 of the Official Minute Books and Resolution Book XVI of this City, under my care, custody and control. As of this date, action to adopt said Resolution has not been amended, rescinded or repealed and is in full force and effect.

WITNESS my hand and the Corporate Seal of the City of High Point, the 12th day of October, 2009.



Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

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

WITNESS my hand and official Notarial Seal, this 12th day of October, 2009.

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



Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2010



2009066089

GUILFORD CO, NC FEE \$18.00

PRESENTED & RECORDED:

10-27-2009 11:06:02 AM

JEFF L. THIGPEN

REGISTER OF DEEDS

BY: MARY MORGAN

DEPUTY-HP

BK: R 7069

PG: 2201-2203

Return to: Fred P. Baggett, City Attorney

P.O. Box 230

High Point, NC 27261

Resolution No. 1557/09-85

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 21st DAY OF SEPTEMBER, 2009 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, the Technical Review Committee has petitioned the City Council of the City of High Point to close **an unimproved portion of Fairmont Avenue (see Plat Book 14 Page 271), lying north of Wendell Avenue approximately 750 feet west of Gordon Street;** and being more fully described as follows:

Street Abandonment 09-17

Being all right-of-way located between Guilford County Tax Parcels 18-00-0250-0-0001-00-011 and 18-00-0250-0-0001-00-012 located north of the northern limits of the Wendell Avenue. The right-of-way is approximately 50 feet in width and 150 feet in length. The right-of-way is identified as Fairmont Avenue and is between Lots 11 and 12 as depicted on the Woodbrook Heights Plat, recorded in Plat Book 14 Page 71 in the Guilford County Register of Deeds.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 17th day of August, 2009 at 4:45 p.m. setting the 21st day of September, 2009 at 5:30 p.m., in the Council Chambers of the Municipal Building, as the time and place for a public hearing before said Council on said petition, and public notice of said time and place was ordered given, all pursuant to North Carolina G.S. 160A-299; and,

WHEREAS, due and proper notice of said hearing to be heard on the petition at this meeting of City Council was made by publication in the High Point Enterprise for four (4) consecutive weeks, beginning August 21, 28, September 4, & 11, 2009; and,

WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to close **an unimproved portion of Fairmont Avenue (see Plat Book 14 Page 271), lying north of Wendell Avenue approximately 750 feet west of Gordon Street;** and,

WHEREAS, it appearing to the satisfaction of this Council and the Council finds as a fact that the said right of way as herein described is not necessary for ingress and egress to any land adjoining said street; that the closing of said street is not contrary to the public interest and that no other individual, firm or corporation owning property in the vicinity of said street, or in the subdivision in which said street is located, will be deprived of reasonable means of ingress or egress to this property.

NOW THEREFORE BE IT RESOLVED:

1. That **an unimproved portion of Fairmont Avenue (see Plat Book 14 Page 271), lying north of Wendell Avenue approximately 750 feet west of Gordon Street,** be closed pursuant to North Carolina G.S. 160A-299; and,
2. That a copy of this resolution be filed in the Office of the Register of Deeds for Guilford County, North Carolina.

By order of the City Council,
this the 21st day of September, 2009
Lisa B. Vierling, City Clerk

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

Certified Copy

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing Resolution is a true and accurate copy adopted by the City Council in official Session on September 21, 2009 and upon approval by City Council will be recorded in Book 84 of the Official Minute Books and Resolution Book XVI of this City, under my care, custody and control. As of this date, action to adopt said Resolution has not been amended, rescinded or repealed and is in full force and effect.

WITNESS my hand and the Corporate Seal of the City of High Point, the 12th day of October, 2009.



Lisa B. Vierling
Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

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

WITNESS my hand and official Notarial Seal, this 12th day of October, 2009.

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

Cynthia C. Duncan-Smith
Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2010

PLANNING AND ZONING COMMISSION RECOMMENDATION

On August 25, 2009, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present.

City of High Point

Street Abandonment Case 09-16

A request by the Technical Review Committee to abandon an unimproved portion of N. Hoskins Street, lying north of Graves Avenue opposite N. Hoskins Street.

Mr. Shannon presented this request to the Commission and recommended approval as outlined in the staff report.

No one spoke in favor or in opposition.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 09-16 by a vote of 7-0, as recommended by staff, with retention of a 20-foot wide sanitary sewer easement centered on the existing sanitary sewer line and retention of a 20-foot wide drainage easement centered on the existing stormwater pipe.

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

**STAFF REPORT
STREET ABANDONMENT CASE 09-16
August 25, 2009**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: Abandonment of an unimproved portion of N. Hoskins Street, lying north of Graves Avenue opposite N. Hoskins Street.

Adjacent Streets		
Name:	Classification:	R/W and Pavement Width:
N. Hoskins Street	Local	50 ft. R/W and unimproved
Graves Avenue	Local	40 ft. R/W and 30 ft. curb and gutter

Adjacent Property Zoning and Current Land Use		
North:	Residential Single-Family-7 (RS-7)	Single-family Residence
South:	Residential Multi-Family-8 (RM-8)	Graves Avenue right-of-way
East:	Residential Single-Family-7 (RS-7)	Single-family Residence
West:	Residential Single-Family-7 (RS-7)	Single-family Residence

Analysis

The unimproved portion of N. Hoskins Street being considered for abandonment contains approximately 0.14 acres in area (being approximately 50 feet wide by 124 feet in length). The right-of-way contains an 8-inch sanitary sewer line and a 30-inch stormwater pipe. The area contains grass as groundcover and the topography is generally flat out near Graves Avenue. All properties abutting the right-of-way have road frontage on Graves Avenue or Boundary Avenue.

There is a written agreement in place for the abutting property owner east of the right-of-way to deed their interest in the abandoned right-of-way to the property owner to the west of the right-of-way (City of High Point).

Findings

The Technical Review Committee (TRC) reviewed this request on July 29, 2009 and identified no issues that would prevent its abandonment. An early notice was sent to the abutting property owners on July 30, 2009.

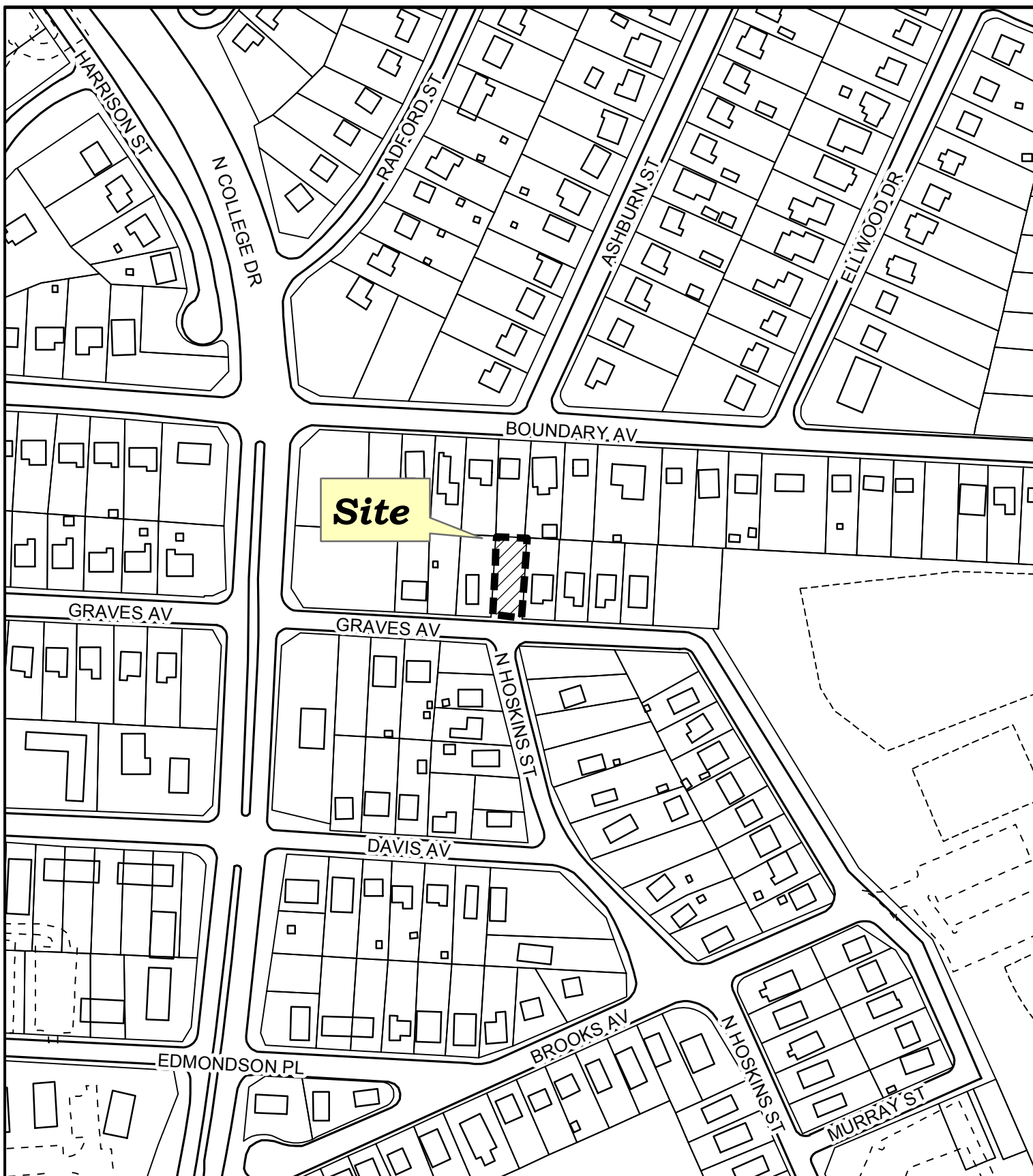
The abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners as regulated will not deny the abutting property owners reasonable access to their property.

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment with the retention of a 20-foot sanitary sewer easement centered on the existing sanitary sewer line and a 20-foot drainage easement centered on the existing stormwater pipe 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, and reviewed by Bob Robbins AICP and Lee Burnette AICP.



STREET ABANDONMENT REQUEST SA09-16

Applicant: Technical Review Committee

Area: 0.14 acres



Location of requested street abandonment

**Planning & Development
Department**

City of High Point

Date: August 11, 2009



Scale: 1"=200'

y:/ba-pz/2009/pz/
sa09-16.mxd

Attachments: Photographs (June, 2009) and Aerial (February, 2008)



Looking north across Graves Avenue.



Aerial with the abandonment area highlighted.

RESOLUTION
SUPPORTING THE CANDIDACY OF
LATIMER B. ALEXANDER, IV
2ND VICE PRESIDENT
NORTH CAROLINA LEAGUE OF MUNICIPALITIES

WHEREAS, Latimer Alexander has been a member of the High Point City Council since December 2003, where he serves as liaison to the High Point Theatre Board and the Parks and Recreation Commission, and is a member of the Finance Committee, Public Safety Committee and Public Services Committee; and,

WHEREAS, Latimer Alexander is President of Latimer Alexander LLC, an upholstery velvet distributor selling nationwide to furniture manufacturers, jobbers, decorators and designers; and,

WHEREAS, Latimer Alexander's community involvement includes the High Point Community Theatre, North Carolina Shakespeare Festival, The Miracle League, the Piedmont Environmental Center, member of the High Point Republican Party, member of the Guilford County Men's Republican Party and member of the 6th Congressional District Executive Committee; and,

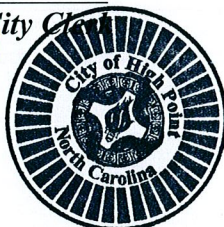
WHEREAS, Latimer Alexander has served on the NC League FAIR Committee and currently is an At-Large Member of the Board, as well as a member of the NC League Finance Committee; and,

WHEREAS, the members of the High Point City Council are confident that Latimer Alexander has the skills and knowledge to be an effective officer of the Board of the North Carolina League of Municipalities.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of the High Point City Council hereby unanimously and enthusiastically endorse the candidacy of Council Member Latimer Alexander as the 2nd Vice President of the North Carolina League of Municipalities.

ADOPTED this 21st day of September, 2009.


Attest: Lisa B. Vierling, City Clerk




Rebecca R. Smothers, Mayor

PLANNING AND ZONING COMMISSION RECOMMENDATION

On August 25, 2009, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present.

City of High Point

Street Abandonment Case 09-18

A request by the Technical Review Committee to abandon an unimproved portion of Arlington Avenue lying north of Wendell Avenue, approximately 300 feet east of Henry Place.

Mr. Shannon presented this request to the Commission and recommended approval as outlined in the staff report.

Speaking on the matter was Ms. Joanne Covington of 1205 Wendell Street. She understood that half of the right-of-way to be closed (Arlington Street) would be given to her and the other half to her neighbor. Ms. Covington expressed concern that her neighbor has been using the Arlington Avenue right-of-way for access and parking, she wanted to know if the street abandonment was approved would this activity be allowed to continue and could her neighbor use the half of the right-of-way that she would be gaining for access.

Staff noted that if her neighbor has been continuously using that area for access, they have the right of continued use. However, the right-of-way proposed to be abandon is wide enough (50 feet wide) that when divided her neighbor would have sufficient area (25 foot wide area) to install a driveway within the area they would be gaining and continue to have the same access privileges they currently enjoy to Wendell Street.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 09-18, by a vote of 7-0, as recommended by staff, with retention of a 20-foot wide sanitary sewer easement centered on the existing sanitary sewer line.

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

**STAFF REPORT
STREET ABANDONMENT CASE 09-18
August 25, 2009**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: Abandonment of an unimproved portion of Arlington Street (see Plat Book 14 Page 71), lying north of Wendell Avenue approximately 300 feet east of Henry Place.

Adjacent Streets		
Name:	Classification:	R/W and Pavement Width:
Arlington Street	Local	50 ft. R/W and unimproved
Wendell Avenue	Local	50 ft. R/W and 32 ft. curb and gutter

Adjacent Property Zoning and Current Land Use		
North:	Residential Single-Family-7 (RS-7)	Single-family Residence
South:	Residential Single-Family- 7 (RS-7)	Wendell Avenue right-of-way
East:	Residential Single-Family-7 (RS-7)	Single-family Residence
West:	Residential Single-Family-7 (RS-7)	Single-family Residence

Analysis

The unimproved portion of Arlington Street being considered for abandonment contains approximately 0.26 acres in area (being approximately 50 feet wide by 230 feet in length). The right-of-way contains an 8-inch sanitary sewer line. The area is primarily grassed with a perennial stream along the western boundary. The topography falls slightly from east to west. All properties abutting the right-of-way have road frontage on Wendell Avenue or Camden Avenue.

Findings

The Technical Review Committee (TRC) reviewed this request on July 29, 2009 and identified no issues that would prevent its abandonment. An early notice was sent to the abutting property owners on July 30, 2009.

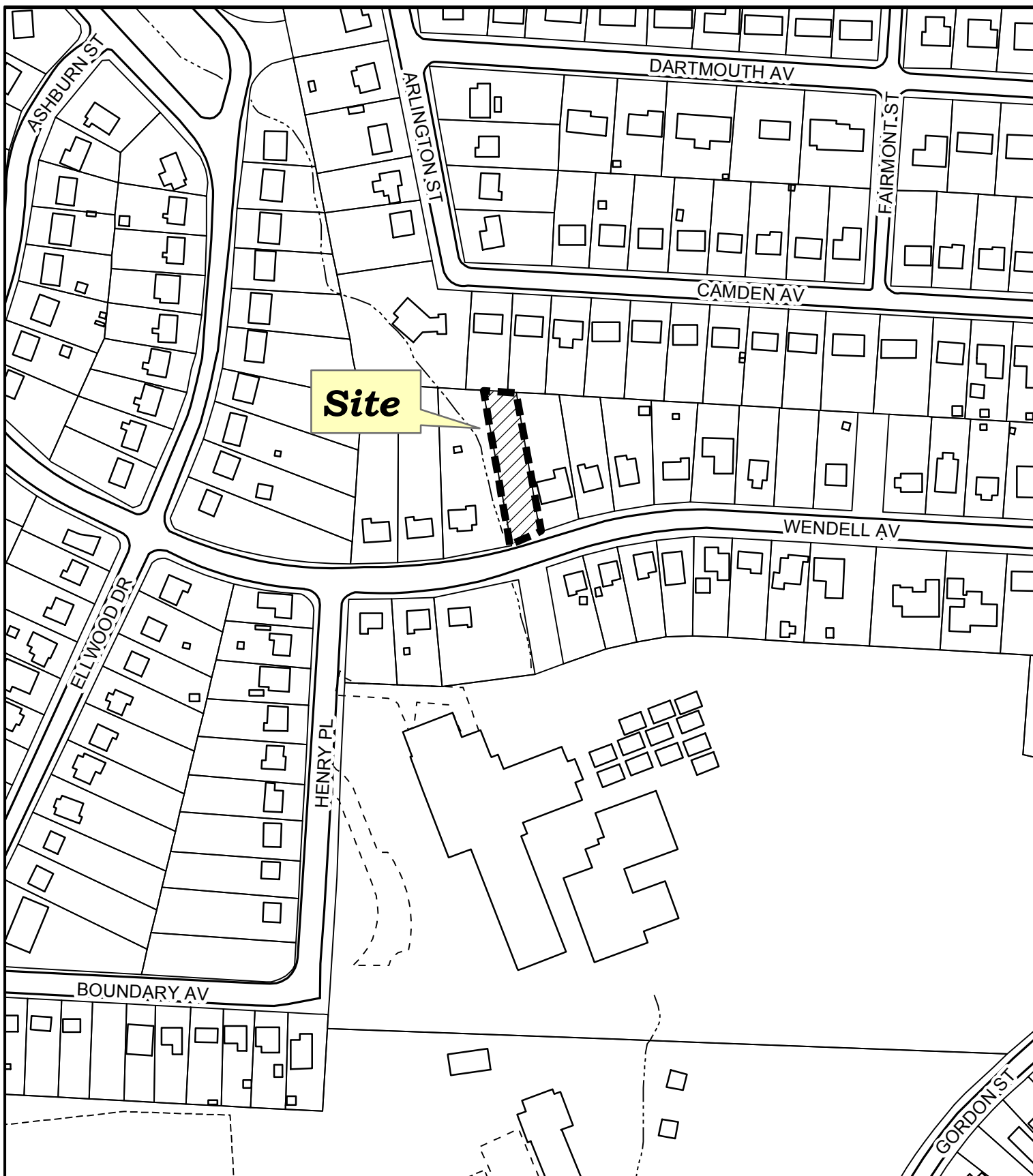
The abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners as regulated will not deny the abutting property owners reasonable access to their property.

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment with the retention of a 20-foot sanitary sewer easement centered on the existing sanitary sewer line 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, and reviewed by Bob Robbins AICP and Lee Burnette AICP.



STREET ABANDONMENT REQUEST SA09-18

Applicant: Technical Review Committee

Area: 0.26 acres



Location of requested street abandonment

Planning & Development
Department

City of High Point

Date: August 11, 2009



Scale: 1"=200'

y:/ba-pz/2009/pz/
sa09-18.mxd

Attachments: Photographs (August, 2009) and Aerial (February, 2008)



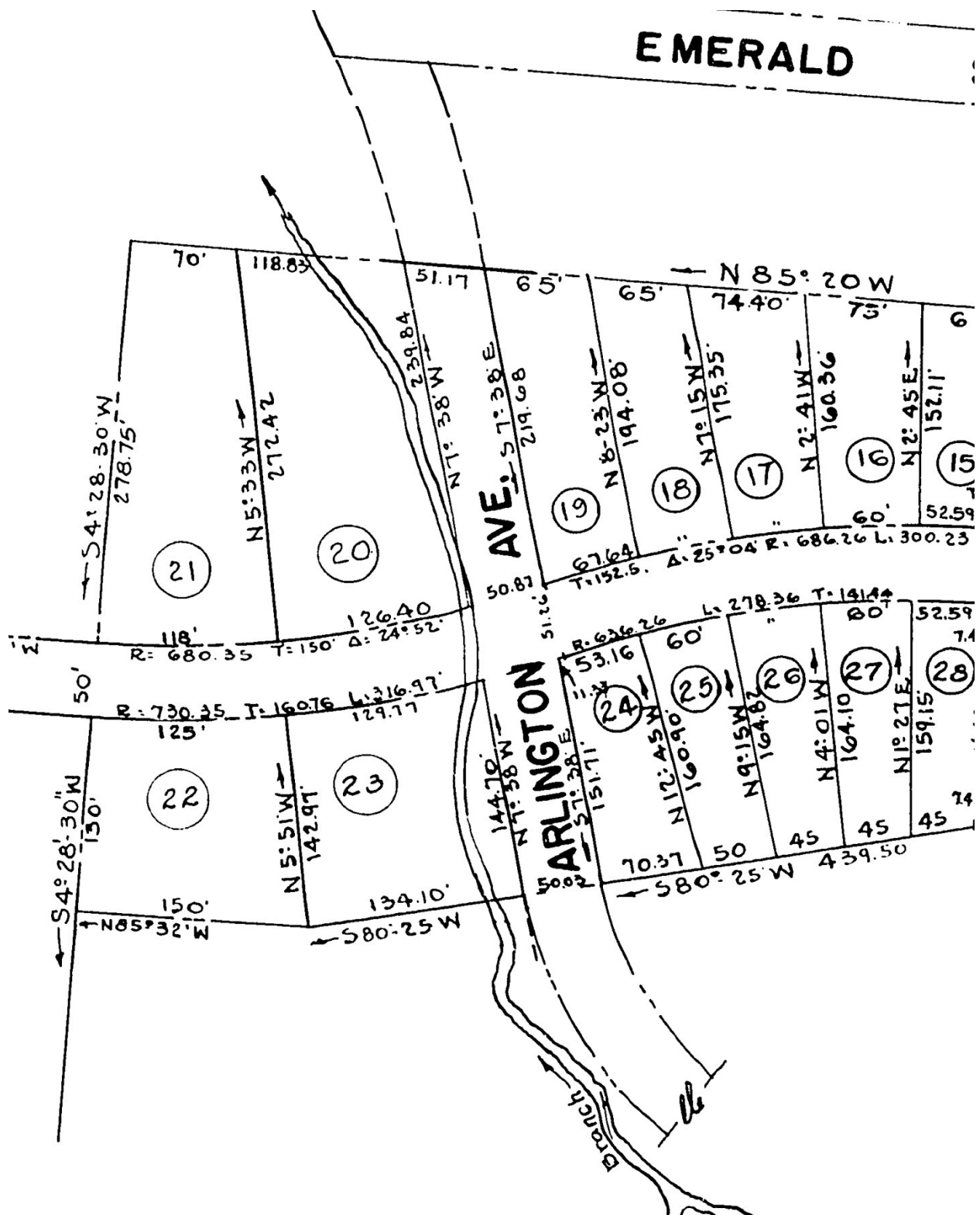
Looking north across Wendell Avenue.



Looking north from Wendell Avenue (Perennial Stream located west of Arlington r/w)



Aerial with the abandonment area highlighted.



PLANNING AND ZONING COMMISSION RECOMMENDATION

On August 25, 2009, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present.

City of High Point

Street Abandonment Case 09-17

A request by the Technical Review Committee to abandon an unimproved portion of Fairmont Avenue lying north of Wendell Avenue, approximately 750 feet west of Gordon Street.

Mr. Shannon presented this request to the Commission and recommended approval as outlined in the staff report.

Speaking neither in favor nor in opposition was Mr. William E. Clapp of 230 Woodbury Street, owner of the abutting property at 1401 Wendell Avenue. Mr. Clapp requested additional information on how this street abandonment would affect his rental property.

Also speaking was Mr. Sims DeBerry of 1315 Wendell Avenue, owner of the abutting property. Mr. DeBerry advised that through the years there has been an ongoing parking issue with the tenants at 1401 Wendell Avenue because there are no formal driveway aprons installed to the separate properties of 1315 and 1401 Wendell Avenue. Mr. DeBerry asked that any approval include a condition that the City install driveway aprons to 1315 and 1401 Wendell Avenue so as to denote two driveway access points to the separate parcels. He believes this will avoid future parking issues with neighboring tenants.

Planning & Development staff explained to the Commission a driveway cut was provided. This driveway cut has been used by residents of 1315 and 1401 Wendell Avenue as a shared access point to both properties. As Mr. DeBerry noted, since there is no driveway apron, sometimes motorists park vehicles on the paved portion of Wendell Avenue and block the area used as an access point.

Staff noted that if this street abandonment case is approved, Mr. DeBerry could apply for driveway permit to install a driveway apron, if he desires. Also, staff noted that this right-of-way has never been maintained by the City, and any such improvements cannot be a condition of approval of a street abandonment request.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 09-17 as recommended by staff, by a vote of 7-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 09-17
August 25, 2009**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: Abandonment of an unimproved portion of Fairmont Street (see Plat Book 14 Page 71), lying north of Wendell Avenue approximately 750 feet west of Gordon Street.

Adjacent Streets		
Name:	Classification:	R/W and Pavement Width:
Fairmont Street	Local	50 ft. R/W and unimproved
Wendell Avenue	Local	50 ft. R/W and 32 ft. curb and gutter

Adjacent Property Zoning and Current Land Use		
North:	Residential Single-Family-7 (RS-7)	Single-family Residence
South:	Residential Single-Family- 7 (RS-7)	Wendell Avenue right-of-way
East:	Residential Single-Family-7 (RS-7)	Single-family Residence
West:	Residential Single-Family-7 (RS-7)	Single-family Residence

Analysis

The unimproved portion of Fairmont Street being considered for abandonment contains approximately 0.17 acres in area (being approximately 50 feet wide by 150 feet in length). The right-of-way contains no public improvements. The area is primarily grassed with some woods on the northern boundary and the topography falls slightly from east to west. All properties abutting the right-of-way have road frontage on Wendell Avenue or Camden Avenue.

Findings

The Technical Review Committee (TRC) reviewed this request on July 29, 2009 and identified no issues that would prevent its abandonment. An early notice was sent to the abutting property owners on July 30, 2009.

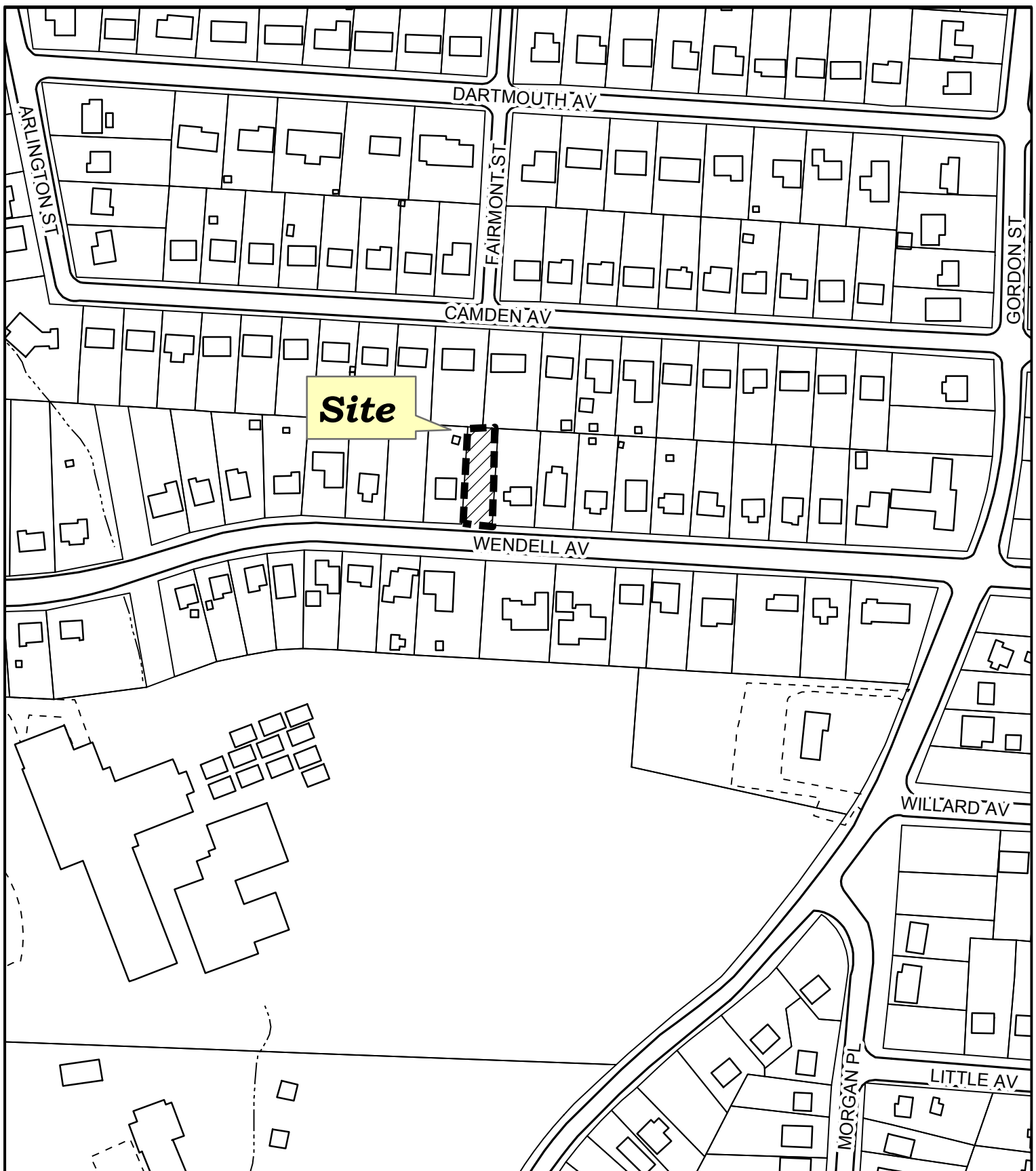
The abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners as regulated will not deny the abutting property owners reasonable access to their property.

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment 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, and reviewed by Bob Robbins AICP and Lee Burnette AICP.



STREET ABANDONMENT REQUEST SA09-17

Applicant: Technical Review Committee

Area: 0.17 acres



Location of requested street abandonment

Planning & Development
Department

City of High Point

Date: August 11, 2009



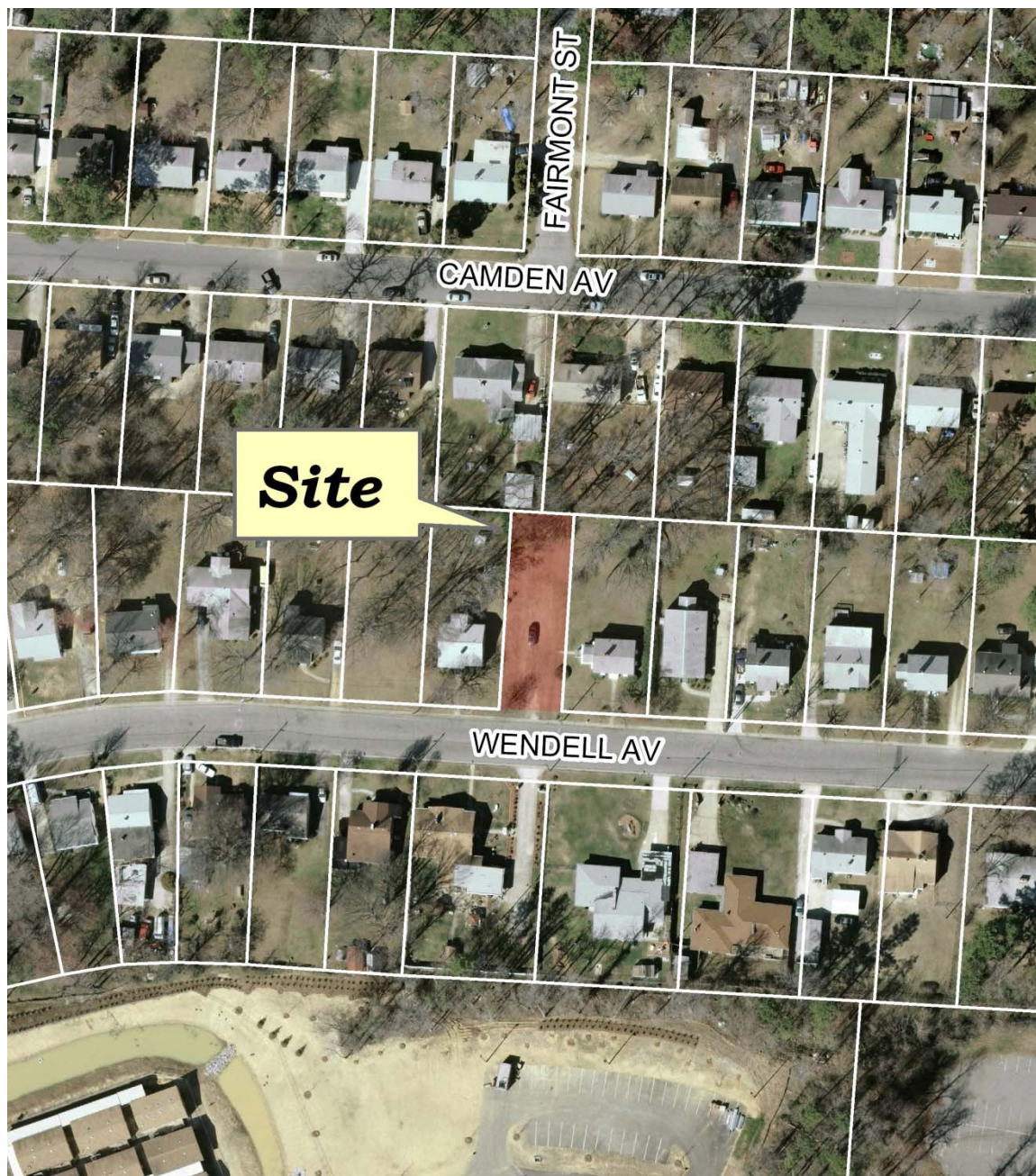
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sa09-17.mxd

Attachments: Photographs (June, 2009) and Aerial (February, 2008)



Looking north across Wendell Avenue.



Aerial with the abandonment area highlighted.

**SPECIAL USE PERMIT 09-01
CITY OF HIGH POINT, NORTH CAROLINA**

September 21, 2009
(ADOPTED)

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: Development of the site shall be in accordance with the attached approved Special Use Permit sketch plan.

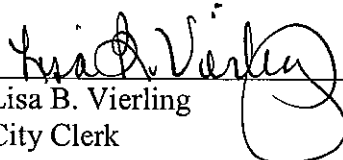
DESCRIPTION OF PROPERTY: A 2.6 acre parcel lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and is addressed as 1646 Penny Road. The site is also known as Guilford County Tax Parcel 15-94-7007-0-1020-00-016.

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 09-01 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE 21ST DAY OF SEPTEMBER, 2009.

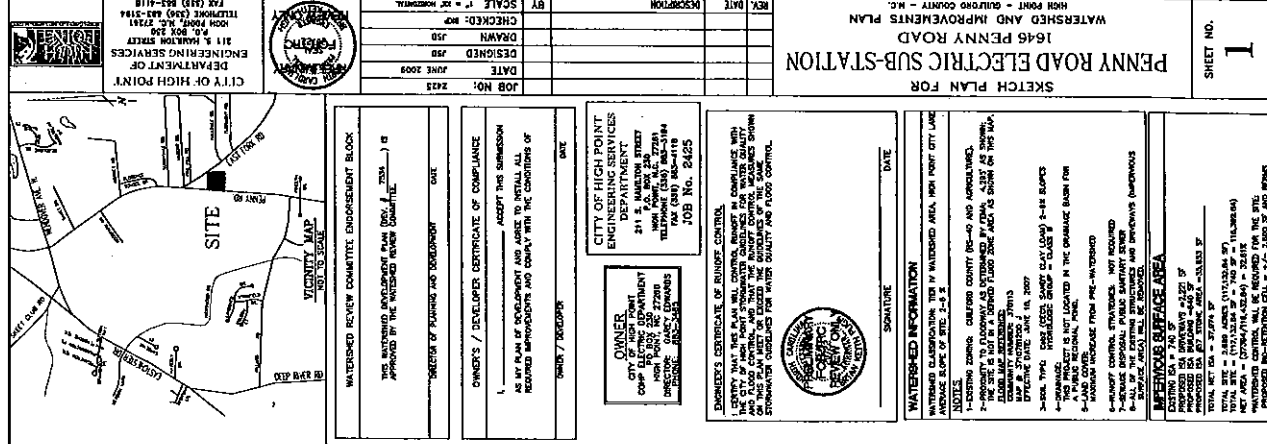


Lisa B. Vierling
City Clerk



9-21-2009

Date





CITY OF HIGH POINT NORTH CAROLINA



DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION DIVISION

AGENDA ITEM

To: Randy McCaslin, Assistant City Manager
From: Mark McDonald, Transportation Director
Date: September 17, 2009
Subject: Request for Public Hearing

Hi tran staff is recommending significant route and schedule changes for the transit system. The changes include modifying the existing Westchester Drive Route by splitting it into two routes to enhance safety for passengers going to destinations along the Westchester Drive corridor. Before these changes can be implemented federal regulations require that a public hearing be held to allow public input.

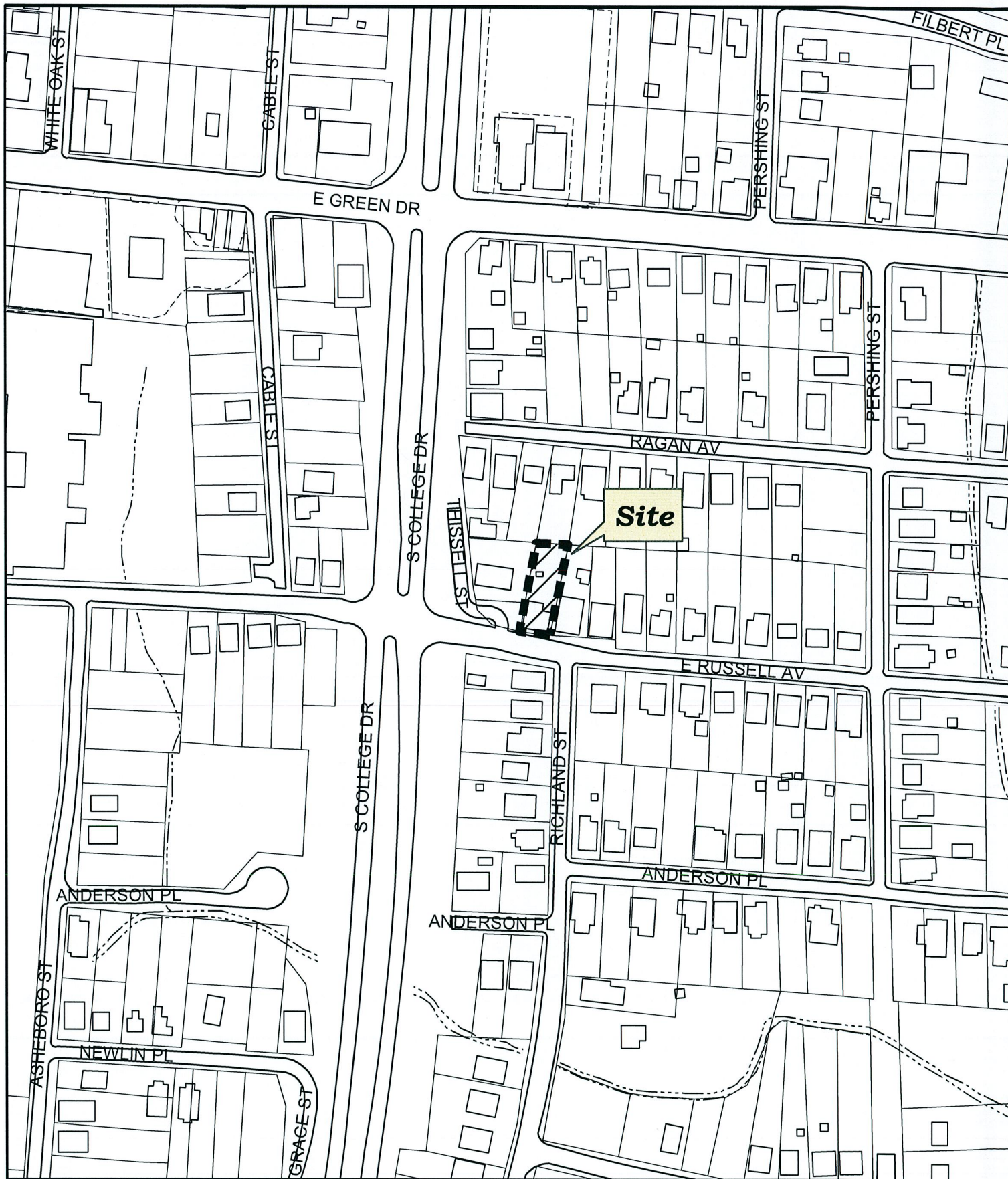
If you concur with this request we would like to use the following schedule.

- September 21, 2009 – Council establishes November 2nd as the date for the public hearing
- November 2, 2009 – Public hearing is held
- November 5, 2004 – Council authorizes changes in transit routes and schedules.

If you have any questions or would like to discuss the matter further, please advise.

MM/aww

Dwelling has been vandalized in the past and plumbing and electrical removed. Owner indicated he would be making repairs and began some work however work ceased and no further progress made after 8-12-2009.



1003 East Russell Avenue

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: August 19, 2009



Scale: 1"=200'

y:/ba-pz/Inspections/
ord-demo.mxd



1003 E. Russell Avenue

Publish four (4) consecutive weeks: **October 16, 23, 30, & November 6, 2009**

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA09-20)

WHEREAS, the City Council is requested to close an improved portion of Sheffield Street (see Plat Book 44 Page 47), lying north of Tuxedo Way approximately 400 feet northeast of Habersham Road.

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to close the street and calling a public hearing on the question;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the street above described and sets Monday, November 16, 2009, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building, High Point, on the closing of said street.

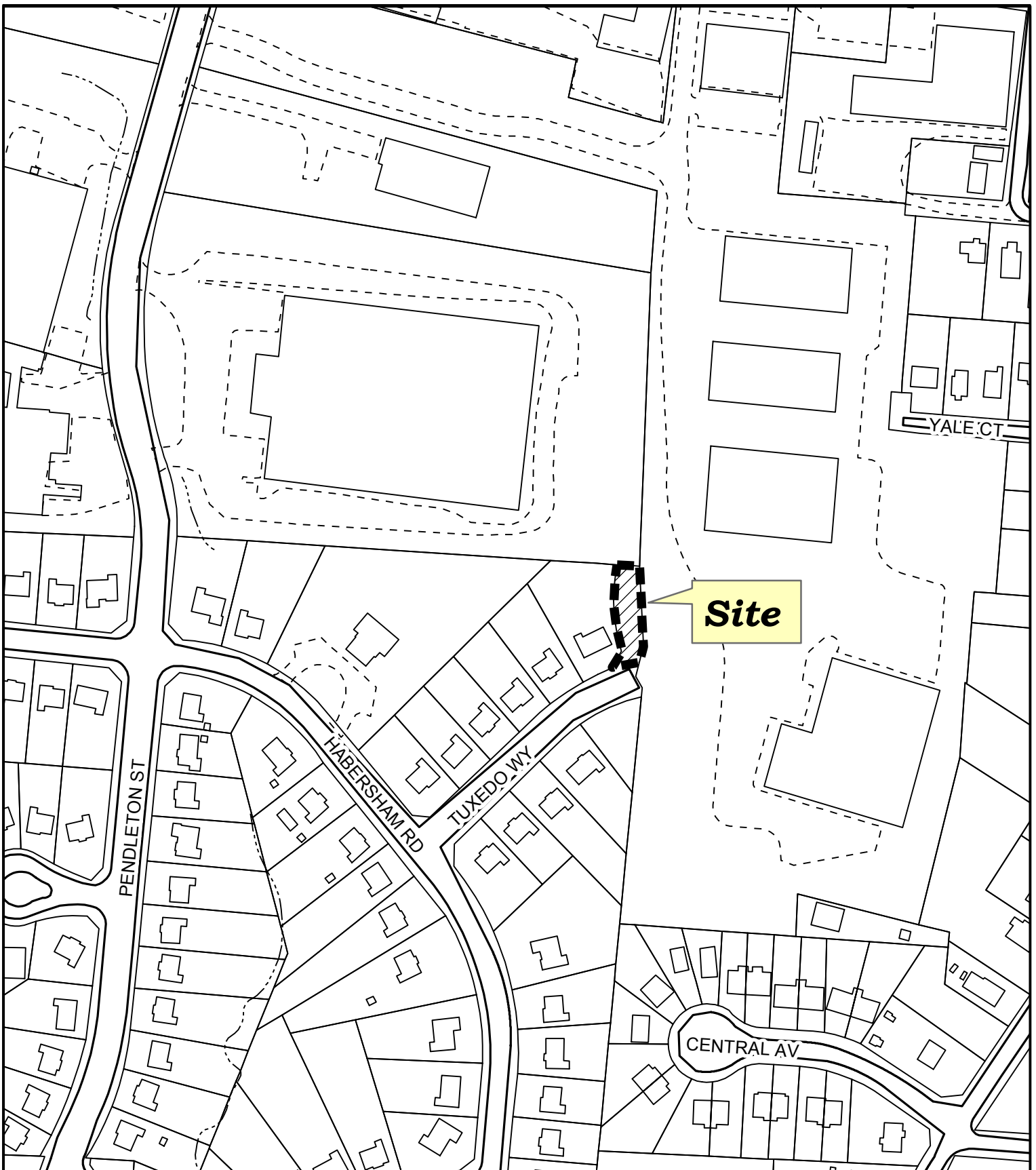
Persons wishing to be heard either for or against the said street closing are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call 336/883-3298 or TDD# 336/883-8517.

Further information pertaining to this request is available at the Planning and Development in the Municipal Office Building, 211 South Hamilton Street, Room 316, High Point, North Carolina, 336/883-3544 or FAX 336/883-3056.

By Order of the City Council
This the 21th day of September, 2009.

Lisa B. Vierling, City Clerk

Petition Submitted By:
City of High Point - Technical Review Committee



STREET ABANDONMENT REQUEST SA09-20

Applicant: Technical Review Committee

Area: 0.13 acres



Location of requested street abandonment

**Planning & Development
Department**

City of High Point

Date: September 9, 2009



Scale: 1"=200'

y:/ba-pz/2009/pz/sa09-20.mxd

PLANNING AND ZONING COMMISSION RECOMMENDATION

On August 25, 2009, a public hearing was held before the Planning and Zoning Commission regarding the requests described below. All members of the Commission were present.

City of High Point

Zoning Case 09-06

Residential Single Family-15 (RS-15) District.

A request by the City of High Point Electric Utilities Department to rezone an approximately 2.6 acre parcel from the Residential Single Family-40 (RS-40) District and Agricultural (AG) District, within Guilford County's zoning jurisdiction, to a Residential Single Family-15 (RS-15) District. Approval of this rezoning request is contingent upon City Council approval of an annexation of city owned property.

AND

City of High Point

Special Use Permit Case 09-01

A request by the City of High Point Electric Utilities Department for a Special Use Permit to allow a utility service facility use within the Residential Single Family-15 (RS-15) District. The site consists of approximately 2.6 acres lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and addressed as 1646 Penny Road.

Mr. Shannon presented both requests to the Commission and recommended approval of Z09-06 and SUP09-01 as outlined in the staff reports.

There were no objections noted to the rezoning portion of this proposal. Questions or issues of concern were only raised in regards to Special Use Permit. Speaking in opposition to SUP09-01 were Mr. James McCoy of 1702 Penny Road, Mr. Rick Tilbury of 2970 Cloverwood Drive, Mr. Robert Cherry and Ms. Mary Clodfelter of 1634 Penny Road, Mr. Ray Meadows of 1618 Penny Road, and Mr. Ervin Gibson of 722 East Fork Road. They expressed the following concerns:

- Some property owners in this area receive utilities from Duke Power and this substation does not directly benefit the neighborhood; and lack of awareness of the meeting as some in attendance heard about it through word of mouth.
- There are other vacant properties in this area that may be a better location, was this the only property reviewed or was there a site selection process?
- There were numerous technical questions which were addressed by Mr. Garey Edwards, Director of Electric Utilities (*will wires be buried; will use interfere with AM radio reception; exploding transformers; will equipment height be similar to the Duke Transmission towers in this area and stormwater runoff*).
- Possible property value decline with the 8-foot chain link fence with barbed wires resembling a prison.

Planning & Development staff and Mr. Garey Edwards, Director of Electric Utilities addressed questions raised from the public. Issues which generated the most discussion were technical questions and site selection. In regards to site selection, Mr. Edwards noted that his department had looked for property in this area for over three years before they were able to purchase this site. The City Electric Utilities Department along with a consultant reviewed several sites; however, site terrain, accessibility (equipment & personal), owners not wishing to sell their property, and land cost lead them to choose this site.

The Planning & Zoning Commission recommended **approval** of Zoning Case 09-06 and Special Use Permit Case 09-01 by a vote of 6-1. The one opposing vote was from member Andrew Putnam who felt this use would be more appropriate in at a non-residential (industrial or commercial) area.

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

**STAFF REPORT
ZONING CASE 09-06
August 28, 2009**

Request	
Applicant: City of High Point (Electric Utilities Department)	Owner: City of High Point
Proposal: To annex and apply initial City zoning to a 2.6 acre parcel.	From: Residential Single Family-40 (RS-40) District <i>(Guilford County)</i> Agricultural (AG) District <i>(Guilford County)</i>
	To: Residential Single Family-15 (RS-15) District.

Site Information	
Location:	Lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and is addressed as 1646 Penny Road.
Tax Parcel Numbers:	15-94-7007-0-1020-00-016 (Guilford County)
Site Acreage:	Approximately 2.6 acres.
Current Land Use:	Undeveloped parcel.
Physical Characteristics:	The site is relatively flat containing no noteworthy features.
Water and Sewer Proximity:	A 12-inch City water line and a 24-inch City sanitary sewer line runs along the Penny Road frontage of the site.
General Drainage and Watershed:	The site drains in a general south to southeast direction and development is subject to the Oak Hollow Lake WCA, Tier 4 requirements. Engineered storm water treatment measures are required for development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more. Within Tier 4 of the Oak Hollow Lake WCA, there is a maximum 50% impervious area standard.
Overlay District(s):	Oak Hollow Lake WCA, Tier 4

Adjacent Property Zoning and Current Land Use		
North:	Highway Business (HB) District (<i>Guilford County</i>)	Lounge/Night Club
South:	Residential Single Family-40 (RS-40) District (<i>Guilford County</i>) Agricultural (AG) District (<i>Guilford County</i>)	Single family dwelling
East:	Agricultural (AG) District (<i>Guilford County</i>)	Single family dwelling
West:	Conditional Use Residential Multifamily-5 (CU RM-5) District	Townhome development

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	Low-Density Residential: 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.
Land Use Plan Goals, Objectives and Policies:	Goal 5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.
Relevant Area Plan(s):	There are no relevant area plans.
Zoning History:	N/A

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Penny Road		Major Thoroughfare	280 feet
Vehicular Access:	Penny Road			
Traffic Counts:	Penny Road & East Fork Road		12,350 (2007, 12-hour count)	
Estimated Trip Generation:	Up to four single family dwellings could be developed from this parcel, this would generate approximately 36 - 40 vehicle trips per day.			
Traffic Impact Analysis:	Required		Comment	
	☐ Yes	☒ No		
Pedestrian Access:	There are no pedestrian facilities planned for this area.			

School District Comment
Not applicable to this zoning case. The site is owned by a municipal government and is proposed to be developed for a municipal utility service facility (electrical substation). If the property were to be developed for residential purposes, no more than four (4) single family lots could be created. This limited number of residential dwellings would not negatively impact schools in this area.

Details of Proposal

This is a request to annex and establish the City of High Point's RS-15 District zoning upon this 2.6 acre parcel lying along the east side of Penny Road, approximately 560 feet south of East Fork Road. There is a separate application for a special use permit to establish a utility service facility use upon the property (*see Special Use Permit Case 09-01*); however, the special use permit application is decided upon separately from the rezoning request.

The zoning site is within an established residential area. Parcels along the east side of this segment of Penny Road, which have been annexed by the City of High Point or within the City's Extraterritorial Jurisdiction (ETJ) Area, are also zoned RS-15 District. Along the opposite side of Penny Road are a CU RM-5 District townhome development and a CU RS-12 District single family subdivision. Unincorporated parcels in this area typically consist of single family dwellings on larger lots or are undeveloped parcels.

This zoning request is consistent with the existing zoning and development pattern in this area, and consistent with the low density residential land use designation noted for this area upon the City's Land Use map.

Identified Issues

Major Issues:

❖ None.

Minor Issues:

❖ None.

Recommendation

Staff Recommends Approval

Based upon the land development pattern in this area and the presence of similar large lot single family zoned properties along the east side of Penny Road, staff recommends approval of the request to rezone this parcel to the RS-15 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.

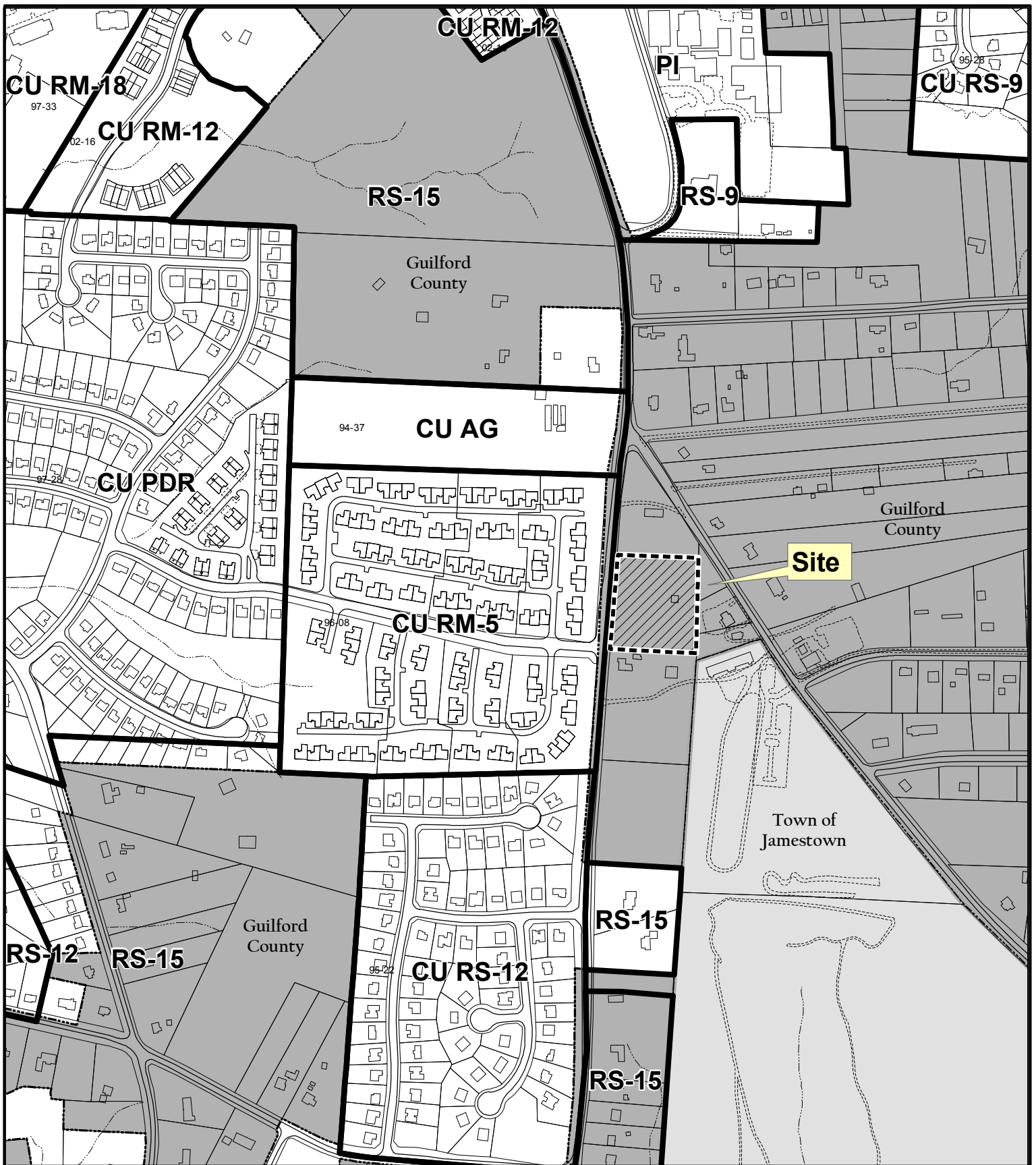
City Council:

Upon rendering its decision in this case, the High Point City Council also must 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) Based upon the Land Use Map and the current zoning pattern in this area, the requested RS-15 District is generally consistent with the Land Use Plan for this portion of the City's planning area; 2) The requested RS-15 District is not introducing any new uses into this area and reflects the larger lot size of existing single family dwellings along the east side of this segment of Penny Road; and 3) The requested RS-15 District is be compatible and in harmony with adjacent uses. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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



REZONING CASE 09-06

**From: Residential Single Family-40 and
Agricultural (Guilford Co.)**

To: Residential Single Family-15

Existing Zoning Boundary

Subject Property Boundary



**Planning & Development
Department**

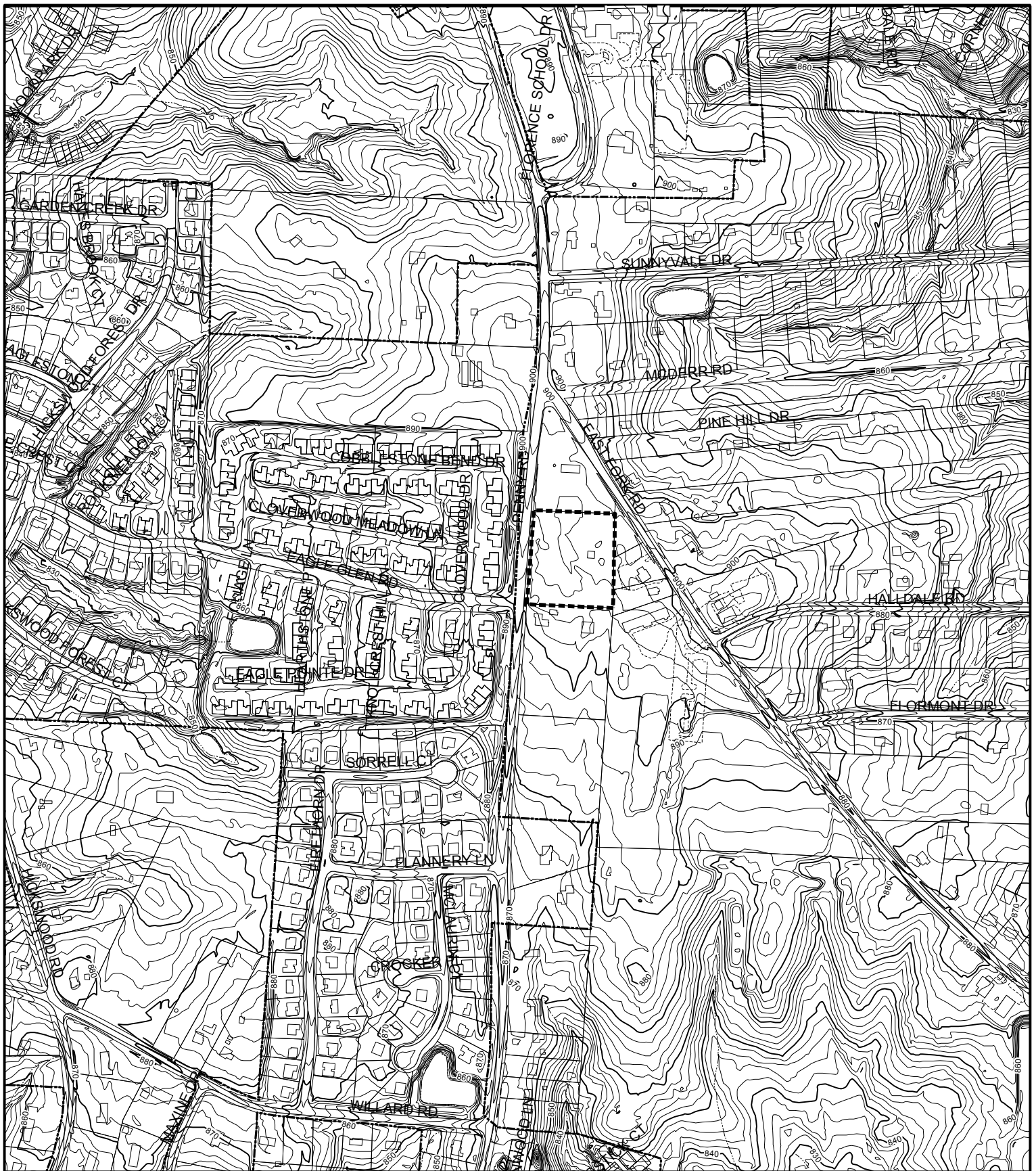
City of High Point

Date: July 28, 2009



Scale: 1"=500'

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REZONING CASE 09-06

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

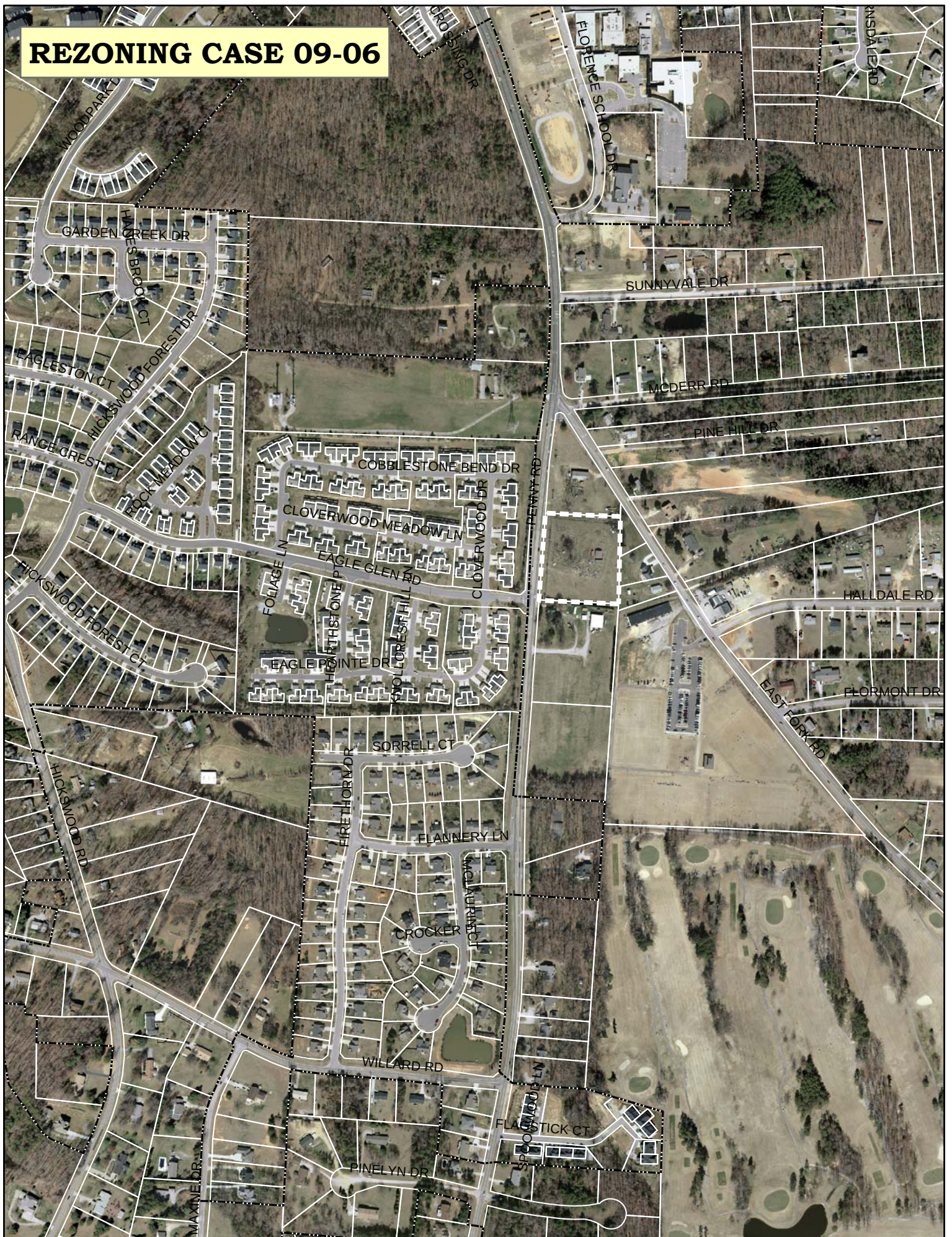
Date: August 14, 2009



Scale: 1"=500'

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REZONING CASE 09-06



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

**STAFF REPORT
SPECIAL USE PERMIT 09-01
August 25, 2009**

Request	
Applicant: City of High Point (Electric Utilities Department)	Owner: City of High Point
Proposal: A Special Use Permit request by the City of High Point Electric Utilities Department to allow a utility service facility use (electrical substation) within the Residential Single Family-15 (RS-15) District.	

Site Information	
Location:	Lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and is addressed as 1646 Penny Road.
Tax Parcel Numbers:	15-94-7007-0-1020-00-016 (Guilford County)
Site Acreage:	Approximately 2.6 acres.
Current Land Use:	Undeveloped parcel.
Physical Characteristics:	The site is relatively flat containing no noteworthy features.
Water and Sewer Proximity:	A 12-inch City water line and a 24-inch City sanitary sewer line runs along the Penny Road frontage of the site.
General Drainage and Watershed:	The site drains in a general south to southeast direction and development is subject to the Oak Hollow Lake WCA, Tier 4 requirements. Engineered storm water treatment measures are required for development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more. Within Tier 4 of the Oak Hollow Lake WCA, there is a maximum 50% impervious area standard.
Overlay District(s):	Oak Hollow Lake WCA, Tier 4

Adjacent Property Zoning and Current Land Use		
North:	Highway Business (HB) District (Guilford County)	Lounge/Night Club
South:	Residential Single Family-40 (RS-40) District (Guilford County) Agricultural (AG) District (Guilford County)	Single family dwelling
East:	Agricultural (AG) District (Guilford County)	Single family dwelling
West:	Conditional Use Residential Multifamily-5 (CU RM-5) District	Townhome development

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	Low-Density Residential: 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.
Land Use Plan Goals, Objectives and Policies:	Goal 4: Ensure that all required public services and facilities are sequenced to meet demands of development; and
Relevant Area Plan(s):	There are no relevant area plans.
Zoning History:	N/A

Transportation Information					
Adjacent Streets:	Name		Classification		Approx. Frontage
	Penny Road		Major Thoroughfare		280 feet
Vehicular Access:	The proposed Utility Service Facility will take its access from Penny Road.				
Traffic Counts:	Penny Road & East Fork Road			12,350 (2007, 12-hour count)	
Estimated Trip Generation:	Based upon development data provided by the applicant, the proposed utility service facility for this site is estimated to generate less than 10 vehicles trips per day.				
Traffic Impact Analysis:	Required			Comment	
	☐	Yes	☐		
Pedestrian Access:	There are no pedestrian facilities planned for this area.				

School District Comment
Not applicable to this zoning case. The site is owned by a municipal government and is proposed to be developed for a municipal utility facility use.

Details of Proposal

This is a request by the City of High Point Electric Utilities Department for a Special Use Permit to place a "Utility Service Facility" (electric substation) upon a RS-15 District zoned parcel along the east side of Penny Road, approximately 560 feet south of East Fork Road. Utility Service Facilities are a permitted use with all residential districts subject to obtaining special use permit approval. The special use permit review is to ensure the facility is appropriate for that location and to insure there are no impacts upon adjacent property owners or that any impacts are sufficiently mitigated.

The northern portion of the City of High Point's planning area has experienced rapid growth and development over the past two decades. In order for the Electric Utilities Department to keep up with this growth they have requested this special use permit to develop an electrical substation upon an approximately 2.6 acre parcel to help provided utility service for the northeastern portion of the City's Planning Area. The proposed electrical substation will be located in the middle of the site and will be enclosed by a fenced compound. A 650 – 700 square foot brick service building with a pitched roof will also be constructed. The facility will receive minor traffic; just periodic visits once a day for maintenance purposes. The area impacted by

development, within the fenced in compound, will be approximately 35,900 square feet or 1/3 of the overall site area. The fenced compound area will be approximately 50 feet from the Penny Road right-of-way; approximately 90 feet from side property lines and approximately 60 feet from rear property line. The remaining area of the site, outside of the fenced compound, will be used for a stormwater control device, landscaping and to buffer/screen the facility from adjacent parcels. The area around the perimeter of the site near the property lines will be landscaped with a staggered double row of Giant Arborvitae trees planted 8 – 10 feet apart. The giant arborvitae is similar to a leyland cyprus in its appearance, screening capabilities and rapid growth rate.

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. In regards to this site, criteria pertaining to building setback, height, landscaping, and appearance standards apply and are being met.

Identified Issues

Major Issues:

- ❖ None

Minor Issues:

- ❖ None

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 facility will be visited approximately once a day by maintenance staff, this is a lesser vehicle trip impact then if the site were developed for residential or other uses permitted in the RS-15 District. ❖ 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 the northeastern portion of the City's planning area.
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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 meeting the requirements of the Development Ordinance.
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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 northeastern portion of the City's Planning area and will assist in ensuring that required public services and facilities are sequenced to meet demands of current citizens and future development. ❖ 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; only 1/3 of the site will be developed. The remaining area, approximately 1.7 acres, will be undeveloped and used as landscaping or buffer areas. ➤ Proposed landscaping around the perimeter of the site will screen the facility from adjacent property owners. The proposal to install 130 to 160 evergreen trees will exceed landscaping requirements of the Development Ordinance and provide year round screening. ➤ The proposal is significantly exceeding minimum setback standards.
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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	❖ Based upon the limited area of impact and development standards of the Development Ordinance, staff finds that the requested pumping station will be in harmony with the surrounding area. ❖ 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 following site design features of this proposal will ensure its compatibility with adjacent uses: • Utility service buildings are to have a pitch roof and be of materials compatible with structures in the vicinity. This facility will have a 650 – 700 square foot brick service structure with a pitch roof. • Only a 10 foot side yard and 30 foot rear yard setback is required from the fence compound area to the property line. The request is significantly exceeding this criterion by providing an
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	approximately 90 foot side yard setback and approximately 60 foot rear yard setback from the fence compound area to the property line. • To screen the facility from adjacent property owners the perimeter of the site, area outside of the fence compound, will be landscaped with a staggered double row of Giant Arborvitae trees planted 8 – 10 feet apart (approximately 130 to 160 trees). A similar landscaping scheme has been used upon another electrical substation sites within the city and within 3 – 5 years of planting the landscaping has screened the equipment within the fenced compound area.
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Recommendation

Staff Recommends Approval

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, meeting development criteria for this use established by the Development Ordinance and in compliance with the goals and objectives of the Land Use Plan.

The Planning and Development Department recommends approval of the request to permit a Utility Service Facility within the RS-15 District and the accompanying Special Use Permit.

Report Preparation

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

View of site from Penny Road



Example of screening/landscaping used at Barrow Road electrical substation that will also be used at Penny Road site.



Example of screening/landscaping used at Barrow Road electrical substation that will also be used at Penny Road site.



**SPECIAL USE PERMIT 09-01
CITY OF HIGH POINT, NORTH CAROLINA**

August 25, 2009
(Submitted)

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: Development of the site shall be in accordance with the attached approved Special Use Permit sketch plan.

DESCRIPTION OF PROPERTY: A 2.6 acre parcel lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and is addressed as 1646 Penny Road. The site is also known as Guilford County Tax Parcel 15-94-7007-0-1020-00-016.

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.

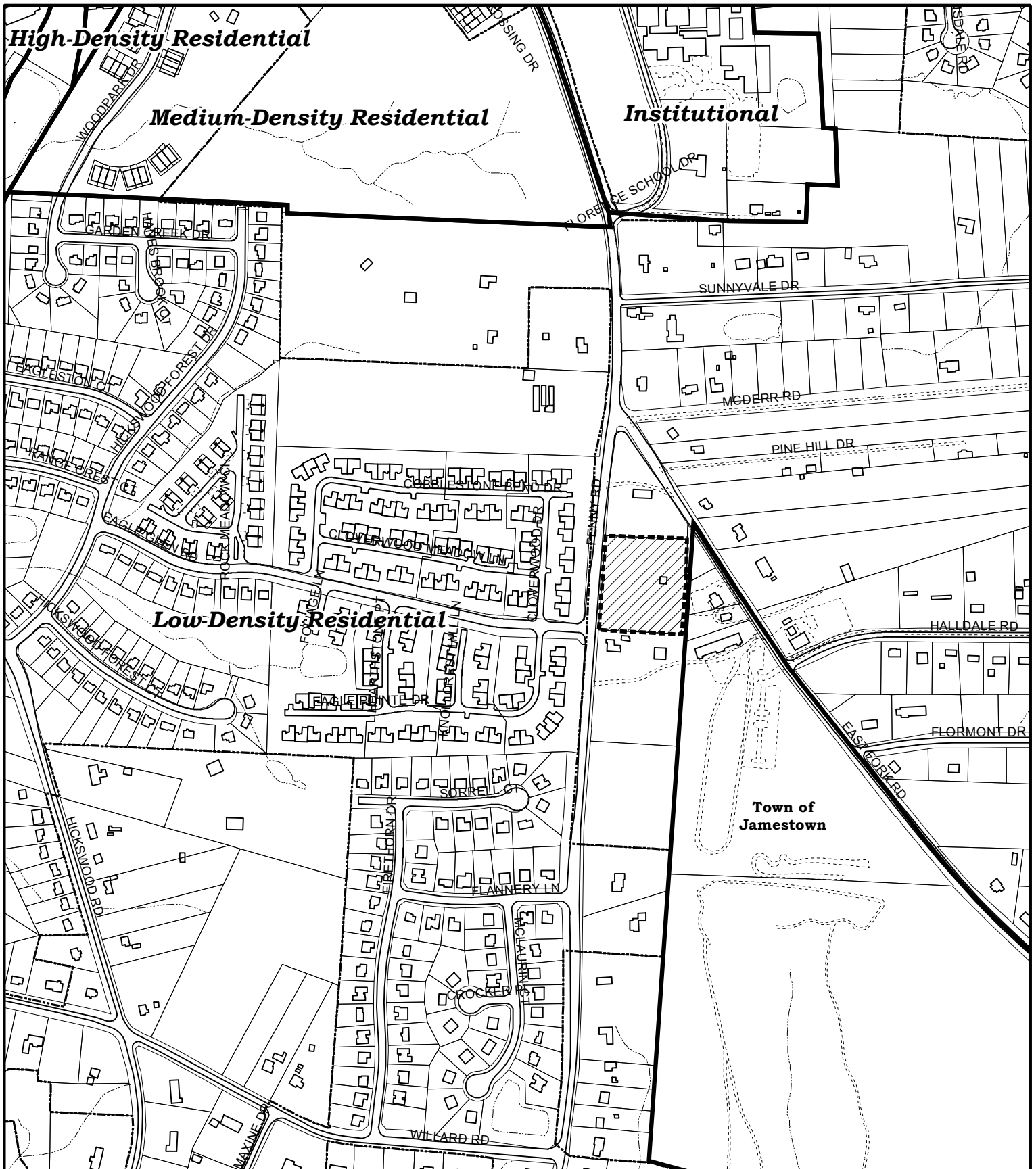
This Special Use Permit shall become void after eighteen (18) months from the date of City Council approval unless the Special Use authorized has begun and/or a footing inspection has been approved. If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced 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 09-01 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE _____TH DAY OF _____ 2009.

Lisa B. Vierling
City Clerk

Date



SPECIAL USE PERMIT 09-01

Land Use Plan

Existing Land Use Plan

Subject Property Boundary



Planning & Development
Department

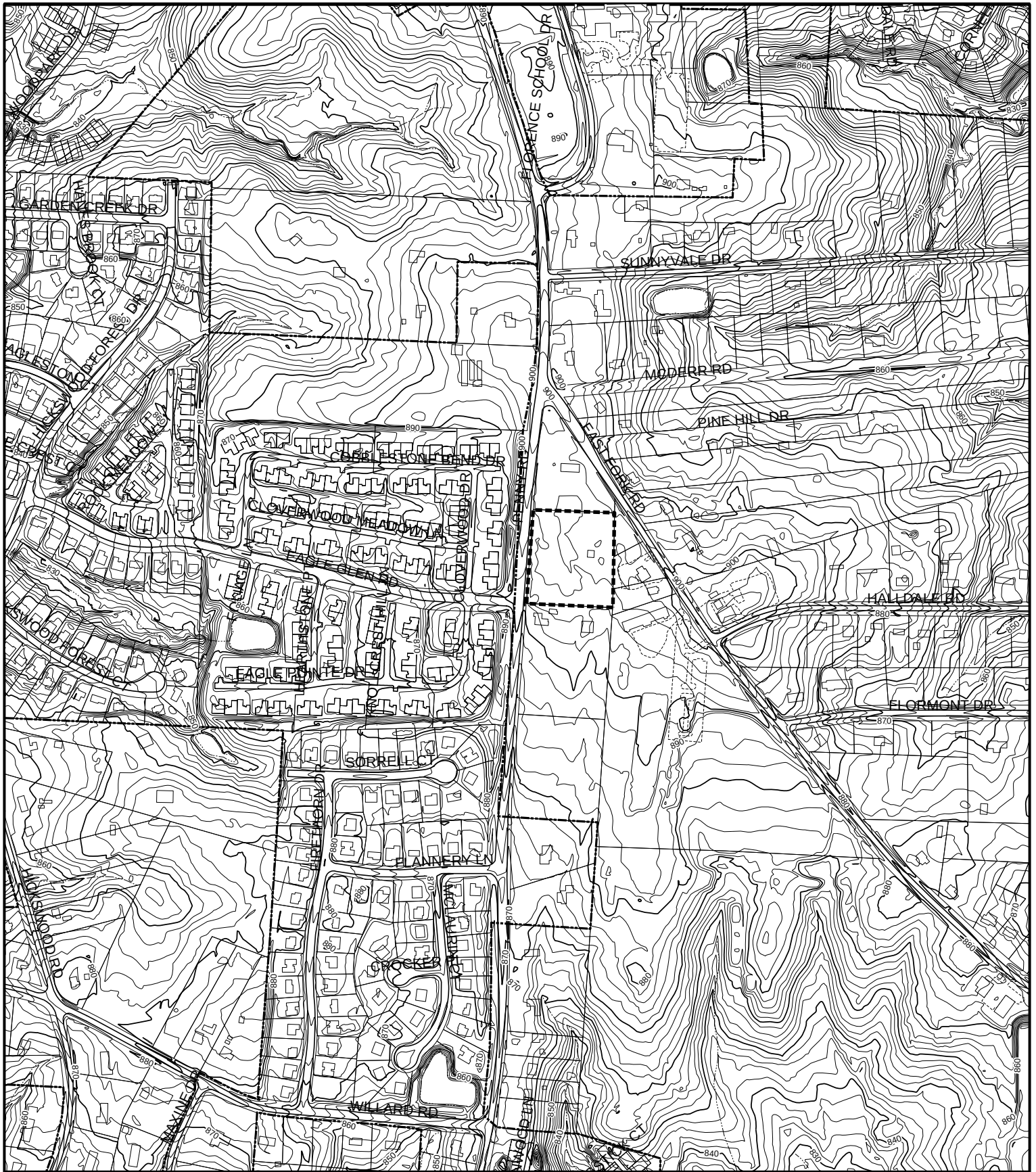
City of High Point

Date: August 14, 2009



Scale: 1"=500'

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SPECIAL USE PERMIT 09-01

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

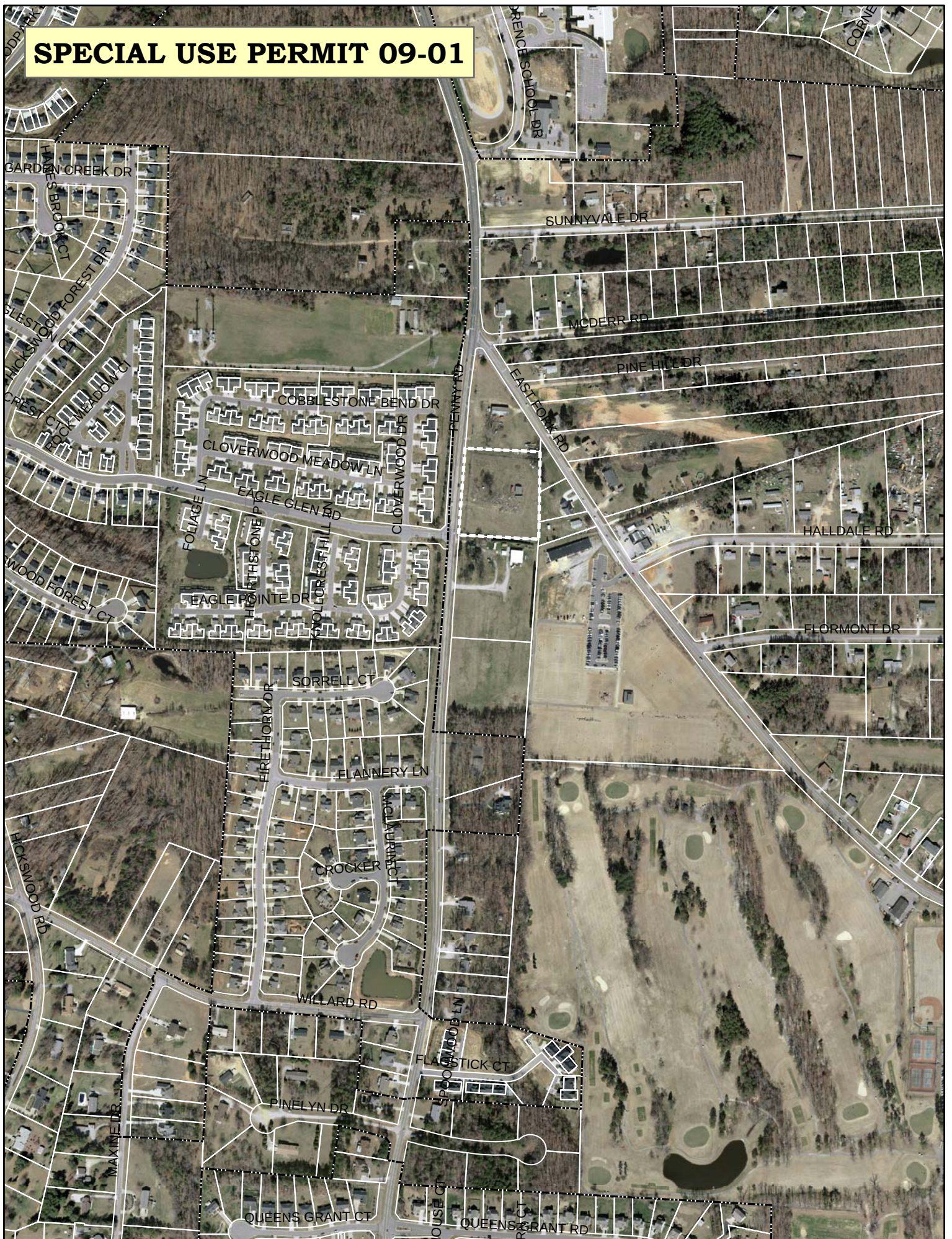
City of High Point

Date: August 14, 2009



Scale: 1"=500'
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sup09-01topo.mxd

SPECIAL USE PERMIT 09-01



Transportation



May 18, 2009

To: Lee Burnette, Director of Planning and Development

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

Subject: **Special Use Permit #09-01**, City of High Point. Property is located at the eastside of Penny Road, approximately 550 south of the intersection of East Fork Road and Penny Road

My staff and I have reviewed the rezoning request and have the following comments:

A traffic impact analysis was not required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. In order to mitigate the development's impact on the surrounding roadway network the following improvements will be required:

Access:

Two (2) points of access shall be allowed to Penny Road.

Right of Way:

The property owner shall dedicate a minimum of forty-two (42) feet of right-of-way as measured from the existing centerline of Penny Road.

The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all construction and improvements.

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



2009066090

GUILFORD CO, NC FEE \$18.00
PRESENTED & RECORDED:

10-27-2009 11:06:49 AM

JEFF L. THIGPEN
REGISTER OF DEEDS
BY: MARY MORGAN
DEPUTY-HP

BK: R 7069

PG: 2204-2206

Return to: Fred P. Baggett, City Attorney

P.O. Box 230

High Point, NC 27261

Resolution No. 1558/09-86

RESOLUTION

3A
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, IN A REGULAR MEETING ASSEMBLED ON THE 21st DAY OF SEPTEMBER, 2009 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, HIGH POINT, NORTH CAROLINA:

WHEREAS, the Technical Review Committee has petitioned the City Council of the City of High Point to close **an unimproved portion of Arlington Avenue (see Plat Book 14 Page 71), lying north of Wendell Avenue approximately 300 feet east of Henry Place;** and being more fully described as follows:

Street Abandonment 09-18

Being all right-of-way located between Guilford County Tax Parcels 18-00-0250-0-0001-00-019 and 18-00-0250-0-0001-00-020 located north of the northern limits of the Wendell Avenue. The right-of-way is approximately 50 feet in width and 219+ feet in length. The right-of-way is identified as Arlington Avenue and is between Lots 19 and 20 as depicted on the Woodbrook Heights Plat, recorded in Plat Book 14 Page 71 in the Guilford County Register of Deeds.

WHEREAS, the petition has been duly filed with this Council in a Regular meeting assembled on the 17th day of August, 2009 at 4:45 p.m. setting the 21st day of September, 2009 at 5:30 p.m., in the Council Chambers of the Municipal Building, as the time and place for a public hearing before said Council on said petition, and public notice of said time and place was ordered given, all pursuant to North Carolina G.S. 160A-299; and,

WHEREAS, due and proper notice of said hearing to be heard on the petition at this meeting of City Council was made by publication in the High Point Enterprise for four (4) consecutive weeks, beginning August 21, 28, September 4, & 11, 2009; and,

WHEREAS, the above entitled matter, pursuant to said resolution and notice was called for hearing before said Council at which time there was no objection or opposition offered on the part of any firm or corporation to close **an unimproved portion of Arlington Avenue (see Plat Book 14 Page 71), lying north of Wendell Avenue approximately 300 feet east of Henry Place;** and,

WHEREAS, it appearing to the satisfaction of this Council and the Council finds as a fact that the said right of way as herein described is not necessary for ingress and egress to any land adjoining said street; that the closing of said street is not contrary to the public interest and that no other individual, firm or corporation owning property in the vicinity of said street, or in the subdivision in which said street is located, will be deprived of reasonable means of ingress or egress to this property.

NOW THEREFORE BE IT RESOLVED:

1. That **an unimproved portion of Arlington Avenue (see Plat Book 14 Page 71), lying north of Wendell Avenue approximately 300 feet east of Henry Place** be closed pursuant to North Carolina G.S. 160A-299; and,
2. The City of High Point will retain a Sanitary Sewer Easement of 20' in width centered over the existing sewer line.
3. That a copy of this resolution be filed in the Office of the Register of Deeds for Guilford County, North Carolina.

By order of the City Council,
this the 21st day of September, 2009
Lisa B. Vierling, City Clerk

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

Certified Copy

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, do hereby certify that the foregoing Resolution is a true and accurate copy adopted by the City Council in official Session on September 21, 2009 and upon approval by City Council will be recorded in Book 84 of the Official Minute Books and Resolution Book XVI of this City, under my care, custody and control. As of this date, action to adopt said Resolution has not been amended, rescinded or repealed and is in full force and effect.

WITNESS my hand and the Corporate Seal of the City of High Point, the 12th day of October, 2009.



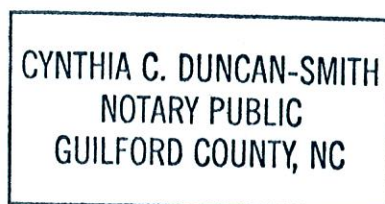
Lisa B. Vierling

Lisa B. Vierling, City Clerk

ACKNOWLEDGEMENT

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

WITNESS my hand and official Notarial Seal, this 12th day of October, 2009.



Cynthia C. Duncan-Smith

Cynthia C. Duncan-Smith, Notary Public

Commission Expires: 1/18/2010

RESOLUTION

The governing body for the City of High Point, North Carolina, held a regular meeting at City Hall, located at 211 S. Hamilton Street, High Point NC, the regular place of meeting, on September 21, 2009, at 4:45 p.m.

Present: Mayor Rebecca Smothers and Council Members Latimer Alexander, William Bencini, Mary Blakeney, Foster Douglas, John Faircloth, Michael Pugh, Bernita Sims

Absent: Council Member Christopher Whitley

Also Present: City Manager Strib Boynton

* * * * *

Mayor Rebecca Smothers introduced the following resolution which was read:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$3,500,000.00 WITH WACHOVIA BANK, NA TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE CITY OF HIGH POINT, NORTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

BE IT RESOLVED by the governing body for the City of High Point, North Carolina (the "Unit"):

Section 1. The governing body of the Unit does hereby find and determine:

- a) The City of High Point proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the "Equipment");
- b) After consideration, the governing body of the Unit has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;
- c) Pursuant to Section 160A-20, the Unit is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and
- d) Wachovia Bank, NA has proposed that Wachovia Bank, NA enter into an Installment Financing Contract with the Unit to finance the Equipment pursuant to which RBC Bank (USA) will lend the Unit the amount of \$3,500,000.00 (the "Contract") and a related Escrow Agreement between the Unit and Wachovia Bank, NA (the "Escrow Agreement").

Section 2. The governing body of the Unit hereby authorizes and directs the Authorized Officers, Strib Boynton, City Manager and Jeffrey A. Moore, Financial Services Director, to execute, acknowledge and deliver the Contract and Escrow Agreement on behalf of the Unit in such form and substance as the person executing and delivering such instruments on behalf of the Unit shall find acceptable. The Clerk is hereby authorized to affix the official seal of the City of High Point to the Contract and the Escrow Agreement and attest the same.

Section 3. The proper officers of the Unit are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract and the Escrow Agreement.

Section 4. Notwithstanding any provision of the Contract or the Escrow Agreement, no deficiency judgment may be rendered against the Unit in any action for breach of a contractual obligation under the Contract or the Escrow Agreement and the taxing power of the Unit is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for Wachovia Bank, NA in such instance.

Section 5. The Unit covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") as required so that interest on the Unit's obligations under the Contract will not be included in the gross income of Wachovia Bank, NA.

Section 6. The Unit hereby represents that it reasonably expects that it, all subordinate entities thereof and all entities issuing obligations on behalf of the Unit will not issue in the aggregate more than \$30,000,000 of tax-exempt obligations, including the Contract (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined in the Code) during calendar year 2009. In addition, the Unit hereby designates the Contract and its obligations under the Contract as a "bank qualified tax-exempt obligation" for the purposes of the Code.

Section 7. This Resolution shall take effect immediately upon its passage.

Upon motion of Council Member Latimer Alexander, seconded by Council Member Bernita Sims, members of the governing body, the foregoing resolution entitled **"RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$3,500,000.00 WITH WACHOVIA BANK, NA TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH"** was passed by the following vote:

Ayes: Mayor Rebecca Smothers and Council Members Latimer Alexander, William Bencini, Mary Blakeney, Foster Douglas, John Faircloth, Michael Pugh, Bernita Sims

Nays: None

PASSED AND ADOPTED this 21st day of September, 2009.

* * * * *

I, Lisa B. Vierling, MMC, Clerk for the City of High Point, North Carolina DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the governing body of said City of High Point at a regular meeting held on September 21, 2009, the record having been made in the minutes of said governing body, and is a true copy of so much of said minutes as relates in any way to the passage of a resolution providing for the authorization of the Installment Financing Contract referred to therein.

I DO HEREBY FURTHER CERTIFY that a schedule, stating that the regular meetings of the Council are held on first and third Mondays of each month at 4:45pm and the Thursdays following said Monday meetings at 9:00am, respectively, at Municipal Building, 211 S. Hamilton St, High Point, North Carolina, was on file with me for at least seven calendar days prior to said meeting, all in accordance with G.S. 143-318.12.

WITNESS my hand and corporate seal of said City of High Point, this 22nd day of September, 2009.



Lisa B. Vierling,

Clerk, City of High Point





MEMORANDUM

September 17, 2009

MEMO TO: Pat Pate, Assistant City Manager

FROM: Jeffrey A. Moore, Financial Services Director

SUBJECT: Lease-purchase resolution for Automated Refuse Collection Program

The new refuse collection program approved by City Council in the 2009-2010 Budget which included the purchase of automated arm-lift collection trucks and 37,000 recycling carts is significantly underway. Several of the trucks are already in service and delivery of the first of the recycling carts is expected any day. As presented to Council, the equipment and recycling carts were planned to be paid from the proceeds of a lease-purchase financing contract. Repayments for this new lease are included in the Environmental Services Department's current FY2009-2010 budget.

The Financial Services Department sent requests for proposals to 23 financial and leasing institutions, and received 7 responses, five (5) of which were responsive and conforming to the specifications for the proposal. I recommend that City Council accept the bid with the lowest total cost of financing and meeting specifications, and award the financing agreement to Wachovia Bank, NA who provided the City with a very favorable 2.55% interest rate for five years. A summary of the bid results is attached for your information.

The bid results were evaluated on the initial proposal which requested an estimated funding not to exceed \$3,500,000. The actual repayment will be \$186,931.12 quarterly for a total repayment of \$3,738,622.40.

City Council is asked to approve the following actions in connection with the financing agreement and closing of the related documents:

1. City Council is requested to authorize the City Manager and Financial Services Director to accept the proposal for the lease-purchase agreement with Wachovia Bank NA, to authorize the borrowing as evidenced in the attached resolution, and to prepare and execute the necessary documents in connection with the financing agreement.

If you have any questions, please let me know.

Accounting
336.883.3240

Internal Audit
336.883.3122

Purchasing
336.883.3219

Treasury Services
336.883.3230

RESOLUTION

The governing body for the City of High Point, North Carolina, held a regular meeting at City Hall, located at 211 S. Hamilton Street, High Point NC, the regular place of meeting, on _____, at _____ a.m./p.m.

Present: _____

Absent: _____

Also Present: _____

* * * * *

_____ introduced the following resolution which was read:

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$3,500,000.00 WITH WACHOVIA BANK, NA TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT FOR USE BY THE CITY OF HIGH POINT, NORTH CAROLINA, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

BE IT RESOLVED by the governing body for the City of High Point, North Carolina (the “Unit”):

Section 1. The governing body of the Unit does hereby find and determine:

- a) The City of High Point proposes the acquisition of certain equipment, which may include fixtures as more fully described in the hereinafter mentioned Contract (collectively, the “Equipment”);
- b) After consideration, the governing body of the Unit has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;
- c) Pursuant to Section 160A-20, the Unit is authorized to finance the acquisition of personal property, including fixtures, by installment contracts that create a security interest in the property financed to secure repayment of the financing; and
- d) Wachovia Bank, NA has proposed that Wachovia Bank, NA enter into an Installment Financing Contract with the Unit to finance the Equipment pursuant to which RBC Bank (USA) will lend the Unit the amount of \$3,500,000.00 (the “Contract”) and a related Escrow Agreement between the Unit and Wachovia Bank, NA (the “Escrow Agreement”).

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Section 3. The proper officers of the Unit are authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract and the Escrow Agreement.

Section 4. Notwithstanding any provision of the Contract or the Escrow Agreement, no deficiency judgment may be rendered against the Unit in any action for breach of a contractual obligation under the Contract or the Escrow Agreement and the taxing power of the Unit is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for Wachovia Bank, NA in such instance.

Section 5. The Unit covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") as required so that interest on the Unit's obligations under the Contract will not be included in the gross income of Wachovia Bank, NA.

Section 6. The Unit hereby represents that it reasonably expects that it, all subordinate entities thereof and all entities issuing obligations on behalf of the Unit will not issue in the aggregate more than \$30,000,000 of tax-exempt obligations, including the Contract (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined in the Code) during calendar year 2009. In addition, the Unit hereby designates the Contract and its obligations under the Contract as a "bank qualified tax-exempt obligation" for the purposes of the Code.

Section 7. This Resolution shall take effect immediately upon its passage.

Upon motion of _____, seconded by _____, members of the governing body, the foregoing resolution entitled "**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT IN THE AMOUNT OF \$3,500,000.00 WITH WACHOVIA BANK, NA TO FINANCE THE ACQUISITION OF CERTAIN EQUIPMENT, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH**" was passed by the following vote:

Ayes: _____

Nays: _____

PASSED AND ADOPTED this ____ day of _____, ____.

* * * * *

I, Lisa B. Vierling, MMC, Clerk for the City of High Point, North Carolina DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the governing body of said City of High Point at a regular meeting held on _____, _____, the record having been made in the minutes of said governing body, and is a true copy of so much of said minutes as relates in any way to the passage of a resolution providing for the authorization of the Installment Financing Contract referred to therein.

I DO HEREBY FURTHER CERTIFY that a schedule, stating that the regular meetings of the Council are held on first and third Mondays of each month at 4:45pm and the Thursdays following said Monday meetings at 9:00am, respectively, at Municipal Building, 211 S. Hamilton St, High Point, North Carolina, was on file with me for at least seven calendar days prior to said meeting, all in accordance with G.S. 143-318.12.

WITNESS my hand and corporate seal of said City of High Point, this _____ day of _____, _____.

Clerk, City of High Point

[SEAL]

City of High Point
Lease-Purchase Bid Tabulation
Automated Refuse Collection Program

Institution	Rate %	Term	Payment	Total of Payments	Special Notes
Bank of America	2.67600%	5	187,137.09	\$ 3,742,741.80	101% Prepymt, \$1 buyout, \$5000 fees
BB&T Governmental Finance	3.19000%	5	190,000.14	\$ 3,800,002.80	101% Prepymt
RBC Bank	3.29000%	5	190,482.90	\$ 3,809,658.00	100.5% Prepymt; \$100 doc fee, deposit investment required
SunTrust Leasing	2.88500%	5	188,104.41	\$ 3,762,088.20	103% Prepymt;\$100 doc fee; \$250 escrow fee
Wachovia/Wells Fargo	2.55000%	5	186,931.12	\$ 3,738,622.40	\$500 fees
CalFirst Leasing	no bid				
Koch Financial	no bid				

PLANNING AND ZONING COMMISSION RECOMMENDATION

On August 25, 2009, a public hearing was held before the Planning and Zoning Commission regarding the requests described below. All members of the Commission were present.

City of High Point

Zoning Case 09-06

Residential Single Family-15 (RS-15) District.

A request by the City of High Point Electric Utilities Department to rezone an approximately 2.6 acre parcel from the Residential Single Family-40 (RS-40) District and Agricultural (AG) District, within Guilford County's zoning jurisdiction, to a Residential Single Family-15 (RS-15) District. Approval of this rezoning request is contingent upon City Council approval of an annexation of city owned property.

AND

City of High Point

Special Use Permit Case 09-01

A request by the City of High Point Electric Utilities Department for a Special Use Permit to allow a utility service facility use within the Residential Single Family-15 (RS-15) District. The site consists of approximately 2.6 acres lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and addressed as 1646 Penny Road.

Mr. Shannon presented both requests to the Commission and recommended approval of Z09-06 and SUP09-01 as outlined in the staff reports.

There were no objections noted to the rezoning portion of this proposal. Questions or issues of concern were only raised in regards to Special Use Permit. Speaking in opposition to SUP09-01 were Mr. James McCoy of 1702 Penny Road, Mr. Rick Tilbury of 2970 Cloverwood Drive, Mr. Robert Cherry and Ms. Mary Clodfelter of 1634 Penny Road, Mr. Ray Meadows of 1618 Penny Road, and Mr. Ervin Gibson of 722 East Fork Road. They expressed the following concerns:

- Some property owners in this area receive utilities from Duke Power and this substation does not directly benefit the neighborhood; and lack of awareness of the meeting as some in attendance heard about it through word of mouth.
- There are other vacant properties in this area that may be a better location, was this the only property reviewed or was there a site selection process?
- There were numerous technical questions which were addressed by Mr. Garey Edwards, Director of Electric Utilities (*will wires be buried; will use interfere with AM radio reception; exploding transformers; will equipment height be similar to the Duke Transmission towers in this area and stormwater runoff*).
- Possible property value decline with the 8-foot chain link fence with barbed wires resembling a prison.

Planning & Development staff and Mr. Garey Edwards, Director of Electric Utilities addressed questions raised from the public. Issues which generated the most discussion were technical questions and site selection. In regards to site selection, Mr. Edwards noted that his department had looked for property in this area for over three years before they were able to purchase this site. The City Electric Utilities Department along with a consultant reviewed several sites; however, site terrain, accessibility (equipment & personal), owners not wishing to sell their property, and land cost lead them to choose this site.

The Planning & Zoning Commission recommended **approval** of Zoning Case 09-06 and Special Use Permit Case 09-01 by a vote of 6-1. The one opposing vote was from member Andrew Putnam who felt this use would be more appropriate in at a non-residential (industrial or commercial) area.

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

**STAFF REPORT
ZONING CASE 09-06
August 28, 2009**

Request	
Applicant: City of High Point (Electric Utilities Department)	Owner: City of High Point
Proposal: To annex and apply initial City zoning to a 2.6 acre parcel.	From: Residential Single Family-40 (RS-40) District (<i>Guilford County</i>) Agricultural (AG) District (<i>Guilford County</i>)
	To: Residential Single Family-15 (RS-15) District.

Site Information	
Location:	Lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and is addressed as 1646 Penny Road.
Tax Parcel Numbers:	15-94-7007-0-1020-00-016 (Guilford County)
Site Acreage:	Approximately 2.6 acres.
Current Land Use:	Undeveloped parcel.
Physical Characteristics:	The site is relatively flat containing no noteworthy features.
Water and Sewer Proximity:	A 12-inch City water line and a 24-inch City sanitary sewer line runs along the Penny Road frontage of the site.
General Drainage and Watershed:	The site drains in a general south to southeast direction and development is subject to the Oak Hollow Lake WCA, Tier 4 requirements. Engineered storm water treatment measures are required for development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more. Within Tier 4 of the Oak Hollow Lake WCA, there is a maximum 50% impervious area standard.
Overlay District(s):	Oak Hollow Lake WCA, Tier 4

Adjacent Property Zoning and Current Land Use		
North:	Highway Business (HB) District (<i>Guilford County</i>)	Lounge/Night Club
South:	Residential Single Family-40 (RS-40) District (<i>Guilford County</i>) Agricultural (AG) District (<i>Guilford County</i>)	Single family dwelling
East:	Agricultural (AG) District (<i>Guilford County</i>)	Single family dwelling
West:	Conditional Use Residential Multifamily-5 (CU RM-5) District	Townhome development

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	Low-Density Residential: 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.
Land Use Plan Goals, Objectives and Policies:	Goal 5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.
Relevant Area Plan(s):	There are no relevant area plans.
Zoning History:	N/A

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Penny Road		Major Thoroughfare	280 feet
Vehicular Access:	Penny Road			
Traffic Counts:	Penny Road & East Fork Road		12,350 (2007, 12-hour count)	
Estimated Trip Generation:	Up to four single family dwellings could be developed from this parcel, this would generate approximately 36 - 40 vehicle trips per day.			
Traffic Impact Analysis:	Required		Comment	
	☐ Yes	☒ No		
Pedestrian Access:	There are no pedestrian facilities planned for this area.			

School District Comment
Not applicable to this zoning case. The site is owned by a municipal government and is proposed to be developed for a municipal utility service facility (electrical substation). If the property were to be developed for residential purposes, no more than four (4) single family lots could be created. This limited number of residential dwellings would not negatively impact schools in this area.

Details of Proposal

This is a request to annex and establish the City of High Point's RS-15 District zoning upon this 2.6 acre parcel lying along the east side of Penny Road, approximately 560 feet south of East Fork Road. There is a separate application for a special use permit to establish a utility service facility use upon the property (*see Special Use Permit Case 09-01*); however, the special use permit application is decided upon separately from the rezoning request.

The zoning site is within an established residential area. Parcels along the east side of this segment of Penny Road, which have been annexed by the City of High Point or within the City's Extraterritorial Jurisdiction (ETJ) Area, are also zoned RS-15 District. Along the opposite side of Penny Road are a CU RM-5 District townhome development and a CU RS-12 District single family subdivision. Unincorporated parcels in this area typically consist of single family dwellings on larger lots or are undeveloped parcels.

This zoning request is consistent with the existing zoning and development pattern in this area, and consistent with the low density residential land use designation noted for this area upon the City's Land Use map.

Identified Issues

Major Issues:

❖ None.

Minor Issues:

❖ None.

Recommendation

Staff Recommends Approval

Based upon the land development pattern in this area and the presence of similar large lot single family zoned properties along the east side of Penny Road, staff recommends approval of the request to rezone this parcel to the RS-15 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.

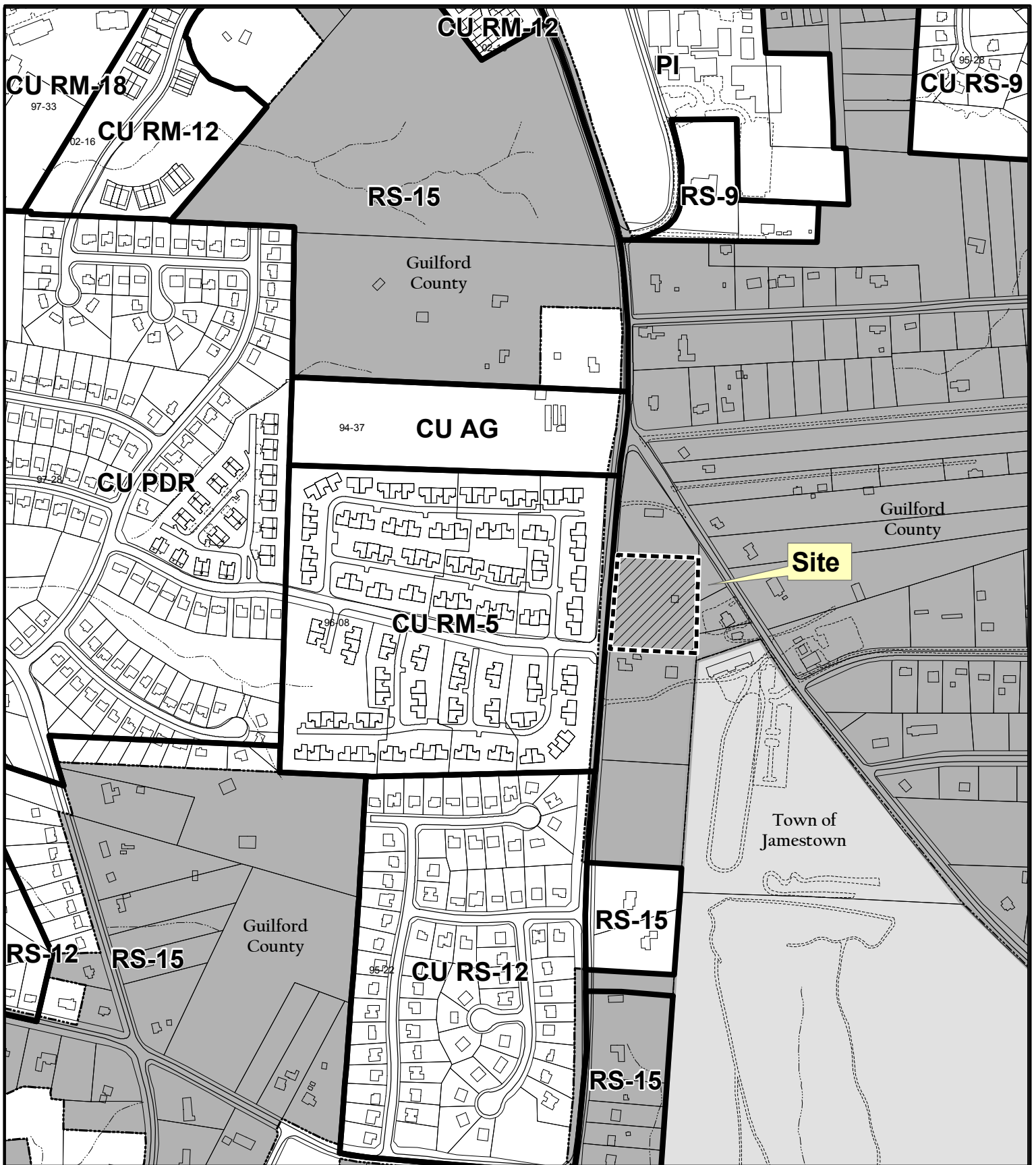
City Council:

Upon rendering its decision in this case, the High Point City Council also must 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) Based upon the Land Use Map and the current zoning pattern in this area, the requested RS-15 District is generally consistent with the Land Use Plan for this portion of the City's planning area; 2) The requested RS-15 District is not introducing any new uses into this area and reflects the larger lot size of existing single family dwellings along the east side of this segment of Penny Road; and 3) The requested RS-15 District is be compatible and in harmony with adjacent uses. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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



REZONING CASE 09-06

**From: Residential Single Family-40 and
Agricultural (Guilford Co.)**

To: Residential Single Family-15

Existing Zoning Boundary

Subject Property Boundary



**Planning & Development
Department**

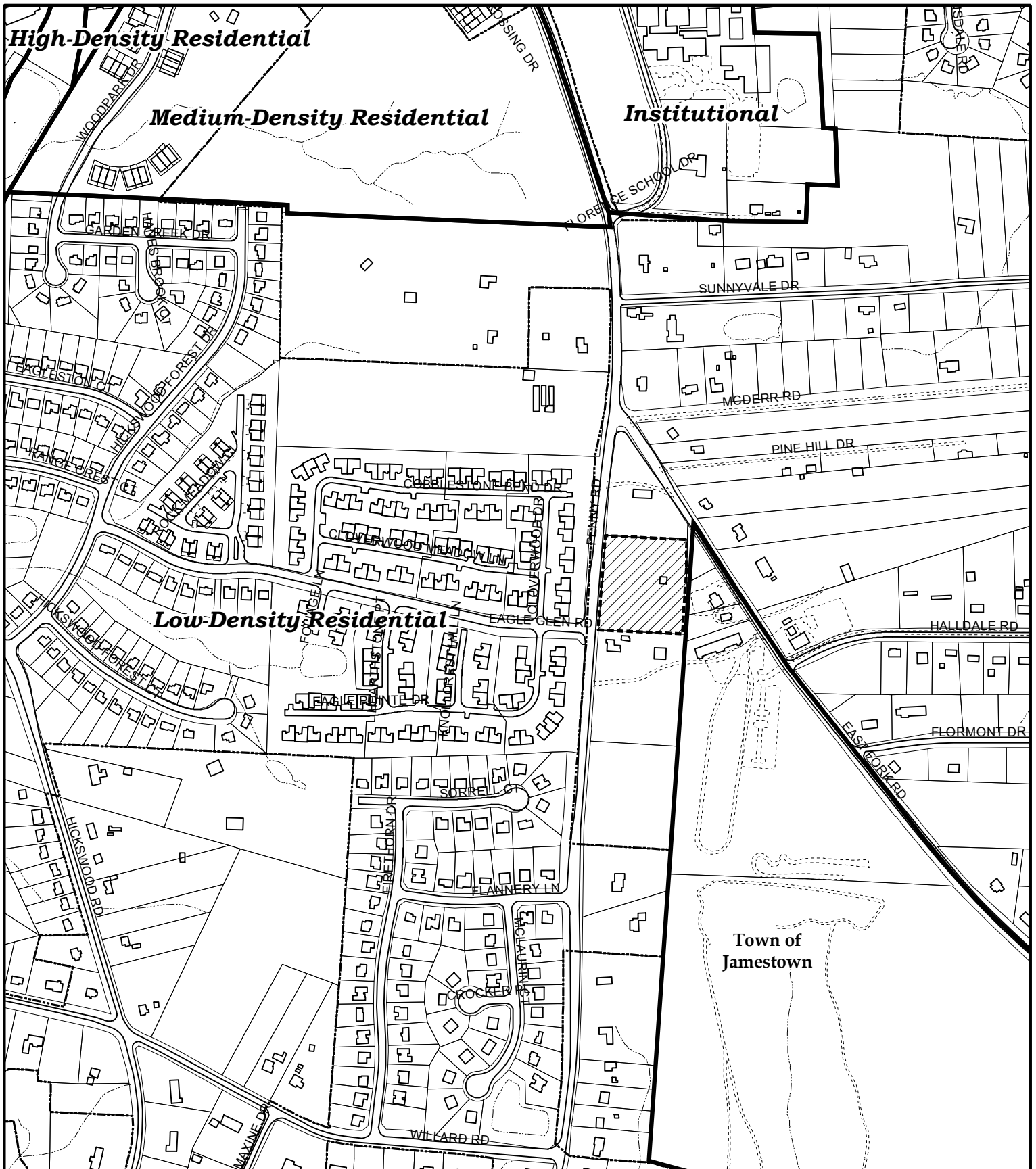
City of High Point

Date: July 28, 2009



Scale: 1"=500'

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REZONING CASE 09-06

Land Use Plan

Existing Land Use Plan

Subject Property Boundary



Planning & Development
Department

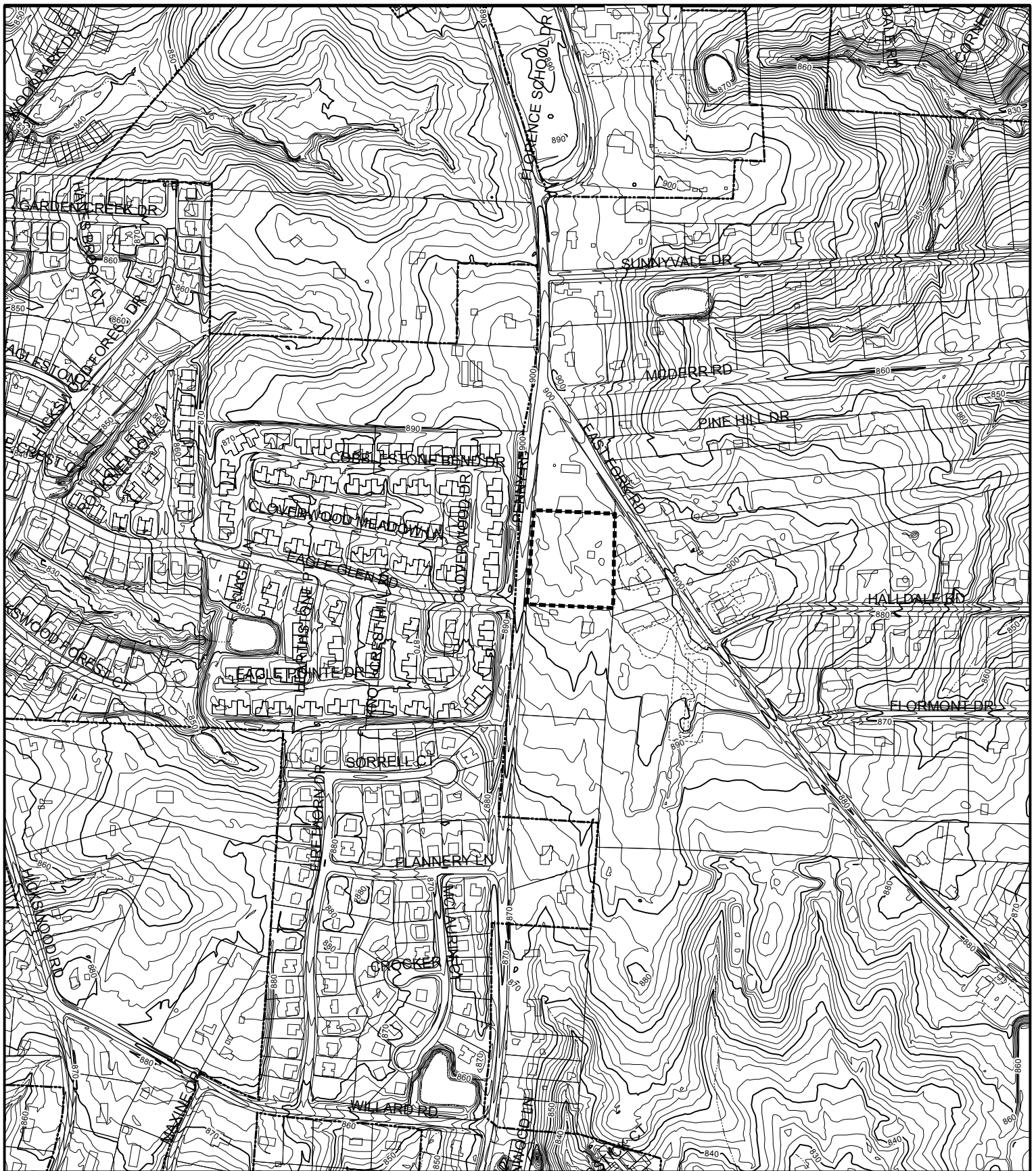
City of High Point

Date: August 14, 2009



Scale: 1"=500'

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REZONING CASE 09-06

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

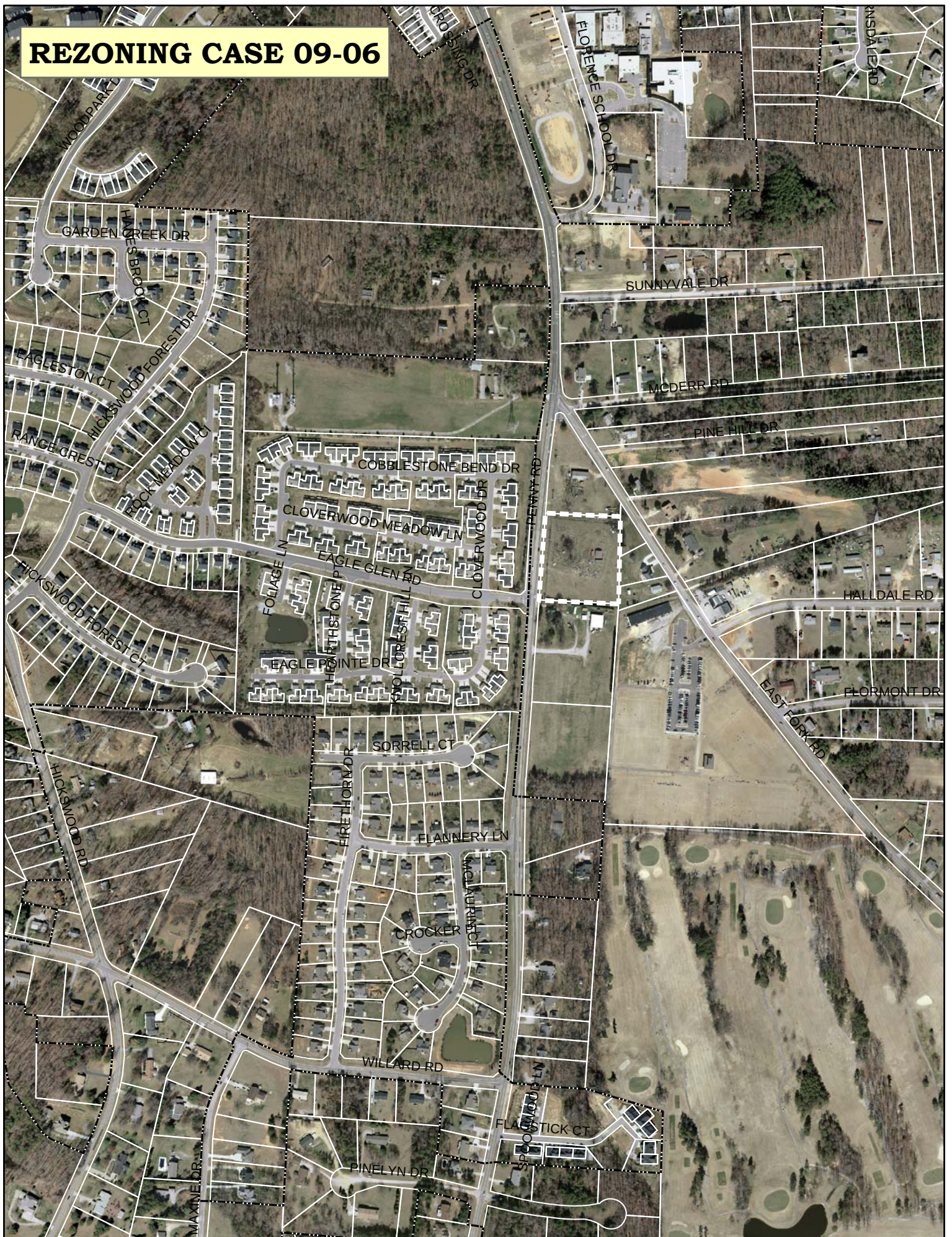
Date: August 14, 2009



Scale: 1"=500'

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REZONING CASE 09-06



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

**STAFF REPORT
SPECIAL USE PERMIT 09-01
August 25, 2009**

Request	
Applicant: City of High Point (Electric Utilities Department)	Owner: City of High Point
Proposal: A Special Use Permit request by the City of High Point Electric Utilities Department to allow a utility service facility use (electrical substation) within the Residential Single Family-15 (RS-15) District.	

Site Information	
Location:	Lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and is addressed as 1646 Penny Road.
Tax Parcel Numbers:	15-94-7007-0-1020-00-016 (Guilford County)
Site Acreage:	Approximately 2.6 acres.
Current Land Use:	Undeveloped parcel.
Physical Characteristics:	The site is relatively flat containing no noteworthy features.
Water and Sewer Proximity:	A 12-inch City water line and a 24-inch City sanitary sewer line runs along the Penny Road frontage of the site.
General Drainage and Watershed:	The site drains in a general south to southeast direction and development is subject to the Oak Hollow Lake WCA, Tier 4 requirements. Engineered storm water treatment measures are required for development with a total impervious surface area greater than 24% of the site, and for single family developments with a gross density of 2 units per acre or more. Within Tier 4 of the Oak Hollow Lake WCA, there is a maximum 50% impervious area standard.
Overlay District(s):	Oak Hollow Lake WCA, Tier 4

Adjacent Property Zoning and Current Land Use		
North:	Highway Business (HB) District (Guilford County)	Lounge/Night Club
South:	Residential Single Family-40 (RS-40) District (Guilford County) Agricultural (AG) District (Guilford County)	Single family dwelling
East:	Agricultural (AG) District (Guilford County)	Single family dwelling
West:	Conditional Use Residential Multifamily-5 (CU RM-5) District	Townhome development

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	Low-Density Residential: 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.
Land Use Plan Goals, Objectives and Policies:	Goal 4: Ensure that all required public services and facilities are sequenced to meet demands of development; and
Relevant Area Plan(s):	There are no relevant area plans.
Zoning History:	N/A

Transportation Information					
Adjacent Streets:	Name		Classification		Approx. Frontage
	Penny Road		Major Thoroughfare		280 feet
Vehicular Access:	The proposed Utility Service Facility will take its access from Penny Road.				
Traffic Counts:	Penny Road & East Fork Road			12,350 (2007, 12-hour count)	
Estimated Trip Generation:	Based upon development data provided by the applicant, the proposed utility service facility for this site is estimated to generate less than 10 vehicles trips per day.				
Traffic Impact Analysis:	Required			Comment	
	☐	Yes	☐	No X	
Pedestrian Access:	There are no pedestrian facilities planned for this area.				

School District Comment
Not applicable to this zoning case. The site is owned by a municipal government and is proposed to be developed for a municipal utility facility use.

Details of Proposal

This is a request by the City of High Point Electric Utilities Department for a Special Use Permit to place a "Utility Service Facility" (electric substation) upon a RS-15 District zoned parcel along the east side of Penny Road, approximately 560 feet south of East Fork Road. Utility Service Facilities are a permitted use with all residential districts subject to obtaining special use permit approval. The special use permit review is to ensure the facility is appropriate for that location and to insure there are no impacts upon adjacent property owners or that any impacts are sufficiently mitigated.

The northern portion of the City of High Point's planning area has experienced rapid growth and development over the past two decades. In order for the Electric Utilities Department to keep up with this growth they have requested this special use permit to develop an electrical substation upon an approximately 2.6 acre parcel to help provided utility service for the northeastern portion of the City's Planning Area. The proposed electrical substation will be located in the middle of the site and will be enclosed by a fenced compound. A 650 – 700 square foot brick service building with a pitched roof will also be constructed. The facility will receive minor traffic; just periodic visits once a day for maintenance purposes. The area impacted by

development, within the fenced in compound, will be approximately 35,900 square feet or 1/3 of the overall site area. The fenced compound area will be approximately 50 feet from the Penny Road right-of-way; approximately 90 feet from side property lines and approximately 60 feet from rear property line. The remaining area of the site, outside of the fenced compound, will be used for a stormwater control device, landscaping and to buffer/screen the facility from adjacent parcels. The area around the perimeter of the site near the property lines will be landscaped with a staggered double row of Giant Arborvitae trees planted 8 – 10 feet apart. The giant arborvitae is similar to a leyland cyprus in its appearance, screening capabilities and rapid growth rate.

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. In regards to this site, criteria pertaining to building setback, height, landscaping, and appearance standards apply and are being met.

Identified Issues

Major Issues:

- ❖ None

Minor Issues:

- ❖ None

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 facility will be visited approximately once a day by maintenance staff, this is a lesser vehicle trip impact then if the site were developed for residential or other uses permitted in the RS-15 District.
- ❖ 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 the northeastern portion of the City's planning area.

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 meeting the requirements of the Development Ordinance.
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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 northeastern portion of the City's Planning area and will assist in ensuring that required public services and facilities are sequenced to meet demands of current citizens and future development. ❖ 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; only 1/3 of the site will be developed. The remaining area, approximately 1.7 acres, will be undeveloped and used as landscaping or buffer areas. ➤ Proposed landscaping around the perimeter of the site will screen the facility from adjacent property owners. The proposal to install 130 to 160 evergreen trees will exceed landscaping requirements of the Development Ordinance and provide year round screening. ➤ The proposal is significantly exceeding minimum setback standards.
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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	❖ Based upon the limited area of impact and development standards of the Development Ordinance, staff finds that the requested pumping station will be in harmony with the surrounding area. ❖ 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 following site design features of this proposal will ensure its compatibility with adjacent uses: • Utility service buildings are to have a pitch roof and be of materials compatible with structures in the vicinity. This facility will have a 650 – 700 square foot brick service structure with a pitch roof. • Only a 10 foot side yard and 30 foot rear yard setback is required from the fence compound area to the property line. The request is significantly exceeding this criterion by providing an
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	approximately 90 foot side yard setback and approximately 60 foot rear yard setback from the fence compound area to the property line. • To screen the facility from adjacent property owners the perimeter of the site, area outside of the fence compound, will be landscaped with a staggered double row of Giant Arborvitae trees planted 8 – 10 feet apart (approximately 130 to 160 trees). A similar landscaping scheme has been used upon another electrical substation sites within the city and within 3 – 5 years of planting the landscaping has screened the equipment within the fenced compound area.
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Recommendation

Staff Recommends Approval

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, meeting development criteria for this use established by the Development Ordinance and in compliance with the goals and objectives of the Land Use Plan.

The Planning and Development Department recommends approval of the request to permit a Utility Service Facility within the RS-15 District and the accompanying Special Use Permit.

Report Preparation

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

View of site from Penny Road



Example of screening/landscaping used at Barrow Road electrical substation that will also be used at Penny Road site.



Example of screening/landscaping used at Barrow Road electrical substation that will also be used at Penny Road site.



**SPECIAL USE PERMIT 09-01
CITY OF HIGH POINT, NORTH CAROLINA**

August 25, 2009
(Submitted)

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: Development of the site shall be in accordance with the attached approved Special Use Permit sketch plan.

DESCRIPTION OF PROPERTY: A 2.6 acre parcel lying along the east side of Penny Road, approximately 560 feet south of East Fork Road and is addressed as 1646 Penny Road. The site is also known as Guilford County Tax Parcel 15-94-7007-0-1020-00-016.

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.

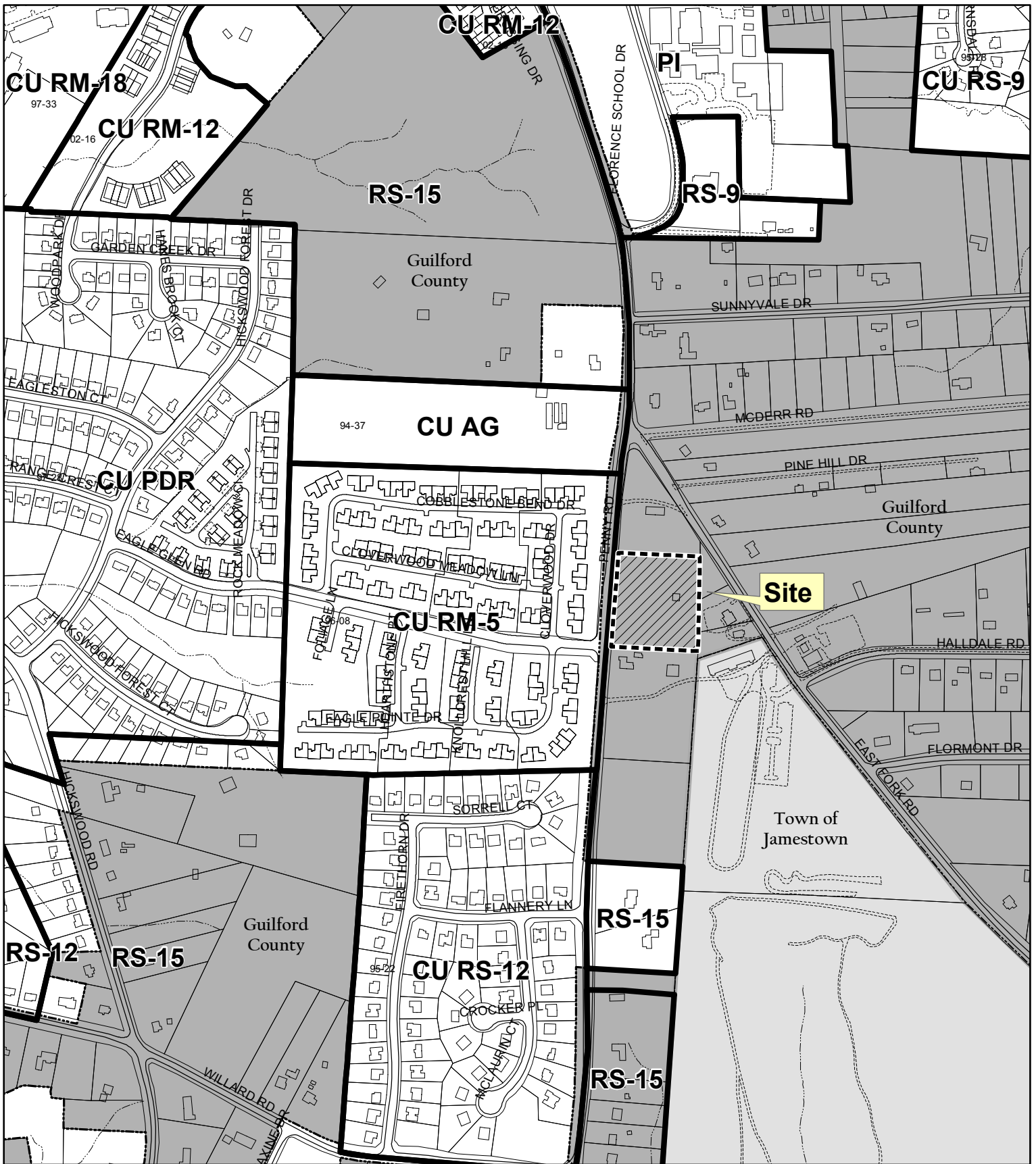
This Special Use Permit shall become void after eighteen (18) months from the date of City Council approval unless the Special Use authorized has begun and/or a footing inspection has been approved. If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced 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 09-01 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE _____TH DAY OF _____ 2009.

Lisa B. Vierling
City Clerk

Date



SPECIAL USE PERMIT 09-01

Request: To allow a "Utility Service Facility" within the RS-15 district

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

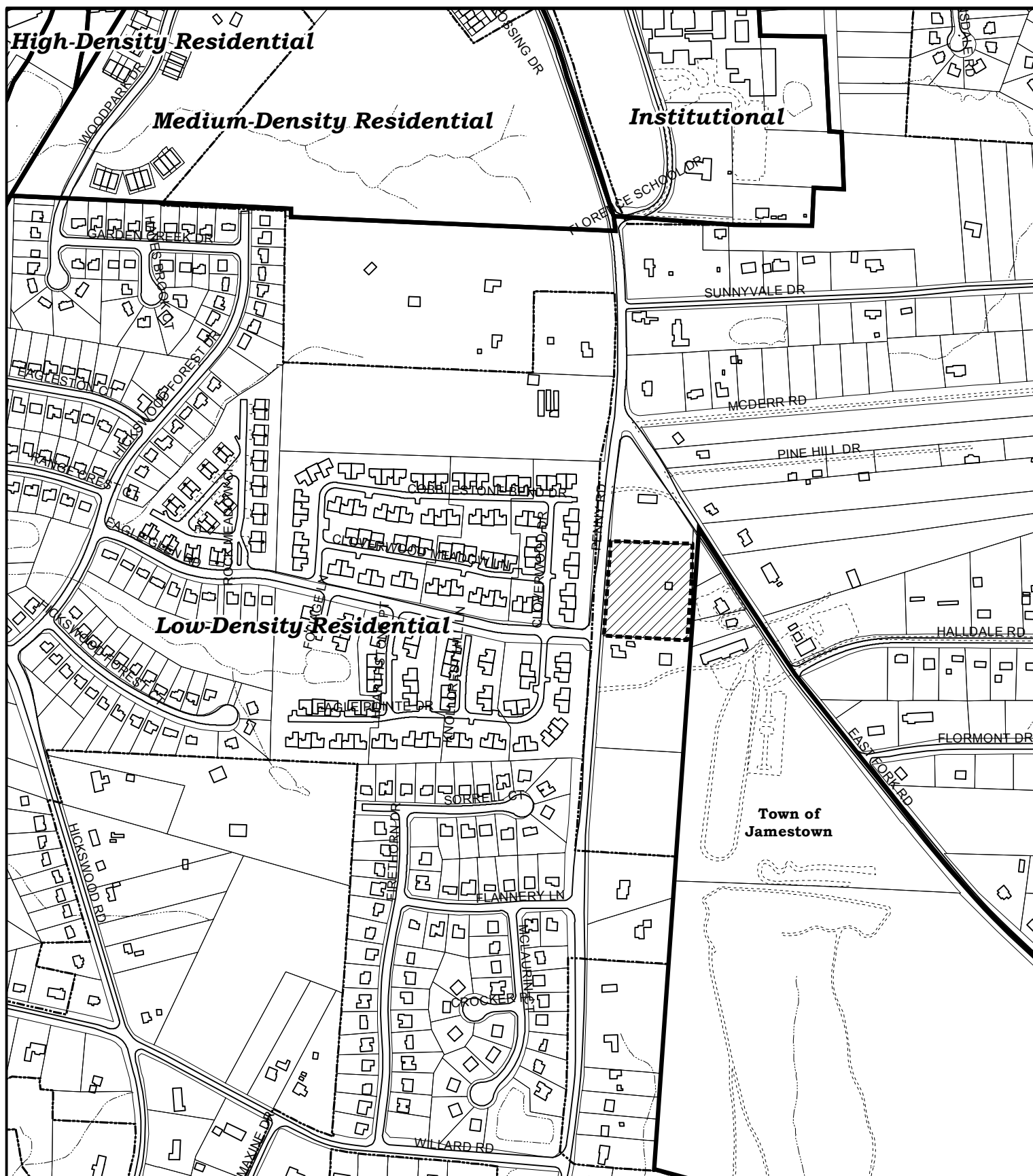
**Planning & Development
Department**

City of High Point

Date: July 23, 2009



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SPECIAL USE PERMIT 09-01

Land Use Plan

Existing Land Use Plan

Subject Property Boundary

**Planning & Development
Department**

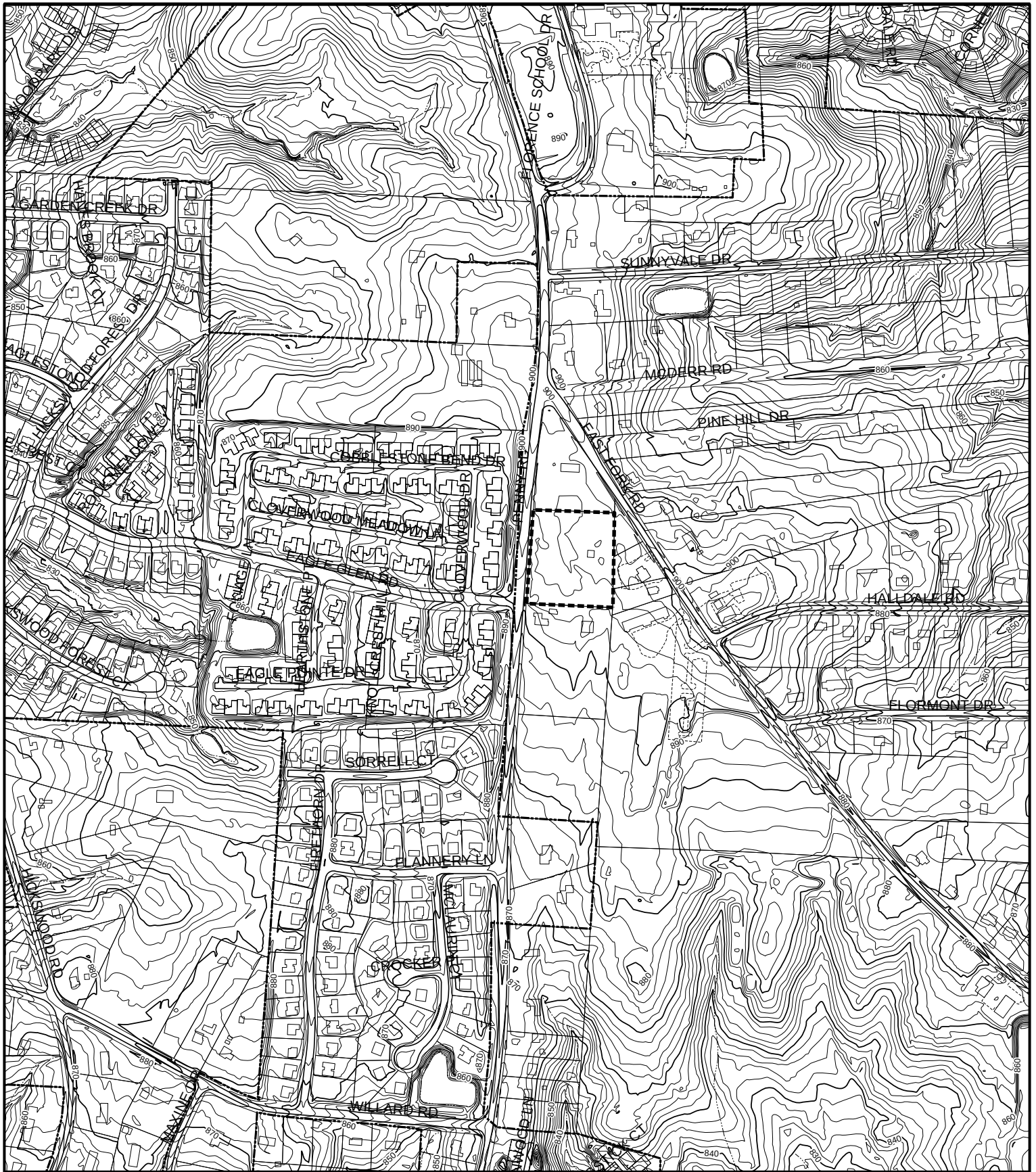
City of High Point

Date: August 14, 2009



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SPECIAL USE PERMIT 09-01

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

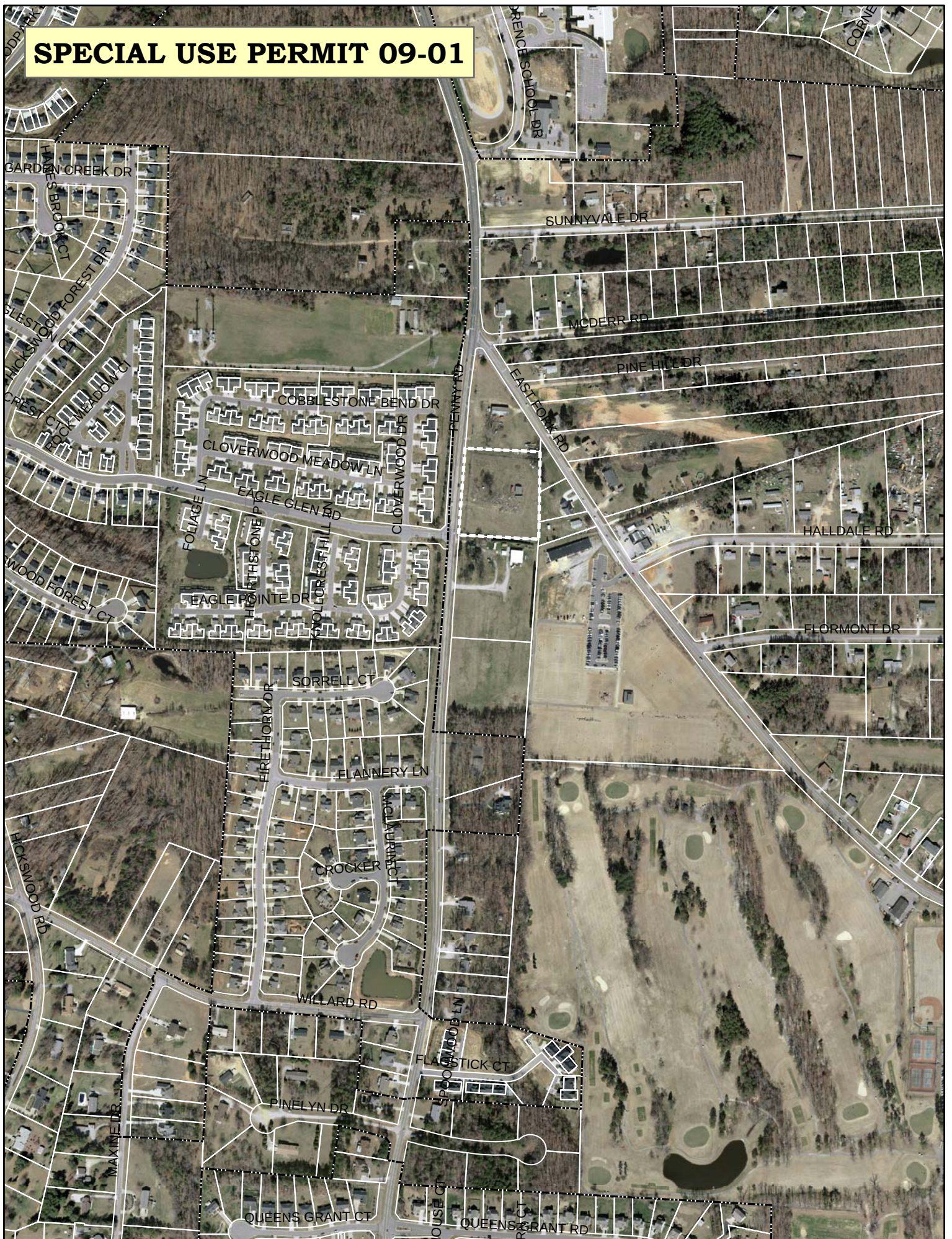
City of High Point

Date: August 14, 2009



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SPECIAL USE PERMIT 09-01



Transportation



May 18, 2009

To: Lee Burnette, Director of Planning and Development

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

Subject: **Special Use Permit #09-01**, City of High Point. Property is located at the eastside of Penny Road, approximately 550 south of the intersection of East Fork Road and Penny Road

My staff and I have reviewed the rezoning request and have the following comments:

A traffic impact analysis was not required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. In order to mitigate the development's impact on the surrounding roadway network the following improvements will be required:

Access:

Two (2) points of access shall be allowed to Penny Road.

Right of Way:

The property owner shall dedicate a minimum of forty-two (42) feet of right-of-way as measured from the existing centerline of Penny Road.

The North Carolina Department of Transportation and the City of High Point Transportation Director shall approve all construction and improvements.

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

MEMORANDUM

September 15, 2009

To: Honorable Mayor & City Council
From: G. Lee Burnette, AICP, Director
Subject: **Request to Initiate a Zoning Map Amendment**

One of the key recommendations of the Core City Plan is to create one zoning district that designates the area where new market showrooms are allowed. The plan stated that concentrating showrooms within a defined district helps (1) to strengthen the Market (2) to reduce real estate speculation driven by the showrooms that discourages other uses, and (3) to allow for the development of non-showroom uses in the peripheral areas that could benefit both the Market and the community in general.

Staff determined that an overlay district was the most appropriate means to implement and has worked to define a boundary for this district. As part of this process, a focus group composed of showroom owners, business interests, a real estate broker and a Market Authority representative met to provide feedback to staff. The group provided insight about the trend toward a more compact and concentrated area for the Market.

To define the proposed boundary, staff used the Core City Plan as the basis. Then staff identified existing showroom locations and areas for potential viability for peripheral uses that could help support the Market and generate activity throughout the year. Based on this and feedback from the focus group, a proposed Market District boundary was created and shown to the general public at a community open house held in August. Since the open house, staff has made a couple of modifications to the proposed district boundary based on the public comments received. The attached maps delineate the district boundary proposed by staff.

To establish the district requires a map and text amendment. Staff is initiating the text amendment, however, the Development Ordinance only allows City Council to initiate zoning map amendments. Staff requests that the City Council initiate the map amendment to establish the Market Overlay District. The proposal will be discussed at the Planning & Development Committee on Tuesday, September 22, 2009.

Please contact me if you have questions.

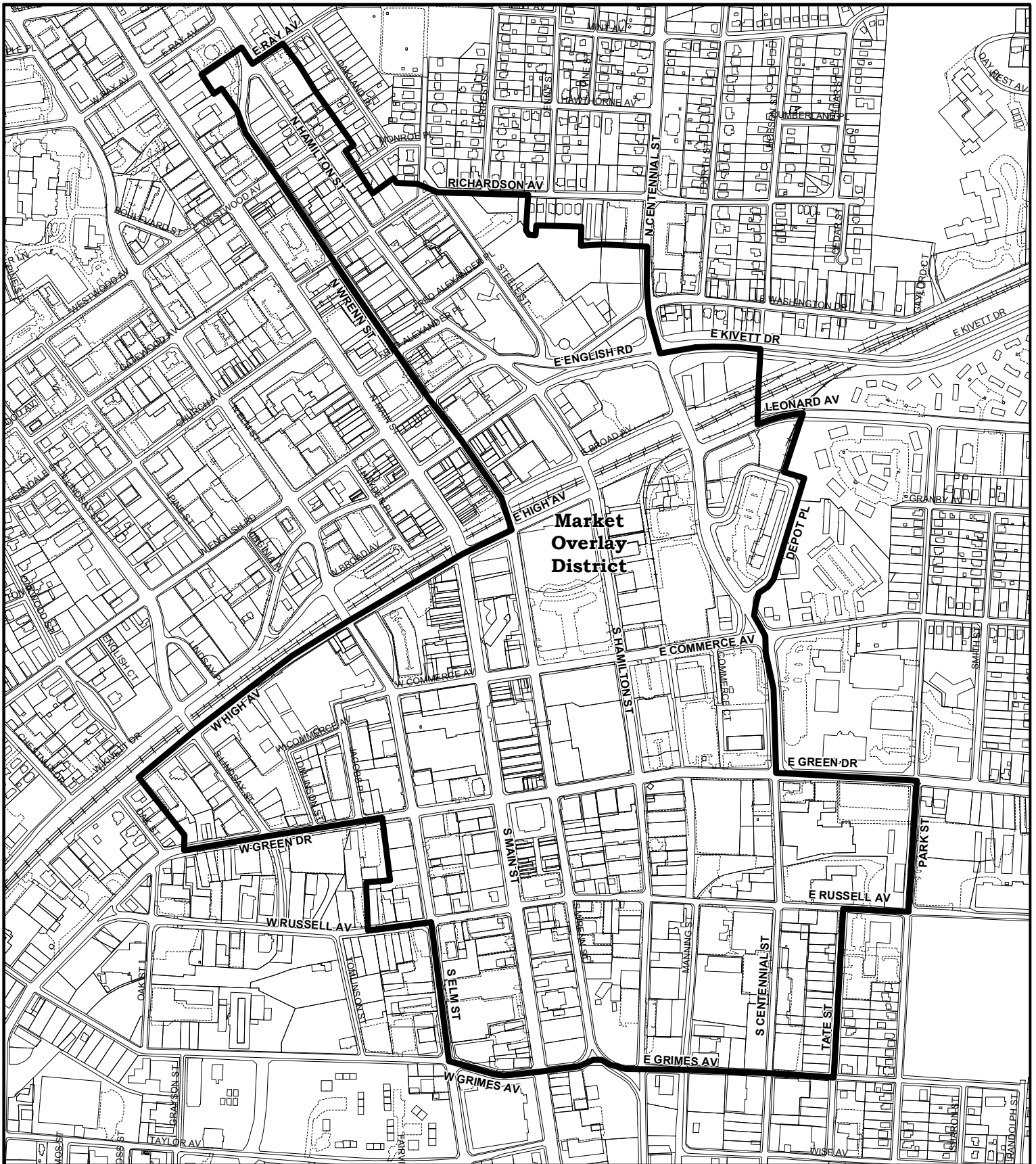
cc: Strib Boynton, City Manager
Randy McCaslin, Assistant City Manager
Fred Baggett, City Attorney
Lisa Vierling, City Clerk

Administration
336.883.3328

Planning Services
336.883.3328

Development Services
336.883.3328

Inspection Services
336.883.3151



PROPOSED MARKET OVERLAY DISTRICT

Proposed Overlay District

Planning & Development
Department

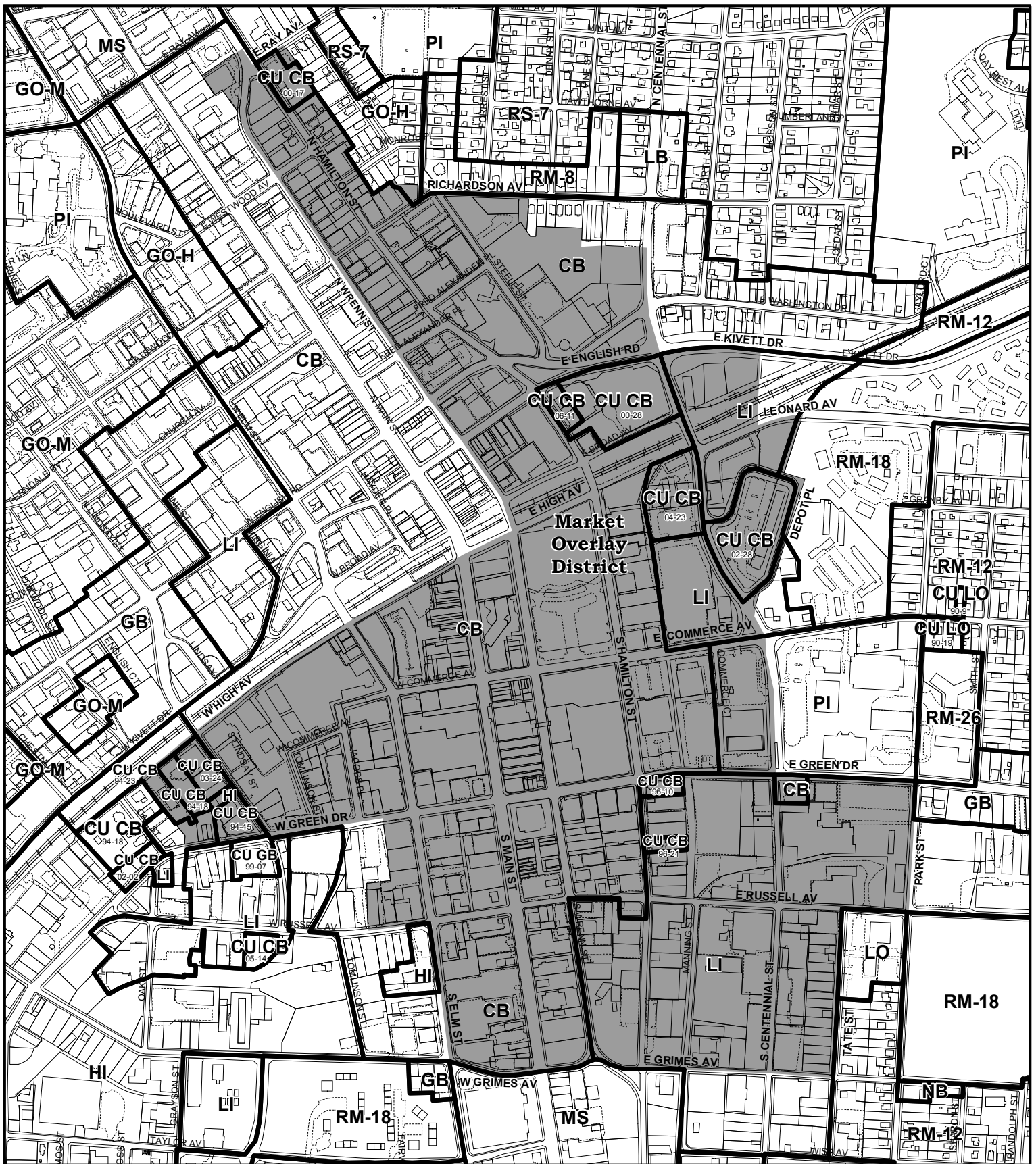
City of High Point

Date: September 14, 2009



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MarketOverlay-2.mxd



PROPOSED MARKET OVERLAY DISTRICT

Existing Zoning Boundary
Proposed Overlay District



**Planning & Development
Department**

City of High Point

Date: September 14, 2009



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MarketOverlay-1.mxd

Publish four (4) consecutive weeks: **September 25, October 2, 9, & 16, 2009**

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA09-19)

WHEREAS, the City Council is requested to close an improved portion of Fifth Court (see Plat Book 11 Page 67), lying north of Fifth Court approximately 400 feet northeast of Fifth Street.

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to close the street and calling a public hearing on the question;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the street above described and sets Monday, October 19, 2009, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building, High Point, on the closing of said street.

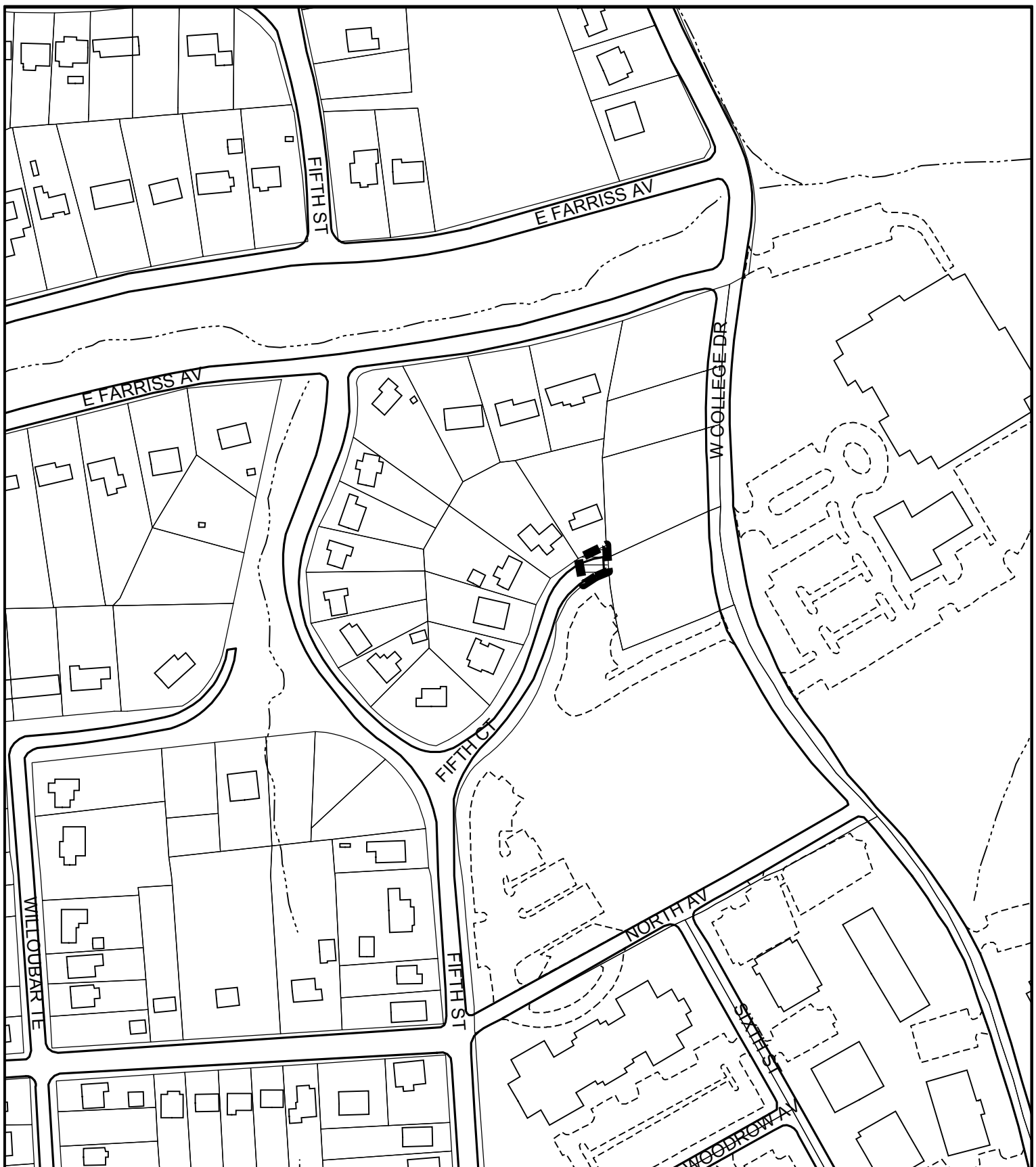
Persons wishing to be heard either for or against the said street closing are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call 336/883-3298 or TDD# 336/883-8517.

Further information pertaining to this request is available at the Planning and Development in the Municipal Office Building, 211 South Hamilton Street, Room 316, High Point, North Carolina, 336/883-3544 or FAX 336/883-3056.

By Order of the City Council
This the 21th day of September, 2009.

Lisa B. Vierling, City Clerk

Petition Submitted By:
High Point University



STREET ABANDONMENT REQUEST SA09-19

Applicant: High Point University
Area: 0.20 acres



Location of requested street abandonment

**Planning & Development
 Department**

City of High Point

Date: September 14, 2009



Scale: 1"=200'
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Publish four (4) consecutive weeks: **October 16, 23, 30, & November 6, 2009**

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA09-21)

WHEREAS, the City Council is requested to close an unimproved portion of an unnamed right-of-way between Brentwood Street and New Street, lying east of the Gavin Drive and Brentwood Street intersection.

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to close the street and calling a public hearing on the question;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the street above described and sets Monday, November 16, 2009, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building, High Point, on the closing of said street.

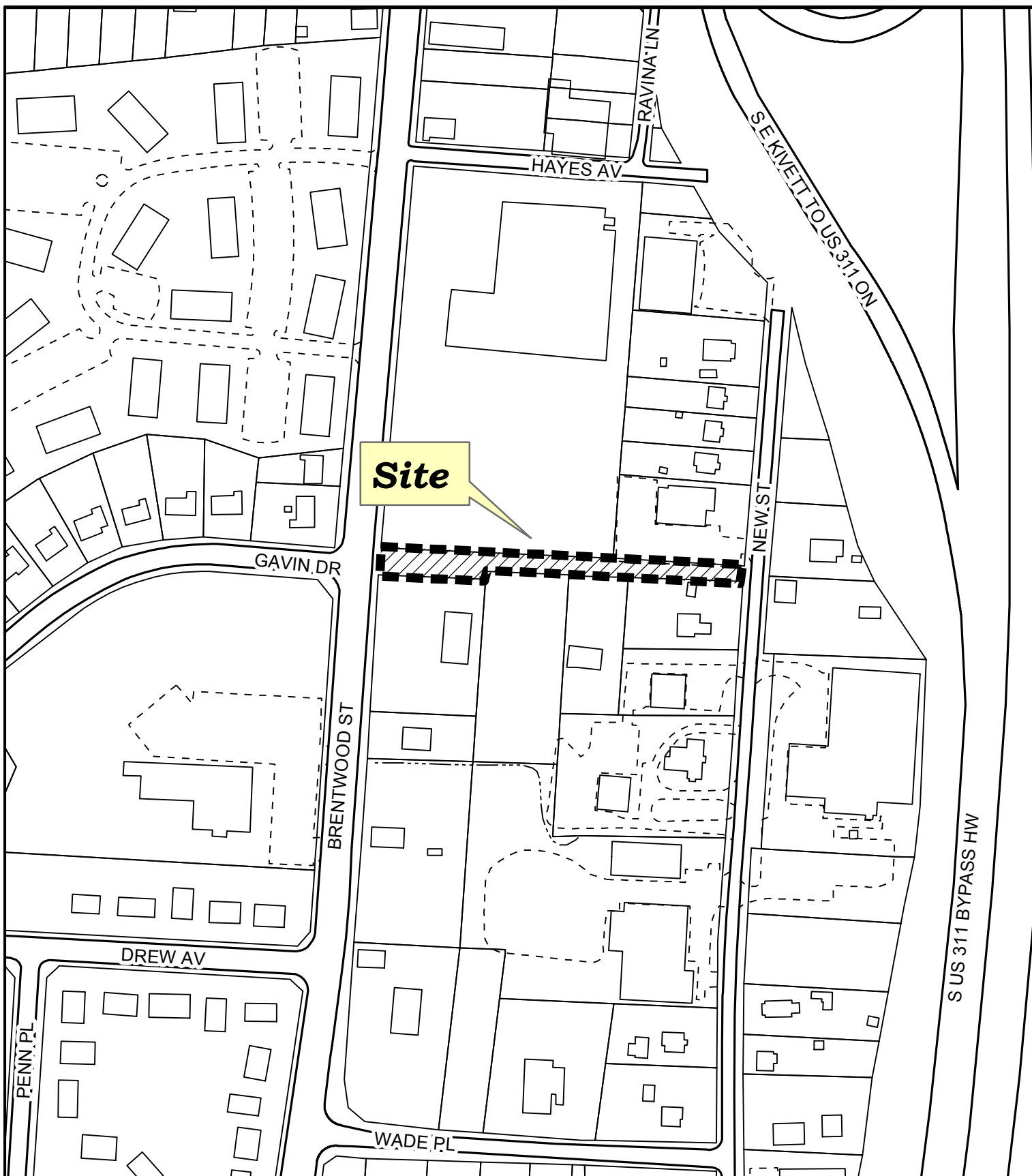
Persons wishing to be heard either for or against the said street closing are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call 336/883-3298 or TDD# 336/883-8517.

Further information pertaining to this request is available at the Planning and Development in the Municipal Office Building, 211 South Hamilton Street, Room 316, High Point, North Carolina, 336/883-3544 or FAX 336/883-3056.

By Order of the City Council
This the 21th day of September, 2009.

Lisa B. Vierling, City Clerk

Petition Submitted By:
City of High Point - Technical Review Committee



STREET ABANDONMENT REQUEST SA09-21

Applicant: Technical Review Committee

Area: 0.42 acres



Location of requested street abandment

**Planning & Development
Department**

City of High Point

Date: September 9, 2009



Scale: 1"=200'
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BID INFORMATION AND RECOMMENDATION**BID #** 08-090909**DATE OPENED:** September 9, 2009**DESCRIPTION:** Grimes/Taylor Storm Water Drainage Improvements**BID PACKAGES DISTRIBUTED:** 10**DEPARTMENT:** Public Services**SOURCE OF FUNDS:** 471739 533701 471001020205 40202**BUDGETED AMOUNT:** \$2,200,000**RECOMMENDED AWARD**

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1 lot	Grimes/Taylor Storm Water Drainage Improvements	\$2,050,249.65	\$2,050,249.65

PURPOSE: The work involves replacing the culverts under Grimes and Taylor Avenues, stream improvements and stabilization from Vail to above Grimes, sanitary sewer relocation, and other storm water work west along Taylor to beyond Grayson Street.

BID TABULATION

CONTRACTOR	BID AMOUNT
Triangle Grading & Paving 1521 Huffman Mill Road Burlington, NC 27215	2,050,249.65
Mainline Contracting, Inc. 150 Golden Drive Durham, NC 27705	2,166,229.15
D. H. Griffin 4716 Hilltop Rd. Greensboro, NC 27407	2,428,156.94
Jimmy R. Lynch & Sons, Inc. P.O. Drawer BB Pilot Mountain, NC 27041	2,629,365.00
Yates Construction Company 9220 NC 65 Stokesdale, NC 27357	2,771,616.20
Blythe Construction 2911 N Graham St. Charlotte, NC 28206	2,982,611.45

The **PURCHASING DEPARTMENT AND PUBLIC SERVICES DEPARTMENT** recommend that the contract for **GRIMES/TAYLOR STORM WATER DRAINAGE IMPROVEMENTS** be awarded to **TRIANGLE GRADING & PAVING**, the lowest responsible and responsive bidder meeting specifications, in the amount of **\$2,050,249.65**.

DATE OF RECOMMENDATION: September 15, 2009


Strib Boynton, CITY MANAGER

Public Services Department

W. Chris Thompson, P.E.

DIRECTOR



MEMORANDUM

DATE: September 15, 2009
TO: Pat Pate, Assistant City Manager
FROM: W. Chris Thompson, PE, Director of Public Services
SUBJECT: Agenda Item – Grimes & Taylor Stormwater Project

W. Chris Thompson

Bids were received on September 9, 2009, for the construction of the Grimes and Taylor Stormwater Improvements Project. This is the first phase of improvements in this drainage basin. The construction is expected to take approximately 10 months, with an expected completion date in late August 2010.

The work involves replacing the culverts under Grimes and Taylor Avenues, stream improvements and stabilization from Vail to above Grimes, sanitary sewer relocation, and other stormwater work west along Taylor to beyond Grayson Street.

The six bids received have been reviewed by our consultant, US Infrastructure and it is recommended that the City Council approve the low responsive bid from Triangle Grading and Paving in the amount of **\$2,050,249.65**. The engineer's estimate for the project was \$3,000,000.

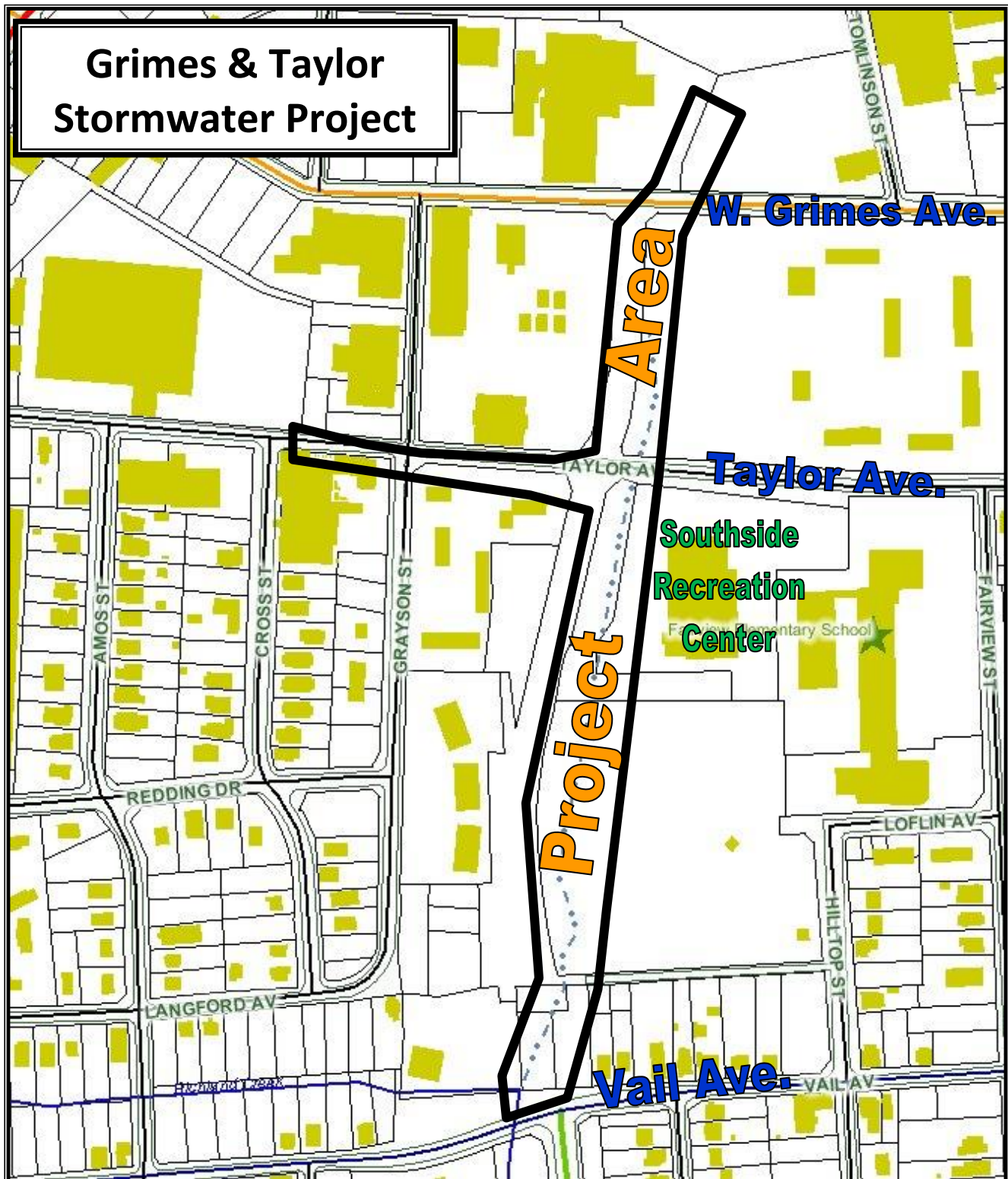
Account Numbers: **471739 533701 471001020205 40202**

Please place this item on the Council agenda for consideration and approval next Monday. I will be present with staff for any questions.

Public Services Department

W. Chris Thompson, P.E.

DIRECTOR



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

ORDINANCE

REQUEST: Ordinance to Demolish

PROPERTY

ADDRESS: 2405 Brentwood Street

OWNER: Browns Chapel Holiness Church

**FIRST
INSPECTION:**
2-24-2009

Number of Violations: Unsafe 2 Minor 19
1) upgrade electrical
2) no heat operable heat system

HEARING

RESULTS: Dwelling substandard; owner appeared for hearing
3-11-2009

ORDER(S)

ISSUED: Order to Repair or Demolish (90-day)
3-11-2009 compliance date of 6-11-2009

APPEALS: None

OWNER

ACTIONS: no actions taken

**STATUS OF
CLOSED DWELLINGS:**

Vacant, no permits or repairs

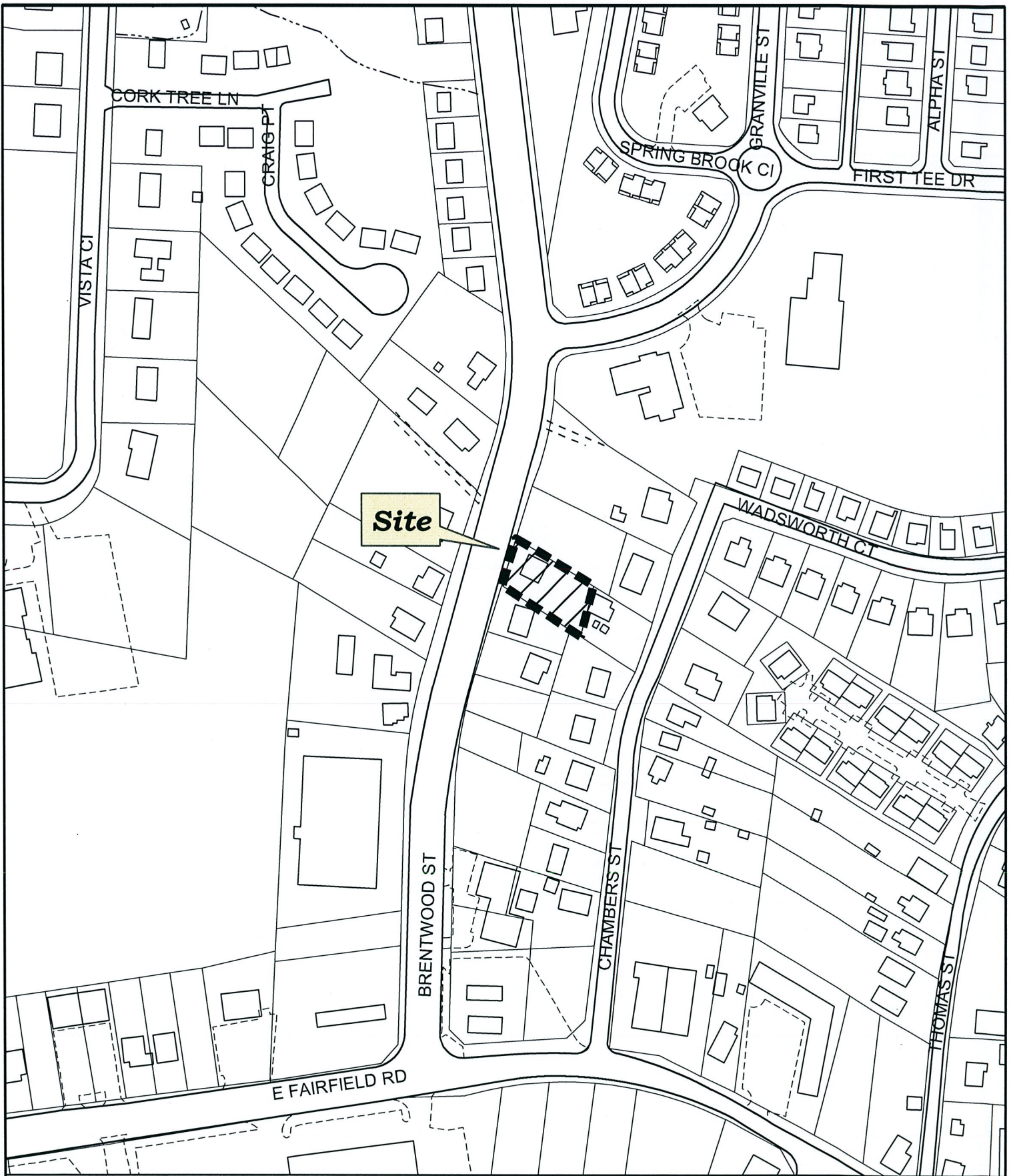
COMPLIANCE

DATE STATUS: Conditions still exist
6-11-2009

EXTENSIONS: none requested

STAFF COMMENTS: Guilford County Tax \$18,200
Estimated Repairs \$14,800

Representatives from the church appeared for hearing. They indicated that their congregation was elderly and did not have the funds to make repairs. We suggested that they seek any type of assistance possible to either repair or demolish. We discussed the cost of repair and the cost of demolition. They inquired with a local demolition company for an estimate but did not proceed with that demolition. This property was first inspected 2-10-1993 and was issued an Order to Repair or Vacate.



2405 Brentwood Street

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: August 19, 2009



Scale: 1"=200'

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ord-demo.mxd



2405 Brentwood Street

September 21, 2009

#090223

My name is Cathy Brewer Hinson, I am the building Manager for Union Square, located at 410 West English Road and I am here on the authorization of the owners of the building. Union Square has been designated, as have many other furniture showrooms and buildings, outside the "core city area" for the showroom district. I took a ride this morning to see exactly how many businesses would be affected by this gerrymandering legislation by the city council. I stopped and talked with some individuals, and surprisingly some of them had no idea this - no pun intended "railroading" was going on.

After studying your map - the railroad seems to be the defining boundary - and we seem to be on the wrong side of the tracks. Your explanation on your website says "you want to protect your economic viability and allow for showroom growth. The district helps bring identity to the area, fosters walkable environment, encourages support uses within a walking distance of market showrooms and helps target resources and reduce transportation costs."

I would like to address each argument:

1. Protect you economic viability and allow for showroom growth: Are you protecting the city of High Point or are you favoring special interests? I cannot help but believe this idea did not originate with the Planning and Zoning Committee. If it did, the two purple areas on your zoning map (Showroom designation) would be connected.
2. The district brings identity to the area. Union Square is located three blocks off Main Street. Dino Mark Anthony, Paul Roberts, Stickley Furniture, ClubCu, Domus Ventures, Robert Tysinger Furniture are all located in that immediate area. We, too bring identity to the furniture industry and represent our share of the High Point Market. Are we to tell our customers that High Point does not value them and their business. I spoke with a representative from the city planning this morning. It took my asking twice before getting a straight answer, but yes, if your proposal passes - my land values drop, while those in the other two areas increase.
3. The district fosters walkable environment and The district helps target resources and reduce transportation costs - again, we are only three blocks off Main Street. We pay for our own shuttle service that picks customers up where ever they are in High Point to bring them to Union Square and takes them from Union Square to whatever building or showroom in High Point they wish to travel. We furnish free parking in a side lot so that customers do not have to pay for parking when they visit our building.

I'm not sure a core area inside a business area is legal. If it is legal and you can do this you are going to have to diversify all the different business districts in High Point. Are there more zones than four: farming, residential, business/residential and business? I have always understood the value of property was controlled by the zoning of that property. My building is grandfathered in by the ordinance law and you are devaluing my property by the core city issue. I am almost a senior citizen and I can stand on my property and almost hit eight showrooms with a rock that are now outside your core city district.

The core area is all over High Point east and west of South Main Street to include Center Point's four buildings. North High Point skips blocks to include North Hamilton, Centennial, Steele, Wrenn and Hamilton Streets all the way north to Ray Street on the east side. On the west side of Main Street you block anything north at the railroad. This is gerrymandering for special interests. The ordinance should never have been approved by planning and zoning. It caters to special interests and I doubt very much if it is legal. If you approve this ordinance I will recommend to my owners they start court attraction for devaluation of property in the excess of seventy-five percent.