

City of High Point

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

Meeting Agenda

Monday, September 19, 2011

4:45:00 PM

Council Chambers

Committee of the Whole

*Rebecca R. Smothers, Mayor
Latimer B. Alexander, IV, Mayor Pro Tem
James Corey, Foster Douglas, A.B. Henley, III,
Britt W. Moore, Michael D. Pugh,
Bernita Sims, M. Christopher Whitley*

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

Committee Members - Whitley, Smothers, Corey

110188 Condemnation - 817 Randolph Street - Grimes Avenue Extension Project

Council is requested to authorize the City Attorney's office to execute documents to begin condemnation proceedings on property located at 817 Randolph Avenue. Property is needed for the Grimes Avenue extension project.

110189 Sole Source Recommendation - ICOP-SafetyVision LLC - Police Department

Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of equipment for the Police Department from ICOP-SafetyVision, LLC; and, approve the acquisition of the equipment and related services from ICOP-SafetyVision LLC in the amount of \$65,008.44 for the purchase of the in-car cameras.

110190 NCDOT Municipal Agreement - 2012 Bridge Inspection Program

Council is requested to approve entering into a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) to perform bridge inspections for the City of High Point.

110191 Conveyance of Property - Brooks Avenue - Habitat for Humanity of High Point, Archdale and Trinity

Council is requested to authorize the mayor to execute the appropriate documents to convey five (5) lots located at 1718, 1720, 1722, 1724 and 1728 Brooks Avenue to Habitat for Humanity of High Point, Archdale and Trinity. Conveying these lots will continue the infill housing development efforts in the Graves Avenue project.

PUBLIC SAFETY & COMMUNITY DEVELOPMENT COMMITTEE -Council Member Sims, Chair

Committee Members - Alexander, Douglas, Corey

110198 Taxi Cab Insurance Requirements

Consideration of adoption of resolution to change Taxi Cab Insurance rate limits to amounts of \$50,000/100,000/50,000.

110199 Ordinance - Vacate/Close Dwelling (48 Hour Order) - 307 Greer Avenue

Council is requested to adopt an ordinance ordering the inspector to effectuate a 48-hour order to vacate and close a dwelling located at 307 Greer Avenue belonging to David A. & Ellen R. Black.

**PLANNING, ECONOMIC DEV & INFORMATION TECHNOLOGY COMMITTEE -
Council Member Whitley, Chair***Committee Members - Sims, Henley, Moore***110192 Resolution of Intent - Street Abandonment 11-06 - City of High Point**

Approval of a resolution of intent that establishes a public hearing date of Monday, October 17, 2011 at 5:30 p.m. to consider a request to abandon an unimproved unnamed right-of-way located along the west side of Council Street, between Quaker Lane and W. Ray Avenue.

110193 Resolution of Intent - Street Abandonment 11-07 - City of High Point

Approval of a resolution of intent that establishes a public hearing date of Monday, October 17, 2011 at 5:30 p.m. to consider a request to abandon a partially improved road right-of-way, known as Gaylord Court, located along the north side of Washington Street approximately 900 feet west of Eccles Pla

110176 Ordinance - Rezoning Case 11-08 (Tract B) - Yean Leong Chu - Westchester Drive

A request by Yean Leong Chu to rezone approximately property from the Residential Single Family-7 (RS-7) District and Conditional Use General Business (CU-GB) District to a Conditional Zoning General Business (CZ-GB) District. The site is lying along the south side of Westchester Drive, approximately 465 feet west of N. Main Street (119 and 123 Westchester Drive).

9/6/2011 Committee of the Whole continued

Pending Items**110038 Part 150 Assessment Report**

Consideration of a report from the Planning and Development Department that assesses the PTIA Part 150 Airport Noise Compatibility Study including a recommendation to amend the Airport Overlay District.

3/21/2011 Committee of the Whole referred

**Planning , Economic Dev.
& Information
Technology Committee**

MISCELLANEOUS**110197 Reappointment - Library Board of Trustees**

Council is requested to confirm the reappointment of Ms. Kay Anderson to the Library Board of Trustees. Appointment to be effective October 31, 2011 and will expire October 31, 2014.

PUBLIC HEARINGS ON ITEMS

**Planning , Economic Dev & Information Technology Committee - Council Member Whitley
Chair**

110200 Ordinance - Annexation ANX 11-03 - First Baptist Church of High Point

A request by First Baptist Church of High Point to consider a voluntary contiguous annexation of approximately 16.71 acres lying approximately 300 feet south of the intersection of E. Fairfield Road & Ingram Road (1214 & 1216 E. Fairfield Road)

110194 Land Use Plan Amendment 11-03 - Rev. Paul T. Cao - E. Fairfield Road

A request by Rev. Paul T. Cao of the Vietnamese Mission Church, representing the property owner First Baptist Church of High Point, to change the land use map designation for approximately 16.71 acres from Undesignated to Low Density Residential. The property is lying approximately 300 feet south of the intersection of E. Fairfield Road & Ingram Road (1214 & 1216 E. Fairfield Road).

110195 Ordinance - Rezoning Case 11-09 - Rev. Paul T. Cao - E. Fairfield Road

A request by Rev. Paul T. Cao of the Vietnamese Mission Church, representing the property owner First Baptist Church of High Point, to rezone approximately 16.71 acres from the Residential Single Family - 9 (RS-9) District, in Guilford County's zoning jurisdiction, to a Residential Single Family - 9 (RS-9) District. The property is lying approximately 300 feet south of the intersection of E. Fairfield Road & Ingram Road (1214 & 1216 E. Fairfield Road).

110196 Text Amendment 11-08 - City of High Point - Temporary Off-Site Signs

A request by the City Council (Planning, Economic Development and Information Technology Committee) to amend the text of the City of High Point Development Ordinance regarding the placement of temporary off-site signs.

ADJOURNMENT

Publish four (4) consecutive weeks: **September 23, 30, October 7, & 14, 2011**

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA11-07)

WHEREAS, the City Council is requested to abandon partially improved Gaylord Court located on the north side of Washington Street approximately 900 feet west of Eccles Place;

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to abandon 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 17, 2011, 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 abandonment of said street.

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

Further information pertaining to this request is available at the Planning and Development 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 19th day of September, 2011.

Lisa B. Vierling, City Clerk

Petition Submitted By: City of High Point



STREET ABANDONMENT REQUEST SA11-07

Applicant: Technical Review Committee
Area: 0.139 acres (approximate)

 Location of requested street abandonment

Department of Planning
and Development

City of High Point

Date: September 7, 2011



Scale: 1"=200'

y:/ba-pz/2011/pz/sa11-07.mxd

PLANNING AND ZONING COMMISSION RECOMMENDATION

On August 23, 2011, a public hearing was held before the Planning and Zoning Commission regarding the requests described below. All members of the Commission were present except Mr. Keith McInnis.

Rev. Paul T. Cao

Land Use Plan Amendment Case 11-03

A request by Rev. Paul T. Cao of the Vietnamese Mission Church, representing the property owner First Baptist Church of High Point, to change the land use map designation for approximately 16.71 acres from Undesignated to Low Density Residential. The property is lying approximately 300 feet south of the intersection of E. Fairfield Road & Ingram Road (*1214 & 1216 E. Fairfield Road*).

AND

Rev. Paul T. Cao

Zoning Case 11-09

A request by Rev. Paul T. Cao of the Vietnamese Mission Church, representing the property owner First Baptist Church of High Point, to rezone approximately 16.71 acres from the Residential Single Family – 9 (RS-9) District, in Guilford County's zoning jurisdiction, to a Residential Single Family – 9 (RS-9) District. The property is lying approximately 300 feet south of the intersection of E. Fairfield Road & Ingram Road (*1214 & 1216 E. Fairfield Road*).

Ms. Heidi Galanti, Planning Administrator, presented the Land Use Plan Amendment Case and Mr. Robert Robbins, Development Administrator, presented the Zoning Case. The Planning & Development Department recommended approval of both cases as outlined in the staff report.

The applicant was present for questions, but the Commission had none.

No one spoke in opposition.

The Planning & Zoning Commission recommended ***approval*** of Land Use Plan Amendment Case 11-03 and Zoning Case 11-09, by a vote of 7-0.

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

**STAFF REPORT
LAND USE PLAN AMENDMENT CASE 11-03, AND ZONING CASE 11-09
August 23, 2011**

Requests		
Applicant: Rev. Paul T. Cao, representing the Vietnamese Mission Church	Owner: First Baptist Church of High Point	
LUPA Proposal: To apply an initial City Land Use Plan designation for approximately 16.71 acres.	From:	Undesignated
	To:	Low Density Residential
Zoning Proposal: To annex and apply initial City zoning to approximately 16.71 acres.	From:	RS-9 Residential Single Family - 9 District (<i>Guilford County Zoning Jurisdiction</i>)
	To:	RS-9 Residential Single Family - 9 District

Site Information		
Location:	Lying approximately 300 feet south of the intersection of E. Fairfield Road & Ingram Road (<i>1214 & 1216 E. Fairfield Road</i>).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	0158087, 0158030 and 0158136	Same
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 16.71 acres	Same
Current Land Use:	Plan Amendment	Zoning Request
	Two single family detached dwellings with accessory structures and one undeveloped parcel.	Same
Physical Characteristics:	The site has a moderate to severely sloping terrain, with a perennial stream and 100 year flood zone running from north to south through the southwestern portion of the site. The northern part of the site consists of open pasture land. The southern half of the site is heavily wooded with steeper terrain near the stream.	
Water and Sewer Proximity:	A 12-inch City water line is lying within the E. Fairfield Road right-of-way; additionally there is a 6-inch water line within the Akers Court right-of-way to the east of the site. An 8-inch City sanitary sewer line is lying within the E. Fairfield Road right-of-way; there is also a 6-inch sanitary sewer line within the Akers Court right-of-way to the east of the site. Finally, within the subdivision to the east is a parcel that abuts the zoning site which contains a City of High Point sanitary sewer lift station and a 4-inch sanitary sewer force main line. This force main line runs from south to north within the Akers Court right-of-way to E. Fairfield Road.	

General Drainage and Watershed:	The site drains in a general north to south direction and development is subject to the Randleman Lake General Watershed Area (GWA) requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that exceeds 6% or more of the site.
Overlay District(s):	None

Adjacent Property Zoning and Current Land Use			
North:	RS-9	Residential Single Family - 9 District (<i>City of High Point</i>)	Single family detached dwellings and a undeveloped parcel
South:	RS-9	Residential Single Family - 9 District (<i>Guilford County Zoning Jurisdiction</i>)	Single family detached dwellings
East:	RS-9	Residential Single Family - 9 District (<i>City of High Point</i>)	Single family detached dwellings and a church
West:	RS-9	Residential Single Family - 9 District (<i>City of High Point and Guilford County Zoning Jurisdiction</i>)	Church, single family detached dwellings and a undeveloped parcels

Adjacent Land Use Designations	
North:	Low Density Residential and Medium Density Residential (<i>City of High Point</i>)
South:	Undesignated (<i>Guilford County</i>)
East:	Low Density Residential and Undesignated (<i>City of High Point and Guilford County</i>)
West:	Low Density Residential and Undesignated (<i>City of High Point and Guilford County</i>)

Relevant Land Use Policies and Related Zoning & LUPA History	
Existing Designation:	None
Proposed Designation:	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:	The following goals and objectives of the Land Use Plan are relevant to this request: Goal #1: Ensure that development respects the natural environment. Goal #2: Encourage development that enhances and preserves established neighborhoods. 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):	None
Community Growth Vision Statement	The Growth Vision Statement does not conflict with nor support this request.
Zoning History:	There has been no recent zoning activity upon parcels abutting the zoning site and the current RS-9 District zoning upon surrounding parcels have been in place since 1993. The adjacent parcels to the north, abutting E. Fairfield Road were annexed into the City in 1960. The

	abutting single family subdivision to the east was annexed in 1990 and developed during the mid to late 1990s.
LUPA History:	None

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	E. Fairfield Road (via a abutting parcel)		Major Thoroughfare	140 ft.
	Gates		Local Street	185 ft.
Vehicular Access:	This rezoning site will take access from Fairfield Road and Gate Street			
Traffic Counts:	E. Fairfield Road		6,700 (2009, 24-hour count)	
Estimated Trip Generation:	Using the development data provided by the applicant, the proposed church and day care in Phase 1 will generate approximately 220 trips/day, 30 trips (entering & exiting) each in the AM peak hour and in the PM Peak hour. The expansion of the church in Phase 2 will generate an additional 100 trips/day, 10 trips (entering & exiting) each in the AM peak hour and in the PM Peak hour.			
Traffic Impact Analysis:	Required		Comment	
	☐ Yes	☒ No X	None	
Pedestrian Access:	This development will be required to install sidewalks along Fairfield Road and Gate Street to meet the sidewalk requirements in the Development Ordinance.			

School District Comment
In regards to maximum allowable density, lot size and building setback, the City and County's RS-9 District standards are the same. Therefore, this zoning request will not increase development intensity in a manner that would negatively impact surrounding schools.

Details of Proposal

1. **General Overview:** The applicant desires to develop a church use upon the site and has requested the following from the City of High Point to pursue this goal:
 - **Land Use Map Amendment:** The applicant has submitted a Land Use Plan Amendment Application to establish a City of High Point land use designation upon the site. The city's Land Use Plan Map establishes preferred land use classifications for all property within the city limits and for those areas outside the city limits within the City's Planning Area. The area lying south of E. Fairfield Road, south of the existing corporate limits, is not part of the City Planning Area and therefore a land use classification has not been established for that area. The applicant's application requests a Low Density Residential Land Use classification upon the zoning site.
 - **Annexation Petition:** The applicant has submitted a voluntary annexation to bring the zoning site into the City of High Point in order to obtain City utilities. The site abuts the City's corporate limits to the north, east and partially to the west.

- Zoning Map Amendment (Rezoning): Any property annexed into the City must also have a zoning district established for that property. The applicant is requesting that the City of High Point's RS-9 District be established upon the property. This is a general district zoning case; therefore no conditions are offered by the applicant.

2. Summary of Land Use Plan Amendment Request:

The Low Density Residential land use classification supports residential uses up to 5 dwelling units per acre and supporting uses such as religious institutions and schools. Therefore, the proposed land use is supported by the requested land use classification.

3. Summary of Zoning Request:

The requested RS-9 District is primarily intended to accommodate moderate to high density single family detached dwellings, at a density of 4 units per acre or less, where public water and sewer service is required. Although it is primarily intended for single family homes the RS-9 District, along with all other residential districts, permits some non-residential uses such as:

- | | |
|-----------------------------------|---|
| • Cemeteries/Mausoleums | • Day Care Centers |
| • Churches/Places of Worship | • Fire Stations |
| • Clubs or Lodges | • Public Parks & Public Recreation Facilities |
| • Country Clubs with Golf Courses | • Schools |

The site is within an established residential area where the dominant land use is single family detached dwellings and most of the land area (within the city limits, city ETJ area and under county zoning jurisdiction) has a RS-9 District zoning. There have been no significant changes in the nature of development in this area and this request will continue to promote the established residential zoning and development pattern of this area. Based upon the surrounding RS-9 District zoning, the applicant's request for a City of High Point RS-9 District is considered reasonable.

The Development Ordinance requires new churches in residential zoning districts, upon sites of three acres or more, to have their primary access from a collector or thoroughfare street. The property owner of the zoning site also owns an abutting 1.4 acre parcel to the north fronting along E. Fairfield Road. Based upon preliminary discussions with the applicant, they are proposing to combine the zoning site and this abutting parcel and to develop them together resulting in a single parcel with frontage along E. Fairfield Road. This will provide primary means of vehicular access from E. Fairfield Road, which is classified as a major thoroughfare.

Recommendation

1. Land Use Plan Amendment Case 11-03:

Staff Recommends Approval:

Staff recommends approval of the request to establish the future land use designation for approximately 16.71 acres to a Low Density Residential land use classification. The request meets the goals and objectives of the Land Use Plan and will be in harmony with the land use pattern of the surrounding area.

2. Zoning Case 11-09:

Staff Recommends Approval:

Subject to approval of Land Use Plan Amendment Case 11-03 and based upon existing development pattern in this immediate area, the zoning request will be compatible with the City's Land Use Plan and will be in harmony with the area. Staff recommends approval of the applicant's request to rezone this site to a Residential Single Family-9 (RS-9) District.

Required Action

The NC General Statutes requires the Planning & Zoning Commission upon making its recommendation and the City Council upon rendering its decision must place in the official record a statement of consistency with the City's adopted plans. In addition, the City Council must also explain why the action taken to be reasonable and in the public interest.

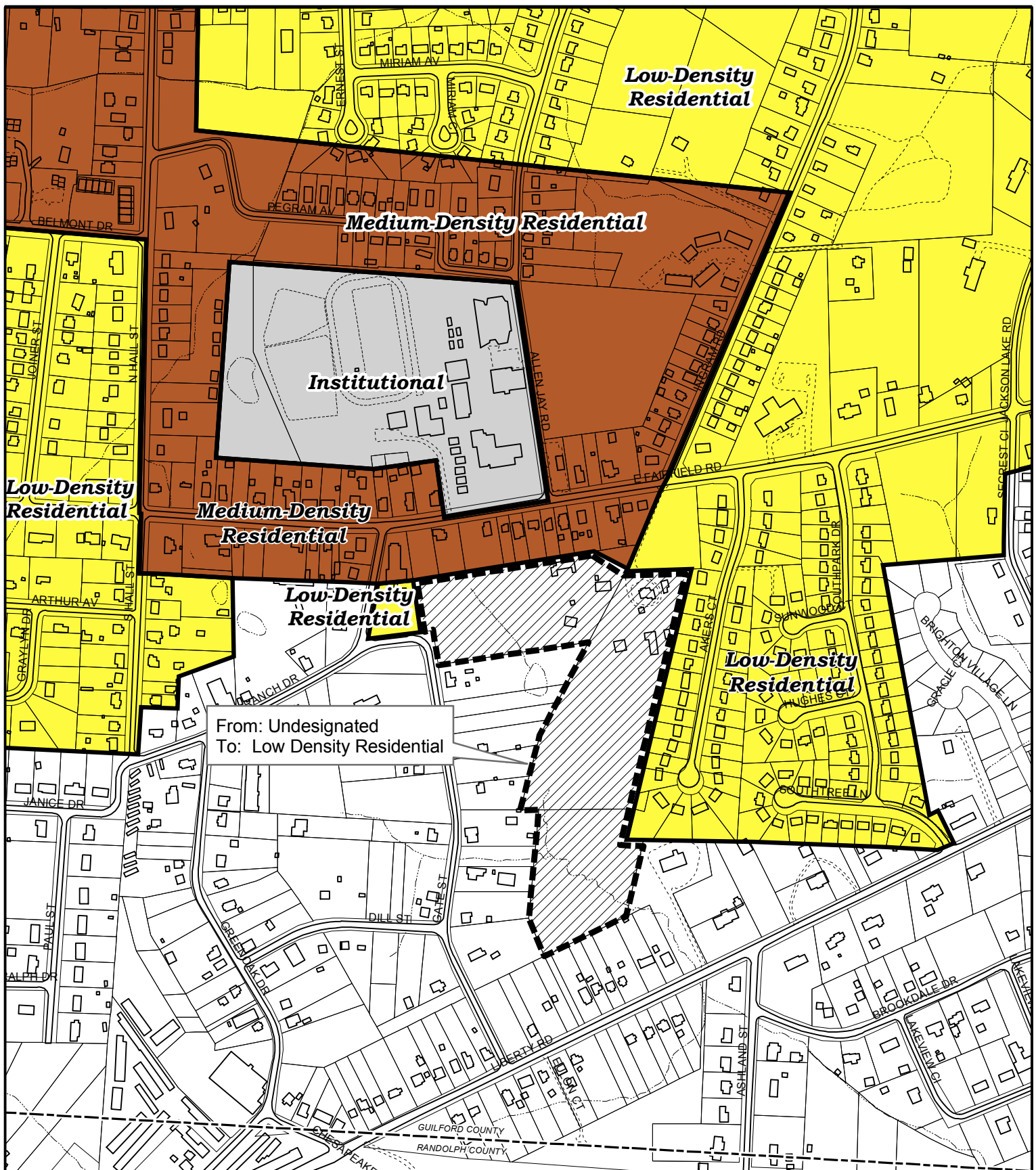
In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because:

- 1) Subject to approval of Land Use Plan Amendment Case 11-03, the request will be consistent with the Low Density Residential designation;
- 2) The requested RS-9 District zoning abuts existing City of High Point RS-9 District zoning, will continue the established residential zoning in this area and will result in a development pattern that will be compatible and in harmony with surrounding area; and
- 3) The request addresses Goals #2 and #5 of the Land Use Plan in that it will encourage development that enhances and preserves established neighborhoods and will promote an orderly urban growth pattern.

The Planning and Zoning Commission and 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 Jr. AICP, Senior Planner and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.



LAND USE PLAN AMENDMENT 11-03

**Request: From: Undesignated
To: Low Density Residential**

Existing Land Use Plan

Subject Property Boundary



**Planning & Development
Department**

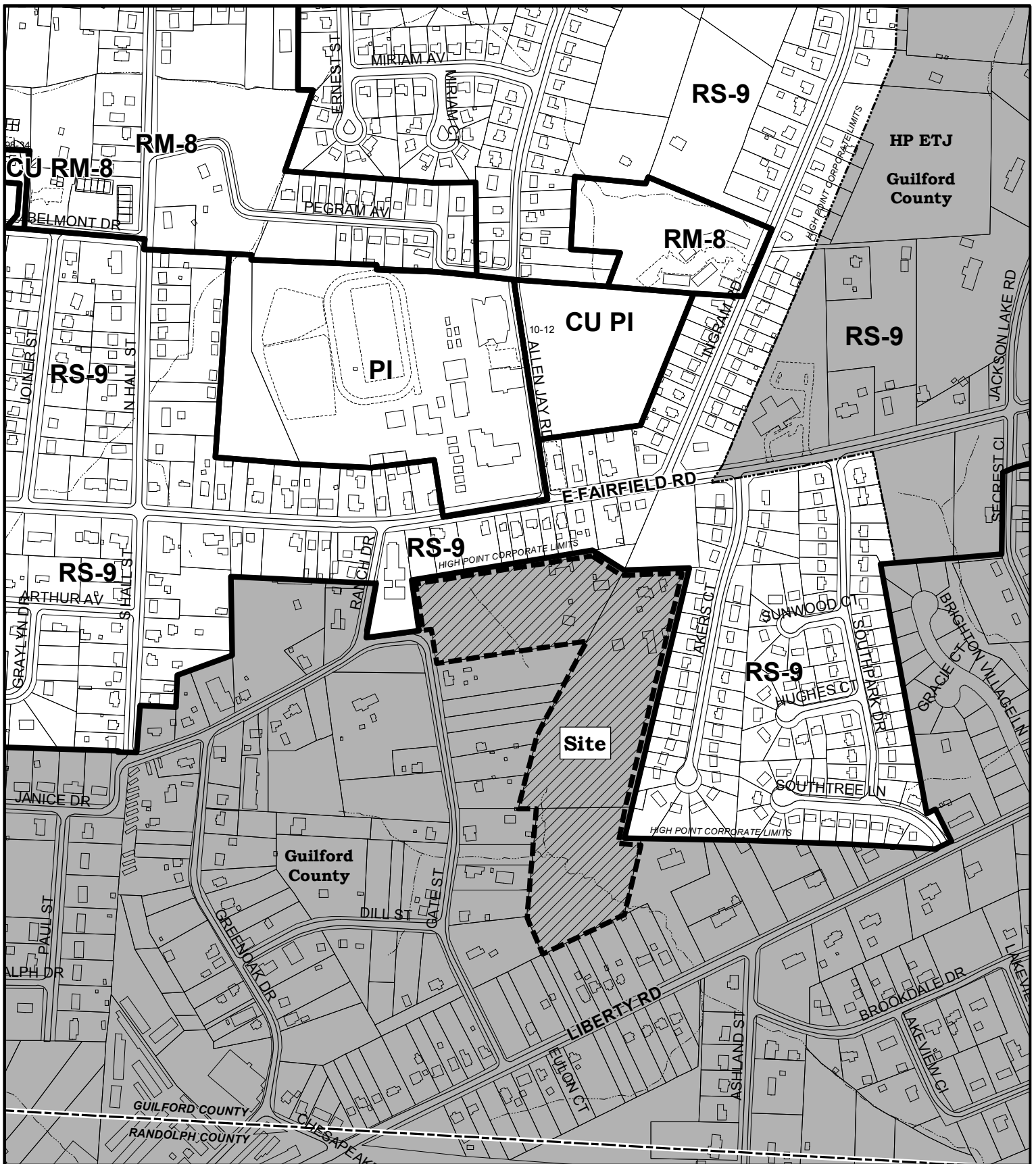
City of High Point

Date: August 12, 2011



Scale: 1"=500'

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ZONING CASE 11-09

From: Residential Single Family-9 (Guilford County)
To: Residential Single Family-9 (City of High Point)

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

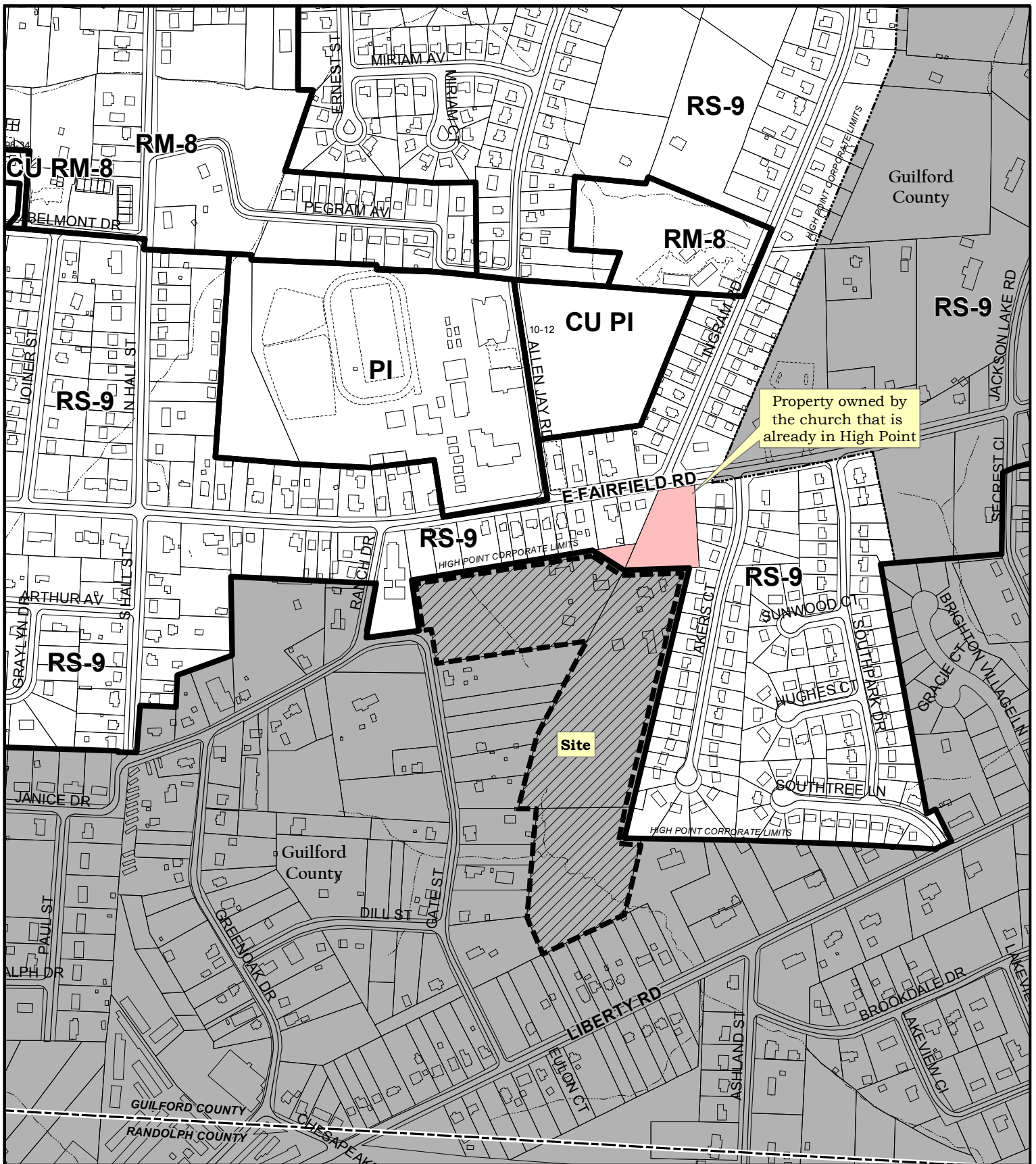
**Planning & Development
Department**

City of High Point

Date: August 5, 2011



Scale: 1"=500'
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ZONING CASE 11-09

Exhibit Map

Existing Zoning Boundary
Subject Property Boundary



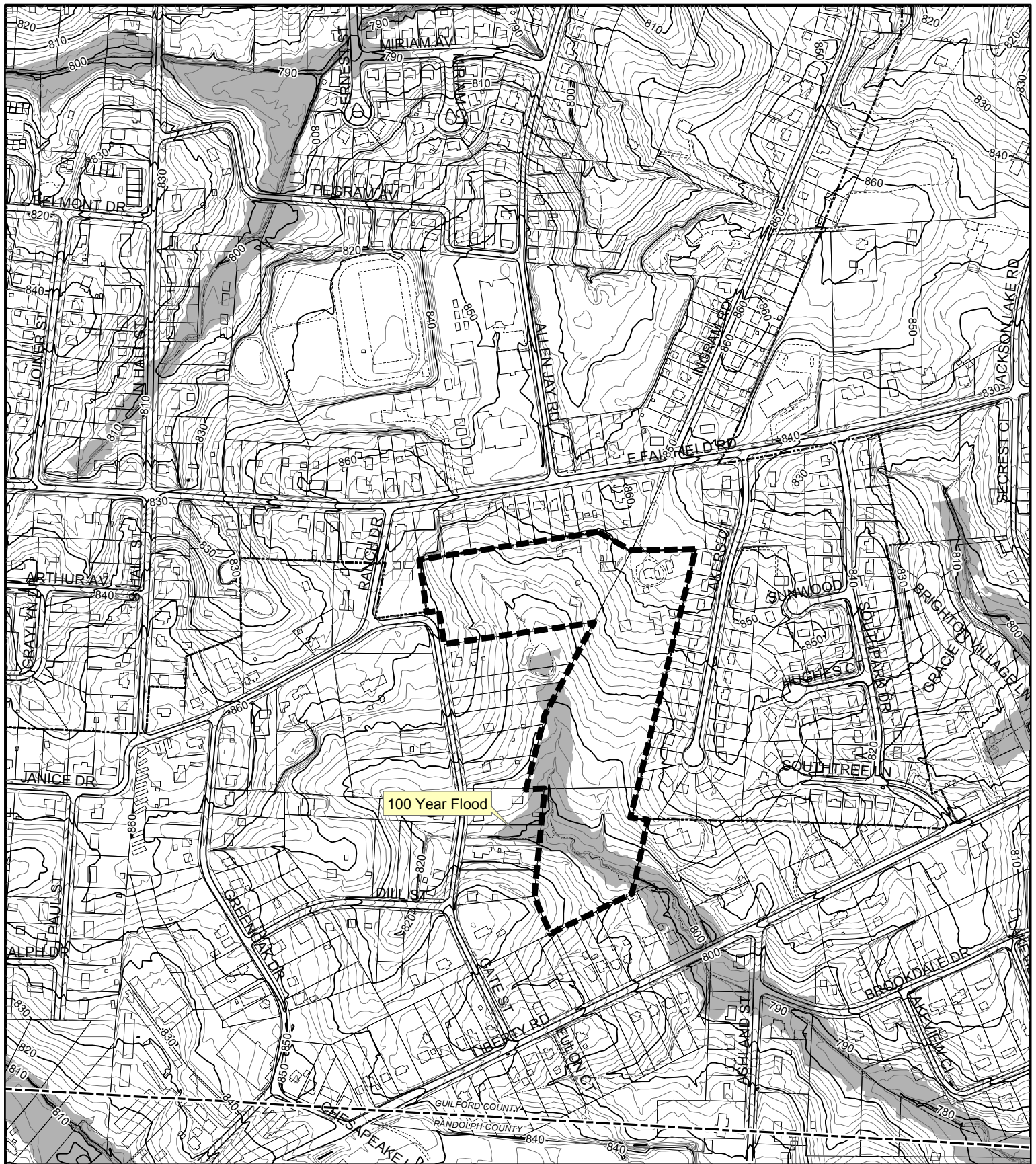
Planning & Development
Department

City of High Point

Date: August 8, 2011



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ZONING CASE 11-09

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: August 12, 2011



Scale: 1"=500'

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ZONING CASE 11-09



Citizens Information Meeting Report

Zoning Case 11-09

Submitted by: Charles Morgan, Jr. Davis-Martin-Powell & Associates, on behalf of the applicant.

(NOTE: Because this is not a conditional zoning request, the Citizens Information Meeting was not required. The applicant conducted this meeting as a courtesy to inform surrounding property owners)



DAVIS-MARTIN-POWELL & ASSOCIATES, INC.

ENGINEERING • LAND PLANNING • SURVEYING

6415 Old Plank Road, High Point, NC 27265

(336) 886-4821 • Fax (336) 886-4458 • www.dmp-inc.com

August 4, 2011

Herb Shannon
Planning & Development Department
City of High Point
PO Box 230
High Point, NC 27261

Mr. Shannon,

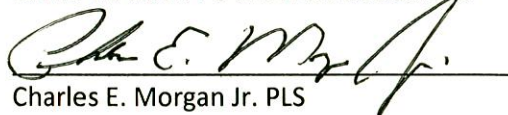
This letter is in reference to the Neighborhood Meeting which was held on August 2, 2011 concerning the Vietnamese Mission Church site on East Fairfield Road. We conducted the meeting from 5:00 pm to approximately 6:30 pm at the Allen Jay Baptist Church on East Fairfield Road. We had approximately 25 people attend the meeting, and eleven people signed our attendance sheet. I have included a copy of the attendance sheet with this letter. Paul Cho of the Vietnamese Mission Church, Bobby W. Patterson, AIA NCARB LEED AP of Architectural Design Associates, PLLS and I attended the meeting representing the development.

The major concerns voiced by the attendees concerned what development was proposed for the site and the environmental ramifications of the site development. We explained that there would be vegetation buffers around the perimeter of the site as specified in the city ordinances and that the wetlands/flood plain/stream buffers would also be protected from development. All the attendees appeared to be in favor of the development, and we had no unfavorable comments from the neighborhood. Some members of the neighborhood did express a serious need for sewer utility services along the NC 62 (Liberty Road) corridor, citing failing septic tanks on several adjoining parcels to the client's tract.

Please feel free to contact me if you have any questions concerning this meeting.

Best regards,

DAVIS-MARTIN-POWELL & ASSOCIATES


Charles E. Morgan Jr. PLS

CM/

C: File

Vietnamese Mission Meeting

August 2, 2011

NAME	ADDRESS	PHONE NUMBER
Paula Schuster	3606 Akers Ct	[REDACTED]
Theresa L. Galt	623 Liberty Rd	[REDACTED]
Bobby Meyrick	621 Liberty Rd.	[REDACTED]
Martha G. H. 80	623 Liberty Rd	[REDACTED]
Jerrey Warborough	123 Castle St.	[REDACTED]
Ladell Smith & Dan	127 Gate St	[REDACTED]
W. C. Boone	5003 Collins St	[REDACTED]
Sharon Atkins	3604 Akers Ct	[REDACTED]
Lynna Gibson	3605 Akers Ct	[REDACTED]
Sharon D. H. 80	3608 Akers Ct	[REDACTED]
Roger Herbin	3614 Akers Ct	[REDACTED]

Publish four (4) consecutive weeks: September 23, 30, October 7, & 14, 2011

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA11-06)

WHEREAS, the City Council is requested to abandon an unimproved unnamed right-of-way located on the west side of Council Street between Quaker Lane and W. Ray Avenue;

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to abandon 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 17, 2011, 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 abandonment of said street.

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

Further information pertaining to this request is available at the Planning and Development 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 19th day of September, 2011.

Lisa B. Vierling, City Clerk

Petition Submitted By: City of High Point



STREET ABANDONMENT REQUEST SA11-06

Applicant: Technical Review Committee
Area: 0.114 acres (approximate)

 Location of requested street abandonment

**Department of Planning
and Development**

City of High Point

Date: September 7, 2011



Scale: 1"=200'

y:/ba-pz/2011/pz/sa11-06.mxd



MEMORANDUM

TO: Mayor and City Council

FROM: JoAnne Carlyle

RE: Condemnation – September 18, 2011 Agenda
Grimes Avenue Extension Project
817 Randolph Street

DATE: August 10

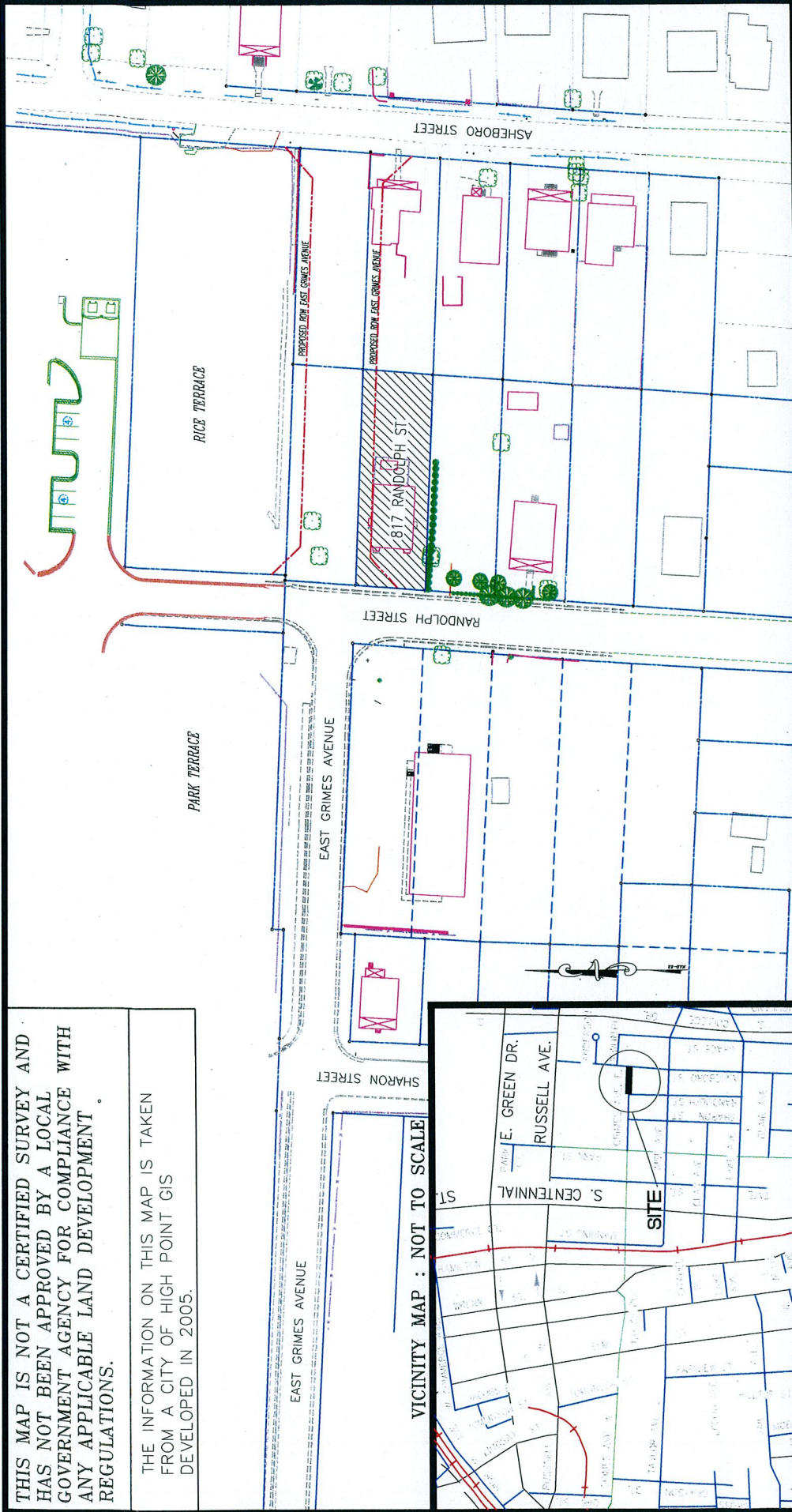
This is to request authorization to begin condemnation proceedings on the property described in Deed Book 2044, Page 160 of the Guilford County Registry located at 817 Randolph Street, High Point, NC

On August 10, 2011 the property owners were mailed a certified letter giving them 30 days notice of our intention to begin condemnation proceedings. A copy of this letter and a map showing the area in question is attached.

I will be glad to answer any questions you may have regarding these properties.

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN APPROVED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

THE INFORMATION ON THIS MAP IS TAKEN FROM A CITY OF HIGH POINT GIS DEVELOPED IN 2005.



CITY OF HIGH POINT
NORTH CAROLINA

ENGINEERING SERVICES
DEPARTMENT

CONDEMNATION MAP FOR
THE EXTENSION OF EAST GRIMES AVENUE

PROPERTY OF JAMES AND PHYLLIS H. MORGAN
817 RANDOLPH STREET
DB 2044, PG 160 LOT 19 BLOCK 3
NEWLIN LAND PB 4 PG 22

SCALE: N.T.S.

BY: JSD

PROJECT: P00147

DATE: AUG 2011

Assistant City Attorney

JoAnne L. Carlyle



August 10, 2011

NOTICE OF CONDEMNATION

Mrs. Phyllis H. Morgan
Mr. James Morgan
2007 English Road
High Point, NC 27260

VIA CERTIFIED MAIL
7099 3400 0014 1264 7760

RE: Notice of Intent to Institute Condemnation Proceedings Under G.S. 40A-40.
General Description of property is as follows:
Being the property described in Deed Book 2044, Page 160 located at 817 Randolph Street, High Point, NC

Dear Mr. and Mrs. Morgan:

Previously, you have been contacted by representatives of the City of High Point for the purpose of negotiating the purchase of property described above. These representatives of the City have been unable to date to reach an agreement with you on the issue of just compensation for the property.

This letter serves as official notice under Chapter 40A of the North Carolina General Statutes that the City of High Point intends to institute an action to acquire by condemnation the above-referenced real property in which you have or may have an interest. This legal action will not be filed before 30 days from the date of this letter.

The purpose for which this property is to be condemned is the following public project: Grimes Avenue Extension Project

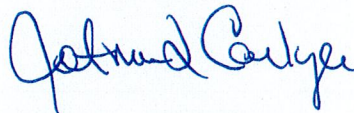
The City has estimated the amount of \$19,500.00 to be just compensation for the property.

This is to advise you that we will request City Council to authorize institution of legal proceedings to condemn this property at its regular meeting to be held on September 19, 2011 at 4:45 p.m. in City Council Chambers at 211 South Hamilton Street, High Point, N.C. You are welcome to attend this meeting.

This notice does not constitute a taking or condemnation of any interest in the above-referenced property. No taking will occur until a condemnation action is actually instituted and such will not be instituted for at least thirty (30) days from the date of this notice, but may be instituted at any time after authorization by the City Council. As owners of the property, you have the right to commence an action for injunctive relief and the right to answer the complaint after it has been filed. You are advised to consult an attorney concerning your rights.

We regret that you and the representatives of the City have been unable to negotiate the purchase of this property interest. If you have any questions, you may wish to contact the undersigned at the address and telephone number set forth below.

Yours very truly,



JoAnne L. Carlyle
Assistant Attorney for the City of High Point
P.O. Box 230
High Point, NC 27261
Telephone: (336) 883-3301

JLC:ds

c: Mike McNair – Community Development & Housing Department

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

**STAFF REPORT
ANNEXATION CASE 11-03
September 19, 2011**

Requests	
Applicant: Rev. Paul T. Cao, representing the Vietnamese Mission Church	Owner: First Baptist Church of High Point
Proposal: Voluntary contiguous annexation of approximately 16.71 acres.	Effective Date: Upon adoption
	Associated Zoning Case: Zoning Case 11-09

Site Information	
Location:	Lying approximately 300 feet south of the intersection of E. Fairfield Road & Ingram Road (<i>1214 & 1216 E. Fairfield Road</i>).
Tax Parcel Numbers:	0158087, 0158030 and 0158136
Site Acreage:	Approximately 16.71 acres
Current Land Use:	Two single family detached dwellings with accessory structures and one undeveloped parcel.
Current Fire District:	Guil-Rand Fire Department
Proposed Development:	Church
Proposed Unit Type, Number & Average Value:	At build-out the applicant is anticipating having a 36,000 square foot church facility.
Proposed Build-out Schedule:	Staff has typically used a five year time frame when evaluating development associated with an annexation request. The applicant has noted the following as their tentative development plan: <u>Phase I (within the next 5 years)</u> - Construct 9,050 square foot church facility. <u>Phase II (10+ years)</u> - Expand facility to approximately 19,200 square feet for a larger worship area and a fellowship hall with gym/recreation area. <u>Phase III build-out (20+years)</u> - Expand to build-out size of 36,000 square feet.
Physical Characteristics:	The site has a moderate to severely sloping terrain, with a perennial stream and 100 year flood zone running from north to south through the southwestern portion of the site. The northern part of the site consists of open pasture land. The southern half of the site is heavily wooded with steeper terrain near the stream.
Water and Sewer Proximity:	A 12-inch City water line is lying within the E. Fairfield Road right-of-way; additionally there is a 6-inch water line within the Akers Court right-of-way to the east of the site.

	An 8-inch City sanitary sewer line is lying within the E. Fairfield Road right-of-way; there is also a 6-inch sanitary sewer line within the Akers Court right-of-way to the east of the site. Finally, within the subdivision to the east is a parcel that abuts the zoning site which contains a City of High Point sanitary sewer lift station and a 4-inch sanitary sewer force main line. This force main line runs from south to north within the Akers Court right-of-way to E. Fairfield Road.
General Drainage and Watershed:	The site drains in a general north to south direction and development is subject to the Randleman Lake General Watershed Area (GWA) requirements. Stormwater control measures are required for non-residential development with an impervious surface area that exceeds 6% or more of the site.
Overlay District(s):	None

Adjacent Property Zoning and Current Land Use			
North:	RS-9	Residential Single Family - 9 District (City of High Point)	Single family detached dwellings and a undeveloped parcel
South:	RS-9	Residential Single Family - 9 District (Guilford County Zoning Jurisdiction)	Single family detached dwellings
East:	RS-9	Residential Single Family - 9 District (City of High Point)	Single family detached dwellings and a church
West:	RS-9	Residential Single Family - 9 District (City of High Point and Guilford County Zoning Jurisdiction)	Church, single family detached dwellings and a undeveloped parcels

Transportation Information			
Adjacent Streets:	Name		Classification
	E. Fairfield Road (via an abutting parcel)		Major Thoroughfare
	Gates		Local Street
Approx. Frontage			140 ft.
			185 ft.
Vehicular Access:	This rezoning site will take access from Fairfield Road and Gate Street		

City Department Comment Summary
Official City department comments were not requested for this proposed annexation due to the fact the site abuts the City's corporate limits. Annexation petitions for uses within close proximity to existing service areas do not cause the need for individual department comment.

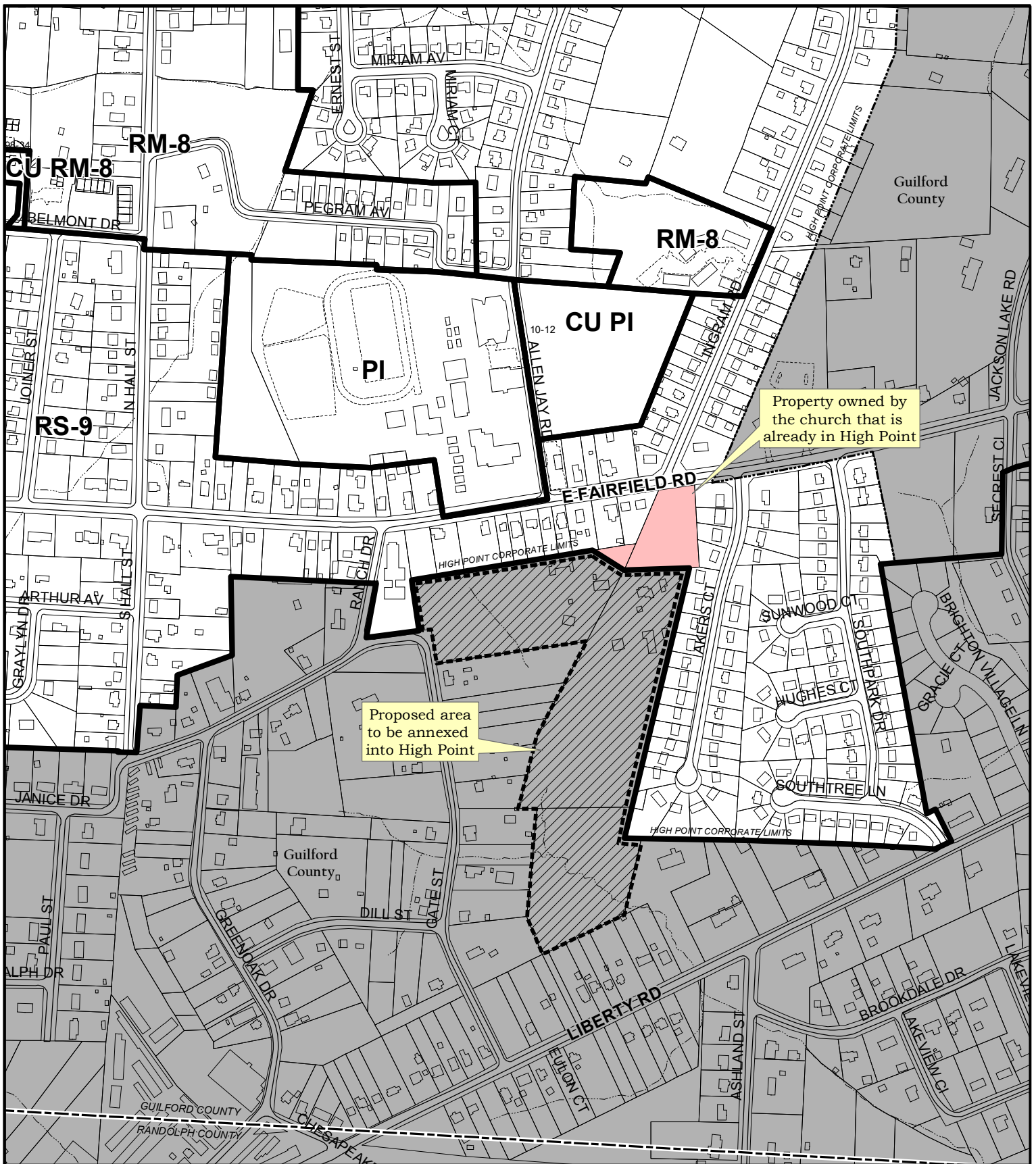
Additional Comment / Revenue Impact
The applicant is requesting voluntary annexation in order to obtain City utilities. The land area lying southeast of the current City of High Point corporate limits, including this site, was previously within the City of Archdale's annexation area. However, the annexation agreement between the City of High Point and the City of Archdale expired August 1, 2010. Due to the fact City utilities are available in this area and currently there is no annexation agreement in place between the City of High Point and adjacent municipalities, the property is eligible to be annexed

by the City of High Point. The Planning and Development has been negotiating an updated annexation agreement with the City of Archdale and they have been made aware of this annexation application.

This annexation petition is a logical progression of the City's annexation policy for this area as the site abuts the City's corporate limits to the north, east and partially to the west. In addition, the primary means of vehicular access to the site will be through the City of High Point's corporate limits from E. Fairfield Road. 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.

Report Preparation

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



ANNEXATION REQUEST ANX11-03

Applicant: Rev. Paul Cao (Vietnamese Mission)
Area: 16.17 acres

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

**Planning & Development
 Department**

City of High Point

Date: August 8, 2011



Scale: 1"=500'
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PLANNING AND ZONING COMMISSION RECOMMENDATION

On August 23, 2011, a public hearing was held before the Planning and Zoning Commission regarding the requests described below. All members of the Commission were present except Mr. Keith McInnis.

City of High Point

Text Amendment Case 11-08

A request by the City Council (Planning, Economic Development and Information Technology Committee) to amend the text of the City of High Point Development Ordinance regarding the placement of temporary off-site signs.

Mr. Robbins presented the request and recommended approval as outlined in the staff report.

Speaking in favor of the request was Ms. Judy Stalder of 1012 Wellington Street, representing the Triad Real Estate and Building Industry Coalition (TREBIC). Ms. Stalder advised the Commission that off-site signs are very important to the real estate community as 75-95% of buyers attend open houses and view model homes in subdivisions based on off-site real estate signs. She concluded that the real estate community is in support of this text amendment.

No one spoke in opposition.

The Commission members had questions as to the staff's ability to enforce the provision requiring the removal of the temporary signs by the Monday noon deadline and requested staff to elaborate on the enforcement process, which they did.

The Planning & Zoning Commission recommended ***approval*** of Text Amendment Case 11-08, by a vote of 7-0.

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

**STAFF REPORT
TEXT AMENDMENT CASE 11-08
August 23, 2011**

Request	
Applicant: City Council – Planning, Economic Development and Information Technology Committee	Affected Ordinance Sections: Section 9-5-16(b)(4) regarding prohibited signs; Section 9-5-16(d)(4) regarding signs that do not require a permit; and Table 5-16-1, <i>Specifications For Signs Not Requiring A Permit</i> .
Proposal: To amend the sign regulations to regulate the placement of temporary off-site signs.	

Background

Several years ago, the City developed a policy dealing with on-site temporary signs, such as real estate, yard sale and political signs. Although not allowed to be placed off-site, they are nonetheless often placed within the public street right-of-way at nearby intersections, where it is hoped their messages will be seen by a greater number of motorists than would be possible if they remain only on-site, and where their directional arrows can help guide motorists to events such as real estate open houses. This practice created an enforcement issue for the City, and an informal policy of tolerance of these signs was put in place so long as the signs were located at least 6 feet from the back of curb or edge of pavement, and were removed during the work week.

The real estate community and the Triad Real Estate and Building Industry Coalition (or TREBIC), have advocated the legalization of these off-site temporary signs with limitations and many Triad communities including Winston-Salem, Forsyth County, Greensboro and Guilford County, have adopted regulations that permit them. Most of these regulations focus only on temporary real estate signs that direct people to the locations of open houses held over the weekends.

In response to TREBIC, and to codify what has been City policy, the Planning, Economic Development and Information Technology Committee of Council asked the Planning and Development Department to prepare a text amendment addressing this issue.

Details of Proposal

The proposed text amendment primarily affects Table 5-16-1, which sets forth the specifications and regulations for signs not requiring a permit, including temporary signs. The amendment adds a new footnote (g) below the table that describes how off-site temporary signs will be permitted.

Two other references to off-site temporary signs are added; first to note them as an exception in the *Prohibited Signs* subsection (9-5-16(b)(4)), and then as a clarification in the paragraph regarding temporary signs in *Signs That Do Not Require A Permit* (9-5-16(d)(4)).

Analysis

The Development Ordinance permits and regulates the placement of various types of on-site temporary signs. These signs are grouped in three distinct categories in Table 5-16-1: temporary real estate, yard sale and construction signs in AG or RS districts; temporary real estate and construction signs in RM and non-residential districts; and temporary political signs in all districts. There are slightly different requirements for each category. These three categories of temporary signs, along with a fourth category – religious, philosophical or educational signs in all districts – are those that would be permitted off-site in accordance with the limitations stated in new footnote (g) and the same parameters in the table as for on-site signs. Concerns about roadside clutter and sight distance safety issues should be able to be addressed through enforcement measures. Religious, philosophical and educational signs were included to insure equal treatment for non-commercial speech.

The limitations on the placement of off-site temporary signs are the same as what the City has established through its temporary sign enforcement policy, which has been in effect since the spring of 2009. Any off-site temporary sign must be placed at least 6 feet from the back of curb or the edge of pavement (where no curb exists). It cannot be placed in a median or traffic island and cannot interfere with or obstruct pedestrian or vehicular traffic, or obstruct safe sight distances at intersections. The sign can only be in place from noon Friday until noon Monday. Just as the current policy dictates, a sign that does not conform to these limitations may be removed by the City.

Recommendation

Staff recommends approval.

The proposed text amendment addresses the concerns of the real estate community and TREBIC and codifies what has been City policy for over two years, and provides reasonable limitations to ensure that such signs do not clutter the landscape or negatively affect pedestrian and traffic safety.

Required Action

Planning and Zoning Commission:

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City's Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the 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 text amendment is reasonable and in the public interest because: 1) it codifies an already accepted City policy; 2) it addresses a legitimate need of the real estate industry for directional signage for open houses; 3) it is inclusive of non-commercial speech. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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

**TEXT AMENDMENT 11-08
PROPOSED AMENDMENT TO THE
CITY OF HIGH POINT DEVELOPMENT ORDINANCE**

(An amendment affecting Table 5-16-1, and sections 9-5-16(b)(4) and (d)(4) to permit certain off-site temporary signs with limitations)

SECTION 1.

Section 9-5-16(b) entitled *Prohibited Signs* , subsection (4) is hereby amended to read as follows:

- (4) Portable sign legible from the public right-of-way, except with a Temporary Event Permit issued under Section 9-3-3(f), or as permitted in Table 5-16-1 for A-Frame signs **and temporary off-site signs.**

SECTION 2.

Section 9-5-16(d) entitled *Signs That Do Not Require A Permit*, subsection (4) is hereby amended to add a new paragraph b. that reads as follows:

- b. Temporary off-site signs which are posted from Friday noon to Monday noon.**

Existing paragraphs b. and c. shall be re-lettered as paragraphs c. and d. respectively.

SECTION 3.

Table 5-16-1, entitled *Specifications For Signs Not Requiring A Permit*, is hereby amended to add a new Footnote (g), which shall read as follows:

- (g) Temporary signs may be placed off-site in accordance with all of the following: 1) Signs may be put up beginning at noon on Friday, and must be removed by noon on Monday. 2) Signs must be located outside the street right-of-way, or at least six (6) feet from the back of curb or edge of pavement where no curb exists. 3) No sign shall be placed in public street medians or traffic islands. 4) No sign shall interfere with or obstruct pedestrian or vehicular traffic, or obstruct safe sight distances at intersections. 5) No sign should be placed on private property without consent of the property owner or occupant.**

A reference to Footnote (g) shall be placed after each of the following types in Table 5-16-1: Religious, Philosophical and Educational Signs / All Districts; Temp. Real Estate, Yard Sale & Construction Signs / AG & RS Districts; Temp. Real Estate & Construction Signs / RM, Non-residential Districts & Major Subdivisions in RS Districts; and, Temp. Political Signs / All Districts. A similar reference shall also be placed in the same rows as the above TYPES under the column entitled SETBACK.

SECTION 4.

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

SECTION 5.

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

SECTION 6.

This ordinance shall become effective upon adoption.

A RESOLUTION AMENDING THE *LAND USE PLAN FOR THE HIGH POINT PLANNING AREA*

WHEREAS, the City Council of the City of High Point adopted the *Land Use Plan for the High Point Planning Area* on April 6, 2000, and

WHEREAS, changing circumstances may warrant that from time to time a particular land use designation be changed from one classification to another; and

WHEREAS, public hearings were held before the High Point Planning and Zoning Commission on August 23, 2011, and before the City Council of the City of High Point on September 19, 2011, regarding this proposed amendment to said *Land Use Plan for the High Point Planning Area*:

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

SECTION 1. That the *Land Use Plan for the High Point Planning Area* be amended to add 16.71 acres (Guilford County Tax Parcels 0158087, 0158030, and 0158136) to the Planning Area Boundary and designate it as Low Density Residential;

SECTION 2. Should any section or provision of this resolution be declared invalid, such decision shall not affect the validity of remaining portions of this resolution.

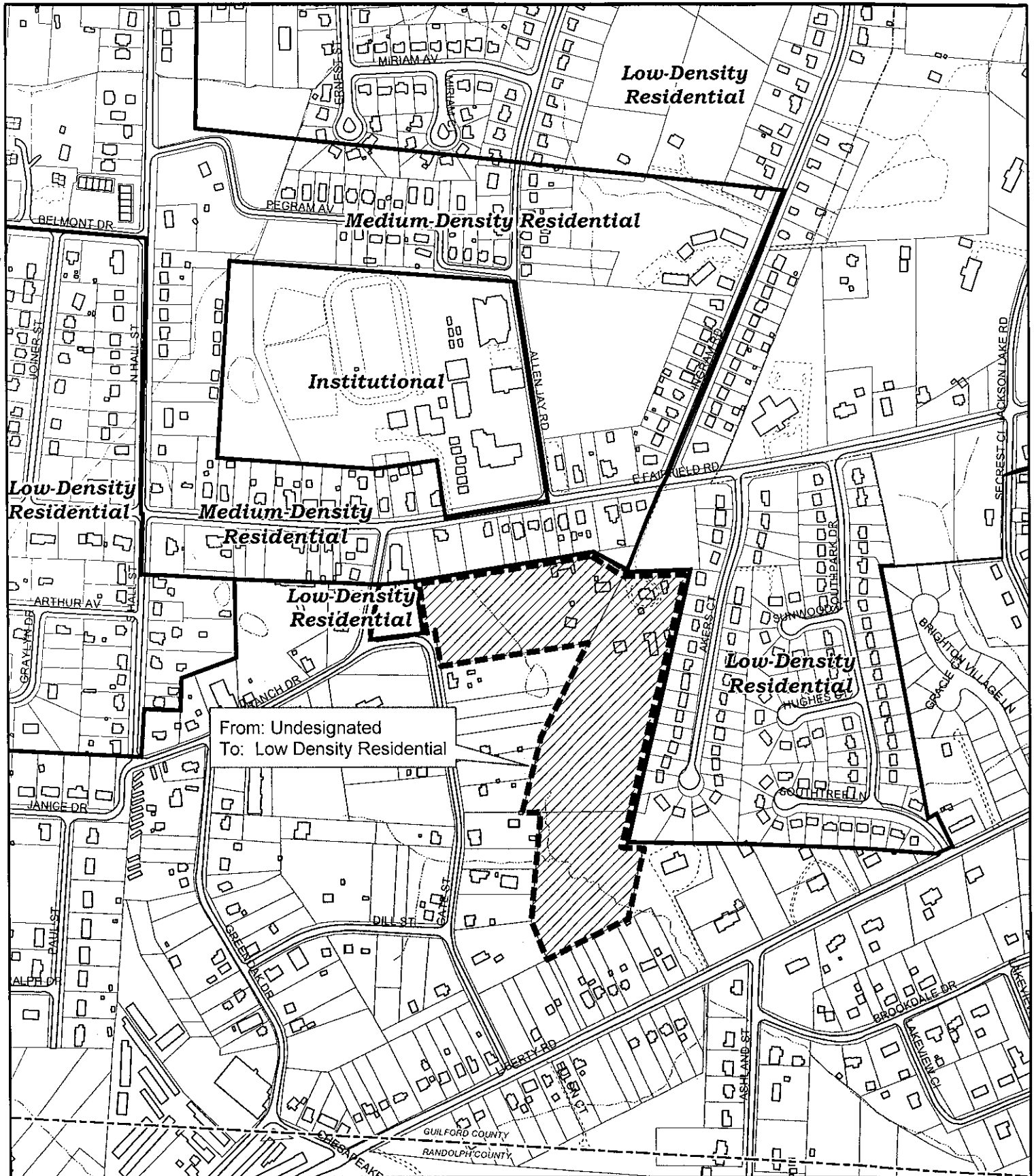
SECTION 3. This resolution shall become effective immediately upon adoption.

Adopted by City Council
this 19th day of September 2011


Lisa Vierling, City Clerk



The complete file for this Land Use Plan Map Amendment may be inspected at the City of High Point Department of Planning and Development, Municipal Office Building, 211 South Hamilton Street, High Point, North Carolina.



LAND USE PLAN AMENDMENT 11-03

**Request: From: Undesignated
To: Low Density Residential**

**Existing Land Use Plan
Subject Property Boundary**



**Planning & Development
Department**

City of High Point

Date: August 12, 2011



Scale: 1"=500'

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RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE A PORTION OF CERTAIN PROPERTY IN CONNECTION WITH THE GRIMES AVENUE EXTENSION PROJECT.

WHEREAS, the City Council of the City of High Point hereby determines that it is necessary and in the public interest to acquire the real property at 817 Randolph Street, High Point, NC.

WHEREAS, the proper officials or representatives of the City of High Point have been unable to acquire this property by negotiated conveyance; and

WHEREAS, it is deemed in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said property and that the Director of Finance issue a draft to the Clerk of Superior Court as just compensation to the owner in the amount of \$19,500.00;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of HighPoint THAT:

1. the City of High Point shall acquire the real property at issue;

title to that certain property located at 817 Randolph Street, recorded in the office of the Register of Deeds of Guilford County, North Carolina, Book 1960 at page 137.
2. the City Attorney of the City of High Point is hereby directed to institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire an easement across the said portion of property;
3. the Director of Finance is hereby authorized to issue a draft in the amount of \$19,500.00 to the Clerk of Superior Court as just compensation to said owners, payment to be made from Account No. 302531/521199/302112027670

Adopted by City Council,
this 19th day of September, 2011

Lisa Vierling
City Clerk

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

TEXT AMENDMENT: 11-08

Ordinance # 6847 / 11-55

APPLICANT: City of High Point - City Council
(Planning, Economic Development and
Information Technology Committee)

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission on August 23, 2011 and before the City Council on September 19, 2011, regarding Text Amendment 11-08;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on August 14, 2011 for the Planning and Zoning Commission public hearing and September 7, and September 14, 2011, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, this amendment was adopted by the City Council of the City of High Point on September 19, 2011.

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

SECTION 1. Section 9-5-16(b) entitled *Prohibited Signs* , subsection (4) is hereby amended to read as follows:

- (4) Portable sign legible from the public right-of-way, except with a Temporary Event Permit issued under Section 9-3-3(f), or as permitted in Table 5-16-1 for A-Frame signs **and temporary off-site signs.**

SECTION 2. Section 9-5-16(d) entitled *Signs That Do Not Require A Permit*, subsection (4) is hereby amended to add a new paragraph b. that reads as follows:

- b. Temporary off-site signs which are posted from Friday noon to Monday noon.**

Existing paragraphs b. and c. shall be re-lettered as paragraphs c. and d. respectively.

SECTION 3. Table 5-16-1, entitled *Specifications For Signs Not Requiring A Permit*, is hereby amended to add a new Footnote (g), which shall read as follows:

(g) Temporary signs may be placed off-site in accordance with all of the following:
1) Signs may be put up beginning at noon on Friday, and must be removed by noon on Monday. 2) Signs must be located outside the street right-of-way, or at least six (6) feet from the back of curb or edge of pavement where no curb exists. 3) No sign shall be placed in public street medians or traffic islands. 4) No sign shall interfere with or obstruct pedestrian or vehicular traffic, or obstruct safe sight distances at intersections. 5) No sign should be placed on private property without consent of the property owner or occupant.

A reference to Footnote (g) shall be placed after each of the following types in Table 5-16-1: Religious, Philosophical and Educational Signs / All Districts; Temp. Real Estate, Yard Sale & Construction Signs / AG & RS Districts; Temp. Real Estate & Construction Signs / RM, Non-residential Districts & Major Subdivisions in RS Districts; and, Temp. Political Signs / All Districts. A similar reference shall also be placed in the same rows as the above TYPES under the column entitled SETBACK.

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

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

SECTION 6. This ordinance shall become effective upon adoption.

Adopted By City Council,
The 19th day of September, 2011
Lisa B. Vierling, City Clerk

Public Services Department

Richard D. McMillan, P.E.

ASSISTANT DIRECTOR



MEMORANDUM

DATE: September 6, 2011
TO: Pat Pate, Assistant City Manager
W. Chris Thompson, P.E., Director of Public Services
FROM: Richard D. McMillan, P.E., Asst. Public Services Director *Richard D. McMillan*
SUBJECT: 2012 Bridge Inspection Program – NCDOT Municipal Agreement

=====

As a requirement of the Federal-Aid Highway Bridge Replacement and Rehabilitation Program (Surface Transportation Assistance Act of 1978), the City of High Point is required to inspect all bridges on City-maintain streets every two (2) years in accordance with the National Bridge Inspection Standards (NBIS).

The Public Services Department is requesting that the City Council approve entering into a Municipal Agreement with North Carolina Department of Transportation (NCDOT) to perform bridge inspections for the City of High Point. This action would allow the NCDOT, or their consultant, to perform the inspections for the City and provide all inspection reports. In past years, the City has participated in the bridge inspection program with the NCDOT in this manner.

The City will reimburse the NCDOT for our portion of the inspection fee. The City's portion of this cost is estimated to be \$15,000 (NCDOT estimated fee - 20% reimbursement of the total amount or about \$520 per bridge for 25 bridges).

The City of High Point shall designate Richard D. McMillan, P.E., Public Services Assistant Director as the "municipal official with whom the Department or its consultant shall coordinate the work" (Municipal Agreement, Paragraph 5). According to the NCDOT, the bridge inspections shall begin in early 2012 and be completed by summer 2012.

The Public Services Department has funds for the reimbursement to NCDOT in the FY 11-12 General Capital Projects (*Line Item 401710 – 533701 – 401001000405 – 40205: Bridge Re-Inspection / Repairs*).

As a change from past years, this Agreement has an effective term of ten (10) years from the execution date of the State Highway Administrator – five (5) inspection cycles. Either party may cancel with a thirty (30) day written notice.

Please place this item on the City Council Agenda for consideration and approval. If you have any questions, or need further assistance, please call me (3215).

North Carolina
Guilford County

North Carolina Department of Transportation and the City of High Point
Municipal Agreement
Inspection of Bridges on the Municipal Street System
F.A. Project BRZ-NBIS (17)

THIS AGREEMENT is made and entered into on the last date executed below, by and between the Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the Department, and the City of High Point, a municipal corporation hereinafter referred to as the Municipality;

Witnesseth:

WHEREAS, 23 U.S.C. 144, Sections 1101, 1114 and 1805 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A legacy for Users (SAFETEA – LU), which require that federal funds be available for certain specified Federal-Aid Highway Bridge Replacement and Rehabilitation program; and

WHEREAS, the Highway Bridge Replacement and Rehabilitation portion of the law requires that all structures defined as bridges located on public roads must be inspected on a cycle, not to exceed two years in accordance with National Bridge Inspection Standards (NBIS); and

WHEREAS, the Municipality has requested the Department or a Consultant retained by the Department to inspect and analyze all public bridges located on its Municipal Street System in compliance with the National Bridge Inspection Standards; and

WHEREAS, the Department and the Municipality are authorized to enter into an agreement for such work under the provisions of G.S. 136-18(12), G.S. 136-41.3, and G.S. 136-66.1; and,

WHEREAS, the Appropriate Official of the Municipality has approved the herein above referenced inspections and analysis and has agreed to participate in certain costs thereof in the manner and to the extent as hereinafter set out.

NOW, THEREFORE, the Department and the Municipality agree as follows:

1. The Department or a Consulting Engineering firm retained by the Department shall inspect, load rate, and prepare the necessary inspection reports for all bridges on the Municipal Street System in accordance with the National Bridge Inspection Standards.
2. All work shall be done in compliance with the following documents.
 - a. National Bridge Inspection Standards (23 CFR, Chapter 1 Part 650)
 - b. AASHTO Manual for Bridge Evaluation-2008 including all Interim Revisions.
 - c. Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation's Bridges – December, 1988.
3. The Municipality shall furnish all data in the possession of the Municipality that can be released that will help the Department or its Consultant in the accomplishment of the work including but not limited to appropriate municipal maps showing the location of the bridges, plans for the bridges when available, and any prior inspection reports.
4. During the inspection process, some repairs may be discovered that require immediate attention or repair, or a regulatory sign may be missing, damaged, or incorrect. A Critical Finding Notice, Priority Maintenance Notice or Regulatory Sign Notice will be issued in these cases. It is required that the Municipality resolve or notify the

Department of their plans to resolve Priority Maintenance Notices and Regulatory Sign Notices within thirty (30) days of issuance. Critical Findings require a response within seven (7) days of notice.

5. The Municipality shall designate a responsible Municipal official with whom the Department or its Consultant will coordinate the work.
6. It is understood by the parties hereto that the Federal Highway Administration, through the Department, is to participate in the costs of the work to the extent of eighty (80) percent of actual costs, subject to compliance with all applicable federal policy and procedural rules and regulations. All costs not participated in by the Federal Highway Administration shall be borne by the Municipality.
7. Upon completion of the bridge inspection, and load rating work, the Department shall invoice the Municipality for accumulated project costs not participated in by the Federal Highway Administration. Upon FHWA final audit, the Department shall invoice/refund the Municipality any differences in the amount previously invoiced and the actual costs not participated in by the Federal Highway Administration. Reimbursement shall be made by the Municipality within sixty (60) days of the invoice date. After the due date, a late payment penalty and interest shall be charged on any unpaid balance due in accordance with G.S. 147-86.23 and G.S. 105-241.21 (I). It is anticipated that the cost to the municipality will be approximately \$520 per structure. The actual cost is based on the work being performed therefore, the final invoice amount will not be known until the work is complete.
8. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment hereinabove provided, the Municipality hereby authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by the General Statutes of North Carolina, Section 136-41.1, until such a time as the Department has received payment in full.
9. It is the policy of the Department not to enter into any Agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this Agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by a Federal or State Department or Agency.
10. This Agreement shall have an effective term of ten (10) years beginning when executed by the State Highway Administrator and ending on the same date ten (10) years later, subject to the following termination conditions:
 - (A) At any time either party may cancel the Agreement with a thirty (30) day written notice to the opposite party. On behalf of the Municipality, this Agreement may be canceled by the City Manager and/or his designee.
 - (B) Upon the effective date of the cancellation, neither party shall owe any obligations under this Agreement, except that all obligations performed under this Agreement, including but not limited to invoicing, record retention, and payment for work performed prior to the effective date of cancellation, shall remain in effect.
11. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

IT IS UNDERSTOOD AND AGREED that the approval of the work by the Department is subject to the conditions of this agreement, and that no expenditure of funds on the part of the Department will be made until the terms of this agreement have complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S Attest

City of High Point

Clerk

Mayor

Seal of Municipality

Date: _____

Approved by _____ of the _____ as the attested to by the

Signature of _____ Clerk of the _____ on

_____ (Date)

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

L.S. Attest

Department of Transportation

Secretary to the Board

State Highway Administrator

Board of Transportation Seal

Date: _____

MUNICIPAL BRIDGE INSPECTION QUESTIONNAIRE

Each municipality is requested to answer the following questions:

1. Name of Municipality: City of High Point
2. Number of Bridges Requiring Inspection: 25
3. Option municipality desires to use in obtaining the required bridge inspections:

Option A ()

Option B ()

Option C (X)
4. Name, Title, Phone Number, and email of Municipality Contact Person:

Name Richard D. McMillan, P.E.
Title Public Services Assistant Director
Address PO Box 230
 High Point, NC 27261
Telephone 336-883-3215
Email richard.mcmillan@highpointnc.gov

5. Name and Title Phone Number, and email of person completing this questionnaire:

Name Richard D. McMillan, P.E.
Title Public Services Assistant Director
Address PO Box 230
 High Point, NC 27261
Telephone 336-883-3215
Email richard.mcmillan@highpointnc.gov

Please attach 2 maps showing the location of the bridges within your municipality.
Please send this questionnaire to:

Mr. Henry A. Black, Jr., P.E.
Assistant State Bridge Management Engineer/ Inspections
NCDOT - Bridge Management Unit
1565 Mail Service Center
Raleigh, North Carolina 27699-1565
hblack@ncdot.gov

Public Services Department

Richard D. McMillan, P.E.

ASSISTANT DIRECTOR



CITY OF HIGH POINT 2012 BRIDGE INVENTORY LIST SEPTEMBER 6, 2011

TOTAL NUMBER OF BRIDGES REQUIRING INSPECTION: 25

ITEM	CITY	COUNTY	STRUCT. NUMBER	DESCRIPTION
1	High Point	Guilford	400060	Centennial Street across Oak Hollow Lake
2	High Point	Guilford	400061	Johnson Street across Oak Hollow Lake
3	High Point	Guilford	400386	Lindsay Street across Norfolk/Southern RR
4	High Point	Guilford	400387	Elm Street across Norfolk/Southern RR
5	High Point	Guilford	400388	Centennial Street across Norfolk/Southern RR
6	High Point	Guilford	400390	Wrenn Street across Norfolk/Southern RR
7	High Point	Guilford	400392	Hamilton Street across Norfolk/Southern RR
8	High Point	Guilford	400405	Sweetbriar Road across Payne Creek
9	High Point	Guilford	400409	Westminster Drive across Payne Creek
10	High Point	Guilford	400413	Rockford Road across Payne Creek
11	High Point	Guilford	400415	Rotary Drive across Branch
12	High Point	Guilford	400418	Forrest Street across Boulding Branch
13	High Point	Guilford	400421	Cedrow Drive across Branch
14	High Point	Guilford	400422	Wise Avenue across Branch
15	High Point	Guilford	400425	Brentwood Street across Richland Creek
16	High Point	Guilford	400428	Model Farm Rd across Branch to Richland Creek
17	High Point	Guilford	400433	Elm Street across Richland Creek
18	High Point	Guilford	400740	Centennial Street across Boulding Branch
19	High Point	Guilford	400896	Regency Drive across E. Fork Deep River
20	High Point	Guilford	400897	Jamesford Drive across Long Branch
21	High Point	Davidson	400898	Old Plank Road across Richfork Creek
22	High Point	Davidson	400899	Rockbridge Road across Richfork Creek
23	High Point	Guilford	401098	Piedmont Pkwy across Piedmont Lake
24	High Point	Guilford	401099	WB Piedmont Pkwy across E. Fork Deep River
25	High Point	Guilford	401100	EB Piedmont Pkwy across E. Fork Deep River
26	High Point	Guilford	400476	RR Bridge - Southern Railroad across Ward Avenue
27	High Point	Guilford	400477	RR Bridge - H.P.T. & D. Railroad across Ward Avenue
28	High Point	Guilford	400478	RR Bridge - Southern Railroad across Ward Avenue
29	High Point	Guilford	400894	RR Bridge - Norfolk/Southern Railroad across Elm Street
30	High Point	Guilford	400460	Pedestrian Bridge across N/S RR at N. Downing St
31	High Point	Guilford	400570	Pedestrian Bridge across N/S RR btw Washington & Kevitt
32	High Point	Guilford	400571	Pedestrian Walkway across Kivett Drive
33	High Point	Guilford	400572	Pedestrian Walkway across College Drive

Bridges being discussed by NCDOT

Railroad Bridges

Pedestrian Bridges



MEMORANDUM

September 8, 2011

MEMO TO: Pat Pate, Assistant City Manager
FROM: Jeffrey A. Moore, Financial Services Director
SUBJECT: Recommendation for Sole Source Authorization

Please place the following item for City Council's consideration at their September 19, 2011, Council meeting:

The City Council approved a sole source exception for the purchase of the digital in-car camera system developed by ICOP Digital at its April 21, 2008 Council meeting. Since that time, no other company has developed a similarly capable digital system. In March 2011, additional cameras and software were approved under "sole source" exception from ICOP-SafetyVision LLC. City Council authorized a grant award from the Department of Justice for the Justice Assistance Grant (JAG-2011) that included specifically the purchase of additional ICOP in-car cameras at its meeting of July 18, 2011. As a result, the Police Department has solicited pricing from ICOP-Safety Vision for 13 additional in-car digital cameras. To remain compliant with NC general statutes, City Council is requested to authorize an exception to the bid laws for this proprietary technology with ICOP-SafetyVision LLC.

Although the value of the \$65,008.44 contract will be an informal contract of less than \$90,000, there is no current provision in State law to delegate City Council's authority to any appointed staff the approval of the exception to bid laws for "sole source" approval.

1. In order to complete the purchase, City Council is requested to approve an exception to the bid laws under the "sole source qualification" for the purchase of equipment for the Police Department from ICOP-SafetyVision LLC.

State statute (G.S. 143.129(e)(6)) requires City Council to specifically authorize "qualified sole source" exceptions to the bid laws prior to awarding the contract. This purchase for the Police Department continues to meet the standard for "standardization considerations" as a qualified exemption. Representatives of the Police Department will be present to answer any questions which may arise.

2. City Council is requested to approve the acquisition of the equipment and related services from ICOP-SafetyVision LLC. The required funds of \$65,008.44 for the purchase are budgeted in the Special Grants Fund.

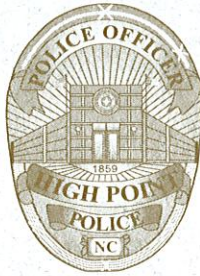
Accounting
336.883.3240

Internal Audit
336.883.3122

Purchasing
336.883.3219

Treasury Services
336.883.3230

JIM FEALY
Chief of Police



PHONE (336) 887-7970
FAX (336) 887-7972
TDD (336) 883-8517

High Point Police Department

DATE: September 12, 2011
TO: Strib Boynton, City Manger
FROM: Major Eddie McCluney
Assistant Chief HPPD, Field Operations Division – North
SUBJECT: SOLE SOURCE RECOMMENDATION FOR IN-CAR CAMERA SYSTEMS

I recommend that *ICOP – A Safety Vision Company* be the sole source vendor for the purchase of thirteen (13) additional *ICOP Model 20/20W* In-Car DVR Camera systems for the High Point Police Department's fleet of vehicles. The funds to purchase these camera systems are from the 2011 JAG grant funds in the amount of \$63,872.80 and also from state forfeiture funds in the amount of \$1,135.64 (per Vee Nance).

We have exclusively used *ICOP* in-car camera systems for several years and continue to be satisfied with the product. On previous occasions (2008, April 2010 and most recently March 2011) HP City Council had approved *ICOP Digital* as our sole source in-car camera system. The *ICOP* in-car system is an in-dash mount which is a significant vehicle cab safety feature. Other camera systems would not be compatible with the HPPD server in use. *ICOP Digital* uses proprietary software built exclusively for their camera/server systems. Our Radio Shop is certified to install and provide maintenance on the *ICOP* cameras.

The High Point Police Department studied and test several in-car camera systems in 2005. That study committee recommended the *ICOP* system for our fleet. We have added additional *ICOP* in-car camera to our fleet over the years, and *ICOPs* are the only in-car cameras used by HPPD.

The quoted cost for thirteen (13) *ICOP 20/20W* camera systems with a 3-year warranty is \$65,008.44.

Please feel free to contact me if you have questions regarding this recommendation.

Eddie McCluney
Assistant Chief, Field Operations Division – North

cc: Chief Jim Fealy
Lt. Col. Marty Sumner

PLANNING AND ZONING COMMISSION RECOMMENDATION

On August 23, 2011, a public hearing was held before the Planning and Zoning Commission regarding the requests described below. All members of the Commission were present except Mr. Keith McInnis.

Rev. Paul T. Cao

Land Use Plan Amendment Case 11-03

A request by Rev. Paul T. Cao of the Vietnamese Mission Church, representing the property owner First Baptist Church of High Point, to change the land use map designation for approximately 16.71 acres from Undesignated to Low Density Residential. The property is lying approximately 300 feet south of the intersection of E. Fairfield Road & Ingram Road (*1214 & 1216 E. Fairfield Road*).

AND

Rev. Paul T. Cao

Zoning Case 11-09

A request by Rev. Paul T. Cao of the Vietnamese Mission Church, representing the property owner First Baptist Church of High Point, to rezone approximately 16.71 acres from the Residential Single Family – 9 (RS-9) District, in Guilford County's zoning jurisdiction, to a Residential Single Family – 9 (RS-9) District. The property is lying approximately 300 feet south of the intersection of E. Fairfield Road & Ingram Road (*1214 & 1216 E. Fairfield Road*).

Ms. Heidi Galanti, Planning Administrator, presented the Land Use Plan Amendment Case and Mr. Robert Robbins, Development Administrator, presented the Zoning Case. The Planning & Development Department recommended approval of both cases as outlined in the staff report.

The applicant was present for questions, but the Commission had none.

No one spoke in opposition.

The Planning & Zoning Commission recommended ***approval*** of Land Use Plan Amendment Case 11-03 and Zoning Case 11-09, by a vote of 7-0.

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

**STAFF REPORT
LAND USE PLAN AMENDMENT CASE 11-03, AND ZONING CASE 11-09
August 23, 2011**

Requests		
Applicant: Rev. Paul T. Cao, representing the Vietnamese Mission Church	Owner: First Baptist Church of High Point	
LUPA Proposal: To apply an initial City Land Use Plan designation for approximately 16.71 acres.	From:	Undesignated
	To:	Low Density Residential
Zoning Proposal: To annex and apply initial City zoning to approximately 16.71 acres.	From:	RS-9 Residential Single Family - 9 District (<i>Guilford County Zoning Jurisdiction</i>)
	To:	RS-9 Residential Single Family - 9 District

Site Information		
Location:	Lying approximately 300 feet south of the intersection of E. Fairfield Road & Ingram Road (<i>1214 & 1216 E. Fairfield Road</i>).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	0158087, 0158030 and 0158136	Same
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 16.71 acres	Same
Current Land Use:	Plan Amendment	Zoning Request
	Two single family detached dwellings with accessory structures and one undeveloped parcel.	Same
Physical Characteristics:	The site has a moderate to severely sloping terrain, with a perennial stream and 100 year flood zone running from north to south through the southwestern portion of the site. The northern part of the site consists of open pasture land. The southern half of the site is heavily wooded with steeper terrain near the stream.	
Water and Sewer Proximity:	A 12-inch City water line is lying within the E. Fairfield Road right-of-way; additionally there is a 6-inch water line within the Akers Court right-of-way to the east of the site. An 8-inch City sanitary sewer line is lying within the E. Fairfield Road right-of-way; there is also a 6-inch sanitary sewer line within the Akers Court right-of-way to the east of the site. Finally, within the subdivision to the east is a parcel that abuts the zoning site which contains a City of High Point sanitary sewer lift station and a 4-inch sanitary sewer force main line. This force main line runs from south to north within the Akers Court right-of-way to E. Fairfield Road.	

General Drainage and Watershed:	The site drains in a general north to south direction and development is subject to the Randleman Lake General Watershed Area (GWA) requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that exceeds 6% or more of the site.
Overlay District(s):	None

Adjacent Property Zoning and Current Land Use			
North:	RS-9	Residential Single Family - 9 District (City of High Point)	Single family detached dwellings and a undeveloped parcel
South:	RS-9	Residential Single Family - 9 District (Guilford County Zoning Jurisdiction)	Single family detached dwellings
East:	RS-9	Residential Single Family - 9 District (City of High Point)	Single family detached dwellings and a church
West:	RS-9	Residential Single Family - 9 District (City of High Point and Guilford County Zoning Jurisdiction)	Church, single family detached dwellings and a undeveloped parcels

Adjacent Land Use Designations	
North:	Low Density Residential and Medium Density Residential (City of High Point)
South:	Undesignated (Guilford County)
East:	Low Density Residential and Undesignated (City of High Point and Guilford County)
West:	Low Density Residential and Undesignated (City of High Point and Guilford County)

Relevant Land Use Policies and Related Zoning & LUPA History	
Existing Designation:	None
Proposed Designation:	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:	The following goals and objectives of the Land Use Plan are relevant to this request: Goal #1: Ensure that development respects the natural environment. Goal #2: Encourage development that enhances and preserves established neighborhoods. 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):	None
Community Growth Vision Statement	The Growth Vision Statement does not conflict with nor support this request.
Zoning History:	There has been no recent zoning activity upon parcels abutting the zoning site and the current RS-9 District zoning upon surrounding parcels have been in place since 1993. The adjacent parcels to the north, abutting E. Fairfield Road were annexed into the City in 1960. The

	abutting single family subdivision to the east was annexed in 1990 and developed during the mid to late 1990s.
LUPA History:	None

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	E. Fairfield Road (via a abutting parcel)		140 ft.
	Gates		185 ft.
Vehicular Access:	This rezoning site will take access from Fairfield Road and Gate Street		
Traffic Counts:	E. Fairfield Road		6,700 (2009, 24-hour count)
Estimated Trip Generation:	Using the development data provided by the applicant, the proposed church and day care in Phase 1 will generate approximately 220 trips/day, 30 trips (entering & exiting) each in the AM peak hour and in the PM Peak hour. The expansion of the church in Phase 2 will generate an additional 100 trips/day, 10 trips (entering & exiting) each in the AM peak hour and in the PM Peak hour.		
Traffic Impact Analysis:	Required		Comment
	☒ Yes	☐ No X	None
Pedestrian Access:	This development will be required to install sidewalks along Fairfield Road and Gate Street to meet the sidewalk requirements in the Development Ordinance.		

School District Comment
In regards to maximum allowable density, lot size and building setback, the City and County's RS-9 District standards are the same. Therefore, this zoning request will not increase development intensity in a manner that would negatively impact surrounding schools.

Details of Proposal

1. **General Overview:** The applicant desires to develop a church use upon the site and has requested the following from the City of High Point to pursue this goal:
 - **Land Use Map Amendment:** The applicant has submitted a Land Use Plan Amendment Application to establish a City of High Point land use designation upon the site. The city's Land Use Plan Map establishes preferred land use classifications for all property within the city limits and for those areas outside the city limits within the City's Planning Area. The area lying south of E. Fairfield Road, south of the existing corporate limits, is not part of the City Planning Area and therefore a land use classification has not been established for that area. The applicant's application requests a Low Density Residential Land Use classification upon the zoning site.
 - **Annexation Petition:** The applicant has submitted a voluntary annexation to bring the zoning site into the City of High Point in order to obtain City utilities. The site abuts the City's corporate limits to the north, east and partially to the west.

- Zoning Map Amendment (Rezoning): Any property annexed into the City must also have a zoning district established for that property. The applicant is requesting that the City of High Point's RS-9 District be established upon the property. This is a general district zoning case; therefore no conditions are offered by the applicant.

2. Summary of Land Use Plan Amendment Request:

The Low Density Residential land use classification supports residential uses up to 5 dwelling units per acre and supporting uses such as religious institutions and schools. Therefore, the proposed land use is supported by the requested land use classification.

3. Summary of Zoning Request:

The requested RS-9 District is primarily intended to accommodate moderate to high density single family detached dwellings, at a density of 4 units per acre or less, where public water and sewer service is required. Although it is primarily intended for single family homes the RS-9 District, along with all other residential districts, permits some non-residential uses such as:

- | | |
|-----------------------------------|---|
| • Cemeteries/Mausoleums | • Day Care Centers |
| • Churches/Places of Worship | • Fire Stations |
| • Clubs or Lodges | • Public Parks & Public Recreation Facilities |
| • Country Clubs with Golf Courses | • Schools |

The site is within an established residential area where the dominant land use is single family detached dwellings and most of the land area (within the city limits, city ETJ area and under county zoning jurisdiction) has a RS-9 District zoning. There have been no significant changes in the nature of development in this area and this request will continue to promote the established residential zoning and development pattern of this area. Based upon the surrounding RS-9 District zoning, the applicant's request for a City of High Point RS-9 District is considered reasonable.

The Development Ordinance requires new churches in residential zoning districts, upon sites of three acres or more, to have their primary access from a collector or thoroughfare street. The property owner of the zoning site also owns an abutting 1.4 acre parcel to the north fronting along E. Fairfield Road. Based upon preliminary discussions with the applicant, they are proposing to combine the zoning site and this abutting parcel and to develop them together resulting in a single parcel with frontage along E. Fairfield Road. This will provide primary means of vehicular access from E. Fairfield Road, which is classified as a major thoroughfare.

Recommendation

1. Land Use Plan Amendment Case 11-03:

Staff Recommends Approval:

Staff recommends approval of the request to establish the future land use designation for approximately 16.71 acres to a Low Density Residential land use classification. The request meets the goals and objectives of the Land Use Plan and will be in harmony with the land use pattern of the surrounding area.

2. Zoning Case 11-09:

Staff Recommends Approval:

Subject to approval of Land Use Plan Amendment Case 11-03 and based upon existing development pattern in this immediate area, the zoning request will be compatible with the City's Land Use Plan and will be in harmony with the area. Staff recommends approval of the applicant's request to rezone this site to a Residential Single Family-9 (RS-9) District.

Required Action

The NC General Statutes requires the Planning & Zoning Commission upon making its recommendation and the City Council upon rendering its decision must place in the official record a statement of consistency with the City's adopted plans. In addition, the City Council must also explain why the action taken to be reasonable and in the public interest.

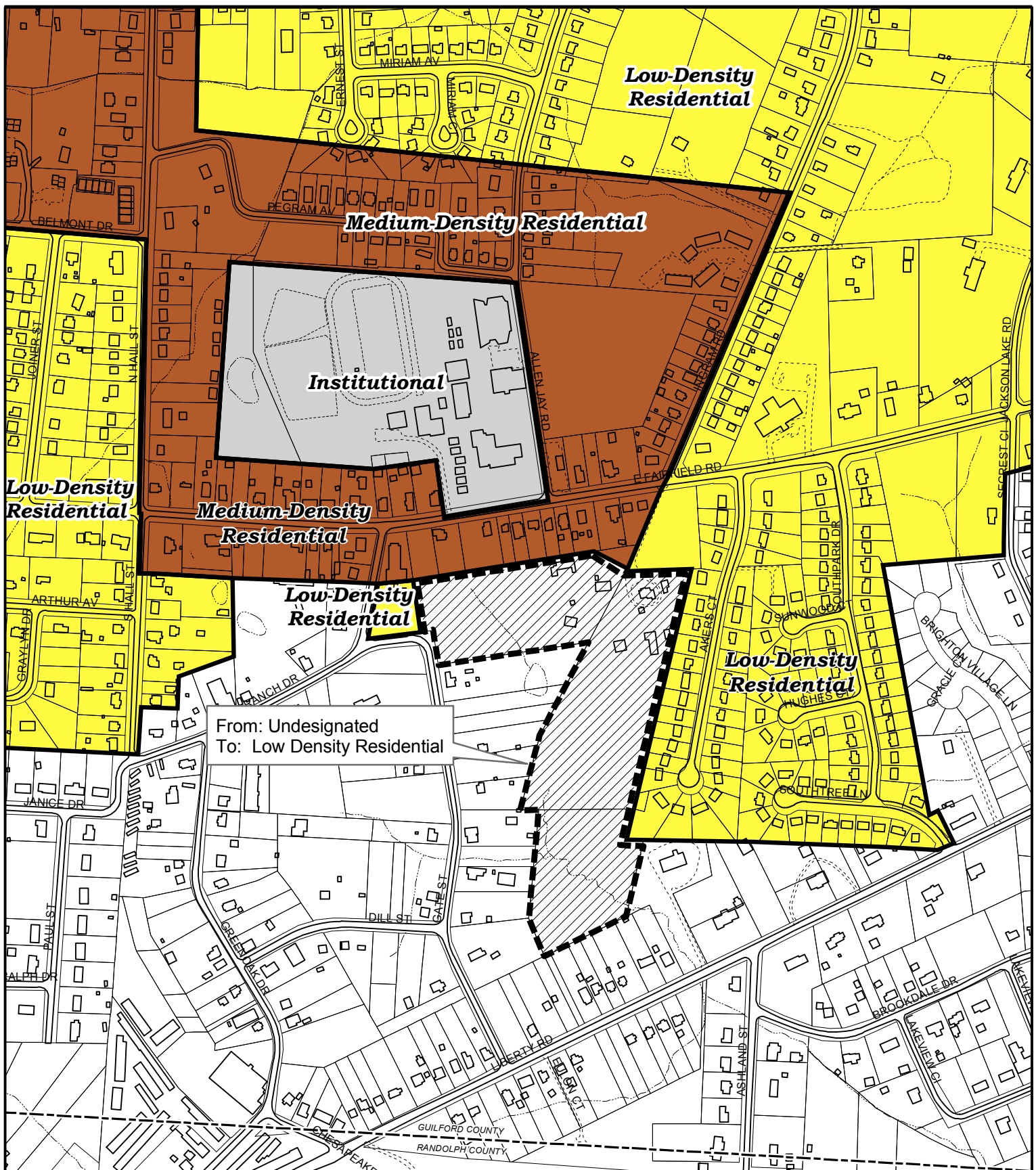
In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because:

- 1) Subject to approval of Land Use Plan Amendment Case 11-03, the request will be consistent with the Low Density Residential designation;
- 2) The requested RS-9 District zoning abuts existing City of High Point RS-9 District zoning, will continue the established residential zoning in this area and will result in a development pattern that will be compatible and in harmony with surrounding area; and
- 3) The request addresses Goals #2 and #5 of the Land Use Plan in that it will encourage development that enhances and preserves established neighborhoods and will promote an orderly urban growth pattern.

The Planning and Zoning Commission and 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 Jr. AICP, Senior Planner and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.



LAND USE PLAN AMENDMENT 11-03

**Request: From: Undesignated
To: Low Density Residential**

Existing Land Use Plan
Subject Property Boundary



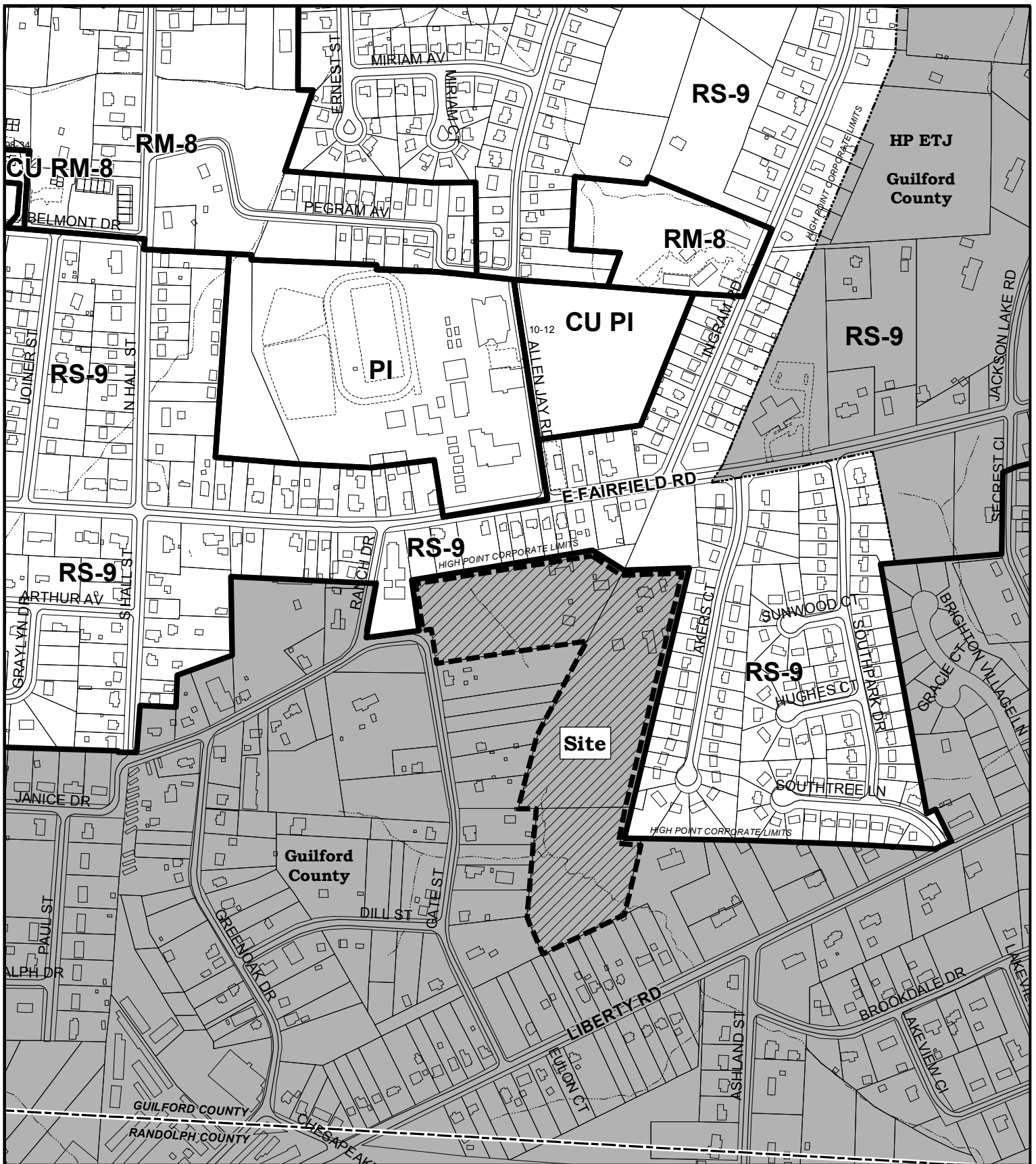
**Planning & Development
Department**

City of High Point

Date: August 12, 2011



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ZONING CASE 11-09

From: Residential Single Family-9 (Guilford County)
To: Residential Single Family-9 (City of High Point)

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

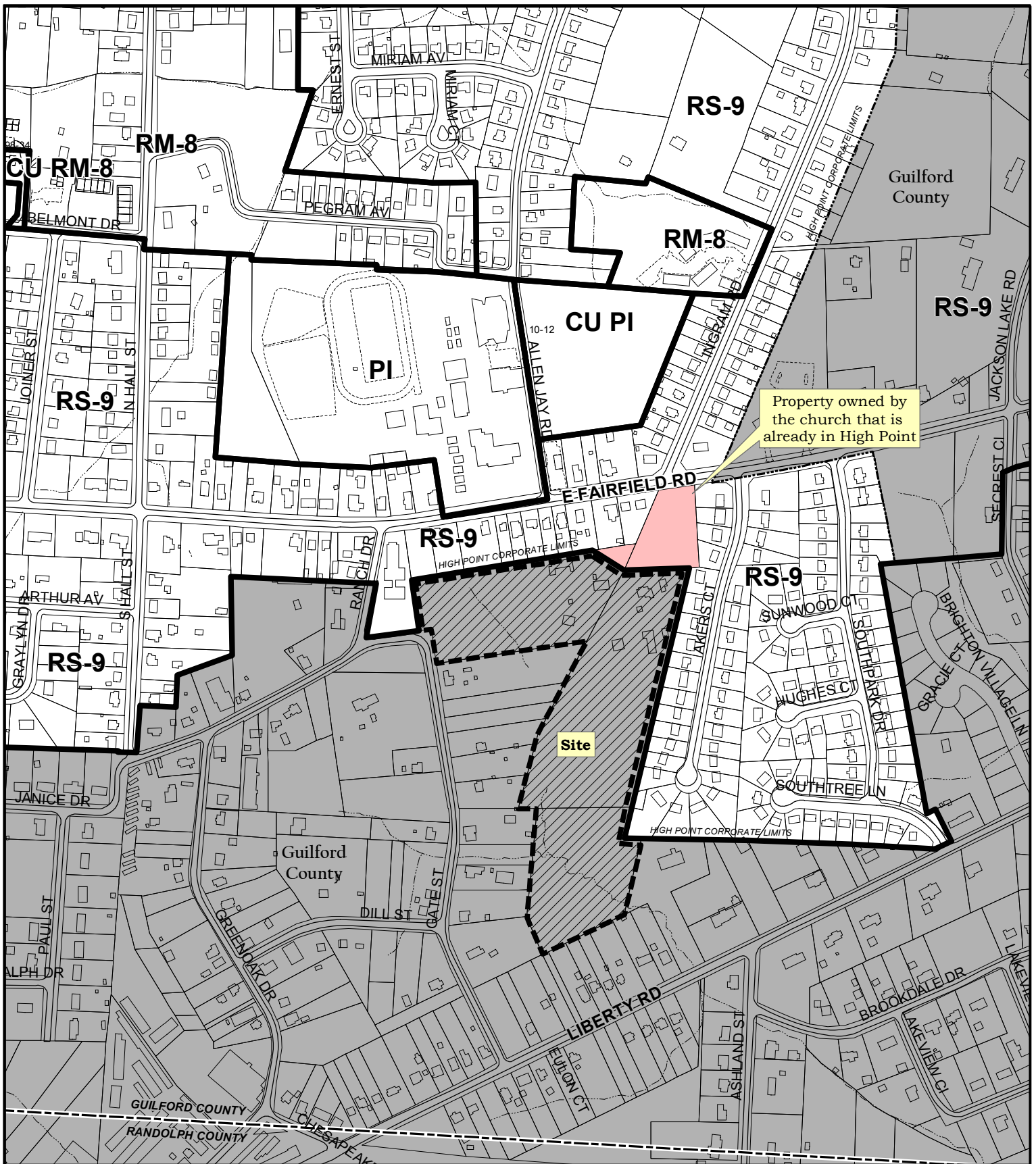
**Planning & Development
 Department**

City of High Point

Date: August 5, 2011



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 y/ba-pz/2011/pz/z11-09.mxd



ZONING CASE 11-09

Exhibit Map

Existing Zoning Boundary
Subject Property Boundary



Planning & Development
Department

City of High Point

Date: August 8, 2011



Scale: 1"=500'
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ZONING CASE 11-09

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

Date: August 12, 2011



Scale: 1'=500'

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ZONING CASE 11-09



Citizens Information Meeting Report

Zoning Case 11-09

Submitted by: Charles Morgan, Jr. Davis-Martin-Powell & Associates, on behalf of the applicant.

(NOTE: Because this is not a conditional zoning request, the Citizens Information Meeting was not required. The applicant conducted this meeting as a courtesy to inform surrounding property owners)



DAVIS-MARTIN-POWELL & ASSOCIATES, INC.

ENGINEERING • LAND PLANNING • SURVEYING

6415 Old Plank Road, High Point, NC 27265

(336) 886-4821 • Fax (336) 886-4458 • www.dmp-inc.com

August 4, 2011

Herb Shannon
Planning & Development Department
City of High Point
PO Box 230
High Point, NC 27261

Mr. Shannon,

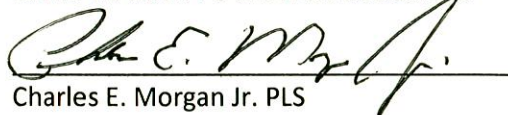
This letter is in reference to the Neighborhood Meeting which was held on August 2, 2011 concerning the Vietnamese Mission Church site on East Fairfield Road. We conducted the meeting from 5:00 pm to approximately 6:30 pm at the Allen Jay Baptist Church on East Fairfield Road. We had approximately 25 people attend the meeting, and eleven people signed our attendance sheet. I have included a copy of the attendance sheet with this letter. Paul Cho of the Vietnamese Mission Church, Bobby W. Patterson, AIA NCARB LEED AP of Architectural Design Associates, PLLS and I attended the meeting representing the development.

The major concerns voiced by the attendees concerned what development was proposed for the site and the environmental ramifications of the site development. We explained that there would be vegetation buffers around the perimeter of the site as specified in the city ordinances and that the wetlands/flood plain/stream buffers would also be protected from development. All the attendees appeared to be in favor of the development, and we had no unfavorable comments from the neighborhood. Some members of the neighborhood did express a serious need for sewer utility services along the NC 62 (Liberty Road) corridor, citing failing septic tanks on several adjoining parcels to the client's tract.

Please feel free to contact me if you have any questions concerning this meeting.

Best regards,

DAVIS-MARTIN-POWELL & ASSOCIATES


Charles E. Morgan Jr. PLS

CM/

C: File

Vietnamese Mission Meeting

August 2, 2011

NAME	ADDRESS	PHONE NUMBER
Pamela J. Hunter	3606 Akers Ct	[REDACTED]
Theresa J. Galt	623 Liberty Rd	[REDACTED]
Bobby Meyrick	621 Liberty Rd.	[REDACTED]
Martha G. H. H.	623 Liberty Rd	[REDACTED]
Jerrey Harbrough	123 Gates St.	[REDACTED]
Ladell Smith & Dan	127 Gate St	[REDACTED]
W. C. Boone	5003 Collins St	[REDACTED]
Sharon Atkins	3604 Akers Ct	[REDACTED]
Lynna Gibson	3605 Akers Ct	[REDACTED]
Sharon Gibson	3608 Akers Ct	[REDACTED]
Roger Herbin	3614 Akers Ct	[REDACTED]

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

**ORDINANCE
REQUEST:**

Ordinance to Vacate (48-Hour Order)

**PROPERTY
ADDRESS:**

307 Greer Avenue

OWNER:

David A & Ellen R Black

**FIRST
INSPECTION
9-12-2011**

Number of Violations: Major 6 Minor 0
1) exposed electrical wiring in crawlspace and attic
2) improper electrical junction in crawlspace and attic
3) improper electrical termination in crawlspace and attic
4) spliced wiring in wall behind stove
5) rafter/collar ties in roof system exceed 4ft on center
6) damaged purlins in attic roof system

**HEARING
RESULTS:
N/A**

Scheduled for City Council Agenda 09-19-2011

**ORDER(S)
ISSUED:
9-12-2011**

Order to Repair Unsafe Equipment 48 – Hour with a compliance date of 9-16-2011

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

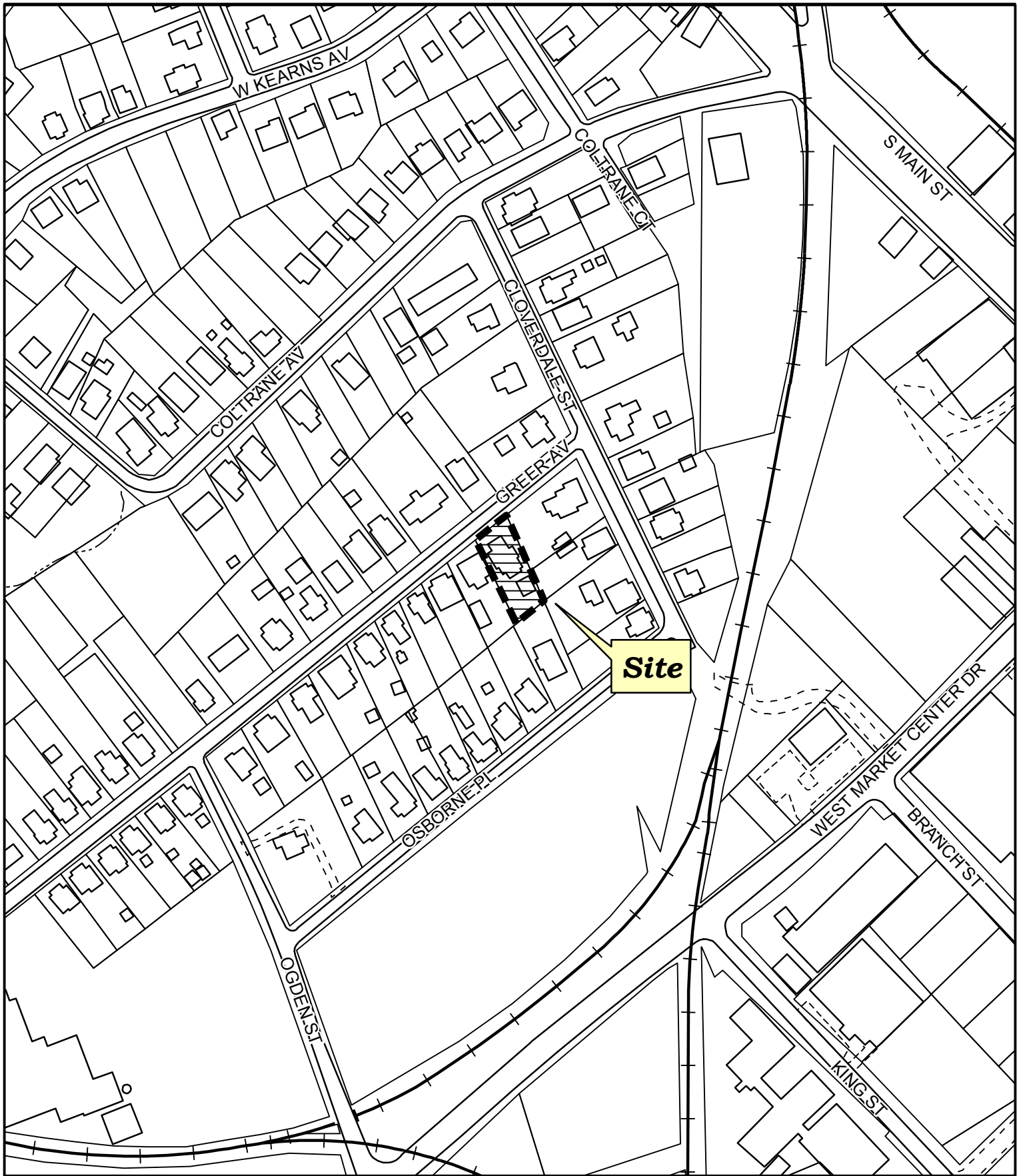
The owner has not complied with the 48-Hour Order to Repair Unsafe Equipment

EXTENSIONS:

None requested by the owner.

**CURRENT
STATUS:
9-13-2011**

Conditions still exist. The dwelling is occupied. A concurrent Minimum Housing case has been initiated which covers all other violations. A stop work order was issued on 9-29-2009 for structural, electrical and plumbing work started without permits. There was a building repair permit issued on 8-10-2009 for new windows, replacement of sheetrock and painting. Construction has taken place which exceeds the scope of work for the building repair permit. Mechanical work has also been done without a permit. The owner has disregarded the stop work order and also allowed the dwelling to be occupied. The dwelling is occupied by 2 adults and 3 minors, one being an infant.



307 Greer Avenue

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

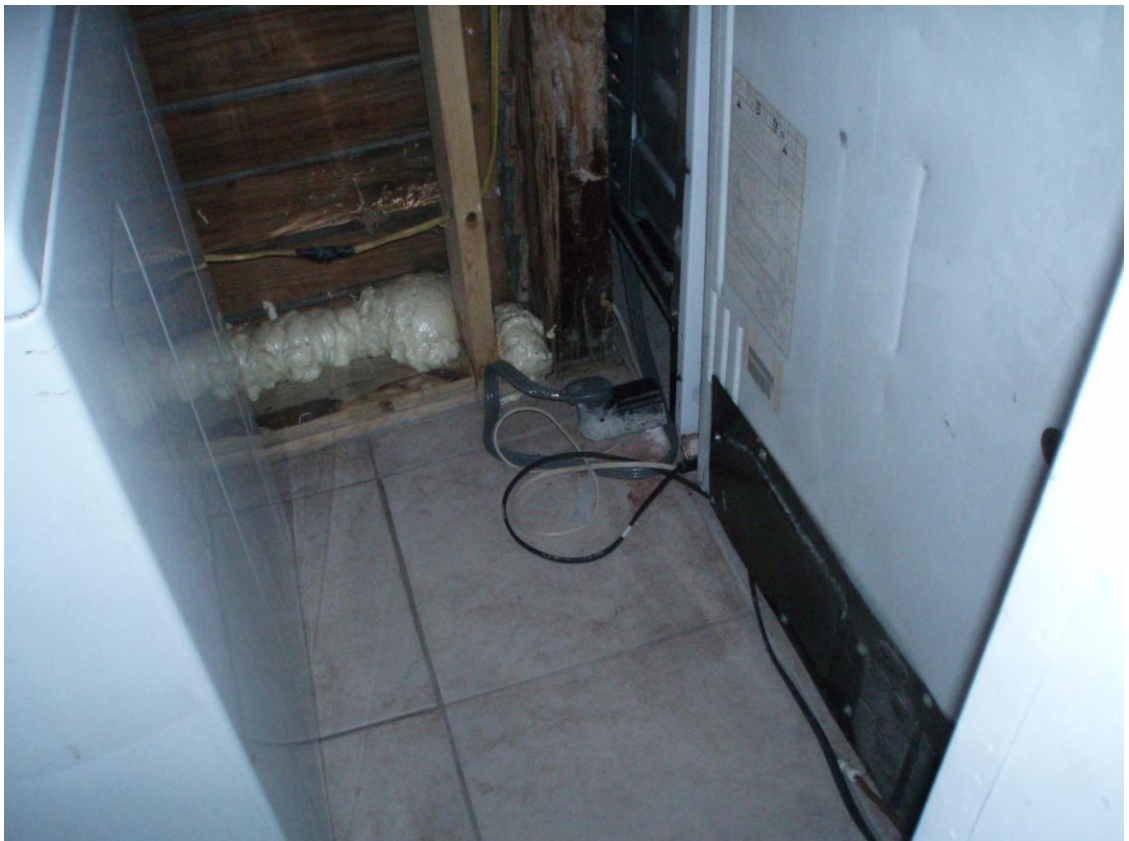
Date: September 14, 2011



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



307 Greer Avenue



307 Greer Avenue



307 Greer Avenue



307 Greer Avenue

COMMUNITY DEVELOPMENT & HOUSING

Michael E. McNair

DIRECTOR OF COMMUNITY DEVELOPMENT & HOUSING



MEMORANDUM

TO: Randy McCaslin, Assistant City Manager

FROM: Michael E. McNair, Director of Community Development & Housing

DATE: September 9, 2011

SUBJECT: Request to convey 5 lots to Habitat for Humanity of High Point, Archdale, and Trinity

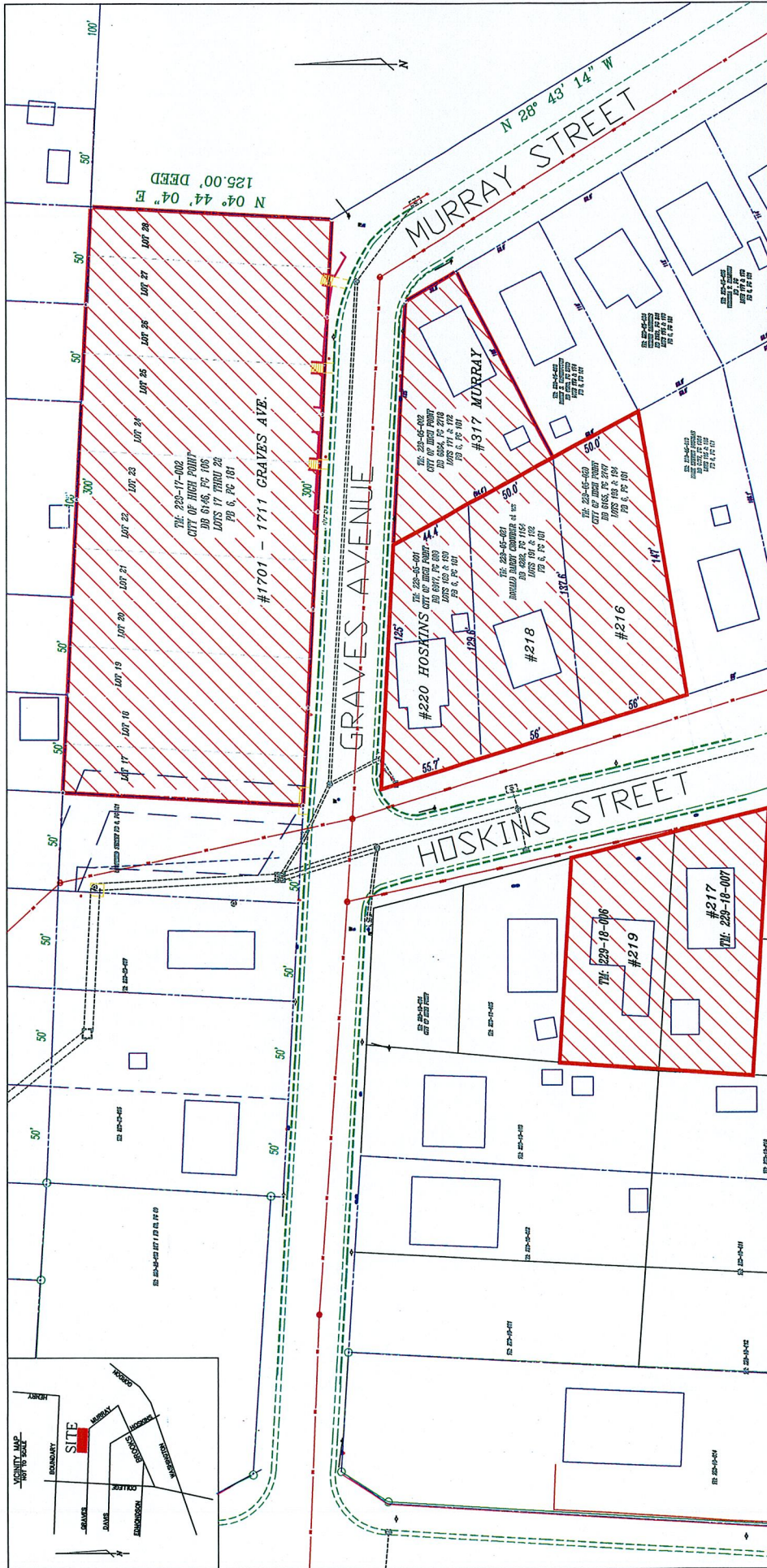
In order to continue infill housing development efforts in the Graves Avenue project area, the Community Development & Housing Department seeks Council approval to convey the following lots to Habitat for Humanity of High Point, Archdale, and Trinity:

1718 Brooks Avenue	1720 Brooks Avenue	1722 Brooks Avenue
1724 Brooks Avenue	1728 Brooks Avenue	

With the assistance of the City of High Point, 10 new homes have been built and sold to first-time homebuyers by Habitat in the Graves Avenue area; an eleventh home is currently under construction. The most recent home dedicated by Habitat represented total investments exceeding \$1 million into that neighborhood by Habitat and its volunteers. The chart below details the addresses and results of properties that have been conveyed to Habitat to date:

Address	Status	Funding Source
1701 Graves Avenue	New home built & Sold	HOME
1703 Graves Avenue	New home built & Sold	HOME
1705 Graves Avenue	New home built & Sold	HOME
1707 Graves Avenue	New home built & Sold	HOME
1709 Graves Avenue	New home built & Sold	HOME
1711 Graves Avenue	New home built & Sold	HOME
216 N. Hoskins Street	New home built & Sold	HOME
219 N. Hoskins Street	New home built & Sold	HOME
218 N. Hoskins Street	New home built & Sold	NSP
217 N. Hoskins Street	New home built & Sold	NSP
220 N. Hoskins Street	Under Construction	HOME
317 Murray Street	New home built & Sold	HOME

Staff requests Council to authorize the Mayor to execute appropriate documents conveying the aforementioned parcels to Habitat. After the conveyance, Habitat will construct five additional Energy Star compliant homes affordable to low to moderate-income homebuyers.



CITY OF HIGH POINT
ENGINEERING SERVICES DEPARTMENT
CONVEYANCE MAP
HABITAT FOR HUMANITY
PROPOSED CONVEYANCE OF
#217-219 & 216-220 HOSKINS
#1701 - 1711 GRAVES AVE.
#317 MURRAY STREET
GUILFORD COUNTY, NORTH CAROLINA
DATE: SEPT 9, 2011 SCALE: 1" = 50'
FIELD BOOK: N/A SURVEYED BY: N/A
DRAWN BY: MBN FILE: Y:\mbl\hwy
PROJECT: Brooks Ave. SHEET 2 OF 2

CITY OF HIGH POINT
ENGINEERING SERVICES
DEPARTMENT
211 S. HAMILTON STREET
P.O. BOX 230
HIGH POINT, N.C. 27261
TELEPHONE (336) 883-3194
FAX (336) 883-4118
Fire Station #26

OWNER
CITY OF HIGH POINT
PO BOX 230
HIGH POINT, NC 26261

THIS PLAN HAS NOT BEEN APPROVED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

NOTES:
THIS PROJECT IS NOT LOCATED IN A 100 YEAR FLOOD ZONE AS SHOWN ON THE FLOOD HAZARD MAP OF THE CITY OF HIGH POINT.
THE LOT DIMENSION INFORMATION SHOWN ON THIS MAP IS TAKEN FROM A CITY OF HIGH POINT GIS.
THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN APPROVED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.
THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAN AND ALL INFORMATION CONTAINED HEREIN TO BE A TRUE AND CORRECT REPRESENTATION OF THE ACTUAL CONDITIONS OF THE LAND AND THE INTENT OF THE CITY OF HIGH POINT TO SUBMIT THIS PLAN TO THE OFFICE OF THE REGISTER OF DEEDS OF GUILFORD COUNTY, NC.

SIGNED _____ **DATE** _____
ATTEST _____ **DATE** _____

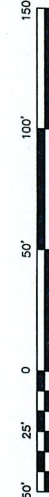
SCALE: 1" = 50'

September 2011

HIGH POINT
NORTH CAROLINA'S INTERNATIONAL CITY™



AREA TO BE CONVEYED TO HABITAT FOR HUMANITY BY THE CITY OF HIGH POINT



SCALE: 1" = 50' September 2011

NOTES:
 - THIS PROJECT IS NOT LOCATED IN A 100 YEAR FLOOD ZONE AS PER FEMA FLOOD MAP 7800L.
 - THE LOT DIMENSION INFORMATION SHOWN ON THIS MAP IS TAKEN FROM A PLAT BY JAMES T. STEWART, JR., ENGINEER RECORDED AT PG 6 PG 181.
 - THIS MAP IS A CERTIFIED SURVEY AND HAS NOT BEEN APPROVED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

THE UNDERSIGNED HEREBY ACKNOWLEDGES THE PLAT AND THE INFORMATION CONTAINED THEREON TO BE TRUE AND CORRECT AND TO BE THE PROPERTY OF THE CITY OF HIGH POINT, NORTH CAROLINA. THE UNDERSIGNED HEREBY ACKNOWLEDGES THE PLAT AND THE INFORMATION CONTAINED THEREON TO BE TRUE AND CORRECT AND TO BE THE PROPERTY OF THE CITY OF HIGH POINT, NORTH CAROLINA. THE UNDERSIGNED HEREBY ACKNOWLEDGES THE PLAT AND THE INFORMATION CONTAINED THEREON TO BE TRUE AND CORRECT AND TO BE THE PROPERTY OF THE CITY OF HIGH POINT, NORTH CAROLINA.

OWNER
 CITY OF HIGH POINT
 PO BOX 230
 HIGH POINT, NC 26261

THIS PLAT DOES NOT REQUIRE A CERTIFICATE OF APPROVAL BY THE DIVISION OF HIGHWAYS AS PROVIDED IN G.S. 138-102.6, SUBSECTION (6).



CITY OF HIGH POINT
 ENGINEERING SERVICES
 DEPARTMENT
 211 S. HAMILTON STREET
 P.O. BOX 230
 HIGH POINT, N.C. 27261
 TELEPHONE (336) 883-3194
 FAX (336) 883-4116
 Fire Station #26

CITY OF HIGH POINT
 ENGINEERING SERVICES DEPARTMENT
CONVEYANCE MAP
HABITAT FOR HUMANITY
PROPOSED CONVEYANCE OF
#1718 - 1728 BROOKS AVE.
 DEEP AVE. TOWNSHIP
 GUILFORD COUNTY, NORTH CAROLINA
 DATE: SEPT. 9, 2011 SCALE: 1" = 2'
 FIELD BOOK: N/A SURVEYED BY: N/A
 DRAWN BY: MBN FILE: Y.mthw
 PROJECT: Brooks Ave. SHEET 1 OF 1

**RESOLUTION APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 1718 Brooks Avenue in the City of High Point and is more particularly described in Deed Book 7143, Page 1062 of the Guilford County Registry; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation, if the city is authorized by law to appropriate money to the corporation; and

WHEREAS, North Carolina General Statute § 160A-456(b) authorizes a city to exercise directly those powers granted by law to housing authorities giving a city the ability and authority to undertake any activity that may be undertaken by a housing authority; and

WHEREAS, North Carolina General Statute § 157-9 sets out the powers granted by statute to housing authorities, one of which is to prepare, carry out, and operate housing projects; and

WHEREAS, North Carolina General Statute § 157-3(12) defines a housing project to include programs that assist developers of multifamily housing and developers and owners of owner-occupied housing; and

WHEREAS, North Carolina General Statute § 160A-20.1 authorizes cities to appropriate money to private organizations to carry out any activity that a city may carry out directly; and

WHEREAS, North Carolina General Statute § 160A-497 authorizes a city to undertake programs for the assistance and care of its senior citizens and to contract and appropriate funds to private organizations in order to carry out such programs; and

WHEREAS, the City of High Point has negotiated with Habitat for Humanity of High Point, Archdale, and Trinity (hereafter, Habitat) to convey the above-described tract to Habitat in order that Habitat may assist with the construction of owner-occupied housing;

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to a .14 acre tract of land located at 1718 Brooks Avenue in the City of High Point, more particularly described as follows:

2. The consideration of the conveyance is Habitat's agreement to use this property only for the "public" purpose of furthering the mission of Habitat in providing owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the _____ day of _____, 20____.

CITY OF HIGH POINT

By: _____
Rebecca R. Smothers, Mayor

Attested to:

Lisa Vierling, City Clerk

**RESOLUTION APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 1720 Brooks Avenue in the City of High Point and is more particularly described in Deed Book 7154, Page 1004 of the Guilford County Registry; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation, if the city is authorized by law to appropriate money to the corporation; and

WHEREAS, North Carolina General Statute § 160A-456(b) authorizes a city to exercise directly those powers granted by law to housing authorities giving a city the ability and authority to undertake any activity that may be undertaken by a housing authority; and

WHEREAS, North Carolina General Statute § 157-9 sets out the powers granted by statute to housing authorities, one of which is to prepare, carry out, and operate housing projects; and

WHEREAS, North Carolina General Statute § 157-3(12) defines a housing project to include programs that assist developers of multifamily housing and developers and owners of owner-occupied housing; and

WHEREAS, North Carolina General Statute § 160A-20.1 authorizes cities to appropriate money to private organizations to carry out any activity that a city may carry out directly; and

WHEREAS, North Carolina General Statute § 160A-497 authorizes a city to undertake programs for the assistance and care of its senior citizens and to contract and appropriate funds to private organizations in order to carry out such programs; and

WHEREAS, the City of High Point has negotiated with Habitat for Humanity of High Point, Archdale, and Trinity (hereafter, Habitat) to convey the above-described tract to Habitat in order that Habitat may assist with the construction of owner-occupied housing;

**THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT
RESOLVES THAT:**

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to a .15 acre tract of land located at 1720 Brooks Avenue in the City of High Point, more particularly described as follows:

Lot # 134-135 PB6-181 1720 BROOKS AV

2. The consideration of the conveyance is Habitat's agreement to use this property only for the "public" purpose of furthering the mission of Habitat in providing owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the _____ day of _____, 20____.

CITY OF HIGH POINT

By: _____
Rebecca R. Smothers, Mayor

Attested to:

Lisa Vierling, City Clerk

**RESOLUTION APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 1722 Brooks Avenue in the City of High Point and is more particularly described in Deed Book 7143, Page 1064 of the Guilford County Registry; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation, if the city is authorized by law to appropriate money to the corporation; and

WHEREAS, North Carolina General Statute § 160A-456(b) authorizes a city to exercise directly those powers granted by law to housing authorities giving a city the ability and authority to undertake any activity that may be undertaken by a housing authority; and

WHEREAS, North Carolina General Statute § 157-9 sets out the powers granted by statute to housing authorities, one of which is to prepare, carry out, and operate housing projects; and

WHEREAS, North Carolina General Statute § 157-3(12) defines a housing project to include programs that assist developers of multifamily housing and developers and owners of owner-occupied housing; and

WHEREAS, North Carolina General Statute § 160A-20.1 authorizes cities to appropriate money to private organizations to carry out any activity that a city may carry out directly; and

WHEREAS, North Carolina General Statute § 160A-497 authorizes a city to undertake programs for the assistance and care of its senior citizens and to contract and appropriate funds to private organizations in order to carry out such programs; and

WHEREAS, the City of High Point has negotiated with Habitat for Humanity of High Point, Archdale, and Trinity (hereafter, Habitat) to convey the above-described tract to Habitat in order that Habitat may assist with the construction of owner-occupied housing;

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to a .15 acre tract of land located at 1722 Brooks Avenue in the City of High Point, more particularly described as follows:

Lot # 136-137 PB 6-181 1722 BROOKS A

2. The consideration of the conveyance is Habitat's agreement to use this property only for the "public" purpose of furthering the mission of Habitat in providing owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the _____ day of _____, 20____.

CITY OF HIGH POINT

By: _____
Rebecca R. Smothers, Mayor

Attested to:

Lisa Vierling, City Clerk

**RESOLUTION APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 1724 Brooks Avenue in the City of High Point and is more particularly described in Deed Book 7154, Page 1004 of the Guilford County Registry; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation, if the city is authorized by law to appropriate money to the corporation; and

WHEREAS, North Carolina General Statute § 160A-456(b) authorizes a city to exercise directly those powers granted by law to housing authorities giving a city the ability and authority to undertake any activity that may be undertaken by a housing authority; and

WHEREAS, North Carolina General Statute § 157-9 sets out the powers granted by statute to housing authorities, one of which is to prepare, carry out, and operate housing projects; and

WHEREAS, North Carolina General Statute § 157-3(12) defines a housing project to include programs that assist developers of multifamily housing and developers and owners of owner-occupied housing; and

WHEREAS, North Carolina General Statute § 160A-20.1 authorizes cities to appropriate money to private organizations to carry out any activity that a city may carry out directly; and

WHEREAS, North Carolina General Statute § 160A-497 authorizes a city to undertake programs for the assistance and care of its senior citizens and to contract and appropriate funds to private organizations in order to carry out such programs; and

WHEREAS, the City of High Point has negotiated with Habitat for Humanity of High Point, Archdale, and Trinity (hereafter, Habitat) to convey the above-described tract to Habitat in order that Habitat may assist with the construction of owner-occupied housing;

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to a .14 acre tract of land located at 1724 Brooks Avenue in the City of High Point, more particularly described as follows:

Lot # 138-139 PB6-181 - 1724 BROOKS AV

2. The consideration of the conveyance is Habitat's agreement to use this property only for the "public" purpose of furthering the mission of Habitat in providing owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the _____ day of _____, 20____.

CITY OF HIGH POINT

By: _____
Rebecca R. Smothers, Mayor

Attested to:

Lisa Vierling, City Clerk

**RESOLUTION APPROVING CONVEYANCE
OF REAL PROPERTY
TO A NONPROFIT CORPORATION**

WHEREAS, the City of High Point owns a tract of land located at 1728 Brooks Avenue in the City of High Point and is more particularly described in Deed Book 7145, Page 0248 of the Guilford County Registry; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation, if the city is authorized by law to appropriate money to the corporation; and

WHEREAS, North Carolina General Statute § 160A-456(b) authorizes a city to exercise directly those powers granted by law to housing authorities giving a city the ability and authority to undertake any activity that may be undertaken by a housing authority; and

WHEREAS, North Carolina General Statute § 157-9 sets out the powers granted by statute to housing authorities, one of which is to prepare, carry out, and operate housing projects; and

WHEREAS, North Carolina General Statute § 157-3(12) defines a housing project to include programs that assist developers of multifamily housing and developers and owners of owner-occupied housing; and

WHEREAS, North Carolina General Statute § 160A-20.1 authorizes cities to appropriate money to private organizations to carry out any activity that a city may carry out directly; and

WHEREAS, North Carolina General Statute § 160A-497 authorizes a city to undertake programs for the assistance and care of its senior citizens and to contract and appropriate funds to private organizations in order to carry out such programs; and

WHEREAS, the City of High Point has negotiated with Habitat for Humanity of High Point, Archdale, and Trinity (hereafter, Habitat) to convey the above-described tract to Habitat in order that Habitat may assist with the construction of owner-occupied housing;

THEREFORE, THE CITY COUNCIL FOR THE CITY OF HIGH POINT RESOLVES THAT:

1. The Mayor of the City of High Point is authorized to execute all documents necessary to convey title to a .15 acre tract of land located at 1728 Brooks Avenue in the City of High Point, more particularly described as follows:

Lot # 140-141 PB 6-181 1728 BROOKS A

2. The consideration of the conveyance is Habitat's agreement to use this property only for the "public" purpose of furthering the mission of Habitat in providing owner-occupied housing. If for any reason the property ceases to be used for a "public" purpose, the property shall revert back to the City of High Point. A statement to this effect shall be placed in the deed of conveyance.

3. The City Clerk shall publish a notice summarizing the contents of this resolution and the conveyance of the property may be consummated at any time after 10 days of publication of the notice.

ADOPTED this the _____ day of _____, 20____.

CITY OF HIGH POINT

By: _____
Rebecca R. Smothers, Mayor

Attested to:

Lisa Vierling, City Clerk



MEMORANDUM

Date: September 14, 2011

To: Mayor and City Council

From: W. Patrick Pate, Assistant City Manager

Re: Taxi Cab Insurance Requirements

In August City Council adopted a revised ordinance regulating the operation of taxi cabs in the City of High Point. The commercial liability limits were established at \$50,000 per person/\$150,000 per accident/\$50,000 property damage. The attached letter from Allstate Insurance was received by First Class Cab informing them that these specific limits of liability were not available and advising them to seek limits of \$50,000 per person/\$100,000 per accident/\$50,000 property damage and they are now seeking this change by City Council.

This request would change Section 11-2-31 of the city ordinance which establishes conditions for financial responsibility. If adopted section 11-2-31 (a) would read:

Sec. 11-2-31 (a) No person shall allow the operation of a taxicab within the city without complying with North Carolina General Statute 20-280. In addition, no person shall allow the operation of a taxicab within the city unless there is on file with the taxicab inspector a commercial insurance policy, or satisfactory proof of policy, for the taxicab. The policy must maintain minimum commercial liability limits of \$50,000 per person/~~\$150,000~~ **\$100,000** per accident/\$50,000 property damage.

If you need any additional information please let me know. Representatives from the local taxi companies will also be available for your questions.

cc: Strib Boynton, City Manager
Jim Fealy, Police Chief