

City of High Point

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



Meeting Agenda

Monday, August 20, 2012

4:45 PM

Council Chambers

Committee of the Whole

*Rebecca R. Smothers, Mayor
M. Christopher Whitley, Mayor Pro Tem
Latimer B. Alexander, IV, 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**

- [120216](#) Contract - Piggyback Bid with the City of Winston Salem - Sludge Thickening Polymer
Award of contract for Piggyback Bid with the City of Winston Salem for the purchase of Sludge Thickening Polymer in the amount of \$330,000.00 which is the lowest responsible and responsive bidder meeting specifications.
Attachments: [Contract - Sludge Thickening Polymer.pdf](#)
- [120217](#) Contract - State Contract - Dial-A-Lift Vehicles
Award of contract to purchase three (3) Light Transit Vehicles using the State Contract for the Dial-A-Lift service. Purchasing and the Transportation Department recommends that contract be awarded to National Bus Sales & Leasing, Inc. in the amount of \$140,097.00 which is the lowest responsible and responsive bidder meeting specifications.
Attachments: [Contract - Dial A Lift Vehicles.pdf](#)
- [120218](#) Professional Services Agreement - Arc Flash Assessments
City Council is requested to approve the following actions:
(1) Award master professional services agreements with Sturgill Engineering and Arcadis G & M for the City's needed arc flash hazard assessments to meet the mandates of a safe workplace for employees; and
(2) Authorize the City Manager to execute supplemental professional service agreements with Sturgill Engineering in the amount of \$235,500 with Arcadis G & M in the amount of \$143,300 for the arc flash assessments in the water and sewer facilities.
Attachments: [Contract - Arc Flash Assessment.pdf](#)
- [120219](#) Ordinance - Transfer of Franchise - WI High Point Landfill, LLC
Council is requested to adopt an ordinance transferring a franchise from WCA of High Point, Inc. to WI High Point Landfill, LLC for construction and demolition landfill and reclamation operation at 5830 Riverdale Road, High Point, NC.
Attachments: [An Ordinance Approving the Transfer from WCA to WI.pdf](#)

PUBLIC SAFETY & COMMUNITY DEVELOPMENT COMMITTEE

- [120220](#) Ordinance - Demolition of Structures - Meredith Street - Schwarz Properties
Adoption of an ordinance ordering the inspector to effectuate the demolition of the following structures owned by Schwarz Properties,

LLC:

501 Meredith Street (A,B,C,D)

503 Meredith Street (A,B,C,D)

505 Meredith Street (A,B,C,D)

507 Meredith Street (A,B,C,D)

509 Meredith Street (A,B,C,D)

511 Meredith Street (A,B,C,D)

513 Meredith Street (A,B,C,D)

Attachments: [Demolition - 501-513 Meredith Street.pdf](#)

Pending Items

[120032](#)

Ordinance - Demolition of Structure - 1315 Vernon Place

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1315 Vernon Place belonging to David L and Minnie L. Terry.

Attachments: [Demolition Ordinance - 1315 Vernon Place.pdf](#)

PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY COMMITTEE

[120222](#)

Resolution of Intent- Street Abandonment Case 12-07 - HPU

Approval of a Resolution of Intent that establishes a public hearing date of Monday, September 17, 2012 at 5:30 p.m. to consider a request to abandon a portion of North Avenue located east of N. Centennial Street to Willoubar Terrace, and the remaining portion of Willoubar Terrace, located north of North Avenue.

Attachments: [ROI - Street Aband 12-07.pdf](#)

[120223](#)

Resolution of Intent- Annexation Case ANX12-04 - Deep River Church of Christ

Approval of a Resolution of Intent that establishes a public hearing date of Monday, September 17, 2012 at 5:30 p.m. to consider a voluntary contiguous annexation of approximately 12.85 acres. The area to be annexed is lying approximately 180 feet east of Eastchester Drive and south of Deep River Road. The property is also known as Guilford County Tax Parcels 0195737, 0217201 and 0195736 (eastern portion of parcel).

Attachments: [ROI - Annex 12-04.pdf](#)

PUBLIC HEARINGS ON ITEMS - 5:30 P.M.

PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY COMMITTEE

[120224](#)

Ordinance - Rezoning Case 12-07 - Greenwood & Charles, Inc.

A request by Greenwood & Charles, Inc. to rezone approximately 1.9

acres from the Highway Business (HB) District and a Conditional Use Limited Business (CU-LB) District to a Conditional Zoning General Business (CZ-GB) District and the Residential Single Family-9 (RS-9) District. The site is lying at the southeast corner of N. Main Street and Old Winston Road (2926 & 2928 N. Main St and 929 Old Winston Rd) and north of the intersection of Old Winston Road and Bellevue Drive.

Attachments: [Rezoning Case 12-07 Greenwood & Charles.pdf](#)

120225

Ordinance - Amendment to Zoning Case 12-01 - Oak Hollow Development, LLC

A request by Oak Hollow Development, LLC to amend Conditional Zoning Case 12-01 (CZ12-01) to:

- a. Add and rezone approximately 0.65 acres from the Residential Single Family-9 (RS-9) and Residential Single Family-12 (RS-12) Districts to a Conditional Zoning Shopping Center (CZ-SC) District. Conditional Zoning Shopping Center District 12-01 is located at 1400 E. Hartley Drive and the area to be added is east of the property at the terminus of Lakewood Drive.
- b. To amend the vehicular access condition of CZ12-01 to prohibit access to Lakewood Drive.

Attachments: [Rezoning Case 12-01 - Oak Hollow Development.pdf](#)

120226

Resolution - City of High Point - Land Use Plan Amendment Case 12-05
A request by the City of High Point Planning & Development to establish initial Land Use Map classifications of Low Density Residential, Office, and Community/Regional Commercial for approximately 19 acres lying along the west side of Baker Road between East Fairfield Road and Stratford Road.

Attachments: [Land Use Plan Amend 12-05 & Rezoning Case 12-09 CHP.pdf](#)

120228

Ordinance - Rezoning Case 12-09 - City of High Point

A request by the City of High Point City Council to establish an initial City zoning designation of Residential Single Family-9 (RS-9) District to approximately 8.4 acres added to the corporate limits from a land area exchange with the City of Archdale. The property is lying along the west side of Baker Road, approximately 490 feet north of S. Main Street (203, 231 and 233 Baker Road) and at the northwest and southwest corners of Baker Road and Weaver Avenue (503, 507, 509, 511 & 601 Baker Road).

Attachments: [Land Use Plan Amend 12-05 & Rezoning Case 12-09 CHP.pdf](#)

ANY OTHER NEW BUSINESS

120230

Reappointment - Citizens Advisory Council - Stephanie Coggins
Confirmation of the reappointment of Stephanie Coggins to Citizens Advisory Council as the Ward 5 appointment. Appointment to be effective immediately and will expire May 31, 2014.

ADJOURNMENT

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

120227

Approval of the following minutes:

Finance Committee meeting held Monday, August 6th @ 3:00 p.m.

Combined Meeting held Monday, August 6th @ 4:45/5:30 p.m.

Planning, Econ Dev & IT Committee meeting held Wednesday, August

8th @ 9:00 a.m.

Regular Meeting (Evaluation of City Manager & City Clerk - Closed Session) held Thursday, August 9th @ 9:00 a.m.

Attachments: [August 6 2012 Finance Committee](#)

[August 6, 2012 Combined Meeting](#)

[August 8, 2012 Planning, Ec. Dev. & IT Committee](#)

[August 9, 2012 HPCC \(Closed Session- Perf. Evaluations clerk and manager\)](#)

BOARDS AND COMMISSIONS VACANCY REPORT

[120229](#)

Boards and Commissions - Vacancies

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

Attachments: [term expirations 2012 eff. Aug. 15 2012 packet](#)

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 July 24, 2012, and before the City Council of the City of High Point on August 20, 2012, regarding this proposed amendment (LUPA 12-05) to said *Land Use Plan for the High Point Planning Area*.

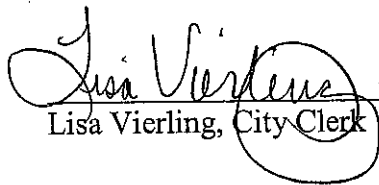
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

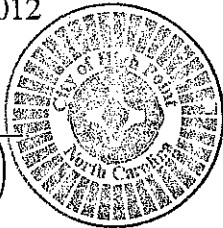
SECTION 1. That the *Land Use Plan for the High Point Planning Area* be amended to establish initial land use classifications of Low Density residential, Office, and Community/Regional Commercial for approximately 19 acres (Guilford County Tax Parcels 158059, 158060, 158061, 158062, 158063, 158064, 158065, 158066, 158067, 158068, 158069, 158070, 158071, 158072, 158073, 158074, 158075, 158076, 158077, 158078, 158079, 158357, 158358, 179743, 179749, 195948, 200527, 200529, & 200543) lying along the west side of Baker Road between east Fairfield Road and Stratford Road.

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 20th day of August, 2012


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.



MEMORANDUM

Date: August 13, 2012

To: Pat Pate, Asst. City Manager

From: Terry Houk, Asst. Director of Public Services (7241)

Re: Agenda Item

I respectfully request that the following be included for consideration on the next Council Agenda:

Approval for Residuals Management to piggyback on the City of Winston-Salem's Polymer Bid No. FBI1241.

High Point is currently paying \$0.966/lb for polymer and the current bid price from Winston-Salem is \$0.96/lb. This is the same polymer that is used by the Residuals Division.

Public Services is recommending that the following be accepted:

Residuals Management Division	(Account:	621759-526103)
Chemical	Company	Amount
Sludge Thickening Polymer	SNF/Polydyne	\$330,000.00

Cc: W. Chris Thompson
Jeff Moore
Patty Sykes
Tracey Adams
John Hodges
Ronald Newnam
File



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Public Services - Residuals Management Division**

COUNCIL AGENDA DATE: **Monday, August 20, 2012**

BID NO.: CONTRACT NO.: DATE OPENED:

DESCRIPTION:

Sludge Thickening Polymer Bid

PURPOSE:

Polymer for use in the centrifuge dewatering operations

COMMENTS:

The City is Piggybacking on Winston-Salem, NC polymer bid No. FB1241 of May 24, 2012.

RECOMMEND AWARD TO: **SNF/Polydyne** AMOUNT: **\$330,000**

JUSTIFICATION:

High Point's contract @ \$0.966/lb. New piggyback price @ \$0.96/lb with same terms as previous City contract. Results of W-S bid. Polydyne \$0.96/lb (373,612 lbs annual per test), Hercules \$1.28/lb (422,740 lbs annual per test), Kemira \$1.27/lb (657,892 lbs annual per test).

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
621759	526103			\$340,000
TOTAL BUDGETED AMOUNT				\$340,000

DEPARTMENT HEAD: **Terry Houk** Digitally signed by Terry Houk
DN: cn=Terry Houk, o=City of High Point, ou=Public Services, email=terry.houk@highpointnc.gov, c=US
Date: 2012.08.15 15:06:59 -0400 DATE:

The Purchasing Division concurs with recommendation submitted by the **Public Services Dept and recommends award to the lowest responsible, responsive bidder **SNF/Polydyne** in the amount of \$ **330,000.00**.**

PURCHASING MANAGER: **Patricia H. Sykes** Digitally signed by Patricia H. Sykes
DN: cn=Patricia H. Sykes, o=City of High Point, ou=Purchasing Division, email=patty.sykes@highpointnc.gov, c=US
Date: 2012.08.16 10:02:01 -0400 DATE: **Aug 16, 2012**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: **Jeffrey Moore** Digitally signed by Jeffrey Moore 2012-08-16 10:02:13
DN: cn=Jeffrey Moore, o=City of High Point, ou=Finance & Insurance, email=jeff.moore@highpointnc.gov, c=US
Date: 2012.08.16 10:02:13 -0400 DATE: **Aug 16, 2012**

CITY MANAGER: **Strib Boynton** Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=City of High Point, ou=City Manager, email=strib.boynton@highpointnc.gov, c=US
Date: 2012.08.16 11:54:39 -0400 DATE: **Aug 16, 2012**

**HIGH POINT CITY COUNCIL
AUGUST 9, 2012 – 9:00 A.M.
CITY MANAGER’S CONFERENCE ROOM**

MINUTES

Present

Mayor Rebecca R. Smothers; Mayor Pro Tem Chris Whitley; and Council Members Latimer B. Alexander, III; Britt Moore; Bernita Sims; Foster Douglas; Mike Pugh; and Jim Corey.

Absent

Council Member A. B. Henley

Staff Present:

Strib Boynton, City Manager

Lisa Vierling, City Clerk

Mayor Smothers called the meeting to order at 9:00 a.m. Upon motion by Council Member Sims and second by Council Member Alexander, Council entered Closed Session pursuant to N.C. General Statute 143-318.11(a)(6) for the purpose of conducting the annual performance evaluations of the city clerk and the city manager.

Upon completion of the performance evaluations which were conducted separately, Council reconvened into Open Session at 12:25 p.m. upon motion duly made and seconded. The Mayor summarized their evaluations saying she and the Council was very pleased with their performance.

There being no further business to come before Council, the meeting adjourned at 12:26 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Rebecca R. Smothers, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

PLANNING, ECONOMIC DEV. & INFORMATION TECHNOLOGY COMMITTEE
August 8, 2012 – 9:00 A.M.
HIGH POINT BOARD OF REALTORS- EASTCHESTER DRIVE
(Quorum of the Committee not present)

MINUTES

Present:

Chairman Whitley, and Committee Member Moore

Also Present:

Council Members Alexander and Corey

Absent: Committee Member Henley

Committee Member Sims was absent due to a conflict with a PART meeting

Staff Present:

Strib Boynton, City Manager; Pat Pate, Assistant City Manager; Randy McCaslin, Assistant City Manager; Lee Burnette, Planning Director; Ed Brown, Inspections Administrator; Lisa Vierling, City Clerk

Others Present:

Judy Stalder, Marlene Sanford, TREBIC
Cindy Martin, President-High Point Regional Association of Realtors (HPRAR)
Miguel Carreno, Amy Hedgecock, Ed Terry, Ryan Wall, Deborah Davis, HPRAR
Mark Lindsay, Robert L. Fowler, Residential Contractors Association (RCA)
Cynthia Davis, Planning & Zoning Commission, resident and At-Large Candidate
Jason Ewing, HPRAR and Ward 6 Candidate

News Media Present:

Pat Kimbrough, *High Point Enterprise*

Development Review Process

Chairman Whitley explained he thought it would be a good opportunity for the Planning, Economic Development and Information Technology Committee to meet with the High Point Board of Realtors and to hear from staff regarding streamlining the development review process. He mentioned that the City Council just approved the software in the budget that was recently adopted and asked staff to give an overview.

Lee Burnette, Director of Planning and Development, explained staff has been looking at everything that comes in for development review such as subdivisions, site plans, construction plans, etc... and looked at where the workflows are as it relates to subdivisions, site plans, construction drawings, utility plans, etc... because they are reviewed by multiple departments. He pointed out over the years, regulations have changed with one of the most significant being changes to the watershed regulations within the last 10-20 years. Staff is currently using two

computer systems for reviewing site plans and subdivision review/construction review process and it is problematic because these two systems were designed over 20 years ago and do not communicate with each other. He noted the new software system will allow staff to get the workflow where it needs to be and would shave time off the review process. Staff will bring an implementation contract to the City Council for consideration later in the summer with the other aspect being a document management system so staff can accept plans and issue permits on-line. This will be a 12-15 month process once the implementation phase starts. One staff person (Mark Schroeder) will be dedicated to the software and streamlining process with Ed Brown and Bob Robbins also being heavily involved in implementing this change. Judy Stalder, representing TREBIC, asked if this would have any effect on the residential building plan. Mr. Burnette replied not so much because the residential building plan will not be associated with the site plan or typically with erosion control. He pointed out a new staff person was hired in April which has also helped.

Mark Lindsay, RCA President, blasted the city and shared that many developers/builders feel that High Point is not business friendly and they try to avoid developing/building in High Point for this reason. He mentioned some stories he has heard and pointed out most do not want to bring it to the city's attention for fear of some sort of retribution from the inspectors. He informed staff that the perception is the process is taking way too long for simple things. Mr. Burnette explained he has only heard these kinds of remarks in general, not specific terms and asked anyone experiencing any retributions by inspectors to please let him know about it immediately. Ed Brown, Inspections Administrator, felt most of the disconnect could be helped by educating them on the process and clarified that there is no High Point Code—only a NC Building Code that High Point must follow. He felt there were two different issues and brokers should not be dealing with inspectors. He explained that the plan review is the most important function the city can provide because once the plans are approved, they are approved and noted it does not go into the field to be built with the inspector getting another opportunity to give his opinion on how it should have been done. Mr. Lindsay stated this has been happening. Mr. Brown noted if this is happening, then these complaints should be elevated and brought to his attention. City Manager Strib Boynton agreed and explained situations like this are virtually difficult to deal with unless the city is aware that it is going on.

Mr. Lindsay suggested one way to improve the relationship between brokers and inspectors might be for the city have the inspectors talk with them as a group. Mr. Brown explained that every building starts with a use and when a different use is proposed, then he encourages anyone involved in the rehab process to come in for the “free service” that High Point provides. He noted that rehabbing a building does not change the code requirements, but massages it and staff could offer helpful advice along the way. Mr. Burnette explained every inspector on staff is certified by the State of North Carolina at Level III. They know they should not deviate from the building code and have been told how to communicate with the public and how to tactfully handle situations that arise.

Judy Stalder explained she called several TREBIC members and asked them how they felt the residential permit process is going and got the same comments from all three that she called (that there seems to be a new requirement where they have to write the building code on the permit or attach it to the permit). Mr. Brown explained that this is not a new requirement, but due to some

major changes the state has made over the past years—not the city. He shared that staff has met personally with a number of builders and the absence of a reference to the building code used on the plans results in a delayed turn-around time. Marlene Sanford shared that she has also heard the same comments over the past week and was told it is not just a sentence that's required, but results in a whole “stack of paper”. Mr. Brown explained that the “stack of paper” she is referring to is the truss drawings and the inspectors cannot get around it because it is required. He mentioned some nearby cities may not be doing this, but assured her that the City of High Point does include this as part of the plan review process because it is required by the NC Building Code and it helps to head off any problems after development has already started. Ms. Stalder reiterated that the builders feel High Point is tightening up on requirements. Mr. Brown felt this is not a fair comment and pointed out the designer and builder should know what code is applicable to what they are building.

Ms. Sanford pointed out there still seem to be issues regarding the time it takes to review the plans and suggested that a maybe they need to set up a meeting with city staff because most of the builders were not present at this meeting. Mr. Brown shared the oldest outstanding residential plan is July 18th and Ms. Sanford suggested it might be helpful for everyone to get together to determine where the disconnect is.

Committee Member Moore asked if Greensboro of any other cities require this citation of the building code on the plans and Ms. Sanford replied that since High Point was specifically mentioned, she did not believe any others are requiring it. Committee Member Moore stated the fear of retribution has to stop. Cynthia Davis suggested coming up with a form that the builders could fill out after the inspection is done where they could report their experience with the inspectors. Mr. Burnette explained staff already gets feedback from the process and Mr. Brown shared there is a card they can fill out when they get their Certificate of Occupancy, but they are reluctant to act that fast.

Cindy Martin, President of the HPRAR felt the room was full of people who love High Point and that things are really getting better. She expressed her appreciation for the clarity and genuine interest and thanked everyone for coming.

Council Member Alexander made everyone aware that the City Council has directed the planning staff to work with the managers in an effort to develop a policy when people come in from Davidson County with an issue regarding development and pointed out this would really be a problem as the economy improves and it is not one that the City of High Point created. Chairman Whitley explained this is in reference to the latest bill passed regarding annexation and involuntary annexation in Davidson County. He agreed this is a key issue that will affect High Point as well as Forsyth County.

Chairman Whitley thanked everyone for attending the meeting. The meeting adjourned at 10:20 a.m.

Respectfully Submitted,

Lisa B. Vierling, MMC
City Clerk

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on July 24, 2012 and before the City Council of the City of High Point on August 20, 2012 regarding **Zoning Case 12-07** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on July 15, 2012 and July 22, 2012, for the Planning and Zoning Commission public hearing and on August 8, 2012 and August 15, 2012, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on August 20, 2012.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **Conditional Zoning General Business (CZ-GB) District** and described as follows:

- Tract 1.** **Conditional Zoning General Business (CZ-GB) District.** This tract consists of Guilford County tax parcels 0197343 & 0197344 (*2928 & 2926 N. Main Street*). Approximately 1.02 acres lying at the southeast corner of N. Main Street and Old Winston Road.
- Tract 2.** **Conditional Zoning General Business (CZ-GB) District.** This tract consists of Guilford County tax parcel 0197342 (*929 Old Winston Road*). An approximately 0.68 acre parcel lying south of the intersection of Old Winston Road and Bellevue Drive.

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES:

- Tract 1. Any of the land uses allowed in the General Business (GB) District shall be permitted subject to the development and dimensional requirements of the GB District and the specific conditions listed in this Conditional Zoning Ordinance.
- Tract 2. Any of the land uses allowed in the General Business (GB) District shall be permitted subject to the development and dimensional requirements of the GB District and the specific conditions listed in this Conditional Zoning Ordinance.

Part II. CONDITIONS:

A. Prohibited and Restricted Uses

1. The following use shall be prohibited.

a) Business/Professional & Personal Services Uses

- i. Automobile Rental or Leasing (Ref. SIC 7510)
- ii. Automobile Repair Services, Major
- iii. Automobile Repair Services, Minor
- iv. Automobile Towing and Storage Services (Ref. SIC 7549)
- v. Boat Repair (Ref. SIC 3730)
- vi. Car Washes (Ref. SIC 7542)

b) Retail Trade Uses

- i. Bars (Ref. SIC 5813)
- ii. Bars (capacity > 100 persons) (Ref. SIC 5813)
- iii. Boat Sales (Ref. SIC 5551)
- iv. Building Supply Sales (with storage yard) (Ref. SIC 5211)
- v. Bulky Item Outdoor Display
- vi. Manufactured Home Sales (Ref. SIC 5271)
- vii. Motor Vehicle Sales (new and used) (Ref. SIC 5511)
- viii. Motorcycle Sales (Ref. SIC 5571)
- ix. Recreational Vehicle Sales (Ref. SIC 5361)
- x. Truck Stops (Ref. SIC 5541)

c) Transportation/Warehousing & Utilities Uses

- i. Warehouses (general storage/enclosed) and Distribution Centers (Ref. SIC 4220)
- ii. Warehouses (self-storage) (Ref. SIC 7510)

d) Other Uses

- i. Storage Containers, Portable (accessory use)
- ii. Sexually Oriented Businesses

2. The following uses shall be restricted upon Tract 2.

- a) Canopies and gasoline pumps associated with convenience stores with pumps and gasoline service stations shall not be permitted upon any portion of Tract 2.
- b) Drive-thru ordering stations (speakers and pick-up windows) shall not be permitted upon any portion of Tract 2.

B. Development Standards and Dimensional Standards:

- 1. Lot Combination: Tracts 1 and 2 of the zoning site (Guilford County Tax Parcels 0197343, 0197344 and 0197342) shall be combined to form one lot prior to any additional development and re-subdivision.
- 2. Landscaping: A minimum twenty-five (25) foot wide planting yard, planted at the Type B planting rate, shall be provided along the eastern property line of the zoning site where it abuts residential uses.

C. Transportation Conditions.

1. Vehicular Access:

- a) No access shall be allowed to Main Street.
- b) Any existing access drive to N. Main Street shall be required to be removed upon redevelopment and thereafter access shall be in accordance with the City of High Point Driveway Ordinance.
- c) Two (2) points of access shall be allowed to Old Winston Road. One of the access points must be opposite Bellevue Drive.

2. Improvements

- a) Restripe the existing pavement to provide a westbound left turn lane at the access point opposite Bellevue Drive.
- b) Provide a northbound right turn lane at the intersection of N. Main Street and Old Winston Road/Belle Avenue if a convenience store with 12 fueling stations or more is constructed. The right turn lane requirement will be re-evaluated if a different use is proposed in the future.

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

SECTION 3

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

SECTION 4

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

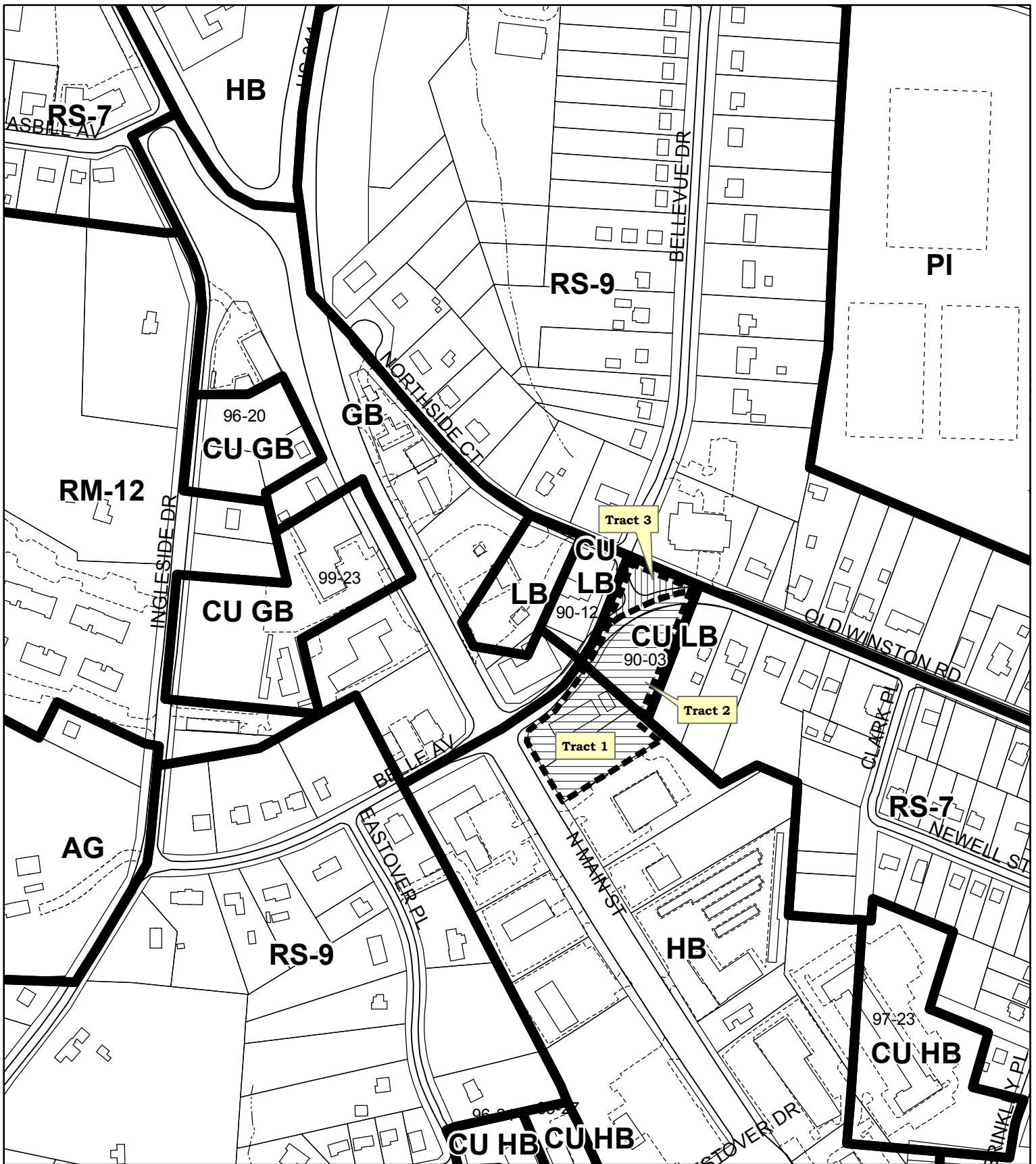
SECTION 5

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

SECTION 6.

This ordinance shall become effective upon the date of adoption.
8th day of September 1, 2011.

Lisa B. Vierling, City Clerk



ZONING CASE 12-07

From: Highway Business and
Conditional Use Limited Business
To: Tracts 1 & 2 - Conditional Zoning General Business
Tract 3 - Residential Single Family-9

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

**Planning & Development
Department**

City of High Point

Date: July 6, 2012



Scale: 1"=300'
y/ba-pz/2012/pz/z12-07.mxd

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on July 24, 2012 and before the City Council of the City of High Point on August 20, 2012 regarding **Zoning Case 12-07** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on July 15, 2012 and July 22, 2012, for the Planning and Zoning Commission public hearing and on August 8, 2012 and August 15, 2012, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on August 20, 2012.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: A **Residential Single Family-9 (RS-9) District**. The property is an approximately 0.2 acre portion of Guilford County tax parcel 0197342, lying north of the intersection of Old Winston Road and Bellevue Drive. (*NOTE: The property is described in Zoning Case 12-07 as Tract3*).

This portion of Guilford County tax parcel 0197342 is also described below:

Beginning at the southwest property corner depicted on Sheets #14 and #15 of “OLD WINSTON ROAD”, Project #2227, on file with the City of High Point Engineering Services Department. Thence 0.18’ from said point to a point on the southern property line located 30.00’ right of Bellevue Drive Centerline Station 11+57.75, thence 18.98’ to a point located 30.00’ right of Bellevue Drive Centerline Station 11+38.77, thence following a radius of 70.00’ to a point located 30.00’ right of Bellevue Drive Centerline Station 10+54.50, thence 15.78’ to a point located 30.00’ right of Bellevue Drive Centerline Station 10+38.73, thence 16.23’ to a point located 30.00’ right of Old Winston Road Centerline Station 69+92.51, thence 177.79’ following a radius of 330.00’ to a point located 30’ right of Old Winston Road centerline station 68+30.88, thence to the point on the southern property line located 30.00’ right of Bellevue Drive Centerline Station 11+57.75.

SECTION 2

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

SECTION 3

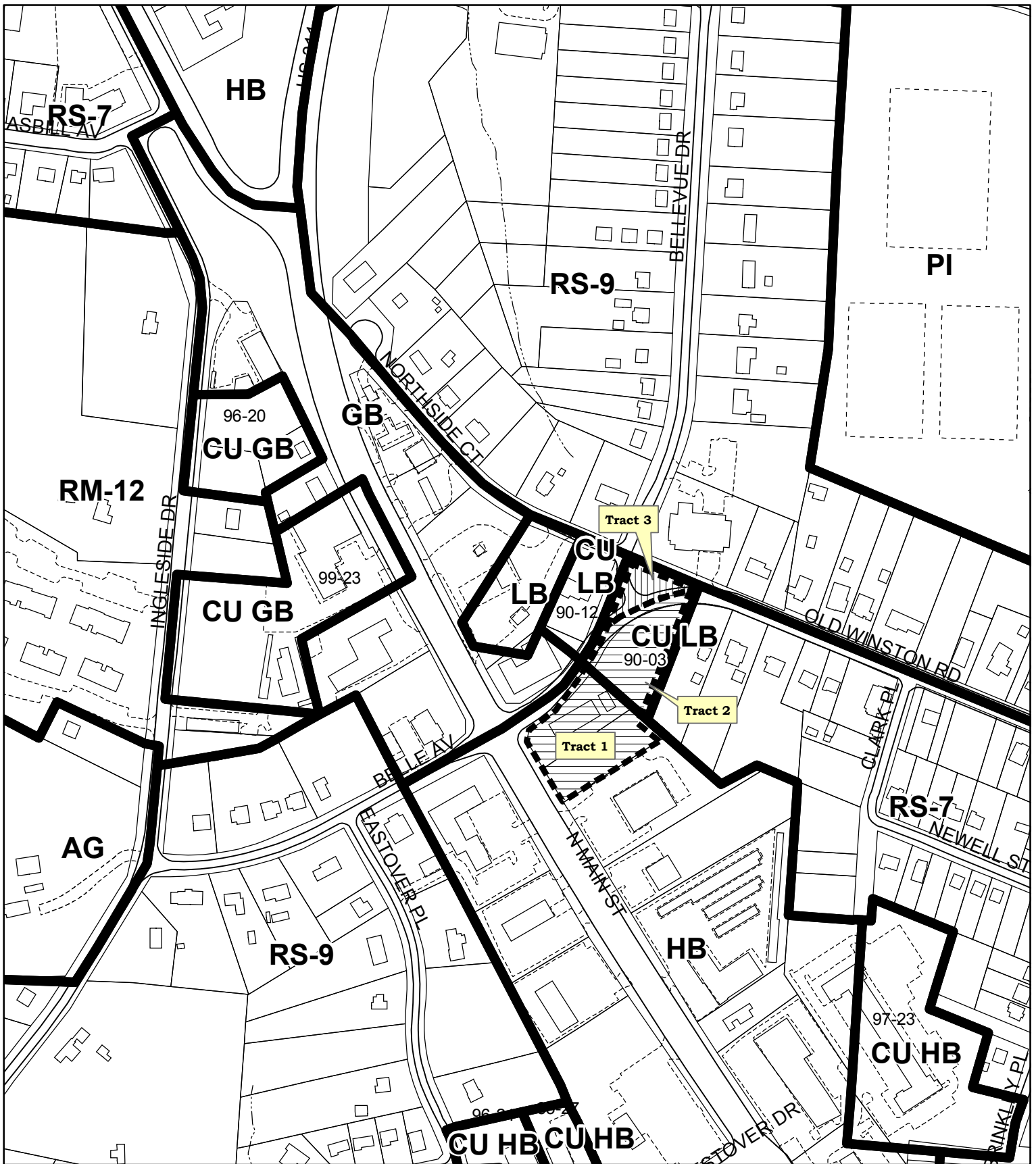
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4.

This ordinance shall become effective upon the date of adoption.

20th day of August, 2012.

Lisa B. Vierling, City Clerk



ZONING CASE 12-07

From: Highway Business and
Conditional Use Limited Business
To: Tracts 1 & 2 - Conditional Zoning General Business
Tract 3 - Residential Single Family-9

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

**Planning & Development
Department**

City of High Point

Date: July 6, 2012

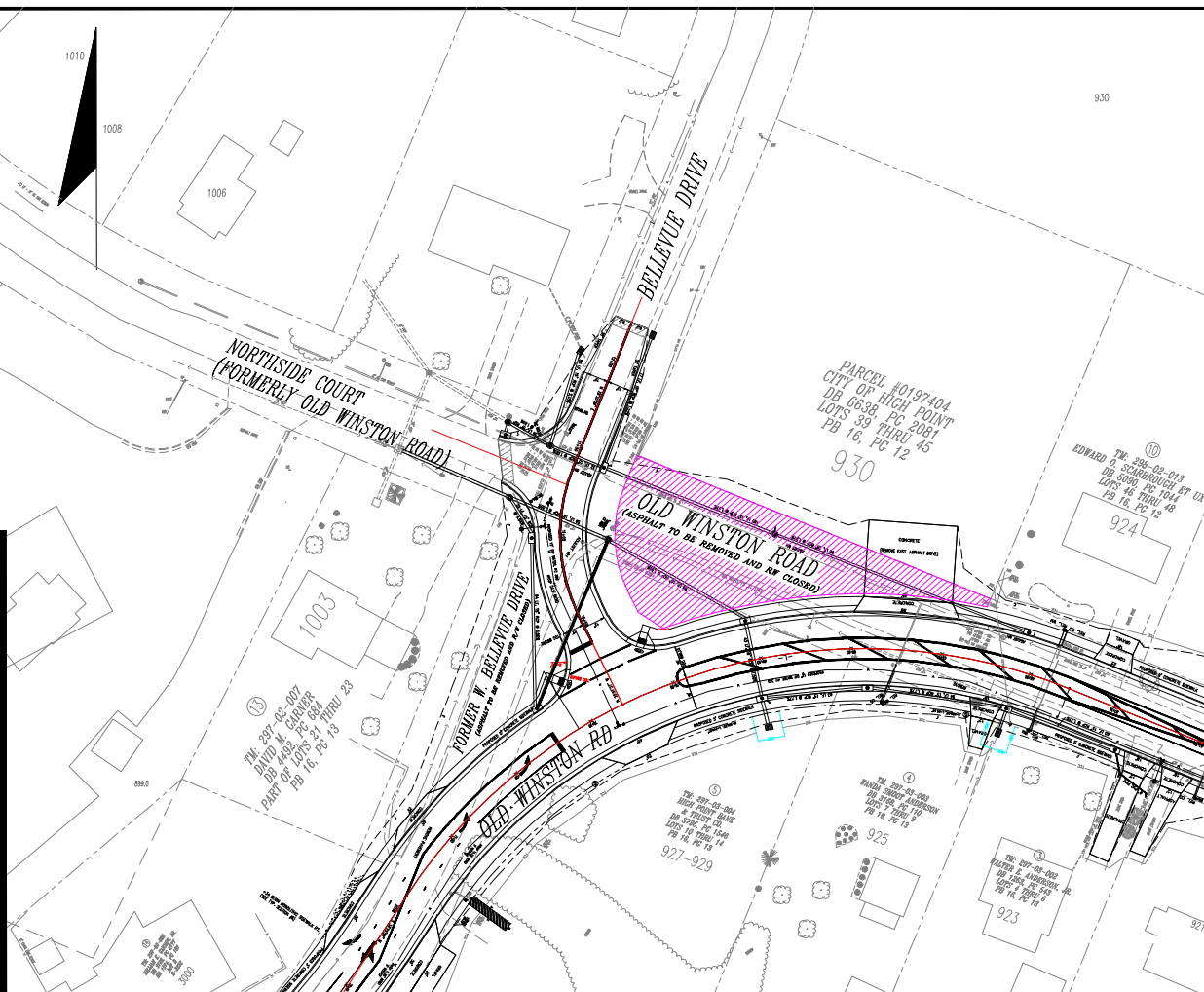
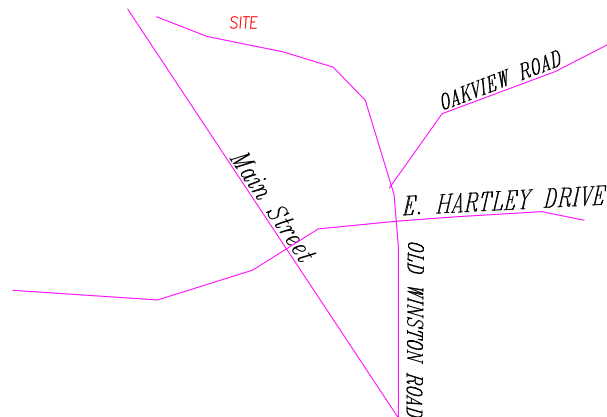


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THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN APPROVED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

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

VICINITY MAP : NOT TO SCALE



**CITY OF HIGH POINT
NORTH CAROLINA**

**ENGINEERING SERVICES
DEPARTMENT**

SCALE: N.T.S.

BY: MBN

RELINQUISH OF RIGHT OF WAY

**PROPERTY OF CITY OF HIGH POINT
930 OLD WINSTON ROAD
APPROXIMATELY 0.20 ACRES R/W
Parcel #0197404**

PROJECT: 2227

DATE: MARCH 2012



MEMORANDUM

August 13, 2012

MEMO TO: Strib Boynton, City Manager
Pat Pate, Assistant City Manager

FROM: Jeffrey A. Moore, Financial Services Director

SUBJECT: Recommendation for Professional Services for Arc Flash Assessments

City staff has been working since Spring 2011 on conducting a qualitative basis evaluation to select professional engineering firms to perform arc flash hazard assessments for the City's facilities as now required by OSHA and the NCDOL. This effort has been driven by the compliance mandates given to the City's Division of Safety and Health.

An arc flash hazard (in non-technical language) is the risk that occurs if someone "shorts out" an electrical switch or panel resulting in an electrical explosion (arc flash).

A multi-faceted selection and evaluation committee comprised of staff from Purchasing, Facilities Services, Public Services, Parks & Recreation, and Electric prepared the comprehensive qualification proposals and evaluated the 11 responses received, interviewed the three finalist firms, and finally negotiated pricing with the two top professional firms identified below.

It is critical to note that the recommendation for the professional services selection only approves the firms in accordance with State and federal law. No work will be done in this area without specifically approved, budgeted, and funded work orders. This is similar to the award of qualification-based professional agreements the City has done for engineering and architectural firm selections in the past.

The following actions of City Council are requested:

1. The selection committee recommends that City Council award master professional services agreements with Sturgill Engineering and Arcadis G&M for the City's needed arc flash hazard assessments to meet the mandates of a safe workplace for our employees that will be budgeted in the next few years.
2. The Public Services Department has budgeted \$400,000 in pay-as-you-go funds for these assessments. City Council is requested to authorize the City Manager to execute supplemental professional service agreements with Sturgill Engineering in the amount of \$235,500 and with Arcadis G&M in the amount of \$143,300 for the arc flash assessments in the water and sewer facilities.

Accounting
336.883.3240

Internal Audit
336.883.3122

Purchasing
336.883.3219

Treasury Services
336.883.3230



MEMORANDUM

Date: August 14, 2012

To: Pat Pate, Assistant City Manager

From: Terry Houk, Assistant Director of Public Services (TL4)

Re: Agenda Item

I respectfully request that the following be included for consideration on the next Council Agenda:

Acceptance of supplemental professional service agreements related to Arc Flash Hazard Assessment for Water and Wastewater Facilities between Arcadis G&M of North Carolina and Sturgill Engineering

Arcadis will conduct the Arc Flash assessment for the Ward Water Plant, raw water pump stations; water storage tanks and other water related facilities and or equipment. Sturgill Engineering will conduct the Arc Flash assessment for Eastside and Westside Wastewater Plants, multiple pump stations and other wastewater facilities and or equipment.

Public Services is recommending supplemental professional service agreements be accepted for:

Water Facilities:	\$143,300.00
Wastewater Facilities:	\$235,500.00

Funding for this amendment will come from 421779-527105-421111024905-40207.

Cc: Chris Thompson
Jeff Moore
Patty Sykes
File

Publish four (4) consecutive weeks: August 24 & 31, September 7, & 14, 2012

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA12-07)

WHEREAS, the City Council is requested to abandon a portion of North Avenue located east of North Centennial Street to Willoubar Terrace, and the remaining portion of Willoubar Terrace, located north of North 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, September 17, 2012, 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 in High Point, on the abandonment of said street.

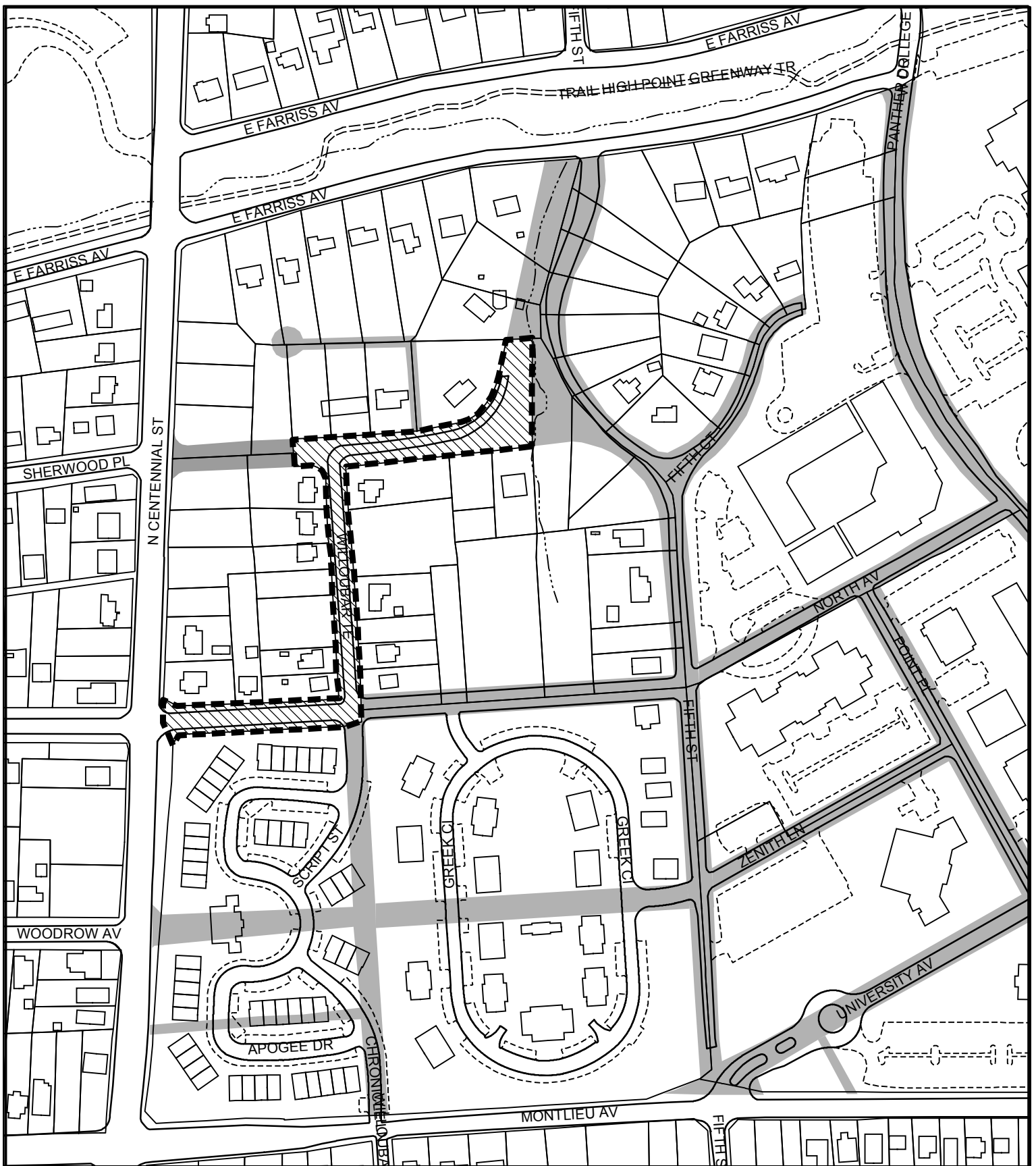
Persons wishing to be heard either for or against the said street abandonment are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call 336/883-3298 or TDD# 336/883-8517.

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

By Order of the City Council
This the 20th day of August, 2012.

Lisa B. Vierling, City Clerk

Petition Submitted By: High Point University



STREET ABANDONMENT REQUEST SA12-07

Applicant: High Point University

Area: 1.799 acres



Location of requested street abandonment



Previously abandoned right-of-ways

Planning & Development
Department

City of High Point

Date: August 9, 2012



Scale: 1"=250'

y:/ba-pz/2012/pz/sa12-07.mxd

PUBLISH ONCE: Friday, August 24, 2012

**RESOLUTION TO ESTABLISH A
PUBLIC HEARING DATE FOR
VOLUNTARY CONTIGUOUS ANNEXATION
(Case # ANX12-04)**

WHEREAS, the City Council has been petitioned to annex the property of the Deep River Church of Christ, consisting of approximately 12.85 acres and located approximately 180 feet east of Eastchester Drive and south of Deep River Road, also known as Guilford County Tax Parcels 0195737, 0217201 and 0195736 (eastern portion of parcel);

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

NOW, THEREFORE BE IT RESOLVED, THAT THE CITY COUNCIL establishes Monday, September 17, 2012, at 5:30 p.m., in the Council Chambers in the Municipal Building at 211 South Hamilton Street, High Point, North Carolina, as the date for the public hearing regarding the requested annexation.

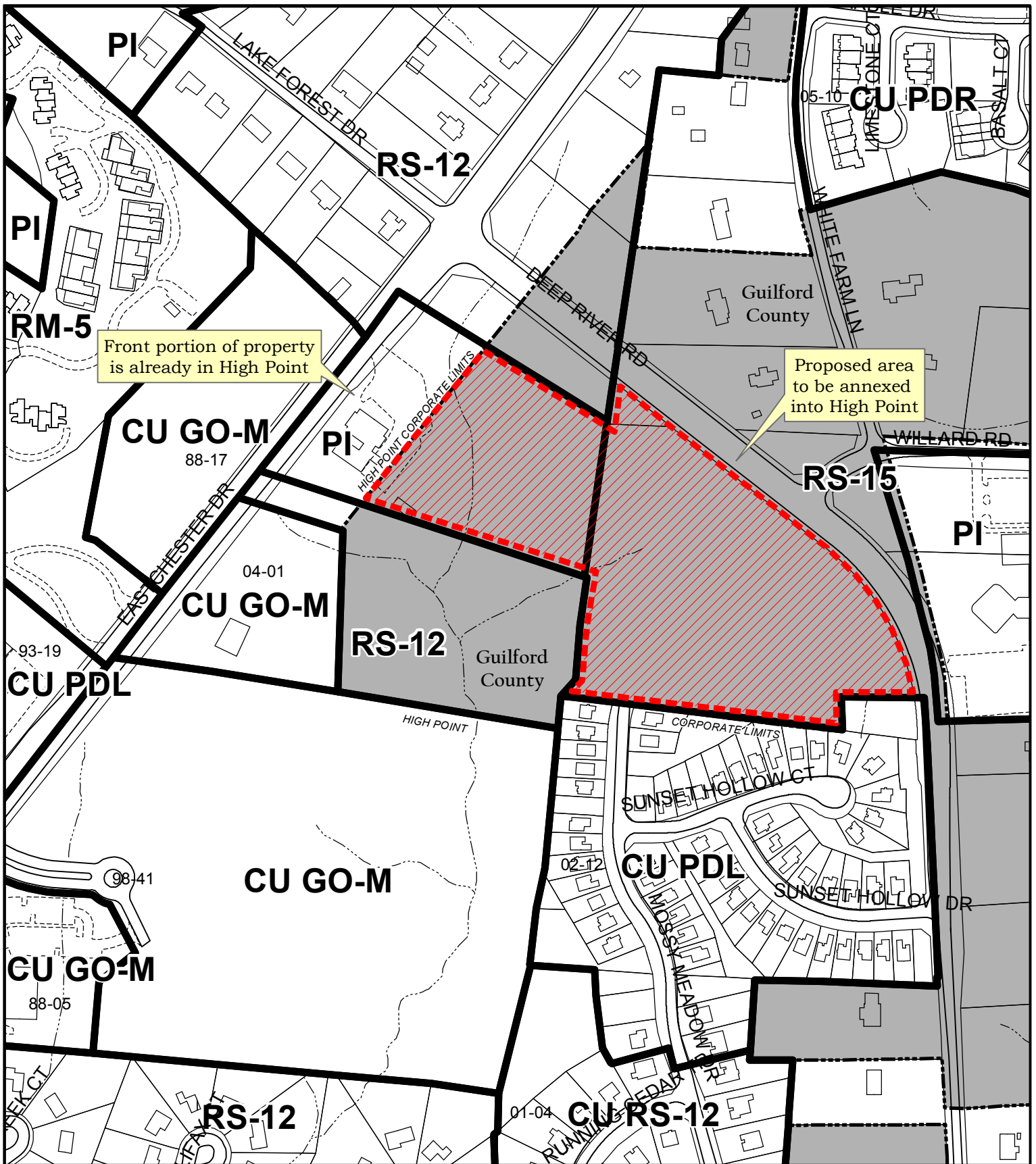
Any interested party will be permitted to be heard at the public hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call (336) 883-3298 or the TDD# (336) 883-8517.

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

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

By order of the City Council,
This the 20th day of August, 2011

Lisa B. Vierling, City Clerk



ANNEXATION REQUEST ANX12-04

Applicant: Deep River Church of Christ
Area: 14.879 acres

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

**Planning & Development
 Department**

City of High Point

Date: August 6, 2012



Scale: 1"=300'
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CITY OF HIGH POINT NORTH CAROLINA



DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION DIVISION

MEMORANDUM

AGENDA ITEM

To: Mark McDonald, P.E.
From: Angela Wynes
Date: August 15, 2012
Subject: Purchase of Three (3) Vehicles for Dial-A-Lift

I respectfully request that the following be included for consideration on the next Council Agenda:

Acceptance of the quote submitted by National Bus Sales & Leasing for three (3) light transit vehicles to be used for Dial-A-Lift at a price of **\$140,097** per the North Carolina state contract. The vehicles will be added to the existing Hitran fleet for paratransit services, all of which will now be wheelchair accessible.

Funding for the purchase of these vehicles is provided through the following grants, which consist of 80% Federal funding with a 20% Local share:

641622 532301 641113347045 R1304	\$110,000	
641622 532301 641123347045 R1304	29,797	
441622 524202 641123347045 R1304	<u>300</u>	
	\$140,097	(\$112,078 Federal, \$28,019 Local)

Please advise if you have any questions regarding this purchase recommendation.

c Randy McCaslin Assistant City Manager
Patty Sykes Purchasing Manager

716 West Kivett Drive, High Point, North Carolina 27262
Phone (336) 889-7433 • TDD Phone (336) 883-8517
Fax (336) 883-3425 • www.high-point.net/hitran



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Transportation**

COUNCIL AGENDA DATE: **Aug 20, 2012**

BID NO.: **State Contract 070U** CONTRACT NO.: DATE OPENED:

DESCRIPTION:

Purchase of three (3) Light Transit Vehicles off State Contract 070U

PURPOSE:

The vehicles will be 3 more wheelchair accessible vehicles for the Dial-A-Lift service

COMMENTS:

The procurement was competitively bid by NCDOT to allow all transit systems in NC and other eligible agencies to purchase vehicles are necessary.

RECOMMEND AWARD TO: **National Bus Sales & Leasing, Inc.** AMOUNT: **\$140,097**

JUSTIFICATION:

National Bus Sales & Leasing, Inc. was the lowest, responsive bidder for the state procurement for the size vehicle we are purchasing.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
641622	532301	641113347045	R1304	\$110,000
641622	532301	641123347045	R1304	\$29,797
441622	524202	641123347045	R1304	\$300
TOTAL BUDGETED AMOUNT				\$140,097

DEPARTMENT HEAD: **Mark V. McDonald** Digitally signed by Mark V. McDonald
DN: cn=Mark V. McDonald, o=City of High Point, NC, ou=Department of Transportation, email=mark.mcdonald@highpointnc.gov, c=US
Date: 2012.08.14 10:52:48 -0400 DATE: **Aug 15, 2012**

The Purchasing Division concurs with recommendation submitted by the **Transportation Dept and recommends award to the lowest responsible, responsive bidder **National Bus Sales** in the amount of \$ **140,097.00**.**

PURCHASING MANAGER: **Patricia H. Sykes** Digitally signed by Patricia H. Sykes
DN: cn=Patricia H. Sykes, o=City of High Point, NC, ou=Purchasing Division, email=patty.sykes@highpointnc.gov, c=US
Date: 2012.08.15 11:29:11 -0400 DATE: **Aug 15, 2012**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: **Jeffrey Moore** Digitally signed by Jeffrey Moore 2012.08.15 11:21:02
DN: cn=Jeffrey Moore, o=Bank of America Global Corporate & Investment Banking, ou=Bank of America - High Point, City of High Point, NC, email=jmoore@bankofamerica.com, c=US
Date: 2012.08.15 11:21:02 -0400 DATE: **Aug 15, 2012**

CITY MANAGER: **Strib Boynton** Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=City of High Point, NC, ou=City Manager, email=strib-boynton@highpointnc.gov, c=US
Date: 2012.08.15 13:46:29 -0400 DATE: **Aug 15, 2012**

AN ORDINANCE APPROVING THE TRANSFER OF A FRANCHISE FROM WCA OF HIGH POINT, INC. TO WI HIGH POINT LANDFILL, LLC FOR CONSTRUCTION AND DEMOLITION LANDFILL AND RECLAMATION OPERATION AT 5830 RIVERDALE ROAD, HIGH POINT, NORTH CAROLINA

WHEREAS, in May 2009, WCA of High Point, Inc. received a franchise by the High Point City Council for the construction and operation of a construction and demolition landfill and reclamation operation located at 5830 Riverdale Road, High Point, NC (“the franchise”); and

WHEREAS, the High Point City Council voted unanimously to approve the transfer of the franchise to WI High Point Landfill, LLC at two readings following public hearings on April 2 and April 16, 2012, upon findings that WI High Point Landfill, LLC had acquired all the assets of WCA of High Point, Inc., that no significant change in the operation of the business would occur, and that WI High Point Landfill, LLC would be an experienced and competent owner and operator of the business under the franchise;

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

That the previous actions of the City Council on April 2 and April 16, 2012 are ratified and confirmed, and that the franchise is transferred from WCA of High Point, Inc. to WI High Point Landfill, LLC.

This ordinance is effective upon adoption.

ATTEST

Adopted on the ____ day of August, 2012

Lisa B. Vierling
City Clerk

PLANNING AND ZONING COMMISSION RECOMMENDATION

On July 24, 2012, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Keith McInnis and Mr. Carson Lomax.

Oak Hollow Development, LLC

Amendment to Zoning Case 12-01

A request by Oak Hollow Development, LLC to amend Conditional Zoning Case 12-01 (CZ12-01) to:

- a. Add and rezone approximately 0.65 acres from the Residential Single Family-9 (RS-9) and Residential Single Family-12 (RS-12) Districts to a Conditional Zoning Shopping Center (CZ-SC) District. Conditional Zoning Shopping Center District 12-01 is located at 1400 E. Hartley Drive and the area to be added is east of the property at the terminus of Lakewood Drive.
- b. To amend the vehicular access condition of CZ 12-01 to prohibit access to Lakewood Drive.

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

No one spoke in favor or in opposition to the request.

The Planning & Zoning Commission recommended **approval** of Zoning Case 12-09 by a vote of 7-0.

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

**STAFF REPORT
AMENDMANT TO ZONING CASE 12-01
July 24, 2012**

Request	
Applicant: Oak Hollow Development, LLC	Owner: CBL & Associates Management, Inc. Joel Carter and Renee Hammond Faenza
Zoning Proposal: a. To add and rezone approximately 0.65 acres to Conditional Zoning Case 12-01 (CZ12-01). b. To amend the vehicular access condition of CZ12-01 to prohibit access to Lakewood Drive.	From: RM-12 Residential Multifamily-12 District
	To: CZ-SC Conditional Zoning Shopping Center District

Site Information	
Location:	Conditional Zoning Case 12-01 is located at 1400 E. Hartley Drive. The area to be added is lying east the property at the terminus of Lakewood Drive.
Tax Parcel Numbers:	Guilford County Tax Parcels 0199799 (portion), 0199745 (portion) and that portion 0199736 lying north of Lakewood Drive
Site Acreage:	Approximately 0.65 acres (26,249 sq. ft.) is proposed to be added to CZ12-01.
Current Land Use:	Undeveloped
Physical Characteristics:	The site has a moderately sloping terrain and is wooded near its W. Hartley Drive frontage.
Water and Sewer Proximity:	A 16-inch City water line lies adjacent to the site along E. Hartley Drive and a 10-inch sanitary sewer line is running from east to west near the rear property line of the site.
General Drainage and Watershed:	The site drains in a general southwesterly direction and development is subject to the Oak Hollow Lake Watershed Critical Area, Tier 3 requirements. Engineered stormwater treatment measures are required for non-residential development with a total impervious surface area greater than 24% of the site, with a maximum impervious cover of 35% permitted.
Overlay Districts:	Oak Hollow Lake Watershed Critical Area (WCA), Tier 3

Adjacent Property Zoning and Current Land Use			
North:	CZ-SC	Conditional Zoning Shopping Center District	Undeveloped land
South:	RS-9	Residential Single Family 9 District	Single family dwelling
East:	RS-9	Residential Single Family 9 District	Single family dwelling
West:	CZ-SC	Conditional Zoning Shopping Center District	Undeveloped land

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	The site has a Community/Regional Commercial land use designation. This classification is intended to accommodate a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
Land Use Plan Goals, Objectives & Policies:	Goals & Objectives: The following goal and objective of the Land Use Plan are relevant to this request: Goal #1: Ensure that development respects the natural environment; Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses. Development Guidelines: <i>Office and Commercial Developments Bordering Residential Neighborhoods.</i> The evaluation of a zoning request for a property adjoining an established residential neighborhood which also fronts on a thoroughfare or collector street shall address the following: • The mass, scale & height of the proposed use and accessory uses; • The topography of the subject property and adjacent residential uses; • The effectiveness of maintaining neighborhood compatibility through the conversion of an existing residential structure to a non-residential use; • The impact on the residential neighborhood of non-local traffic generated by the proposed use; and • The sufficiency of the proposed buffering, setbacks and landscaping. The intent will be to minimize to the extent feasible the intrusive impact of the non-residential use on the adjacent neighborhood.
Relevant Area Plan:	Not applicable
Community Growth Vision Statement:	Not applicable
Zoning History:	The Community Regional Commercial Land Use Map designation and Commercial zoning (Shopping Center District) were initially established in this area in 1993 in conjunction with approvals to develop the Oak Hollow Mall. In March 2012, the High Point City Council approved Conditional Zoning Case 12-01 which expanded the area of commercial zoning on property at 1400 E. Hartley Drive.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Lakewood Drive		Local Street	15 ft.
Vehicular Access:	This rezoning site will take access from the existing access point on Hartley Drive opposite W. Mall Lane.			
Traffic Counts: (Average Daily Trips)	E. Hartley Drive		12,500 ADT (2003, 12-hour count)	
Estimated Trip Generation:	Using the development data provided by the applicant, the proposed medical office use will generate approximately 900 trips/day, 58 trips (entering & exiting) in the AM peak hour and 86 trips (entering & exiting) in the PM peak hour.			
Traffic Impact Analysis:	Required			Comment
	☐	<u>Yes</u>	☐	<u>No</u> X
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.			

School District Comment
Not applicable to this zoning case.

Details of Proposal

The applicant is proposing to develop a medical office facility at 1400 W. Hartley Drive, which obtained CZ-SC zoning approval in March 2012. The eastern boundary of the site has an odd configuration. The applicant is proposing to acquire additional land area along this eastern boundary to square-up this side of the property and to provide more design flexibility for development. Therefore, the applicant has submitted this application to rezone this 0.65 acres area to a CZ-SC District add it to Conditional Zoning Case 12-01.

All of the conditions/restrictions from the initial Conditional Zoning ordinance will remain in place. Since this addition to the site will include 15 feet of frontage along Lakewood Drive, a new condition has being added to specifically prohibit any vehicular access to the commercial site from Lakewood Drive.

Staff Analysis

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

Consistency with Adopted Plans:

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

Staff Comments:

- ❖ The land use plan designates property along this segment of E. Hartley Drive, including homes along Lakewood Drive, as Community/Regional Commercial, which is intended for a wide range of retail or service uses.
- ❖ The Land Use Plan outlines development guidelines and issues to consider when evaluating a zoning request for a commercial/office district adjoining an established residential neighborhood. In that regard, this amendment prohibits vehicular access to the site from the adjacent residential street, and the initial approval of CZ12-01 includes conditions requiring higher landscaping standards next to residential property and also prohibits higher intensity commercial uses. Based upon these conditions, the building setback standards of the SC District and the 35% maximum impervious surface requirement of the watershed critical area, the development guidelines of the land use plan have been addressed.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses; <u>Staff Comments:</u> Based upon the general zoning and development pattern in the area, the requested CZ-SC District will be compatible. The site abuts commercial zoning to the west and north and the abutting single family zoned property to the east is undeveloped. The nearest single family structure is approximately 120 feet southeast of the zoning site.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; <u>Staff Comments:</u> Where commercial or office uses abut residential uses, the Development Ordinance requires a Type B planting yard (<i>8 trees and 25 shrubs every 100 linear feet in a planting yard with an average width of 30 feet</i>). Because the abutting single family parcel to the east is now undeveloped, due to a fire which destroyed the structure in August 2011, only a Type D planting yard is required (<i>2 trees and 18 shrubs every 100 linear feet in a 5 foot wide planting yard</i>). In the event the abutting single family lot is redeveloped in the future, the applicant has offered a condition to provide the Type B planting yard where the zoning site abuts this undeveloped single family lot off Lakewood Drive.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;

	<i>Staff Comments:</i> The site is within a watershed critical area. Environmental standards of the Development Ordinance will address or mitigate any impact associated with development of the site.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;
	<i>Staff Comments:</i> The site is within an area currently served by City of High Point utilities and services. The proposed medical office use of the site has no known impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	<i>Staff Comments:</i> Conditions offered and adopted when CZ 12-01 was initially approved helped mitigate potential negative impacts to adjacent property owners. The new condition prohibiting access from Lakewood Drive will further ensure development will not effect the use or value of adjacent property owners.

Changes in the Area:

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

Staff Comments:

Surrounding development consists of commercial uses to the west and north, and a single family neighborhood to the east. This development pattern has existed since the mid 1990's and there have been no significant changes.

Development Patterns:

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

Staff Comments:

The zoning site is within an established commercial area and this request does not introduce any new uses. At its widest point only 82 feet of additional land is being added to the commercial property. Approval of the zoning request squares up the site and allows greater flexibility in the manner in which the site may be developed.

Reasonableness/Public Interest:

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

Staff Comments:

- ❖ The 1993 zoning and land use plan amendment approval for Oak Hollow Mall established this area as a commercial node. The area surrounding this site has been designated for commercial development by the adopted Land Use Plan.
- ❖ Staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) the requested CZ-SC District is consistent with the adopted City plans, 2) the request meets or addresses the review factors, 3) initial conditions of approval of CZ12-01 remain the same; the only new condition prohibits access to Lakewood Drive; and 4) the request is minor, and makes the entire site more conducive to development.

Recommendation

Staff Recommends Approval:

The Planning and Development Department recommends approval of the request to amend CZ12-01 to add 0.65 acres and to rezone that additional land area to a CZ-SC District. As conditioned, the requested CZ-SC District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

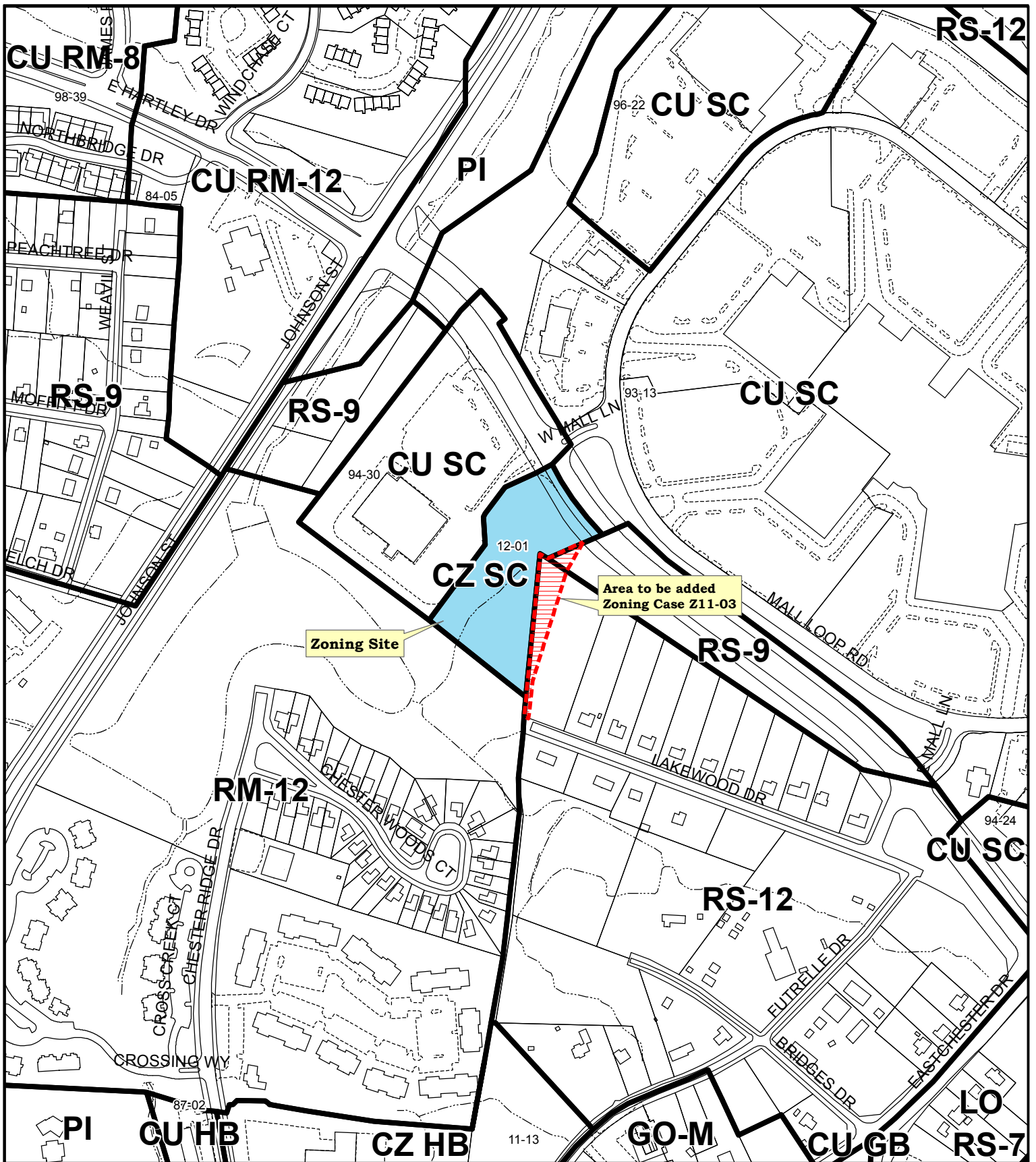
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission must place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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

City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point City Council also must place in the official record a statement of consistency with the City's adopted plans, and must explain why the action taken to be reasonable and in the public interest. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

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



AMENDMENT CZ12-01

From: Residential Single Family-9 and
Residential Multifamily-12
To: Conditional Zoning Shopping Center

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

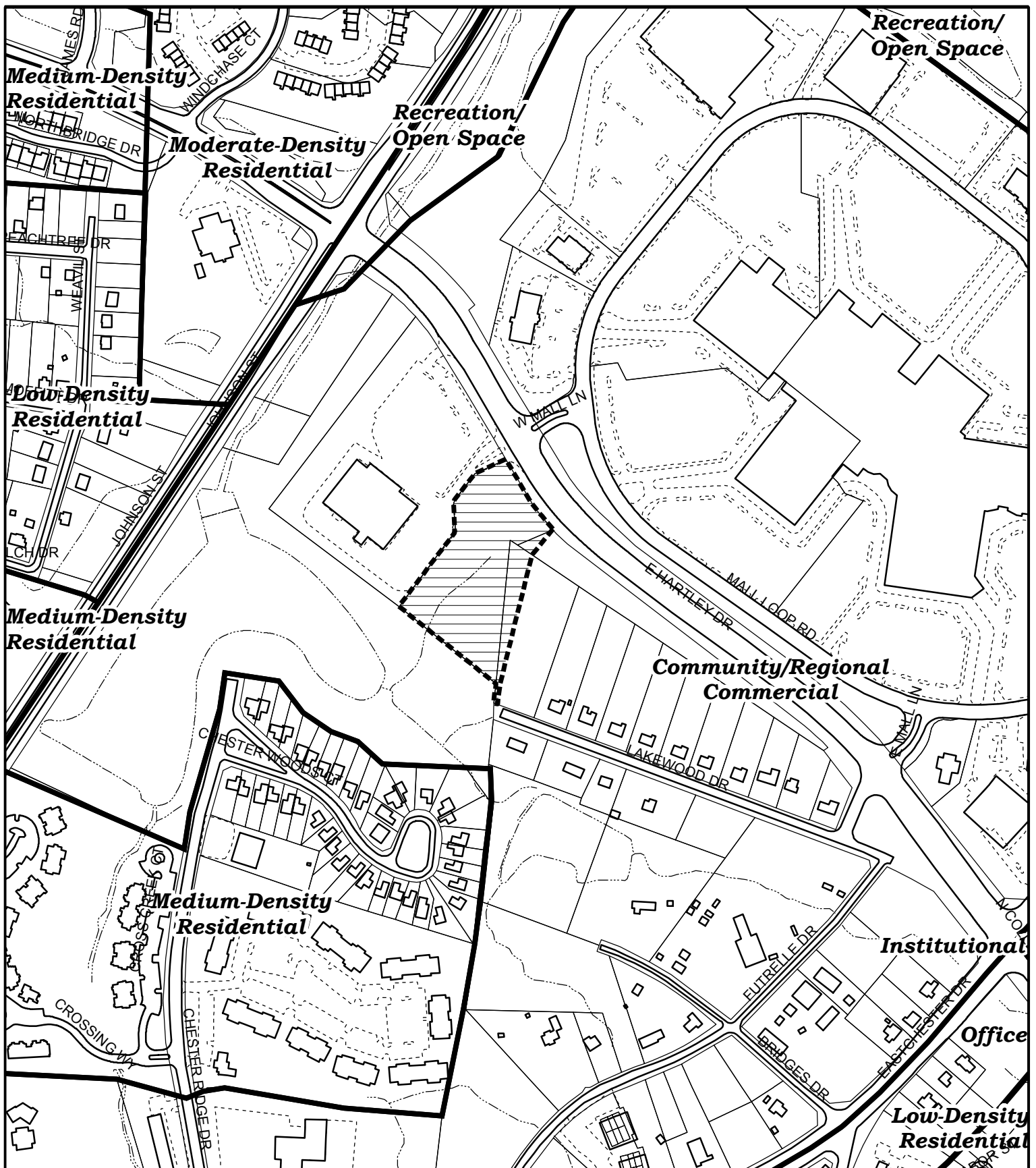
**Planning & Development
Department**

City of High Point

Date: July 6, 2012



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AMENDMENT CZ12-01

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
 Department**

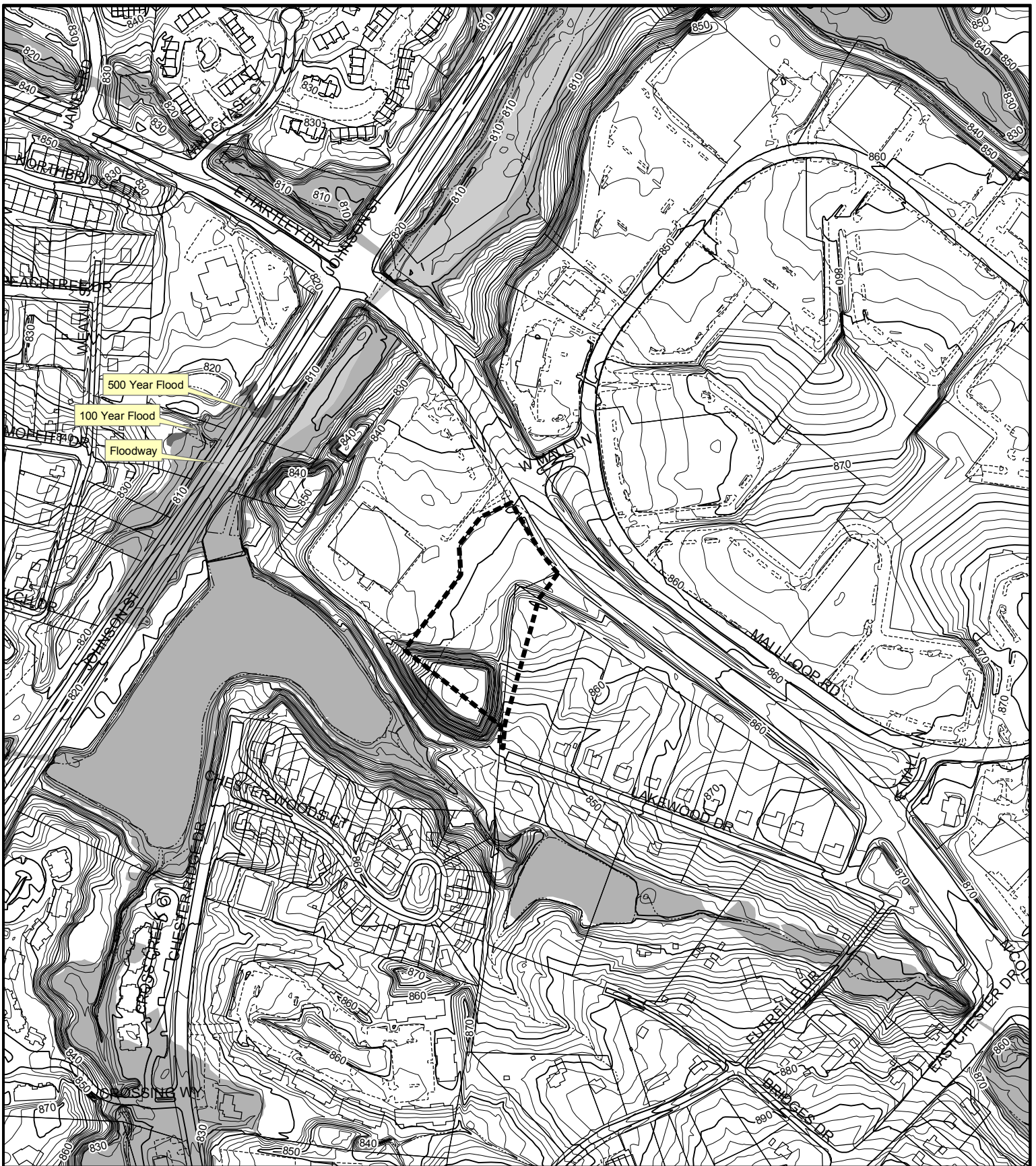
City of High Point

Date: July 11, 2012



Scale: 1"=400'

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AMENDMENT CZ12-01

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: July 11, 2012



Scale: 1"=400'

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AMENDMENT CZ12-01



**PROPOSED USES AND CONDITIONS FOR A CONDITIONAL ZONING DISTRICT
CITY OF HIGH POINT, NORTH CAROLINA**

**Amendment to Zoning Case 12-01
*Conditional Zoning Shopping Center (CZ-SC) District***

July 2, 2012
(Submitted)

The property owner requests a Conditional Zoning District upon the property described in this document and offers the following conditions be placed upon the property. If adopted by the City Council, then these conditions contained herein will be incorporated into the Conditional Zoning District's ordinance of adoption. These conditions are not valid unless signed and affirmed by the property owner or representative with an approved power of attorney. The City Council and the property owner or authorized representative must agree upon revisions or additional conditions prior to the approval of this Conditional Zoning District.

Part I. USES: Any of the land uses allowed in the Shopping Center (SC) District shall be permitted, subject to the development and dimensional requirements of the Development Ordinance and subject to the specific conditions of this Ordinance.

Part I. CONDITIONS:

A. Prohibited Uses – The following uses shall be prohibited.

- 1). Recreational Uses
 - a) Billiard Parlors
 - b) Bingo Games
 - c) Coin Operated Amusements
 - d) Golf Courses, Miniature
- 2). Accessory Uses
 - a) Bulky Item Outdoor Display
 - b) Disabled Motor Vehicles
- 3). Business, Professional & Personal Services Uses
 - a) Automotive Rental or Leasing
 - b) Automobile Repair Services, Minor
 - c) Car Washes
 - d) Laundromats, Coin-Operated
- 4). Retail Trade Uses
 - a) Convenience Stores (with gasoline pumps)
 - b) Convenience Stores (without gasoline pumps)
 - c) Service Stations, Gasoline
- 5). Other Uses
 - a) Outdoor Retail Sales
 - b) Storage Containers, Portable (accessory use)

- B. Landscaping, Buffer and Screening – Where the zoning site abuts Guilford County tax parcel 0199745 (1626 Lakewood Drive) a Type B Planting Yard shall be required. This landscaping standard shall only apply as long as this abutting parcel is zoned for single family residential use(s). This condition shall not exclude the property owner from seeking an alternative landscaping plan approval as outlined in Section 9-5-11(f) *[Alternate Methods of Compliance]* of the Development Ordinance.
- C. Transportation Conditions.
1. Vehicular Access - This rezoning site shall take access through the existing access point on W. Hartley Drive (via cross access easement through Guilford County Tax Parcel 0199801). No new access point shall be allowed to W. Hartley Drive.
 2. Improvements – The property owner shall widen the existing private driveway, lying opposite of the intersection of W. Hartley Drive and W. Mall Lane, to provide a minimum of 100 feet of storage for the left and right turn lanes. This improvement shall be included and installed as a part of any site plan approval for development of the site.
 3. **No vehicular access shall be permitted from Lakewood Drive.**

DESCRIPTION OF PROPERTY: ~~An~~ Approximately 3.35 ~~3.35~~ **3.9** acres parcel-lying along the south side of E. Hartley Drive, approximately 850 feet east of Johnson Street (1400 E. Hartley Drive). The site is also known as Guilford County Tax Parcel 0199800, **0199799 (portion), 0199745 (portion) and a portion of a 15 foot strip reserved described in P.B. 11 Pg. 94 (see DB 6726, Pg 571..**

Citizens Information Meeting Report
Zoning Case 12-01
(May 2012)

Submitted by: Clark Rowe, Project Manager with
David E. Looper & Company, on behalf of Oak Hollow
Development, LLC

June 22, 2012

Herbert K. Shannon, Jr., AICP
Department of Planning and Development
Development Services Division
City of High Point
P.O. Box 230
High Point, NC 27261

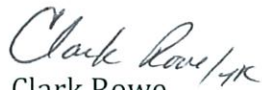
Re: Zoning Map Amendment Application
1400 E. Hartley Drive, High Point, NC

Dear Mr. Shannon:

Enclosed please find the report from the Citizens Information Meeting held on June 18, 2012.

If you have any questions, please let me know.

Best regards,


Clark Rowe
Project Manager



To: Planning & Development Department
City of High Point, North Carolina

From: Clark Rowe, Project Manager

Date: June 22, 2012

Re: Citizens Information Meeting Report
1400 E. Hartley Drive, High Point, North Carolina

A Citizens Information Meeting concerning a request for an amendment to CZ Case #12-01 to rezone three parcels, a .161 acre parcel, a .328 acre parcel, and a .114 acre parcel, totaling .603 acres, adjoining the property known as 1400 E. Hartley Drive, High Point, North Carolina was held on June 18, 2012, at 5:30 p.m. The meeting was held at the offices of Eye Care Associates at 307 N. Lindsay Street in High Point, North Carolina.

There were five people in attendance, as follows:

Clark Rowe	David E. Looper & Company, Inc.
Donald A. Scarborough	High Point University
Jerry Spivey	Property Owner: 1624 Lakewood Drive
Kathy Spivey	Property Owner: 1624 Lakewood Drive
Virginia Pulaski	Applicant Representative

The handwritten sign-in sheet is attached.

A Notification Letter dated June 18, 2012, was sent to nineteen parties as supplied by the High Point Planning Department. The list of parties/addresses to which it was mailed is attached. The Notification Letter included the required statement provided by the High Point Planning and Development Department. Copies of the Notification Letter and required statement are attached.

A handout was given to each attendee which included a Development Proposal, another copy of the required statement provided by the High Point Planning and Development Department, a partial copy of a topo map highlighting the three separate areas in green, and a preliminary plat for exhibit use only showing the three separate areas to be conveyed; copies are attached.

Mr. Rowe discussed the purpose of the meeting and encouraged those in attendance to ask questions. Two questions were asked, as follows:

- 1) Mrs. Spivey asked "are you buying Joe's land?" Mr. Rowe responded as part of the rezoning piece we are buying a triangle piece from CBL Properties, a small triangle piece from Renee Hammond Faenza, and a spike strip piece from Joel Carter.
- 2) Mr. Scarborough asked what is going into the new building and is it a medical park? Ms. Pulaski responded that it is going to be a 25,000 sq. ft. eye care facility in which the existing Cornerstone Practice is going to be moving into.

Mr. Rowe thanked everyone for their attendance and input and the meeting adjourned.

Submitted by:

A handwritten signature in cursive script, appearing to read "Clark Rowe".

Clark Rowe
Project Manager

**David E. Looper
& Company**
GENERAL CONTRACTORS

[illegible]

1924 HOLDINGS LLC-C/O CHRIS DUDLEY
833 MONTLIEU AVE
HIGH POINT NC 27262

ARNOLD, STEPHEN G
1610 BRIDGES DR
HIGH POINT NC 27262

BARROW, ELIZABETH K
1627 LAKEWOOD DR
HIGH POINT NC 27262

BURTON, CHARLES W ; BURTON, TINA P
1622 LAKEWOOD DR
HIGH POINT NC 27262

CARTER, JOEL
PO BOX 121
MINNEAPOLIS NC 28652

CBL & ASSOCIATES INC CBL CENTER STE
500
2030 HAMILTON PLACE BLVD
CHATTANOOGA TN 37421

COLFORD, ERIC W
300 DORNOCH DR
WINSTON SALEM NC 27107

CRIDLEBAUGH PROPERTIES LIMITED
PARTNERSHIP
PO BOX 5252
HIGH POINT NC 27262

CYBULSKI, FRANK C
1620 LAKEWOOD DR
HIGH POINT NC 27262

FULCHER, J RODNEY ; FULCHER, NANCY O
433 CHESTER WOODS CT
HIGH POINT NC 27262

GCP REAL III LLC
3816 FORRESTGATE DR
WINSTON SALEM NC 27103

HAMMOND, AUBREY J
745 QUAILMEADOW LN
COLFAX NC 27235

HIGBEE CO
4501 N BEACH ST
FT WORTH TX 76137

HIGH POINT BANK & CO
300 N MAIN ST
HIGH POINT NC 27261

LARSON, LARRY A
435 CHESTER WOODS CT
HIGH POINT NC 27262

PERRYMAN, NANCY M
429 CHESTER WOODS CT
HIGH POINT NC 27262

RIFE AND ASSOCIATES LLC
PO BOX 1975
JAMESTOWN NC 27282

SPIVEY, JERRY J ; SPIVEY, KATHY M
1624 LAKEWOOD DR
HIGH POINT NC 27262

U S BANK NAT'L ASSOC TR SRC FACILITIES
STAT TR #2003-A
333 BEVERLY RD
HOFFMAN ESTATES IL 60179

June 6, 2012

Dear Neighbor:

The purpose of this letter is to notify you of a citizen information meeting being held concerning a request for an amendment to CZ Case #12-01 to rezone three parcels, a .161 acre parcel, a .328 acre parcel, and a .114 acre parcel, totaling .603 acres, adjoining the property known as 1400 E. Hartley Drive, High Point, North Carolina. The meeting will be held in the lobby of the Eye Care Associates offices at 307 N. Lindsay Street, High Point, North Carolina on Monday, June 18, 2012, at 5:30 p.m.

My client, Oak Hollow Development, LLC, has contracted to purchase these parcels and has applied to rezone it from CU-SC/RM-12 to CZ-SC. We intend to include these parcels with the previously re-zoned parcel of 3.35 acres to develop the property for a medical office building.

At the citizens information meeting you will be able to learn more about our plans and our approach to development and ask any questions you may have about it.

Enclosed is a required statement provided by the High Point Planning & Zoning Department outlining the purpose of the citizen's information meeting and the zoning process.

It would be appreciated if you would call or email my assistant, Joyce Kessler, to let us know whether you will attend so we can ensure the meeting arrangements will be appropriate. Her email address is joycekessler@delcompany.com, or you may call 828-324-1284.

Best regards,

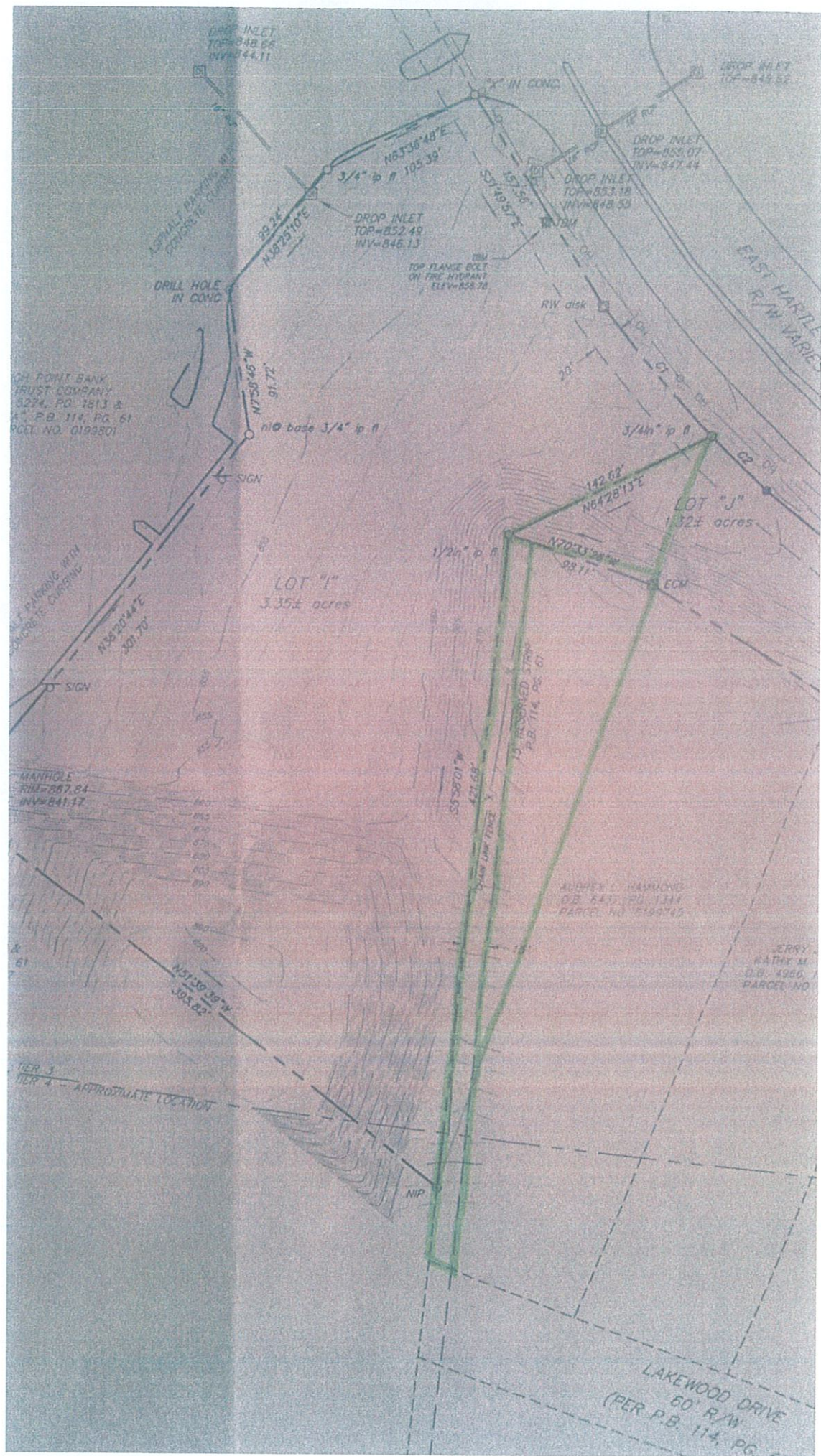

Clark Rowe
Project Manager

P.O. Box 3224
Hickory, NC 28603

320 15th Street SE
Hickory, NC 28602

828-324-1284
828-324-1289 (fax)

www.delcompany.com



PLANNING AND ZONING COMMISSION RECOMMENDATION

On July 24, 2012, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Keith McInnis and Mr. Carson Lomax.

City of High Point

Land Use Plan Amendment Case 12-05

A request by the City of High Point Planning & Development to establish initial Land Use Map classifications of Low Density Residential, Office, and Community/Regional Commercial for approximately 19 acres lying along the west side of Baker Road between East Fairfield Road and Stratford Road.

AND

City of High Point

Zoning Case 12-09

A request by the City of High Point City Council to establish an initial City zoning designation of Residential Single Family-9 (RS-9) District to approximately 8.4 acres added to the corporate limits from a land area exchange with the City of Archdale. The property is lying along the west side of Baker Road, approximately 490 feet north of S. Main Street (*203,231 and 233 Baker Road*) and at the northwest and southwest corners of Baker Road and Weaver Avenue (*503, 507, 509, 511 and 601 Baker Road*).

Mr. Shannon presented both requests and recommended approval as outlined in the staff report.

No one spoke in favor or in opposition to the request.

The Planning & Zoning Commission recommended **approval** of Land Use Plan Amendment Case 12-05 by a vote of 7-0.

The Planning & Zoning Commission recommended **approval** of Zoning Case 12-09 by a vote of 7-0.

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

**STAFF REPORT
LAND USE PLAN AMENDMENT CASE 12-05, AND ZONING CASE 12-09
July 24, 2012**

Requests		
Applicant: City of High Point	Owner: Various property owners	
LUPA Proposal: To establish initial Land Use Map classification for approximately 19 acres	From:	Undesignated and Medium Density Residential
	To:	Low Density Residential, Office and Community /Regional Commercial
Zoning Proposal: To establish initial City zoning for approximately 8.4 acres, shown in two Tracts, A and B.	From:	Area is currently not zoned. Both the northern tract (Tract A) and the southern tract (Tract B) were zoned R-15 (Residential: 15,000 sq.ft. min. lot) when within the City of Archdale.
	To:	RS-9 Residential Single Family-9 District

Site Information		
Location:	Tract A of the zoning site is lying at the northwest and southwest corners of Baker Road and Weaver Avenue (503, 507, 509, 511 & 601 Baker Road). Tract B of the zoning site is lying along the west side of Baker Road, approximately 490 feet north of S. Main Street (203 thru 233 Baker Road).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	158059, 158060, 158061, 158062, 158063, 158064, 158065, 158066, 158067, 158068, 158069, 158070, 158071, 158072, 158073, 158074, 158075, 158076, 158077, 158078, 158079, 158357, 158358, 179743, 179749, 195948, 200527, 200529, & 200543	158060, 158063, 158065, 158066, 158067, 158076, 158078 & 158079
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 19 acres	Approximately 8.4 acres
Current Land Use:	Plan Amendment	Zoning Request
	Single family dwellings, medical office, multifamily dwellings, and undeveloped parcel.	Same
Physical Characteristics:	This portion of Baker Road, between Weaver Avenue and S. Main Street, has a moderately sloping terrain. There is a perennial stream that runs in a west to east direction between Weaver Avenue and S. Main Street. The northern portion of the site, near Weaver Avenue, drains in a southerly	

	direction toward the stream and the southern portion of the zoning site drains in a northerly direction toward this stream.
Water and Sewer Proximity:	A 16-inch City water line and a 8-inch City sewer line are lying adjacent to S. Main Street; however these lines terminate approximately 500 feet west of the intersection of S. Main Street and Baker Road. In addition, an 8-inch City water line and a 8-inch sewer line are lying adjacent to Baker Road; however it terminates a the intersection of Baker Road and Weaver Avenue.

General Drainage and Watershed:	The site drains in a general southeastern 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:	None

Adjacent Property Zoning and Current Land Use			
North:	CU-LO	Conditional Use Limited Office District	Single family dwelling and undeveloped
South:	CU-LO HB	Conditional Use Limited Office District Highway Business (Guilford Co)	Undeveloped
East:	R-15	(City of Archdale)	Single family dwellings, multifamily, office and undeveloped
West:	RS-7 CU RM-18 HB	Residential Single Family-7 District (Guilford Co) Conditional Use Residential Multifamily-18 District Highway Business District (Guilford Co)	Single family, multifamily and undeveloped

Adjacent Land Use Designations		
North:	A. Low Density Residential	B./C. Office
South:	A. Office, Community/Regional Commercial and Medium Density Residential	B./C. Undesignated
East:	A. Low Density Residential and Undesignated	B./C. Undesignated
West:	A. Medium Density Residential and Community/Regional Commercial	B./C. Community/Regional Commercial

Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	Undesignated and Medium-Density Residential: This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwelling units per gross acre.
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. Office: This classification includes professional, personal and business service uses. Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	This request is neither in conflict with the Community Growth Vision Statement's goals and objectives nor does it promote those goals and objectives.
Land Use Plan Goals, Objectives & Policies:	The following goals and objectives of the Land Use Plan are relevant to this request: Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.
Relevant Area Plan(s):	There are no applicable area plans for this area.
Zoning History:	There is no City of High Point zoning history on either Tract A or Tract B.
LUPA History:	LUPA 11-03 - Approximately 16.71 acres lying approximately 300 feet southeast of the intersection of E. Fairfield Road & Ingram Road from undesignated to Low Density Residential; adopted September 19, 2011.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Baker Road Weaver Avenue	Major Thoroughfare Local Street	975 ft. 190 ft.
Vehicular Access:	Baker Road and Weaver Avenue		
Traffic Counts:	Baker Road	3,800 trips NCDOT 2009 24 Hr count.	

Estimated Trip Generation:					
Traffic Impact Analysis:	Required			Comment	
	☐ Yes	☐ No			
Pedestrian Access:	Development will be required to meet the sidewalk requirements in the Development Ordinance.				

School District Comment

Not applicable to this zoning case, there is no proposed change in any of the existing uses.

Details of Proposal

General Overview:

On July 1, 2012 Session Law 2012-102 which exchanges tracts of land between the City of High Point and the City of Archdale became effective, after being approved by the North Carolina General Assembly on June 28, 2012. The City of High Point is now requesting the assignment of future land use and zoning for these areas and the unincorporated area that has been added to the city's Planning Area Boundary.

Summary of Land Use Plan Amendment Request:

The City of High Point is proposing the establishment of future land use classifications for the following three areas:

- Approximately 15.5 acres consisting of 23 lots lying along the west side of Baker Road and straddling Weaver Avenue between Baker Road and Giles Street from Medium Density Residential and undesignated to a Low Density Residential land use designation.
- Approximately 2.8 acres consisting of 4 lots lying along the west side of Baker Road between Ralph Drive and the Randolph/Guilford County Line to an Office land use designation.
- Approximately 1 acre consisting of the back portions of two lots that front on South Main Street to Community/Regional Commercial.

Summary of Zoning Request:

The land to be rezoned is shown in two tracts on the accompanying zoning map. The proposed Residential Single-Family 9 District for Tract A and Tract B is roughly equivalent to the zoning that was applied by Archdale. The desire is not to create or perpetuate any lot nonconformities. Four of the five lots in Tract A were nonconforming under the R-15 Archdale zoning. High Point's RS-9 zoning district is a residential district with uses similar to the R-15 zone, but with a smaller minimum lot size requirement, which will assure that all of the lots in Tract A will be conforming in size.

The current land uses in Tract B, except for the vacant lot, were nonconforming under Archdale's zoning and would remain so under the RS-9 District. The RS-9 zoning is meant to be a 'holding zone', essentially leaving these property owners in a situation zoning-wise that is equivalent to what they had in Archdale. Although still nonconforming, the current land uses (chiropractor and apartment building) will be consistent with the Office land use designation

proposed by the LUPA. Should the land use on these lots change, or if redevelopment is desired, the property owner(s) can request an appropriate rezoning at that time.

Recommendation

1. Land Use Plan Amendment Case 12-05:

Staff Recommends Approval:

Staff recommends approval to establish a land use classification for:

- a. Approximately 15.5 acres from Undesignated and Medium Density Residential to a Low Density Residential land use designation;
- b. Approximately 2.8 acres to Office; and
- c. Approximately 1 acre to Community Regional Commercial.

The requested Land Use Plan Amendment is supported by the Land Use Plan through the promotion of an urban growth pattern that occurs in an orderly fashion. This request includes an expansion of the Planning Area Boundary and the city limits using Baker Road as a common boundary between the City of High and the City of Archdale. 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 12-09:

Staff Recommends Approval

Staff recommends approval to establish an initial City of High Point zoning designation of Residential Single Family 9 (RS-9) District on the zoning site (Tract A and Tract B.).

Required Action

Planning and Zoning Commission and City Council:

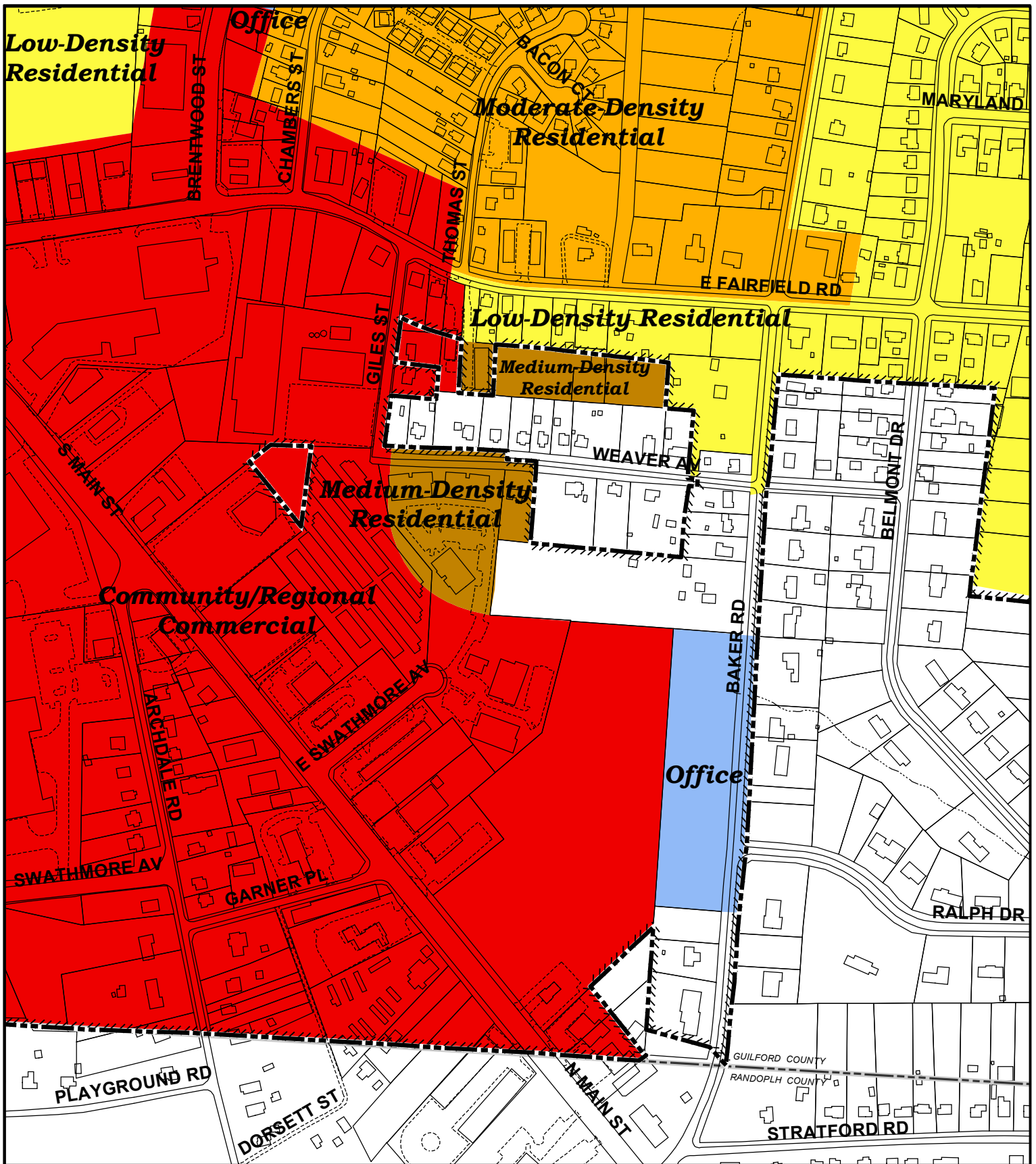
Regarding the zoning case Z12-09, the NC General Statutes require the Planning & Zoning Commission, upon making its recommendation, and the City Council, upon rendering its decision, to place in the official record a statement of consistency with the City's adopted plans. In addition, the City Council 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) the RS-9 district will result in no lot size nonconformities; 2) the RS-9 district will not alter or make worse the nonconforming uses on two of the lots; 3) it is reasonable to initially zone developed properties in a manner similar to what existed in the City of Archdale, and 4) it connects with additional RS-9 property to the north.

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 Robert L. Robbins, AICP, Development Services Administrator and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Lee Burnette AICP, Director.



LAND USE PLAN AMENDMENT 12-05

EXISTING LAND USE PLAN

**Planning & Development
Department**

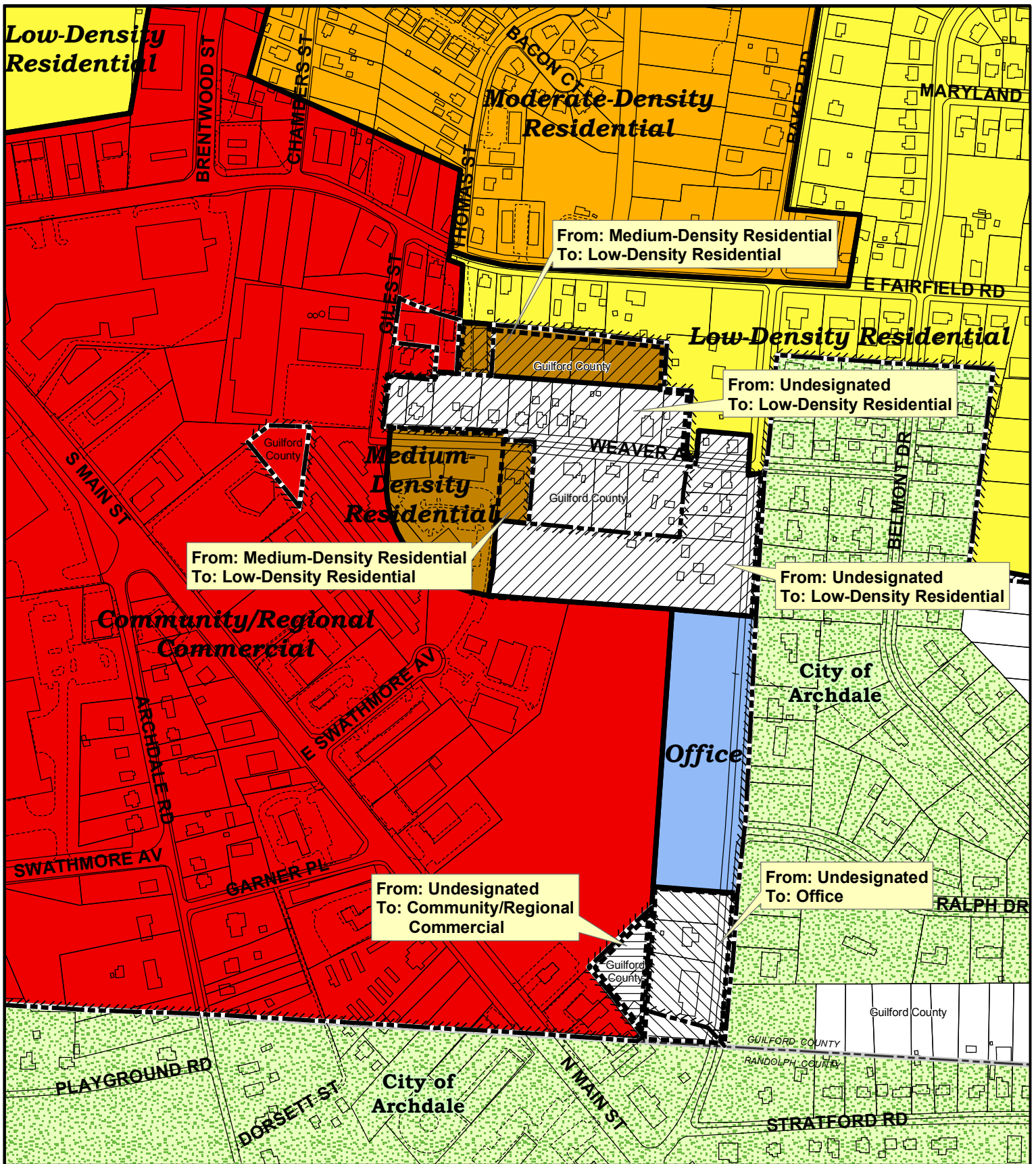
City of High Point

Date: July 16, 2012



Scale: 1"=400'

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lupa12-05existinglu.mxd



LAND USE PLAN AMENDMENT 12-05

**From: Undesignated & Medium-Density Residential
To: Low-Density Residential, Office and
Community/Regional Commercial**

Subject Property Boundary - - - - -

**Planning & Development
Department**

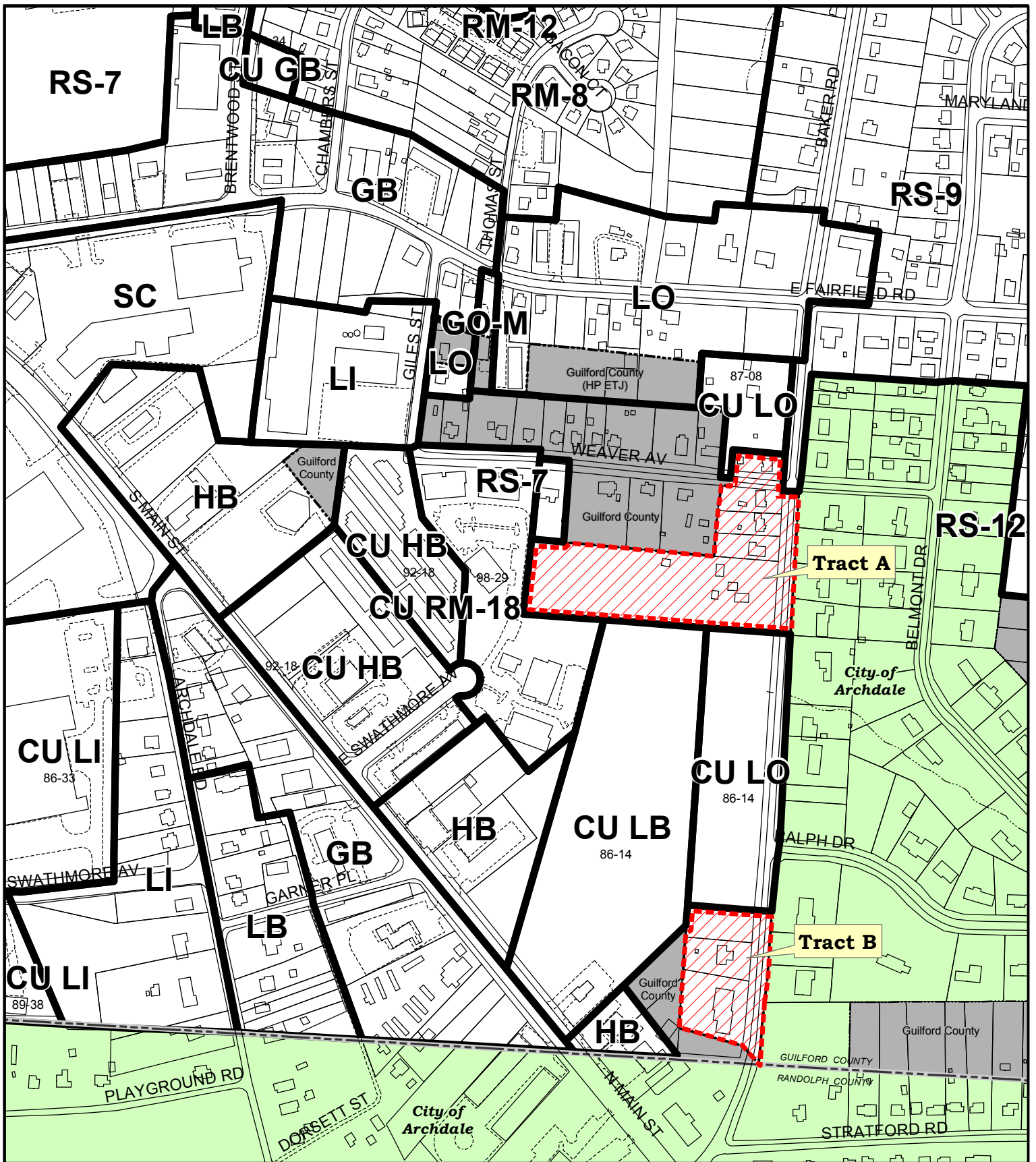
City of High Point

Date: July 16, 2012



Scale: 1"=400'

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ZONING CASE 12-09

From: Residential-10 and Residential-15 (Archdale)
To: Residential Single Family-9 (High Point)

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

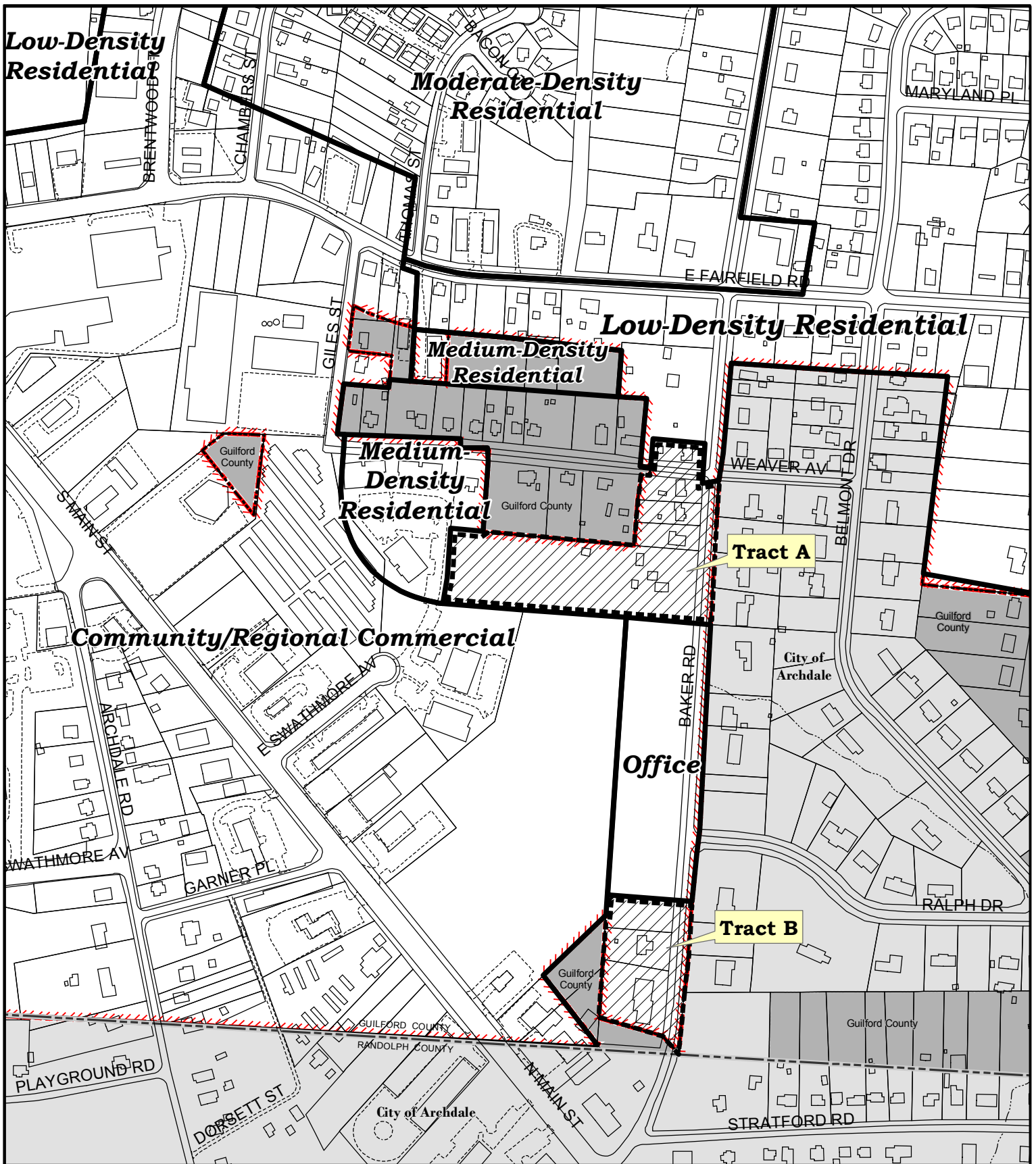
Planning & Development
Department

City of High Point

Date: July 11, 2012



Scale: 1"=400'
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ZONING CASE 12-09

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



Planning & Development
Department

City of High Point

Date: July 11, 2012



Scale: 1"=400'

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ZONING CASE 12-09

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: July 11, 2012



Scale: 1"=400'

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ZONING CASE 12-09



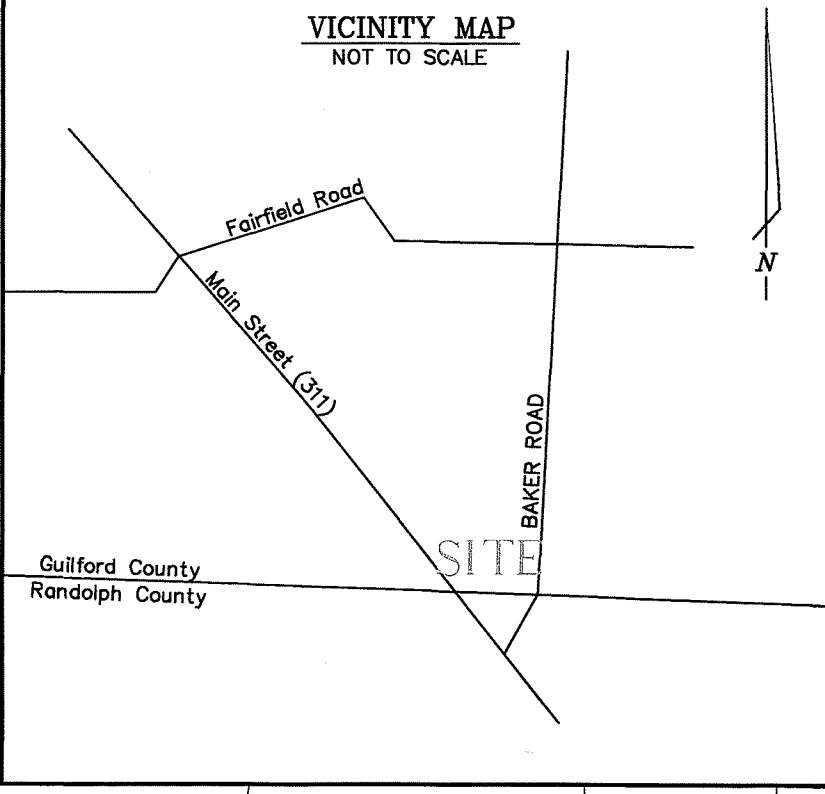
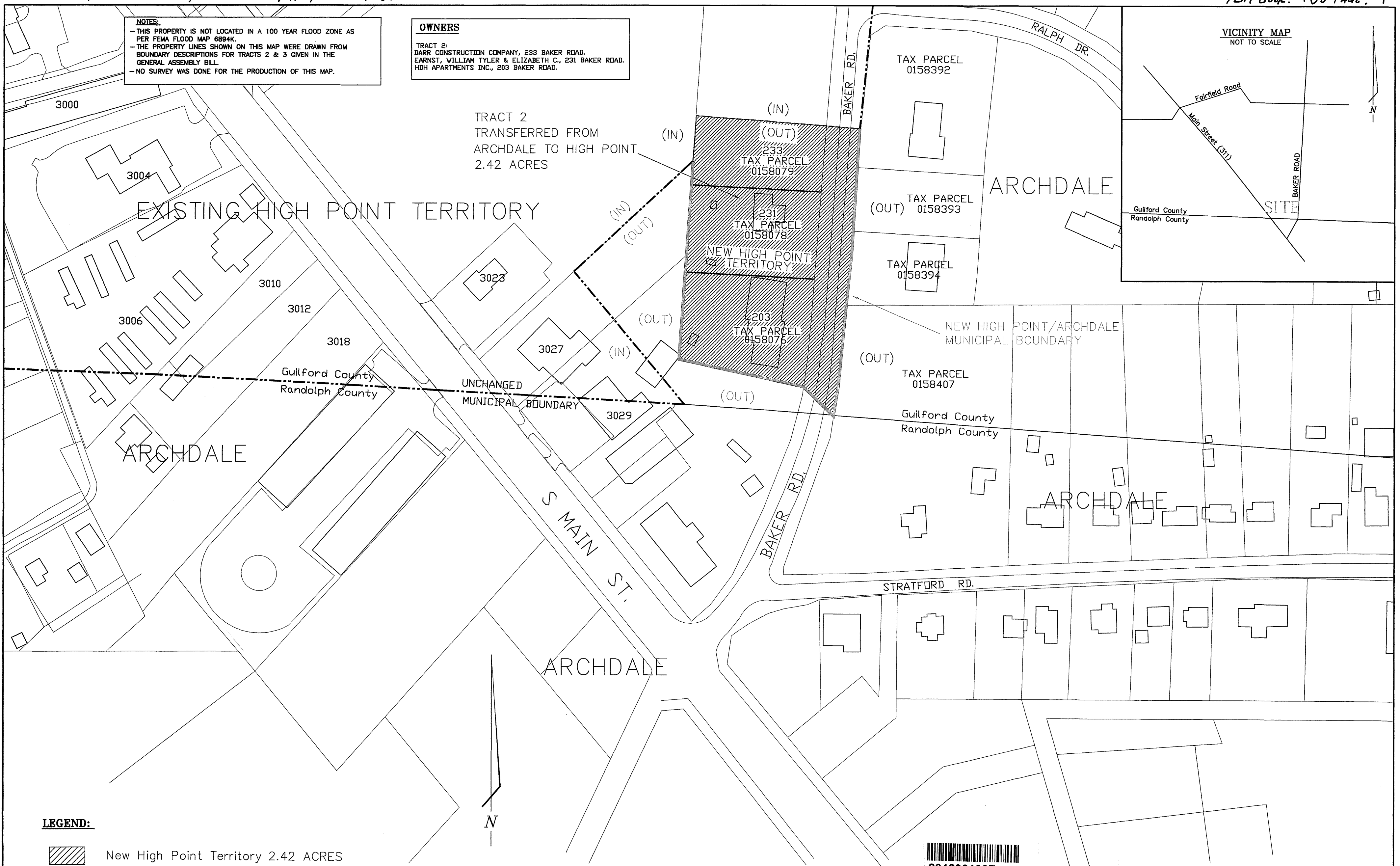
PICK UP: CITY OF HIGH POINT, PO BOX 230, HP, NC 27261

PLAT BOOK: 183 PAGE: 9

NOTES:
- THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD ZONE AS PER FEMA FLOOD MAP 6894K.
- THE PROPERTY LINES SHOWN ON THIS MAP WERE DRAWN FROM BOUNDARY DESCRIPTIONS FOR TRACTS 2 & 3 GIVEN IN THE GENERAL ASSEMBLY BILL.
- NO SURVEY WAS DONE FOR THE PRODUCTION OF THIS MAP.

OWNERS
TRACT 2:
DARR CONSTRUCTION COMPANY, 233 BAKER ROAD.
EARNST, WILLIAM TYLER & ELIZABETH C., 231 BAKER ROAD.
HDH APARTMENTS INC., 203 BAKER ROAD.

TRACT 2
TRANSFERRED FROM
ARCHDALE TO HIGH POINT
2.42 ACRES



LEGEND:

New High Point Territory 2.42 ACRES

(IN): Inside High Point City Limits

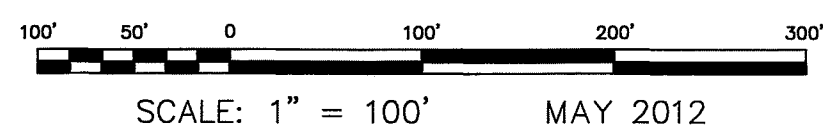
(OUT): Outside High Point City Limits
before this agreement

----- Previous Municipal Boundary

===== New Municipal Boundary

----- Unchanged Municipal Boundary

**This Annexation Map is NOT a Survey.
No review officer approval required.**

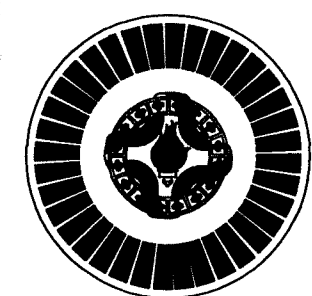


APPROVED BY THE NORTH CAROLINA GENERAL ASSEMBLY
ON JUNE 28, 2012 AS SESSION LAW SL 2012-102;
HOUSE BILL 1041 WITH AN EFFECTIVE DATE OF JULY 1, 2012.
Rebecca R. Smothers
MAYOR, CITY OF HIGH POINT.

2012061097
GUILFORD CO, NC FEE \$21.00
PRESENTED & RECORDED:
10-05-2012 10:23:11 AM
JEFF L. THIGPEN
REGISTER OF DEEDS
BY: MARY MORGAN
DEPUTY-HF
**BK: P 183
PG: 9-9**

Notes

- 1 - Applicable Jurisdiction Statement: This map is of an existing parcel or parcels of land and does not create a new street or change an existing street.
 - 2 - This map is not to be recorded as a plat of survey or attached to any deed for record as an exhibit in whole or in part.
 - 3 - The purpose of this map is to show the change in the municipal boundary line for the City of High Point as described in Session Law 2012-102 and House Bill 1041.
 - 4 - This map was made without benefit of a land survey.
- THIS PLAT DOES NOT REQUIRE A CERTIFICATE OF APPROVAL BY THE DIVISION OF HIGHWAYS AS PROVIDED IN G.S. 136-102.6, SUBSECTION (G).



**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

CITY OF HIGH POINT ENGINEERING SERVICES DEPARTMENT	
TERRITORY EXCHANGE MAP FOR THE CITY OF HIGH POINT	
Territory & boundary described in Session Law 2012-102 House Bill 1041	
HIGH POINT TOWNSHIP GUILFORD COUNTY, NORTH CAROLINA	
DATE: AUG 2, 2012	SCALE: 1" = 100'
FIELD BOOK: N/A	SURVEYED BY: N/A
DRAWN BY: MBN	FILE: Y:\matthew
PROJECT: Annexation	SHEET 1 OF 1

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on July 24, 2012 and before the City Council of the City of High Point on August 20, 2012 regarding **Zoning Case 12-09** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on July 15, 2012, for the Planning and Zoning Commission public hearing and on August 8, 2012 and August 15, 2012, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on August 20, 2012.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: **A Residential Single Family-9 (RS-9) District**. Tract A of the zoning site is lying at the northwest and southwest corners of Baker Road and Weaver Avenue (*503, 507, 509, 511 & 601 Baker Road*) and also known as Guilford County Tax Parcels 158060, 158063, 158065, 158066 and 158067. Tract B of the zoning site is lying along the west side of Baker Road, approximately 490 feet north of S. Main Street (*203 thru 233 Baker Road*) and also known as Guilford County Tax Parcels 158076, 158078 and 158079. The total area of the zoning site, Tract A and B, is approximately 8.4 acres.

SECTION 2

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

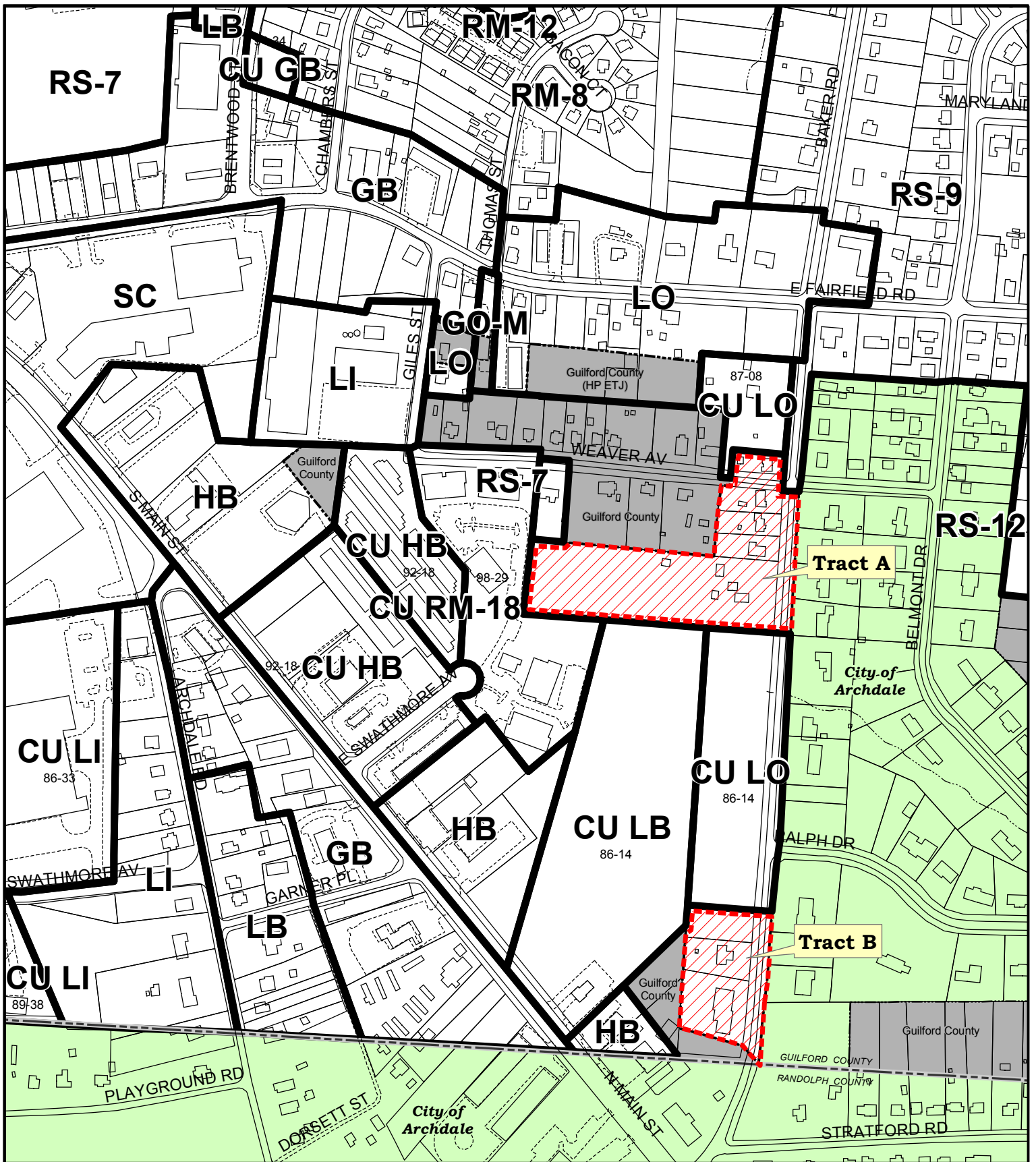
SECTION 3

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

SECTION 4.

This ordinance shall become effective upon the date of adoption.
20th day of August, 2012.

Lisa B. Vierling, City Clerk



ZONING CASE 12-09

From: Residential-10 and Residential-15 (Archdale)
To: Residential Single Family-9 (High Point)

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

Planning & Development
Department

City of High Point

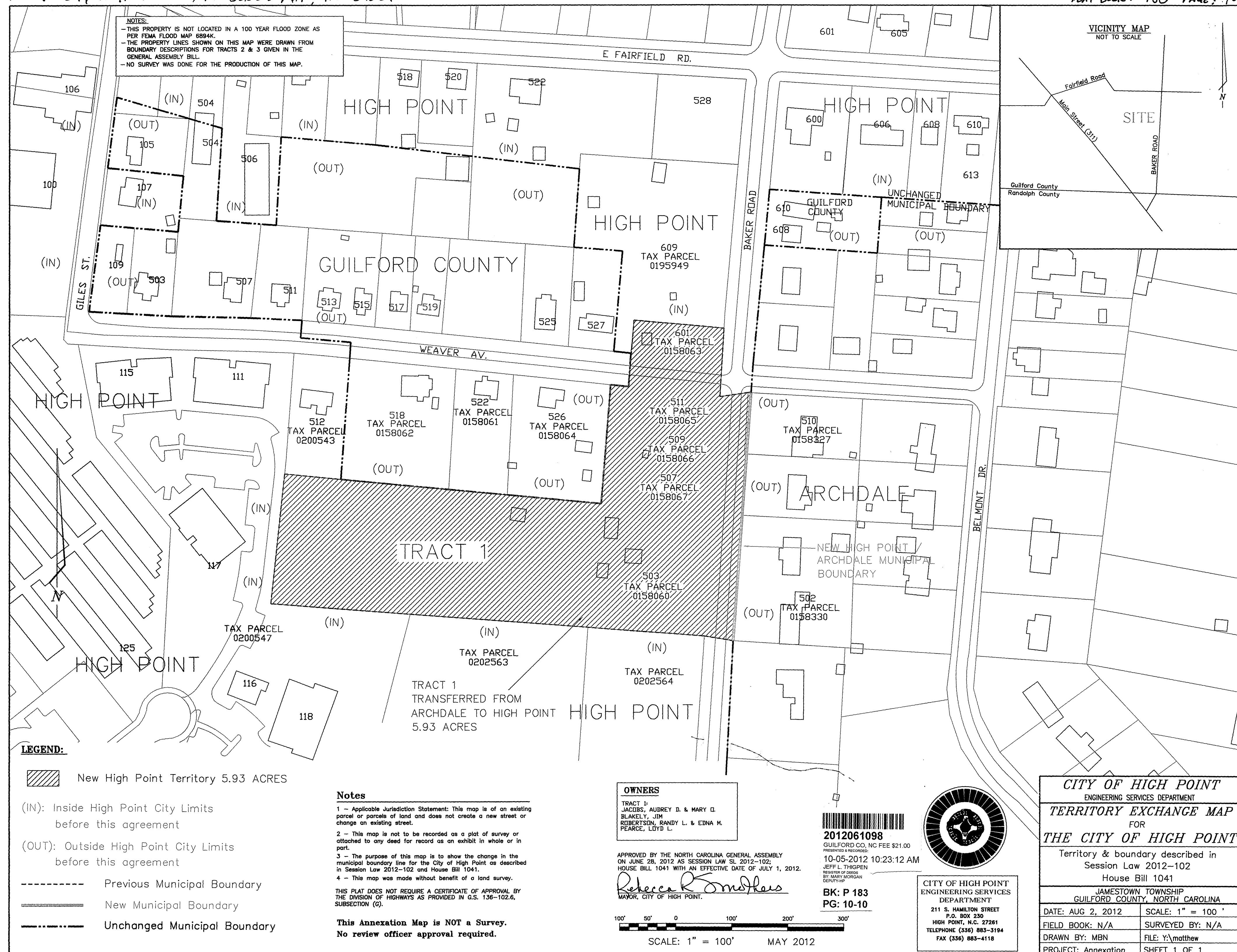
Date: July 11, 2012



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PICK UP: CITY OF HIGH POINT, PO BOX 230, HP, NC 27261

PART BOOK: 183 PAGE: 10



AN ORDINANCE APPROVING THE TRANSFER OF A FRANCHISE FROM WCA OF HIGH POINT, INC. TO WI HIGH POINT LANDFILL, LLC FOR CONSTRUCTION AND DEMOLITION LANDFILL AND RECLAMATION OPERATION AT 5830 RIVERDALE ROAD, HIGH POINT, NORTH CAROLINA

WHEREAS, in May 2009, WCA of High Point, Inc. received a franchise by the High Point City Council for the construction and operation of a construction and demolition landfill and reclamation operation located at 5830 Riverdale Road, High Point, NC ("the franchise"); and

WHEREAS, the High Point City Council voted unanimously to approve the transfer of the franchise to WI High Point Landfill, LLC at two readings following public hearings on April 2 and April 16, 2012, upon findings that WI High Point Landfill, LLC had acquired all the assets of WCA of High Point, Inc., that no significant change in the operation of the business would occur, and that WI High Point Landfill, LLC would be an experienced and competent owner and operator of the business under the franchise;

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

That the previous actions of the City Council on April 2 and April 16, 2012 are ratified and confirmed, and that the franchise is transferred from WCA of High Point, Inc. to WI High Point Landfill, LLC.

This ordinance is effective upon adoption.

Adopted on the 20th day of August, 2012

ATTEST


Lisa B. Vierling
City Clerk



PLANNING AND ZONING COMMISSION RECOMMENDATION

On July 24, 2012, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Keith McInnis and Mr. Carson Lomax.

Greenwood & Charles, Inc.

Zoning Case 12-07

A request by Greenwood & Charles, Inc. to rezone approximately 1.9 acres from the Highway Business (HB) District and a Conditional Use Limited Business (CU-LB) District to a Conditional Zoning General Business (CZ-GB) District and the Residential Single Family-9 (RS-9) District. The site is lying at the southeast corner of N. Main Street and Old Winston Road (2926 & 2928 N. Main St. and 929 Old Winston Rd) and north of the intersection of Old Winston Road and Bellevue Drive.

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

Speaking in favor of the request was Ms. Abigaile Pittman, Planning Consultant, 210 Louise Avenue, High Point, NC. Ms. Pittman agreed with staff's recommendation, but noted there was a typographical error in the Conditional Zoning Ordinance. She noted that the list of prohibited uses in the staff report only covers Tract 2 and those uses should be prohibited on both Tracts 1 and 2.

The Planning & Zoning Commission recommended **approval**, with Ms. Pittman's correction, of Zoning Case 12-07 by a vote of 7-0.

(NOTE: The applicant has submitted an amended Conditional Zoning Ordinance correcting a typographical error. The list of prohibited uses covers both Tracts 1 and 2)

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

**STAFF REPORT
ZONING CASE 12-07
July 24, 2012**

Request	
Applicant: Greenwood & Charles, Inc.	Owner(s): High Point Bank & Trust Company City of High Point
Zoning Proposal: To rezone approximately 1.9 acres.	From: HB Highway Business District CU-LB Conditional Use Limited Business District
	To: CZ-GB Conditional Use General Business District RS-9 Residential Single Family-9 District

Site Information	
Location:	Lying at the southeast corner of N. Main Street and Old Winston Road (2926 & 2928 N. Main St and 929 Old Winston Rd); and at the northeast corner of Old Winston Road and Bellevue Drive.
Tax Parcel Numbers:	Guilford County tax parcels 0197342, 0197343 & 0197344; and a portion of 0197342.
Site Acreage:	Approximately 1.9 acres
Current Land Use:	That portion of the site fronting N. Main Street is currently being used to sell & display portable storage buildings. The remaining area is undeveloped.
Physical Characteristics:	The site is relatively flat with no distinguishing features.
Water and Sewer Proximity:	There is an 8-inch City sewer line and an 8-inch City water line adjacent to the site along N. Main Street. Within the Old Winston Road and Bellevue Drive right-of-ways are 8-inch City sewer line and a 6 & 12-inch City water line.
General Drainage and Watershed:	The site drains in a general southwesterly direction towards N. Main Street and development is subject to the Yadkin Pee-Dee General Watershed. Based upon the size of the site, the watershed regulations may require stormwater controls to be provided.
Overlay District(s):	None

Adjacent Property Zoning and Current Land Use			
North:	RS-7	Single Family Residential-7 District	City of High Point Fire Station#4
South:	HB	Highway Business District	Automotive sales
East:	RS-7	Single Family Residential-7 District	Single family dwelling
West:	GB	General Business District	Lawn equipment supply & sales
	CU-LB	Conditional Use Limited Business District	and single family dwelling

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	The site has a Community/Regional Commercial land use designation. This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
Land Use Plan Goals, Objectives & Policies:	Goals & Objectives: The following goal and objective of the Land Use Plan are relevant to this request: Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses; Obj. #11. Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses. Development Guidelines: <i>Office and Commercial Developments Bordering Residential Neighborhoods.</i> The evaluation of a zoning request for a property adjoining an established residential neighborhood which also fronts on a thoroughfare or collector street shall address the following: • The mass, scale & height of the proposed use and accessory uses; • The topography of the subject property and adjacent residential uses; • The effectiveness of maintaining neighborhood compatibility through the conversion of an existing residential structure to a non-residential use; • The impact on the residential neighborhood of non-local traffic generated by the proposed use; and • The sufficiency of the proposed buffering, setbacks and landscaping. The intent will be to minimize to the extent feasible the intrusive impact of the non-residential use on the adjacent neighborhood.
Relevant Area Plan:	Not applicable
Community Growth Vision Statement	Not applicable
Zoning History:	<u>Zoning Case 90-03:</u> In February 1990, the site was rezoned from residential to a CU-LB District. <u>Zoning Case 10-08:</u> In July 2010, the N. Main Street frontage of the site, Tract 1 on the accompanying zoning map, was rezoned to the HB District.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	N. Main Street	Major Thoroughfare	170 ft.
	Old Winston Road	Major Thoroughfare	500 ft.
Vehicular Access:	This rezoning site will have two points of access to Old Winston Road.		
Traffic Counts: (Average Daily Trips)	N. Main Street	22,000 (2009, 24 hour count)	
	Old Winston Road	2,100 (2009, 24 hour count)	
Estimated Trip Generation:	Using the development data provided by the applicant, a potential gas station with 12 fueling stations will generate approximately 6,511 trips/day, 198 trips (entering & exiting) in the AM peak hour and 228 trips (entering & exiting) in the PM peak hour.		

Traffic Impact Analysis:	Required				Comment
		<u>Yes</u>		<u>No</u>	See attached executive summary.
		X			
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.				

School District Comment

Not applicable to this zoning case.

Details of Proposal

The applicant is requesting rezoning to expand the development potential of the parcels fronting the N. Main Street commercial corridor and to place residential zoning on that portion of the site adjacent to residential zoning along the north side of Old Winston Road. The Conditional Zoning Ordinance associated with this application divides the site into two tracts. Tracts 1 & 2 consists of 1.7 acres lying at the southeast corner of N. Main Street and Old Winston Road, and proposed to be rezoned to the CZ-GB District. The third tract (Tract 3), is a 0.2 acre area owned by the City of High Point, lying at the northeast corner of Old Winston Road and Bellevue Drive, and proposed to be rezoned to the RS-9 District.

Tract 1 currently has an HB District zoning, which permits a wide range of commercial uses. However, due to the limited land area and higher setback standards of the HB District this tract has limited development potential. Tract 2 has a CU-LB District zoning which is primarily intended to accommodate moderate intensity commercial uses. It also has limited land area and conditions from its rezoning in 1990 require it to be combined with Tract 1. The applicant is requesting that both tracts be rezoned to a CZ-GB District so when combined they have the same zoning designation. Also, the GB District allows development to be closer to an abutting street.

The rear portion of the zoning site, Tract 3, is lying along the north side of Old Winston Road and consists of the former right-of-way of Old Winston Road. The realignment of Old Winston Road produced residual right-of-way that was recently abandoned and added to the abutting Fire Station parcel. Since this tract is now separated from its former lot by Old Winston Road and a part of the Fire Station property, the zoning is requested to be changed from CU-LB to an RS-9 District to be consistent with the remainder of the fire station property and the residential neighborhood.

Staff Analysis

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

Consistency with Adopted Plans:

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

Staff Comments:

- ❖ Tracts 1 & 2 have a Land Use Map designation of Community Regional Commercial and development will likely continue to be oriented towards N. Main Street. The requested GB District is generally consistent with the Land Use Map and the existing development pattern along this segment of N. Main Street.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<u>Staff Comments:</u> Surrounding development pattern consists of commercial uses and zoning fronting along N. Main Street and residential uses to the north of Old Winston Road. The request for CZ-GB District on Tracts 1 & 2 is compatible with the surrounding development pattern and character of the area.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	<u>Staff Comments:</u> Tract 2 of the site abuts an existing single family dwelling. To help ensure compatibility with this residential use the applicant has offered to prohibit higher intensity GB District uses such as automotive related sales & service, bars, and warehouses. Additionally, the applicant has offered to prohibit canopies and gasoline pumps associated with convenience stores and drive-thru ordering stations (speakers and pick-up windows) on tract 2.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	<u>Staff Comments:</u> Staff has not identified any environmental impacts based upon the proposed district.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, and police and fire.
	<u>Staff Comments:</u> The site is within an area currently served by City of High Point utilities and services. The proposed districts have no known impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.

	<u>Staff Comments:</u> Based upon conditions offered by the applicant to restrict uses upon tract 2 and landscaping standards of the Development Ordinance, potential adverse impacts upon adjacent property owners have been minimized.
--	--

Changes in the Area:

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

Staff Comments:

Old Winston Road was a narrow, two-lane roadway with side ditches and no sidewalks. Over the past 30 years vehicular and pedestrian traffic volumes have steadily increased due to the growth of commercial development along N. Main Street and from the development of surrounding residential subdivisions, two elementary schools and a regional park/sports stadium.

Recently, Old Winston Road was widened and realigned to connect directly to the signalized intersection at N. Main Street. The improvements included wider travel lanes that meet current traffic safety standards, a center turn lane, various intersection improvements, curbing and gutters on both sides and sidewalks. The widening also provided for a greater separation between commercial and residential zoned parcels along Old Winston Road. The cumulative impact of the all these improvements, higher traffic volumes and the development of the City Fire Station has changed the character of this intersection, so as to support higher intensity commercial zoning.

Development Patterns:

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

Staff Comments:

As conditioned, Tracts 1 & 2 are required to be combined to form one lot prior to redevelopment. As a result, redevelopment will be oriented toward Main Street keeping with the preferred and established development pattern along the commercial corridor.

Reasonableness/Public Interest:

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

Staff Comments:

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) The request is consistent with the City's Land Use Plan; 2) Tracts 1 & 2 abut an established commercial corridor and will not be introducing any new land uses in this area and will be in harmony with existing commercial development patterns; and 3) Conditions offered by the applicant to restrict higher intensity commercial uses to the N. Main Street frontage of the site addresses objectives and development guidelines noted in the Land Use Plan to provide a transition in uses between lower residential land uses and higher intensity commercial land uses.

The rezoning of Tract 3 to the RS-9 District is a general rezoning therefore there are no conditions. The realignment of Old Winston Road has created a small parcel of land abutting the north side of the street which was once a part of the CU-LB lot to the south and continues to

carry that zoning. Staff suggests that the request to establish RS-9 District zoning on this tract is reasonable and in the public interest because: 1) it is consistent with the adjacent zoning of the City's Fire Station and the neighborhood to the north; and 2) it is not usable under its current CU-LB zoning.

Recommendation

Staff Recommends Approval

As addressed in the Staff Analysis section of this report, conditions offered by the applicant address objectives of the Land Use Plan and will ensure development of the zoning site will be compatible with adjacent uses. The Planning & Development Department recommends approval of the request to rezone Tracts 1 and 2 to the CZ-GB District and to rezone Tract 3 to an RS-9 District. As conditioned, the request will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

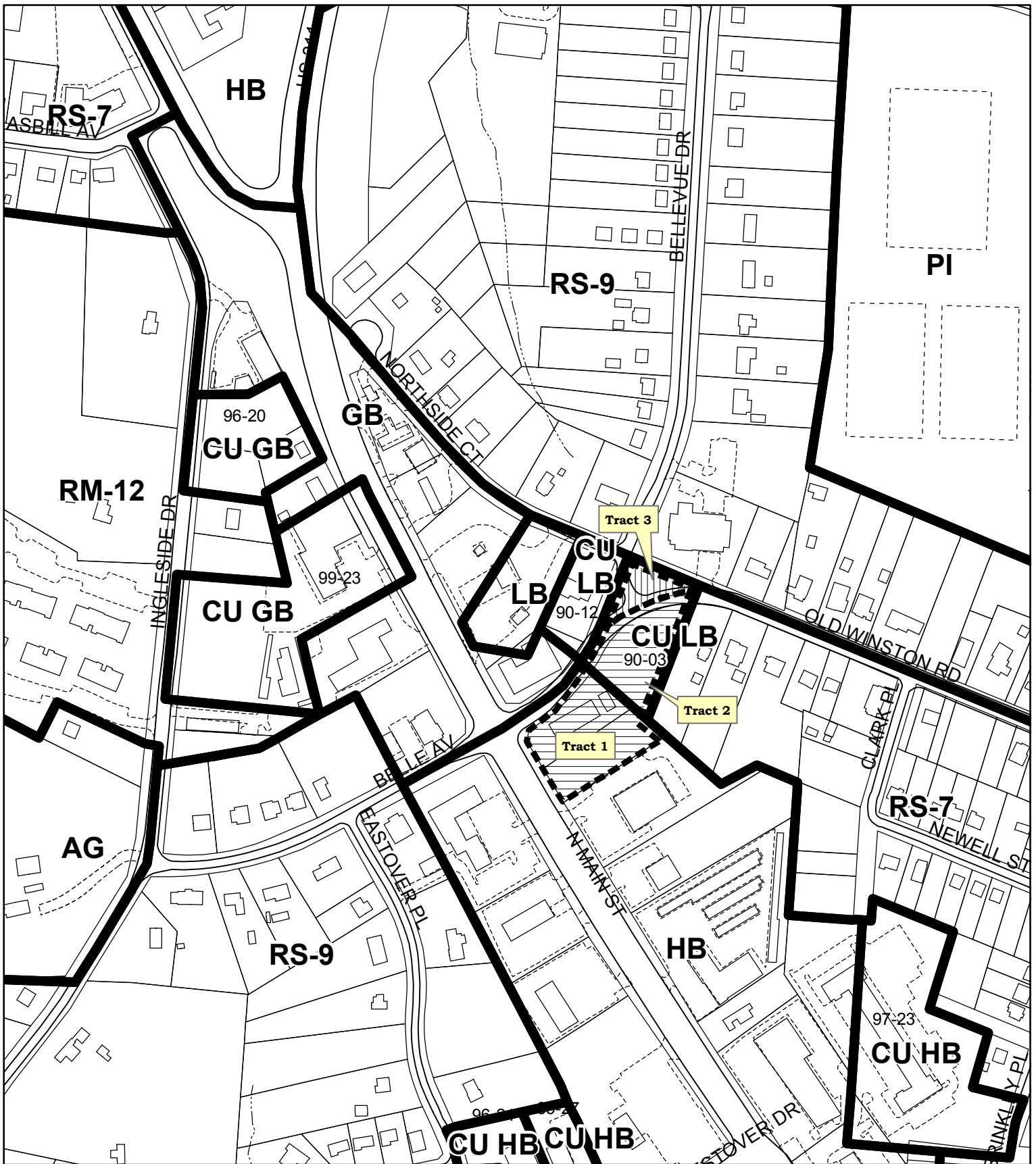
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission must place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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

City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point City Council also must place in the official record a statement of consistency with the City's adopted plans, and must explain why the action taken to be reasonable and in the public interest. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

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



ZONING CASE 12-07

From: Highway Business and
Conditional Use Limited Business
To: Tracts 1 & 2 - Conditional Zoning General Business
Tract 3 - Residential Single Family-9

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

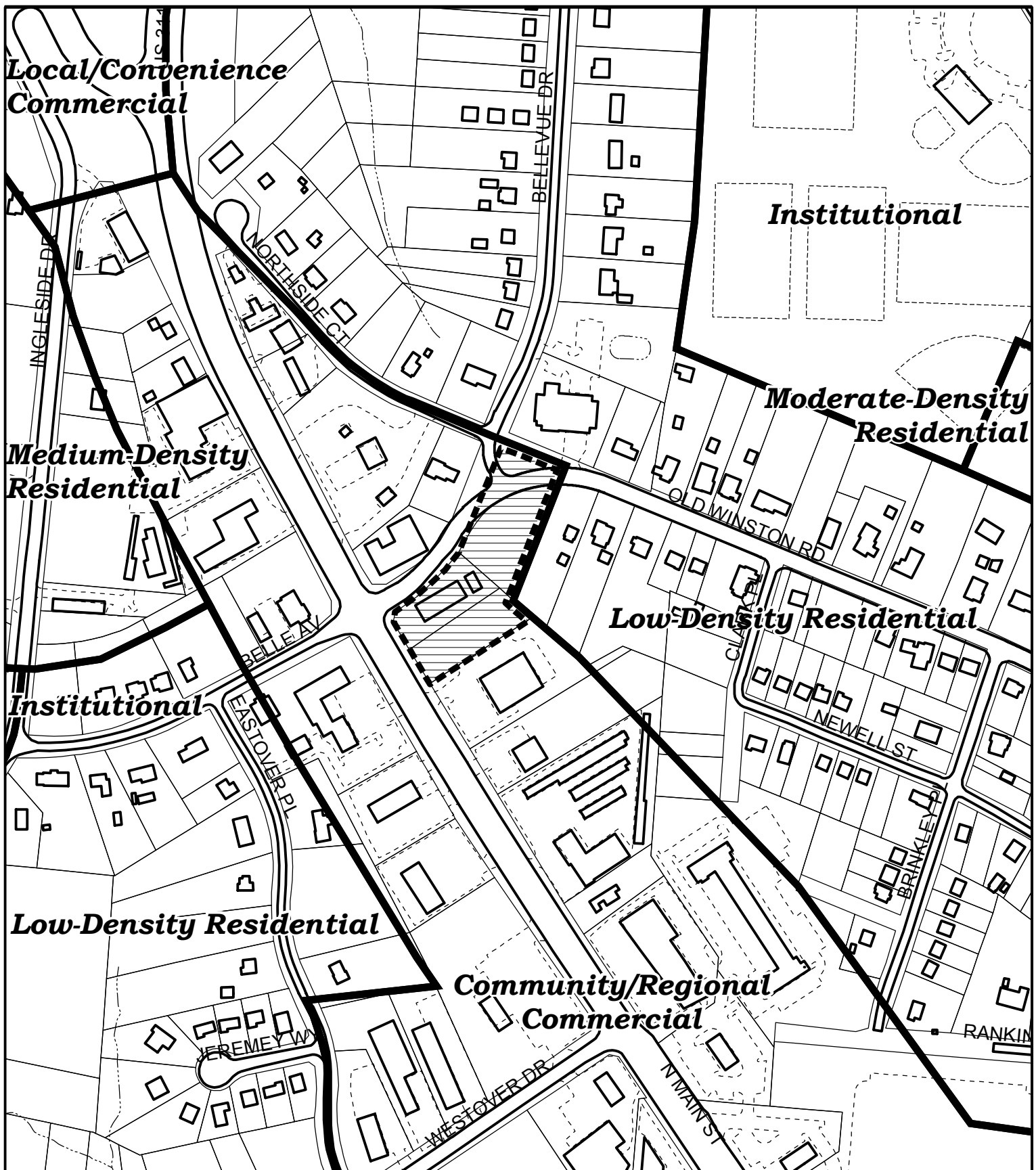
Planning & Development
Department

City of High Point

Date: July 6, 2012



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ZONING CASE 12-07

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
 Department**

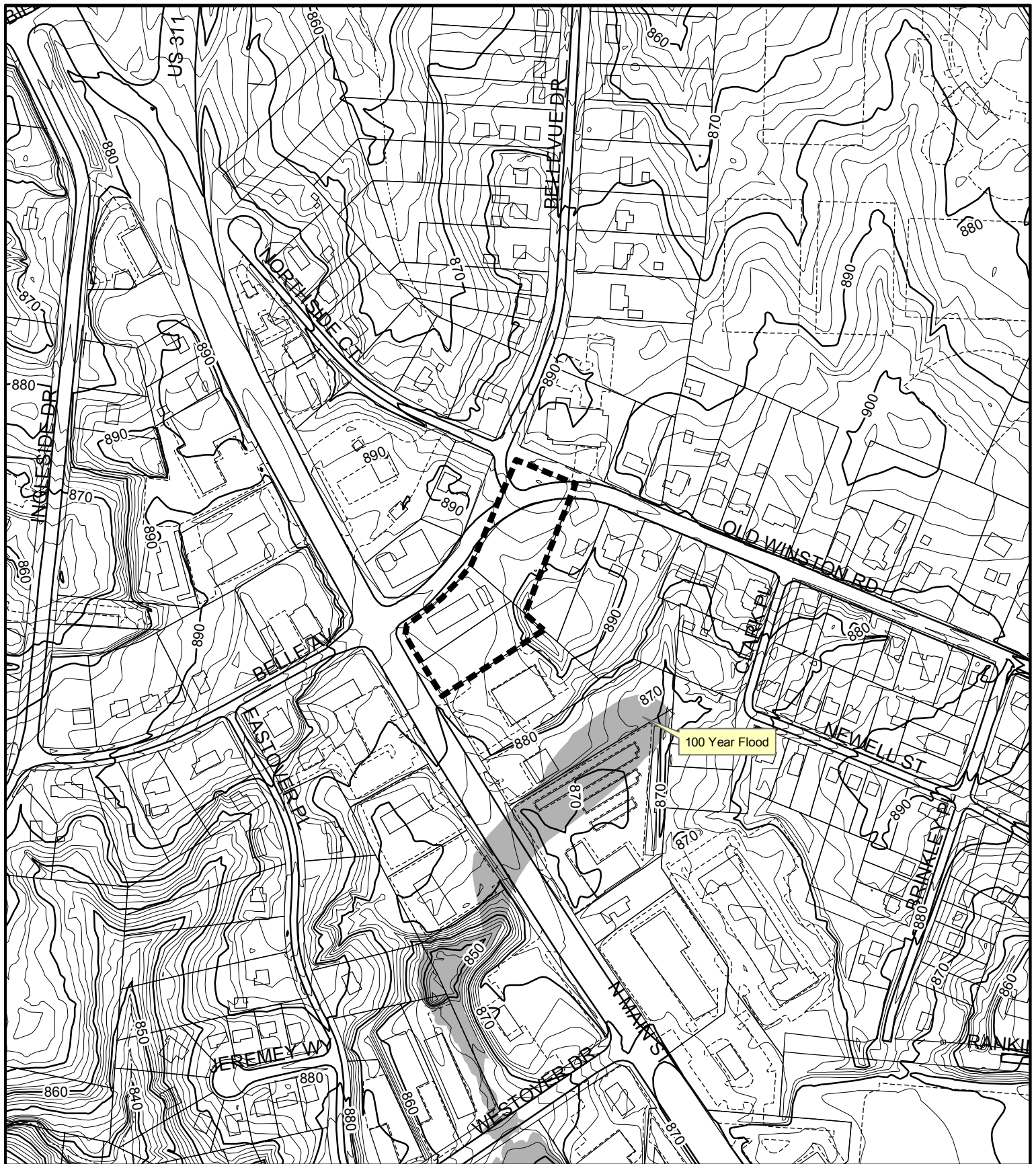
City of High Point

Date: July 11, 2012



Scale: 1"=300'

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ZONING CASE 12-07

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: July 11, 2012



Scale: 1"=300'

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ZONING CASE 12-07



**PROPOSED USES AND CONDITIONS FOR A CONDITIONAL ZONING DISTRICT
CITY OF HIGH POINT, NORTH CAROLINA**

Zoning Case 12-07

Conditional Zoning General Business (CZ-GB) District
Residential Single Family-9 (RS-9) District

August 1, 2012
(Revised)

The property owner requests a Conditional Zoning District upon the property described in this document and offers the following conditions be placed upon the property. If adopted by the City Council, then these conditions contained herein will be incorporated into the Conditional Zoning District's ordinance of adoption. These conditions are not valid unless signed and affirmed by the property owner or representative with an approved power of attorney. The City Council and the property owner or authorized representative must agree upon revisions or additional conditions prior to the approval of this Conditional Zoning District.

Part I. USES:

- Tract 1. Any of the land uses allowed in the General Business (GB) District shall be permitted subject to the development and dimensional requirements of the GB District and the specific conditions listed in this Conditional Zoning Ordinance.
- Tract 2. Any of the land uses allowed in the General Business (GB) District shall be permitted subject to the development and dimensional requirements of the GB District and the specific conditions listed in this Conditional Zoning Ordinance.

Part II. CONDITIONS:

A. Prohibited and Restricted Uses

- 1. The following use shall be prohibited.
 - a) Business/Professional & Personal Services Uses
 - i. Automobile Rental or Leasing (Ref. SIC 7510)
 - ii. Automobile Repair Services, Major
 - iii. Automobile Repair Services, Minor
 - iv. Automobile Towing and Storage Services (Ref. SIC 7549)
 - v. Boat Repair (Ref. SIC 3730)
 - vi. Car Washes (Ref. SIC 7542)
 - b) Retail Trade Uses
 - i. Bars (Ref. SIC 5813)
 - ii. Bars (capacity > 100 persons) (Ref. SIC 5813)
 - iii. Boat Sales (Ref. SIC 5551)
 - iv. Building Supply Sales (with storage yard) (Ref. SIC 5211)

- v. Bulky Item Outdoor Display
- vi. Manufactured Home Sales(Ref. SIC 5271)
- vii. Motor Vehicle Sales (new and used) (Ref. SIC 5511)
- viii. Motorcycle Sales (Ref. SIC 5571)
- ix. Recreational Vehicle Sales (Ref. SIC 5361)
- x. Truck Stops (Ref. SIC 5541)

c) Transportation/Warehousing & Utilities Uses

- i. Warehouses (general storage/enclosed) and Distribution Centers (Ref. SIC 4220)
- ii. Warehouses (self-storage) (Ref. SIC 7510)

d) Other Uses

- i. Storage Containers, Portable (accessory use)
- ii. Sexually Oriented Businesses

2. The following uses shall be restricted upon Tract 2.

- a) Canopies and gasoline pumps associated with convenience stores with pumps and gasoline service stations shall not be permitted upon any portion of Tract 2.
- b) Drive-thru ordering stations (speakers and pick-up windows) shall not be permitted upon any portion of Tract 2.

B. Development Standards and Dimensional Standards:

- 1. Lot Combination: Tracts 1 and 2 of the zoning site (Guilford County Tax Parcels 0197343, 0197344 and 0197342) shall be combined to form one lot prior to any additional development and re-subdivision.
- 2. Landscaping: A minimum twenty-five (25) foot wide planting yard, planted at the Type B planting rate, shall be provided along the eastern property line of the zoning site where it abuts residential uses.

C. Transportation Conditions.

1. Vehicular Access:

- a) No access shall be allowed to Main Street.
- b) Any existing access drive to N. Main Street shall be required to be removed upon redevelopment and thereafter access shall be in accordance with the City of High Point Driveway Ordinance.
- c) Two (2) points of access shall be allowed to Old Winston Road. One of the access points must be opposite Bellevue Drive.

2. Improvements

- a. Restripe the existing pavement to provide a westbound left turn lane at the access point opposite Bellevue Drive.

- b. Provide a northbound right turn lane at the intersection of N. Main Street and Old Winston Road/Belle Avenue if a convenience store with 12 fueling stations or more is constructed. The right turn lane requirement will be re-evaluated if a different use is proposed in the future.
3. The City of High Point Transportation Director and the North Carolina Department of Transportation shall approve all construction and improvements.

DESCRIPTION OF PROPERTY:

- Tract 1. This tract consists of Guilford County tax parcel 0197343 & 0197344 (2928 & 2926 *N. Main Street*). Approximately 1.03 acres lying at the southeast corner of N. Main Street and Old Winston Road.
- Tract 2. This tract consists of Guilford County tax parcel 0197342 (929 Old Winston Road). An approximately 0.68 acre parcel lying south of the intersection of Old Winston Road and Bellevue Drive.



July 3, 2012

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director
Subject: Rezoning Case #12-07, Greenwood & Charles, Inc. Property located at the southeast corner of N. Main Street and Old Winston Road/Belle Avenue

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

A traffic impact analysis was required for this development. To require a traffic study the proposed development must be expected to produce at least one hundred and fifty (150) trips in the AM or PM peak hour. This development will generate approximately one hundred and ninety eight (198) trips in the AM peak hour, two hundred and twenty eight (228) trips in the PM peak hour and a total of 6,511 trips/day. In order to mitigate the development's impact on the surrounding roadway network the following improvements will be required on Old Winston Road:

Access

- Two (2) points of access shall be allowed to Old Winston Road. One of the access points must be opposite Bellevue Drive.
- No access shall be allowed to Main Street.

Improvements

- Restripe the existing pavement to provide a westbound left turn lane at the access point opposite Bellevue Drive.
- Provide a northbound right turn lane at the intersection of N. Main Street and Old Winston Road/Belle Avenue if a convenience store with 12 fueling stations or more is constructed. The right turn lane requirement will be re-evaluated if a different use is proposed in the future.

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

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

The applicant's traffic engineer submitted the following Executive Summary from their Traffic Impact Analysis (TIA).

In addition to this summary, the complete TIA has been submitted to the City of High Point Transportation Department for review.

North Main Street / Old Winston Road Commercial Site – Transportation Impact Analysis
Prepared for Greenwood & Charles, Inc.
June 22, 2012

Executive Summary

The proposed North Main Street / Old Winston Road Commercial Site is located on the southeast quadrant of the intersection of North Main Street and Old Winston Road in High Point, North Carolina. The exact land use intensity for this commercial development is not known at this time, hence this study assumed a convenience store with 12 gasoline pumps. The site will be accessed by two (2) driveways on Old Winston Road. Figure 1 shows the site boundary plan.

Davenport Transportation Consulting (DTC) was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The following intersections were included in the study:

- North Main Street at Old Winston Road / Belle Avenue (signalized)
- Old Winston Road at Proposed Site Access 1
- Old Winston Road at Bellevue Drive / Proposed Site Access 2

The above-mentioned intersections were analyzed for the following scenarios:

- 2012 Existing Conditions
- 2017 Future No Build Conditions
- 2017 Future Build-Out Conditions

The build-out analysis year for this project was assumed to be 2017. The AM (7-9 am) and PM (4-6 pm) peaks were studied.

The City of High Point (COHP) was contacted to obtain background information and to ascertain the elements to be covered in this Transportation Impact Analysis (TIA). Information regarding the property was provided by the developer, Greenwood & Charles, Inc.

Level of Service Results

The results of the study are discussed by intersection below:

North Main Street at Old Winston Road / Belle Avenue

This signalized intersection currently operates at LOS A during existing AM and PM peaks. In 2017 future no build conditions, LOS A is expected in AM and PM peaks. With the addition of site traffic, LOS A is expected in the AM peak and LOS B in the PM peak. Our Sim Traffic simulation does not indicate any queuing issues at this intersection. No improvements are recommended.

Old Winston Road at Site Access 1

In future build conditions, this intersection is expected to operate at LOS B in AM and PM peaks. Based on traffic counts on Old Winston Road, the background daily traffic volume plus proposed site traffic is approximately 3,200 vehicles per day. This does not meet or exceed the 5,000 vehicles per day threshold of City of High Point for considering auxiliary turn lanes on secondary roads. Please note this site access will be required to be constructed according to City of High Point Driveway Manual

Old Winston Road at Bellevue Drive / Site Access 2

The City of High Point has recently realigned Old Winston Road to tie directly into the traffic signal at North Main Street / Belle Avenue. Bellevue Drive now has stop-controlled access onto Old Winston Road, whereas the intersection was previously a four-way stop.

This unsignalized intersection operates at LOS A during existing and 2017 future no build AM and PM peaks. In future build conditions, LOS A is expected in AM and PM peaks. Based on traffic counts on Old Winston Road, the background daily traffic volume plus proposed site traffic is approximately 3,700 vehicles per day. This does not meet or exceed the 5,000 vehicles per day threshold of City of High Point for considering auxiliary turn lanes on secondary roads. A center left turn lane is currently in place on Old Winston Road on the east leg of this intersection. We recommend restriping existing pavement to provide a westbound left turn lane into the site. Please note this site access will be required to be constructed according to City of High Point Driveway Manual.

Recommended improvements at the study intersections are illustrated in Figure 10 of the report.

Level of Service Summary

Table A presents the summary of the level of service analysis.

Table A - Level of Service Summary			
AM Peak	2012 Existing	2017 Future No Build	2017 Future Build
North Main Street at Old Winston Road / Belle Avenue	A (6.4)	A (6.7)	A (9.0)
Old Winston Road at Site Access 1			B (10.9) NB Approach
Old Winston Road at Bellevue Drive / Site Access 2	A (9.3) SB Approach	A (9.4) SB Approach	B (10.3) NB Approach
PM Peak	2012 Existing	2017 Future No Build	2017 Future Build
North Main Street at Old Winston Road / Belle Avenue	A (7.9)	A (8.5)	B (13.5)
Old Winston Road at Site Access 1			B (11.7) NB Approach
Old Winston Road at Bellevue Drive / Site Access 2	A (9.5) SB Approach	A (9.7) SB Approach	B (10.6) NB Approach
LOS (delay in seconds)			
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay			



Summary and Conclusion

The proposed North Main Street / Old Winston Road Commercial Site is located on the southeast quadrant of the intersection of North Main Street and Old Winston Road in High Point, North Carolina. The exact land use intensity for this commercial development is not known at this time, hence this study assumed a convenience store with 12 gasoline pumps. The site will be accessed by two (2) driveways on Old Winston Road. Based on trip generation equations published in Trip Generation (Institute of Transportation Engineers, 8th Edition, 2008), this development has the potential to generate a total of 2,409 net daily trips with 74 net trips during the AM peak and 78 net trips during the PM peak.

DTC was retained to determine the potential traffic impacts of the proposed North Main Street / Old Winston Road Commercial Site and the transportation improvements that may be required to accommodate these impacts. Overall, our analysis shows that there is adequate capacity at the study intersections to accommodate future traffic. Our traffic simulation using Sim Traffic does not indicate any queuing issues at the study intersections. Also, a turn lane warrant review shows that traffic volumes on Old Winston Road are less than the 5,000 vehicles per day threshold of City of High Point for considering auxiliary turn lanes on secondary roads. At the proposed Site Access 2, a center left turn lane is currently in place on Old Winston Road on the east leg of this intersection. We recommend restriping this existing pavement to provide a westbound left turn lane into Site Access 2.

In conclusion, this study has reviewed the impacts of both background traffic and this development traffic, and has determined that this development will not have significant impact on the study intersections. Please note that the site accesses will be required to be constructed according to City of High Point Driveway Manual.

Table B - Recommended Improvement Summary

North Main Street at Old Winston Road / Belle Avenue	No improvements recommended
Old Winston Road at Site Access 1	No improvements recommended
Old Winston Road at Bellevue Drive / Site Access 2	Restripe existing pavement to provide a westbound left turn lane into the site

Citizens Information Meeting Report

Zoning Case 12-07

Submitted by: Ms. Abigaile Pittman on behalf of
Greenwood & Charles, Inc.

Report – May 31, 2012
Citizen Information Meeting
City of High Point Rezoning Case 12-07
Greenwood & Charles, Inc.

A citizen information meeting was held for Rezoning Case 12-07, a request for a CZGB District by Greenwood & Charles, Inc. The meeting was held at the High Point Public Library at 901 N. Main Street, High Point, NC, in a first floor meeting room.

The meeting was held on May 29, 2012 from 6:00 p.m. to 7:00 p.m. The notice letter was mailed on May 21, 2012 to 24 property owners, with labels provided by the Planning Department. The notification letters were taken directly to the main High Point Post Office to ensure speedy delivery. Attached to the first notice letter was a copy of the handout entitled 'City of High Point Conditional Zoning District Citizen Information Meetings,' and a map depicting the rezoning site, both of which are included in this report. A copy of this first notification is also attached to this report. The following two (2) neighboring property owners/neighbors were in attendance at the meeting:

1. Walter Anderson, 923 Old Winston Road. (These two are the immediate adjacent
2. Wanda Anderson, 923 Old Winston Road neighbors on Old Winston Road)

The sign-in sheet for the meeting is attached to this report.

Also in attendance was Abigaile Pittman, AICP, planner for the applicant, Keith Charles, the applicant, and Matthew Charles, Keith's son.

Abigaile Pittman opened with a statement of the purpose of the meeting, a synopsis of the rezoning process, and encouraged those in attendance to ask any questions or raise any concerns that they might have.

The attendees received a copy of the a copy of the applicant's 5-29-2012 draft version of the proposed conditions for CZGB 12-07, and the case rezoning map provided by the Planning Department. An aerial map was mounted on foam board for the applicant's viewing.

Abigaile Pittman reviewed the handouts with the attendees and explained that the conditions are still in draft form and will be finalized by June 4th.

Walter and Wanda Anderson had a lengthy discussion with Keith Charles about his intention for developing the site, and his history of developing other sites in the area. They stated that they were satisfied with the rezoning proposal and didn't have any issues. Abigaile Pittman stated that she would send them a copy of the finalized zoning conditions when they became available.

Abigaile Pittman thanked Walter and Wanda Anderson for their attendance and input, and the meeting adjourned at 7:00 p.m.

Submitted by:



Abigaile Pittman, AICP 5/31/2012



May 21, 2012

Dear Neighbor:

The purpose of this letter is to notify you of a citizen information meeting being held concerning a request for rezoning the following properties, 2926 N. Main Street, 2928 N. Main Street, and 929 Old Winston Road. The meeting will be held at the City of High Point Public Library, 901 N. Main Street, High Point, NC, in the Morgan Community Room on the First Floor on **Tuesday, May 29, 2012 from 6:00 p.m. to 7:00 p.m.** You are welcome to drop by any time in this time frame.

The applicant, Greenwood & Charles, Inc., who is our firm's client, has applied to rezone three parcels totaling approximately 1.71 acres at the southeast corner of N. Main Street and Old Winston Road from their current Highway Business (HB) District and Conditional Use Limited Business (C.U. LB #90-03) District to a new Conditional Zoning Highway Business District (CZHB). All three of the parcels involved in this rezoning request are currently owned by High Point Bank and are listed for sale. It is proposed that all three lots be combined into one development site with consistent zoning conditions. Access and landscaping/buffering would be provided in accordance with the Development Ordinance. A copy of the proposed rezoning conditions will be provided at the meeting, along with excerpts from the Ordinance to clarify other development requirements such as setbacks and landscaping, and maps for use as visual aids.

Enclosed is a required statement provided by the High Point Planning & Development Department outlining the purpose of the citizens information meeting and the rezoning process, and a map (aerial) depicting the proposed CZHB zoning site.

You will receive another notice letter at a later date, to be mailed on May 11, 2012 by the City of High Point, advising you of the June 26, 2012 Planning & Zoning Commission meeting. The property will be posted on May 15, and the legal ad for the Commission meeting will run in the High Point Enterprise on May 13.

We look forward to seeing you at the meeting on Tuesday, May 29, 2012.

Regards,

A handwritten signature in cursive script that reads 'Abigaile Pittman'.

Abigaile Pittman, AICP
336-817-0862

Guilford County, NC



Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.

Map Scale
1 inch = 161 feet

SIGN-IN SHEET

Name

Address

Phone

W.E. + Wanda Anderson 923 Old Winston Rd

869-5633

COMBINED MEETING

AUGUST 6, 2012

4:45/5:30 P.M.

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE

Upon call of the roll, Mayor Rebecca R. Smothers; Mayor Pro Tem M. Christopher Whitley (Ward 5); and Council Members Latimer B. Alexander, IV. (At-Large); Britt Moore (At-Large); Bernita Sims (Ward 1); Foster Douglas (Ward 2); Michael D. Pugh (Ward 3); and James W. Corey, Ph.D. (Ward 6) were present.

Council Member A. B. Henley, III (Ward 4) was absent.

Mayor Smothers offered the invocation; the Pledge of Allegiance followed.

FINAL ACTION TAKEN AT THIS MEETING

At the conclusion of the Committee of the Whole Session, and after all matters were heard by Council, motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley to suspend the rules in order to take final action on these matters at tonight's meeting. The motion carried unanimously. [8-0 vote] [Henley was absent]

Motion was then made by Council Member Alexander, seconded by Mayor Pro Tem Whitley that all Committee recommendations stand as final action regarding these matters. The motion carried unanimously. [8-0 vote] [Henley was absent]

Note: The City Council will meet on Thursday, August 9, 2012 at 9:00 a.m. to go into Closed Session for the annual performance evaluation of the City Manager and City Clerk.

PRESENTATION OF ITEMS

FINANCE COMMITTEE

Chaired by Council Member Alexander

Committee Members: Whitley, Smothers and Corey

(all were present)

120197 Contract - James River Equipment Company - Wheel Loader

Council is requested to approve contract for the purchase of a new 2012 John Deere 524K Wheel Loader per the current U.S. General Services Administration (GSA) contract. Purchasing and Fleet Services recommends the contract be awarded to James River Equipment Company in the amount of \$134,257.41 which is the lowest responsible and responsive bidder meeting specifications.

Attachments: [Contract - Wheel Loader for MRF.pdf](#)

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Council Member Douglas stated he wasn't convinced that the city has gotten all the usage out of the old wheel loader and questioned if the city should spend money on the equipment just because it has been budgeted. Randy McCaslin, Assistant City Manager, explained that staff takes into consideration the amount of maintenance that is required on the equipment and they have already expended more on this particular piece of equipment than the original price paid for the equipment. He explained that anything over 10,000 hours triggers an evaluation of the maintenance costs on such equipment. Chairman Alexander pointed out there was also an issue relating to the availability of parts and equipment for this equipment since the closest parts would be in Charlotte, so time was also an issue that was considered.

Approved the purchase of a new 2012 John Deere 524K Wheel Loader and awarded the contract to James River Equipment Company in the amount of \$134,257.41 which is the lowest responsible and responsive bidder meeting specifications.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this matter be approved. The motion carried by the following vote:

Aye: 7- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Michael Pugh, Christopher Whitley, and James Corey
Nay: 1- Foster Douglas
Absent: 1- A.B. Henley

120198

Contract - Piedmont Truck Center - Ford Dump Trucks

Council is requested to approve contract for the purchase of two (2) Ford F750 Dump Trucks for use by the Streets Division per North Carolina State Contract. Purchasing and Fleet Services recommends that contract be awarded to Piedmont Truck Center in the amount of \$209,512.00 which is the lowest responsive and responsible bidder meeting specifications.

Attachments: [Contract - Piedmont Truck Center - Dump Trucks.pdf](#)

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Council Member Douglas pointed out the same thing applies to this piece of equipment as well and he felt the city could get more use out of it.

Approved the purchase of two (2) Ford F750 Dump Trucks and awarded contract to Piedmont Truck Center in the amount of \$209,512.00 which is the lowest responsive and responsible bidder meeting specifications.

A motion was made by Council Member Alexander, seconded by Council Member Corey, that this matter be approved. The motion carried by the following vote:

Aye: 7- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Michael Pugh, Christopher Whitley, and James Corey
Nay: 1- Foster Douglas
Absent: 1- A.B. Henley

120199 Contract Extension - Asplundh - Tree Trimming

Council is requested to approve a one-year contract extension for tree trimming services for the Electric Department (ElectriCities cooperative contract) to Asplundh in the amount of \$588,066.00.

Attachments: [Contract Renewal - Asplundh - Tree Trimming.pdf](#)

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Garey Edwards, Director of Electric Utilities, noted ElectriCities bids this service out on a state-wide contract and four contractors submitted bids with Asplundh being the lowest. He explained the advantage of doing it state-wide results in a cost savings for the city. Council Member Alexander asked Mr. Edwards to elaborate on the tree trimming policy. Mr. Edwards explained the city does the tree trimming on a four-year rotation versus a seven-year rotation by most other utilities which results in a less aggressive trimming. The Mayor asked if someone from the city monitors execution of the contract and Mr. Edwards explained that the staff person responsible for doing this is Charlie Collier. Council Member Sims took notice that Asplundh does seem to be making improvements hiring minorities, but wondered if there is any mechanism in place requiring them to hire locally. Mr. Edwards replied they do usually try to hire locally if possible.

Approved a one-year contract extension for tree trimming services to the Asplundh contract in the amount of \$588,066.00.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this matter be approved. The motion carried by the following vote:

Aye: 7- Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh,
 Christopher Whitley, and James Corey
Nay: 1 Rebecca R. Smothers
Absent: 1- A.B. Henley

120200 Contract Extension - Breece Enterprises - Water & Sewer Improvements

Council is requested to approve a final and maximum contract extension to the Breece Enterprises contract for additional water and sewer improvements in the amount of \$881,700.00.

Attachments: [Contract Extension - General W & S Improvemens.pdf](#)

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Approved a final and maximum contract extension to the Breece Enterprises contract for additional water and sewer improvements in the amount of \$881,700.00.

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this matter be approved. The motion carried by the following vote:

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

120201 Resolution Authorizing Financing & Budget Ordinance Amendment for Downtown Wi-Fi Project

Council is requested to 1) authorize the City Manager and Financial Services Director to accept the proposal for the lease-purchase agreement with BB&T Governmental Finance, to authorize the borrowing as evidenced in the attached resolution, and to prepare and execute the necessary documents in connection with the financing agreement, and 2) adopt a budget ordinance in the amount of \$104,092 to appropriate funds for a Downtown Wi-Fi project.

Attachments: [DowntownWi Fi Financing.pdf](#)

Removed matter from the agenda.

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this matter be removed from the agenda. The motion carried unanimously.

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

120207 Contract - HIT Solutions - Downtown Wi-Fi Project

Consideration of contract with HIT Solutions (Meraki) in the amount of \$104,092.00 to install an outdoor downtown wireless (Wi-Fi) solution for the City of High Point.

Attachments: [Contract - HIT Solutions - Downtown Wireless System.pdf](#)

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Approved contract with HIT Solutions (Meraki) in the amount of \$104,092.00 to install an outdoor downtown wireless (Wi-Fi) solution for the City of High Point.

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this matter be approved. The motion carried by the following vote:

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

120221 Budget Ordinance Amendment for Downtown Wi-Fi Project

Council is requested to adopt a budget ordinance in the amount of \$104,092 to appropriate funds for a Downtown Wi-Fi project.

Attachments: Budget Ordinance Amendment downtown wi-fi project
<Y:\city clerk\Scan\Legistar attachments\Budget Ordinance Amendment downtown wi-fi project.pdf>

This matter was discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting. The Committee recommended it be placed on Thursday's agenda with a favorable recommendation.

*Note: This matter was originally included with **120201 Resolution Authorizing Financing & Budget Ordinance Amendment for Downtown Wi-Fi Project**, but the resolution portion was removed from the agenda which prompted the need for another matter to be created for adoption of the ordinance.*

Adopted ordinance amending the 2012-2013 Budget Ordinance in the amount of \$104,092.00 to appropriate funds for a Downtown Wi-Fi project. separate

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

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey
Absent: 1- A.B. Henley

**Ordinance No. 6490/12-56
Introduced 8/6/2012; adopted 8/6/2012
Ordinance Book, Volume XVII, Page 130**

120212 Proposed Resolution- Piedmont Triad Regional Council (Office Space)

Council is requested to adopt a proposed resolution urging the Piedmont Triad Regional Council Board of Directors to delay any action concerning the acquisition of office space for its staff and operations pending further consideration and review by the membership of the PTRC.

Attachments: Piedmont Triad Regional Council resolution 2012
<Y:\city clerk\Scan\Legistar attachments\Piedmont Triad Regional Council resolution 2012.pdf>

This matter was briefly discussed during a Finance Committee meeting held at 3:00 p.m. prior to this meeting.

Since this matter did not originally appear on tonight's agenda, motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley to suspend the rules relative to placing this matter on tonight's agenda in order for it to be considered. The motion carried unanimously. [8-0 vote] [Henley was absent]

Mayor Smothers explained this issue involves a proposed resolution that will be drafted and forwarded to the Piedmont Triad Regional Council (PTRC) regarding High Point's concerns

relative to the PTRC's desire to acquire office space for its staff and operations by contracting for the lease or purchase of a new office building to be constructed, as well as the location of the proposed new building. As the City Council liaison to the PTRC, Council Member Alexander felt it would be helpful for Council to adopt the proposed resolution and have the resolution forwarded to the PTRC and its membership prior to the PTRC Board of Delegates meeting scheduled for Wednesday, August 15th.

Adopted resolution concerning acquisition of office space by the Piedmont Triad Regional Council.

A motion was made by Mayor Pro Tem Whitley, seconded by Council Member Sims, that this matter be adopted. The motion carried by the following vote:

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

Resolution No. 1249/12-50

Introduced 8/6/2012; adopted 8/6/2012

Resolution Book, Volume XVII, Page 99

120215 Consideration of Financial Support for the Carolina Field of Honor

Following a presentation made during the Finance Committee held on Monday, August 6, 2012, Council is requested to consider a request by the War Memorial Foundation for the City of High Point to jointly participate in funding the Carolina Field of Honor proposed to be located on property in Triad Park. The Foundation is seeking \$250,000 in funding from High Point, Greensboro and Winston Salem.

Since this matter did not originally appear on tonight's agenda, motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley to suspend the rules relative to placing this matter on tonight's agenda in order for it to be considered. The motion carried unanimously. [8-0 vote] [Henley was absent]

Referred this matter to the Committee of the Whole for further consideration/discussion.

A motion was made by Mayor Pro Tem Whitley, seconded by Council Member Sims, that this matter be referred to the Committee of the Whole. The motion carried by the following vote:

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

PUBLIC SAFETY & COMMUNITY DEVELOPMENT COMMITTEE

Chaired by Council Member Sims

Committee Members: Alexander, Douglas and Corey

(all were present)

120203 Ordinance - Demolition of Structure - 420 Tate Street

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 420 Tate Street belonging to Nellie M. Parker, heirs.

Attachments: [420 Tate Street - Demolition Ordinance.pdf](#)

Chairwoman Sims explained there are 9 major and 24 minor violations associated with this heir property. The property is currently vacant and secured. Neither the property owners, nor any representatives of the property owners were present to address Council regarding this housing case. Chairwoman Sims asked staff to provide an update.

Katherine Bossi, Local Codes Enforcement Supervisor, shared some photos on the overhead of the structure with no heat source; holes in the ceiling; plumbing fixtures removed; floors deteriorated/rotten; interior stairway structurally unsound; old, unsafe wiring; roof leakage causing water damage on interior ceilings/walls; back porch deterioration, etc....

Chairwoman Sims asked if there were any questions or comments. There being none, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Adopted ordinance ordering the inspector effectuate the demolition of a structure located at 420 Tate Street.

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

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

Ordinance No. 6941/12-57

Introduced 8/6/2012; adopted 8/6/2012

Ordinance Book, Volume XVII, Page 131

120214 Meredith Street Apartments- Update

Council is requested to instruct staff to draft and send a letter to the property owner, Schwarz Properties, LLC, the lender, and other interested parties informing them of Council's intent to pursue action on an ordinance to demolish on August 20, 2012.

History Note: On November 7, 2011, staff updated Council and noted no permits have been pulled for these properties. At that time, Ben Albright, attorney from Randolph County, representing the property owner, informed Council that his client would very much like to make the necessary repairs and proposed to do one building a month. At this meeting, City Council took action to instruct staff to start preparing the necessary documents and notifications to proceed with demolition of units at 501-515 Meredith Street. Mr. Albright objected and pointed out that his client presented a contract for the repairs to be made to Council. Since the structures have been vacant over a year since the vacate and close ordinance was adopted, City Attorney Fred Baggett explained that the property owner would have about 90 days after the ordinance to demolish is passed and when the ordinance to demolish does come back to the City Council, he would be given another opportunity to speak to it at that time.

On June 18, 2012, staff provided an update and Council authorized the city attorney to draft a letter to the property owner that based on the report submitted by Inspections, they have not met the time table they proposed, no more permits would be issued and it would come back to Council for demolition.

Chairwoman Sims asked staff to update Council on the status of the Meredith Street apartments.

Katherine Bossi, Local Codes Enforcement Supervisor, reported that there has been no further work since the last update (June 18, 2012). She reported the only building that could potentially receive its certification of compliance is 515 Meredith; 513 is about 25% complete and no permits have been issued for 511, 509, 507, 503, 501 (units A, B, C, and D). Council Member Pugh informed Council that there is someone presently talking with Mr. Schwarz about purchasing the apartments because they would like to rehab them. Ms. Bossi noted staff has not been made aware of this interest. Chairwoman Sims explained Council put in place some definite deadlines on how these structures were to be effectuated and a timeframe for doing so and Mr. Schwarz does not appear to be moving in that direction. She pointed out that the community is questioning why Council is allowing this process to take so long and she felt Council should start action to get rid of these structures. Council Member Pugh agreed and pointed out the property owner has not complied with what he agreed to which was rehabing one building per month. Ms. Bossi explained this would require the ordinance to demolish to appear on the agenda for action and staff could certainly notify the property owner of this action that will take place. She further explained that since these cases originated as vacate and repair and the fact that these structures have been there well over a year, the next step per the statute would be for Council to adopt an ordinance to demolish which would be a 90-day ordinance.

Mayor Pro Tem Whitley asked staff to provide some estimates on the cost for demolition of these properties. Ms. Bossi explained the required asbestos survey would run around \$250 with the average cost of asbestos removal for a single family structure running about \$2,500 and the demolition estimate obtained from a local contractor is a little over \$105,000. Council Member Moore felt the better option would be for the person interested in acquiring these apartments to do so, so they could rehab them. Mayor Smothers asked about the possibility of directing staff not to issue any more permits or do any more inspections on this property. City Attorney Fred Baggett advised against this citing building permits are an administrative procedure, not any kind of regulatory enforcement. He noted that any additional money they put into this property would be at their risk after receiving the new notice.

At this time, Chairwoman Sims made a motion to suspend the rules relative to placing this matter on tonight's agenda for consideration. Council Member Alexander made a second to the motion which carried unanimously. [8-0 vote] [Henley was absent]

Directed staff to forward a letter to the property owner, the lender, and any other interested parties of the council's intent to bring a demolition ordinance forward to Council for consideration at the August 20, 2012 meeting.

Chairwoman Sims then offered a motion to direct staff to forward a letter to the property owner, the lender, and any other interested parties of the council's intent to bring a demolition ordinance forward to Council for consideration at the August 20, 2012 meeting. Council Member Douglas made a second to the motion which carried unanimously. [8-0 vote] [Henley was absent]

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey
Absent: 1- A.B. Henley

Pending Items

120032 Ordinance - Demolition of Structure - 1315 Vernon Place

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 1315 Vernon Place belonging to David L. and Minnie L. Terry.

Attachments: [Demolition Ordinance - 1315 Vernon Place.pdf](#)

Katherine Bossi, Local Codes Enforcement Supervisor, gave a brief update on the status of this housing case. She reported that the repairs are almost complete and should be fully completed by the next meeting date. The property owner's intent is to have his son occupy the dwelling.

PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY COMMITTEE

Chaired by Mayor Pro Tem Whitley

Committee Members: Sims, Henley and Moore

(Henley was absent)

120202 Minor Amendment to Conditional Use Permit 07-31

A request by Ralph Lauren to amend vehicular access condition, to allow an additional access point to North Pendleton Street.

Attachments: [Minor Amendment Staff Report - CUP07-31.pdf](#)

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

Chairman Whitley asked if there was anyone present who would like to speak regarding this Minor Amendment to Conditional Use Permit 07-31. There being none, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Approved Minor Amendment to Conditional Use Permit 07-31, amending Condition II.B.1.a (allowing three access points from N. Pendleton Street) based on staff's determination that the amendments to the conditions of a Conditional Use Permit will result in equal or better performance, with the third private drive access being in the same location as the previously approved public street, and will not alter the objective and purpose of the initially approved Conditional Use Permit.

A motion was made by Mayor Pro Tem Whitley, seconded by Council Member Sims, that this matter be approved. The motion carried by the following vote:

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

PUBLIC COMMENT PERIOD - 5:15 P.M.

Cynthia Davis, 413 Evergreen Avenue, addressed Council . She explained that she was pleased that Council chose to go with the pay-as-you-go for the Downtown Wi-Fi project versus financing it, but was disappointed that there would be an estimated \$54,000 for an annual backhaul fee (internet access), and the annual maintenance for the equipment (\$14,400) bringing the additional cost to the taxpayers at \$68,400 annually. She felt there was not adequate seating for residents to visit downtown and sit outside at their leisure to take advantage of the Wi-Fi service being proposed. She also expressed concerns that all residents living outside this area, would not have the same access to the Wi-Fi.

Mayor Smothers thanked Ms. Davis for her comments and felt it might be helpful for the city to advertise and get the word out to the public that seating is available throughout the downtown area.

PUBLIC HEARINGS ON ITEMS - 5:30 P.M.

120204 Public Hearing - Filing of FY 2013 FTA Section 5307 Grant Application - Hitran

Monday, August 6, 2012 at 5:30 p.m. is the date and time established to receive public comments on the filing of the FY 2013 FTA Section 5307 operating, capital and planning grant application for High Point Transit, the Thomasville portion of Davidson County Transportation System, and the area within High Point served by Guilford County Transportation System.

[FY 2013 FTA - Hi Tran - Public Hearing.pdf](#)
Attachments:

The public hearing on this matter was held on Monday, August 6, 2012 at 5:30 p.m.

Buddy Cox, Transit Manager for Hitran, noted that in compliance with federal and state guidelines, a public hearing must be held for the grant application and the filing of the grant application with FTA and NCDOT must be authorized by the City Council.

At this time, Chairman Alexander opened the public hearing and asked if there was anyone present who would like to address Council regarding the grant application. There being no one present to comment, the public hearing was declared closed.

Council Member Sims commended Hitran on doing a very good job in moving residents around and getting them to their destinations and she hopes residents do not take the bus service for granted. The Mayor expressed concerns regarding the lack of public participation in the public hearing. Council Member Sims pointed out there are some residents that have voiced concerns regarding the bus service in the past with Larry Diggs being a big advocate.

There being no further comments, the Committee recommended this matter be placed on Thursday's agenda with a favorable recommendation.

Authorized the filing of the FY 2013 FTA Section 5307 operating capital and planning grant application for High Point Transit, the Thomasville portion of Davidson County Transportation System, and the area within High Point served by Guilford County Transportation System.

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this matter be approved. The motion carried by the following vote:

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

ANY OTHER NEW BUSINESS

120205 Reappointment - Historic Preservation Commission - Peter Freeman

Council is requested to confirm the reappointment of Peter Freeman to the Historic Preservation Commission. Reappointment to be effective immediately and will expire July 1, 2015.

Approved the reappointment of Peter Freeman to the Historic Preservation Commission.

A motion was made by Council Member Alexander, seconded by Council Member Sims, that this matter be approved. The motion carried by the following vote:

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

120206 Appointment - Housing Authority Board - Taronza Sherika Berry

Council is requested to confirm the appointment of Taronza Sherika Berry to the Housing Authority Board to fill the unexpired term of Mary Brown who has resigned. Appointment to be effective immediately and will expire December 22, 2013.

Attachments: [BERRY Taronza Sherika 2012.pdf](#)

Approved the appointment of Taronza Sherika Berry to the Housing Authority Board.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this matter be approved. The motion carried by the following vote:

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

120210 Appointment- Library Board of Trustees- Yvonne Bostic Short

Council Member Sims is bringing forward the name of Yvonne Bostic Short for consideration of appointment as the Ward 1 representative on the Library Board of Trustees. Council is requested to confirm the appointment of Yvonne Bostic Short to the Library Board of Trustees. Appointment to be effective immediately and will expire 10/31/2014.

Since this matter did not originally appear on tonight's agenda, motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley to suspend the rules relative to placing this matter on tonight's agenda in order for it to be considered. The motion carried unanimously. [8-0 vote] [Henley was absent]

Approved the appointment of Yvonne Bostic Short to the Library Board of Trustees.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this matter be approved. The motion carried by the following vote:

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey
Absent: 1- A.B. Henley

120209 Proposed Change in Meeting Schedule - Labor Day Holiday - September 3, 2012

Consideration of change in meeting scheduled for September 3rd at 4:45 p.m. Suggested meeting dates are Tuesday, September 4th at 4:45 or Thursday, September 6th at 9:00 a.m.

Approved the change in the meeting time in September from Monday, September 3rd at 4:45 p.m. to Tuesday, September 4th at 4:45 p.m. due to a conflict with the Labor Day holiday.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Whitley, that this matter be approved. The motion carried by the following vote:

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey
Absent: 1- A.B. Henley

For Information Only:

Hydrofoil National Championship Competition and the High Point Cycling Classic Criterium Races

Council Member Moore thanked everyone for their help with these two great events that were recently held in High Point. The Mayor suggested staff provide a summary to City Council of the services that the various city departments make available that help to make these events successful. Council Member Moore mentioned that next year (2013), the national championships for the Criterium were being planned for High Point which could bring a lot of positive attention to the city.

City Manager and City Clerk's Annual Performance Evaluation

Mayor Smothers reminded Council that the Council would meet on Thursday, August 9th at 9:00 a.m. to conduct the managers and clerks annual performance evaluation.

Planning, Economic Dev. & Information Technology Committee

Mayor Pro Tem Whitley reminded Council that the Planning, Economic Development & Information Technology would meet on Wednesday, August 8th at 9:00 a.m. at the High Point Realtors Association on Eastchester Drive to discuss the Development Review Process.

120208 APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS**Approval of the following minutes:**

Combined Meeting held Monday, July 16th @ 4:45/5:30 p.m.

Planning, Economic Development & Information Technology Committee Meeting held Tuesday, July 17th @ 9:00 a.m.

Attachments: [July 16 2012 High Point City Council Combined Meeting Minutes](#)
 [July 17 2012 PEDIT Committee minutes](#)

The minutes of the preceding meetings were unanimously approved as submitted upon motion by Council Member Sims and second by Mayor Pro Tem Whitley.

Aye: 8- Rebecca Smothers, Latimer Alexander, Britt Moore, Bernita Sims, Foster Douglas, Michael Pugh, Christopher Whitley, and James Corey

Absent: 1- A.B. Henley

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 5:45 p.m. upon motion duly made and seconded.

Respectfully Submitted,

Rebecca R. Smothers, Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk

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

ORDINANCE REQUEST: Ordinance to Demolish

PROPERTY ADDRESS: 501 Meredith Street (A, B, C, D)

OWNER: Schwarz Properties, LLC

FIRST INSPECTION: Number of Violations: Major 6 Minor **
5-11-2010 1) broken window glass
2) inoperable/missing plumbing fixtures
3) missing/damaged electrical fixtures
4) missing window screens
5) holes in interior walls
6) no smoke detectors

****similar code violations in each unit****

Access is still required to verify violations and to document any further deterioration or damage.

ORDER(S) ISSUED: Order to Repair 6-4-2010

ORDINANCE ADOPTED: Ordinance to Vacate 7-19-2010
Ordinance to Demolish 11-7-2011 (not adopted-granted extension)

CURRENT STATUS: Apartment A – Vacant and secure
8-9-2012 Apartment B – Vacant and secure
Apartment C – Vacant and secure
Apartment D – Vacant and secure

FINDINGS:

The Minimum Housing Code provides for additional action if repairs are not made within one year after the Ordinance to Vacate is issued. Council may enact an ordinance to demolish if they find that:

- the owner has abandoned the intent and purpose to repair; alter or improve the dwelling in order to render it fit for human habitation
 - there have been no permits obtained
 - there have been no repairs or improvements made to any of the complex units
 - on November 7, 2011 the owner presented to Council an apparent contract to repair
- the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants and would attract persons intent on criminal activity
 - the dwelling units have been maintained in a properly secured manner
 - no specific Police Department calls to this building
- the continuation of the dwelling in its vacated and closed status would cause and contribute to blight and the deterioration of the property values in the area, and would render unavailable property and a dwelling which might otherwise have been available to ease the persistent shortage of decent and affordable housing in this state
 - the adjoining property to the east, the Carson Stout development, has recently undergone major rehabilitation

ADDITIONAL INFORMATION:

Estimated cost of demolition for the entire complex is just over **\$105,000 (need to update)** which does not include any asbestos surveys or removal.

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

ORDINANCEREQUEST: Ordinance to Demolish

PROPERTYADDRESS: 503 Meredith Street (A, B, C, D)

OWNER: Schwarz Properties, LLC

FIRST INSPECTION: Number of Violations: Major 6 Minor **
5-11-2010
1) broken window glass
2) inoperable/missing plumbing fixtures
3) missing/damaged electrical fixtures
4) missing window screens
5) holes in interior walls
6) no smoke detectors
similar code violations in each unit
Access is still required to verify violations and to document any further deterioration or damage.

ORDER(S) ISSUED: Order to Repair 6-4-2010

ORDINANCE ADOPTED: Ordinance to Vacate 7-19-2010
Ordinance to Demolish 11-7-2011 (not adopted-granted extension)

CURRENT STATUS: Apartment A – Vacant and secure
11-8-2011 Apartment B – Vacant and secure
Apartment C – Vacant and secure
Apartment D – Vacant and secure

FINDINGS:

The Minimum Housing Code provides for additional action if repairs are not made within one year after the Ordinance to Vacate is issued. Council may enact an ordinance to demolish if they find that:

- the owner has abandoned the intent and purpose to repair; alter or improve the dwelling in order to render it fit for human habitation
 - there have been no permits obtained
 - there have been no repairs or improvements made to any of the complex units
 - on November 7, 2011 the owner presented to Council an apparent contract to repair
- the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants and would attract persons intent on criminal activity
 - the dwelling units have been maintained in a properly secured manner
 - December 1, 2010 Police responded to call regarding open doors at units B and D; owner secured units as directly by Police
 - May 19, 2011 Police responded to burglary call to unit A
 - September 19, 2011 Police responded to larceny call from Piedmont Natural Gas for three stolen gas meters
- the continuation of the dwelling in its vacated and closed status would cause and contribute to blight and the deterioration of the property values in the area, and would render unavailable property and a dwelling which might otherwise have been available to ease the persistent shortage of decent and affordable housing in this state
 - the adjoining property to the east, the Carson Stout development, has recently undergone major rehabilitation

ADDITIONAL INFORMATION:

Estimated cost of demolition for the entire complex is just over **\$105,000** which does not include any asbestos surveys or removal.

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

ORDINANCEREQUEST: Ordinance to Demolish

PROPERTYADDRESS: 505 Meredith Street (A, B, C, D)

OWNER: Schwarz Properties, LLC

FIRST INSPECTION: Number of Violations: Major 6 Minor **
2-4-2010
1) broken window glass
2) inoperable/missing plumbing fixtures
3) missing/damaged electrical fixtures
4) missing window screens
5) holes in interior walls
6) no smoke detectors
similar code violations in each unit
Access is still required to verify violations and to document any further deterioration or damage.

ORDER(S) ISSUED: Order to Repair 3-17-2010

ORDINANCE ADOPTED: Ordinance to Vacate 7-19-2010
Ordinance to Demolish 11-7-2011 (not adopted-granted extension)

CURRENT STATUS: Apartment A – Vacant and secure
11-8-2011 Apartment B – Vacant and secure
Apartment C – Vacant and secure
Apartment D – Vacant and secure

FINDINGS:

The Minimum Housing Code provides for additional action if repairs are not made within one year after the Ordinance to Vacate is issued. Council may enact an ordinance to demolish if they find that:

- the owner has abandoned the intent and purpose to repair; alter or improve the dwelling in order to render it fit for human habitation
 - there have been no permits obtained
 - there have been no repairs or improvements made to any of the complex units
 - on November 7, 2011 the owner presented to Council an apparent contract to repair
- the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants and would attract persons intent on criminal activity
 - the dwelling units have been maintained in a properly secured manner
 - no specific Police Department calls to this building
- the continuation of the dwelling in its vacated and closed status would cause and contribute to blight and the deterioration of the property values in the area, and would render unavailable property and a dwelling which might otherwise have been available to ease the persistent shortage of decent and affordable housing in this state
 - the adjoining property to the east, the Carson Stout development, has recently undergone major rehabilitation

ADDITIONAL INFORMATION:

Estimated cost of demolition for the entire complex is just over \$84,000 which does not include any asbestos surveys or removal.

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

ORDINANCEREQUEST: Ordinance to Demolish

PROPERTYADDRESS: 507 Meredith Street (A, B, C, D)

OWNER: Schwarz Properties, LLC

FIRST INSPECTION: Number of Violations: Major 6 Minor **
5-13-2010
1) broken window glass
2) inoperable/missing plumbing fixtures
3) missing/damaged electrical fixtures
4) missing window screens
5) holes in interior walls
6) no smoke detectors
similar code violations in each unit
Access is still required to verify violations and to document any further deterioration or damage.

ORDER(S) ISSUED: Order to Repair 6-9-2010

ORDINANCE ADOPTED: Ordinance to Vacate 7-19-2010
Ordinance to Demolish 11-7-2011 (not adopted-granted extension)

CURRENT STATUS: Apartment A – Vacant and secure
11-8-2011 Apartment B – Vacant and secure
Apartment C – Vacant and secure
Apartment D – Vacant and secure

FINDINGS:

The Minimum Housing Code provides for additional action if repairs are not made within one year after the Ordinance to Vacate is issued. Council may enact an ordinance to demolish if they find that:

- the owner has abandoned the intent and purpose to repair; alter or improve the dwelling in order to render it fit for human habitation
 - there have been no permits obtained
 - there have been no repairs or improvements made to any of the complex units
 - on November 7, 2011 the owner presented to Council an apparent contract to repair
- the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants and would attract persons intent on criminal activity
 - the dwelling units have been maintained in a properly secured manner
 - no specific Police Department calls to this building
- the continuation of the dwelling in its vacated and closed status would cause and contribute to blight and the deterioration of the property values in the area, and would render unavailable property and a dwelling which might otherwise have been available to ease the persistent shortage of decent and affordable housing in this state
 - the adjoining property to the east, the Carson Stout development, has recently undergone major rehabilitation

ADDITIONAL INFORMATION:

An estimate was received on 8-10-2012 for the demolition for the entire complex. The estimate is \$84,000. This estimate does not include any asbestos surveys or removal.

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

ORDINANCEREQUEST: Ordinance to Demolish

PROPERTYADDRESS: 509 Meredith Street (A, B, C, D)

OWNER: Schwarz Properties, LLC

FIRST INSPECTION: Number of Violations: Major 6 Minor **
5-13-2010
1) broken window glass
2) inoperable/missing plumbing fixtures
3) missing/damaged electrical fixtures
4) missing window screens
5) holes in interior walls
6) no smoke detectors
similar code violations in each unit
Access is still required to verify violations and to document any further deterioration or damage.

ORDER(S) ISSUED: Order to Repair 6-9-2010

ORDINANCE ADOPTED: Ordinance to Vacate 7-19-2010
Ordinance to Demolish (not adopted-granted extension)

CURRENT STATUS: Apartment A – Vacant and secure
11-8-2011 Apartment B – Vacant and secure
Apartment C – Vacant and secure
Apartment D – Vacant and secure

FINDINGS:

The Minimum Housing Code provides for additional action if repairs are not made within one year after the Ordinance to Vacate is issued. Council may enact an ordinance to demolish if they find that:

- the owner has abandoned the intent and purpose to repair; alter or improve the dwelling in order to render it fit for human habitation
 - there have been no permits obtained
 - there have been no repairs or improvements made to any of the complex units
 - on November 7, 2011 the owner presented to Council an apparent contract to repair
- the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants and would attract persons intent on criminal activity
 - the dwelling units have been maintained in a properly secured manner
 - no specific Police Department calls to this building
- the continuation of the dwelling in its vacated and closed status would cause and contribute to blight and the deterioration of the property values in the area, and would render unavailable property and a dwelling which might otherwise have been available to ease the persistent shortage of decent and affordable housing in this state
 - the adjoining property to the east, the Carson Stout development, has recently undergone major rehabilitation

ADDITIONAL INFORMATION:

An estimate was received on 8-10-2012 for the demolition for the entire complex. The estimate is \$84,000. This estimate does not include any asbestos surveys or removal.

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

ORDINANCEREQUEST: Ordinance to Demolish

PROPERTYADDRESS: 511 Meredith Street (A, B, C, D)

OWNER: Schwarz Properties, LLC

FIRST INSPECTION: Number of Violations: Major 7 Minor __
5-12-2010
1) broken window glass
2) inoperable/missing plumbing fixtures
3) missing/damaged electrical fixtures
4) missing window screens
5) holes in interior walls
6) no smoke detectors
7) missing water heaters
similar code violations in each unit
Access is still required to verify violations and to document any further deterioration or damage.

ORDER(S) ISSUED: Order to Repair 6-2-2010

ORDINANCE ADOPTED: Ordinance to Vacate 7-19-2010
Ordinance to Demolish (not granted-granted extension)

CURRENTSTATUS: Apartment A – Vacant and secure
11-8-2011 Apartment B – Vacant and secure
Apartment C – Vacant and secure
Apartment D – Vacant and secure

FINDINGS:

The Minimum Housing Code provides for additional action if repairs are not made within one year after the Ordinance to Vacate is issued. Council may enact an ordinance to demolish if they find that:

- the owner has abandoned the intent and purpose to repair; alter or improve the dwelling in order to render it fit for human habitation
 - there have been no permits obtained
 - there have been no repairs or improvements made to any of the complex units
 - on November 7, 2011 the owner presented to Council an apparent contract to repair
- the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants and would attract persons intent on criminal activity
 - the dwelling units have been maintained in a properly secured manner
 - no specific Police Department calls to this building
- the continuation of the dwelling in its vacated and closed status would cause and contribute to blight and the deterioration of the property values in the area, and would render unavailable property and a dwelling which might otherwise have been available to ease the persistent shortage of decent and affordable housing in this state
 - the adjoining property to the east, the Carson Stout development, has recently undergone major rehabilitation

ADDITIONAL INFORMATION:

An estimate was received on 8-10-2012 for the demolition for the entire complex. The estimate is \$84,000. This estimate does not include any asbestos surveys or removal.

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

ORDINANCE REQUEST: Ordinance to Demolish

PROPERTY ADDRESS: 513 Meredith Street (A, B, C, D)

OWNER: Schwarz Properties, LLC

FIRST INSPECTION: Number of Violations: Major 7 Minor __
5-11-2010
1) broken window glass
2) inoperable/missing plumbing fixtures
3) missing/damaged electrical fixtures
4) missing window screens
5) holes in interior walls
6) no smoke detectors
7) missing water heaters
similar code violations in each unit

ORDER(S) ISSUED: Order to Repair 6-3-2010

ORDINANCE ADOPTED: Ordinance to Vacate 7-19-2010
Ordinance to Demolish (not adopted-granted extension)

CURRENT STATUS: Apartment A – Vacant and secure
11-8-2011 Apartment B – Vacant and secure
Apartment C – Vacant and secure
Apartment D – Vacant and secure

FINDINGS:

The Minimum Housing Code provides for additional action if repairs are not made within one year after the Ordinance to Vacate is issued. Council may enact an ordinance to demolish if they find that:

- the owner has abandoned the intent and purpose to repair; alter or improve the dwelling in order to render it fit for human habitation
 - on November 7, 2011 the owner presented to Council an apparent contract to repair
 - permits have been obtained for building (permit number 234906 issued 12-16-2011) and plumbing (permit number 234883 issued 3-1-2012)
 - there have been repairs made to replace guardrails and other structural repairs to the building
 - all repair work appears to have stopped on this building
- the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of municipality in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants and would attract persons intent on criminal activity
 - the dwelling units have been maintained in a properly secured manner
 - August 9, 2010 Police responded to a burglary call to unit A where it was reported that the water heater had been stolen
- the continuation of the dwelling in its vacated and closed status would cause and contribute to blight and the deterioration of the property values in the area, and would render unavailable property and a dwelling which might otherwise have been available to ease the persistent shortage of decent and affordable housing in this state
 - the adjoining property to the east, the Carson Stout development, has recently undergone major rehabilitation

ADDITIONAL INFORMATION:

An estimate was received on 8-10-2012 for the demolition for the entire complex. The estimate is \$84,000. This estimate does not include any asbestos surveys or removal.



501-513 Meredith Street

Ordinance to Demolish



Location of subject property

Department of Planning
and Development

City of High Point

Date: August 13, 2012



Scale: 1"=150'
y:/ba-pz/Inspection/vacate



**FINANCE COMMITTEE
AUGUST 6, 2012 - 3:00 P.M
CITY MANAGER'S CONFERENCE ROOM**

MINUTES

PRESENT:

Chairman Alexander, and Committee Members Corey, Smothers and Whitley

ALSO PRESENT:

Council Members Moore, Douglas, and Sims

STAFF PRESENT:

Strib Boynton, City Manager; Pat Pate, Assistant City Manager; Randy McCaslin, Assistant City Manager; Lisa Vierling, City Clerk; Jeff Moore, Finance Director; Garey Smith, Fleet Maintenance; Fred Baggett, City Attorney; Buddy Cox, HiTran; Steve Lingerfelt, Director of Information Services; Dawn Sparks, Deputy City Clerk

MEDIA PRESENT:

Paul Clark, *Rhinoceros Times*

OTHERS PRESENT:

Cynthia Davis, Planning & Zoning Commission
William B. Moss (USMC Vet), The War Memorial Foundation
Hon. William H. Knight (USCGR Vet), The War Memorial Foundation
Tom Dayvault (USA Vet), The War Memorial Foundation
Hon. Laura I. Wiley, The War Memorial Foundation

**Presentation of The War Memorial Foundation
Support for Field of Honor**

Former Greensboro Mayor Knight gave a presentation on the Carolina Field of Honor being planned for Triad Park. It is a \$5.0 million project. Forsyth and Guilford Counties have set aside land and infrastructure for the Triad Park of about 8 acres that is valued at \$1.5 million. The Foundation has embarked on the other \$3.5 million. Foundations, private individuals and businesses have pledged approximately \$800,000 to \$900,000 in funding.

The Foundation is seeking \$250,000 funding from High Point, Greensboro and Winston-Salem. The Foundation is asking for High Point to give this careful consideration.

Council Member Alexander asked how much money they have in the bank now. Mr. Knight stated that their year's end is September 30th, and right now they are just under \$500,000. They have a number of promises from different foundations and businesses, and are now working on

formalizing those promises. The Foundation has a number of requests out to different foundations for their support. If the Foundation could get some municipal funding they could bank those dollars and it would help to get the project underway.

Council Member Alexander had a concern of the City funding nonprofits outside the city and county and questioned what the City's ability to donate funds to nonprofits outside city and county. Mr. Knight stated that geographically about 8/10ths of the park sits in Guilford County, and it will be open to any facility or county to use, or individual to use for any number of functions. Mayor Smothers stated that High Point has donated to nonprofits before, and this is just a matter of whether council wants to participate in the Field of Honor. Mayor Smothers stated that in speaking with Mayor Perkins this afternoon, that Greensboro is looking at a contribution according to population to generate the \$250,000.

Mayor Smothers stated that she would expect the Council, with a recommendation from Finance, will take this for study and then look at those numbers and talk about whether there is the will to do it, and whether it would be a two year commitment or three year. Mayor Smothers stated it was her hope that they consider challenging the community to match the tax dollar with the private dollar so that everybody has an investment in this as a community, and possibly some solute to those that have served that are from High Point.

Fred Baggett clarified that as far as the law is concerned the City could donate to a nonprofit to support anything related to what High Point citizens could conceivably use as parks and recreation, or memorial type facilities. Mr. Baggett stated he would only be concerned if it were inconceivable that High Point residents wouldn't benefit from it at all. Strib Boynton stated that the idea was that this is a positive thing and High Point should support it, and that they should try to keep it simple without it taking on a life of its own. With the general consensus of council they can work out the details.

The counties have agreed to assume maintenance of the park once it is complete. Mr. Knight stated that as they go forward their foundation has an operating budget of about \$10,700 a year.

120197 Contract - James River Equipment Company - Wheel Loader

Council is requested to approve contract for the purchase of a new 2012 John Deere 524K Wheel Loader per the current U.S. General Services Administration (GSA) contract. Purchasing and Fleet Services recommends the contract be awarded to James River Equipment Company in the amount of \$134,257.41 which is the lowest responsible and responsive bidder meeting specifications.

Garey Smith stated that this equipment is to replace a 15 year-old wheel loader that is out at the MERF, which has 11,500 hours on it. The local service facility the City used for this loader closed in 2010, leaving Charlotte as the closest service provider. Due to the age of the equipment they would like to replace it with this John Deere, which has a service facility in Greensboro. They are also requesting to declare the old loader as surplus and to dispose of it on an online auction process.

Council Member Douglas asked about what the maintenance costs have been on the loader. Mr. Smith stated that they have actually spent more than the original purchase price on maintenance of the loader, which is a good indicator that it is toward the end of its useful life.

A motion was made by Mayor Smothers, seconded by Council Member Whitley to forward this matter to Council with a favorable recommendation for approval. Motion passed unanimously.

120198**Contract - Piedmont Truck Center - Ford Dump Trucks**

Council is requested to approve contract for the purchase of two (2) Ford F750 Dump Trucks for use by the Streets Division per North Carolina State Contract. Purchasing and Fleet Services recommends that contract be awarded to Piedmont Truck Center in the amount of \$209,512.00 which is the lowest responsive and responsible bidder meeting specifications.

Mr. Smith stated that this contract is with a local vendor to replace two 15 year-old dump truck with snow removal equipment. Both of these trucks have over 100,000 miles on them and are used year around for street maintenance and snow removal. Council Member Alexander asked if they will use the old trucks to use as snow removal or is it more cost effective to go ahead and sell them. Mr. Smith stated that while these trucks are still running it is a good time to sell them. Since these trucks are 15 years old, a lot of the parts and emissions related equipment are harder to come by now. Council Member Corey stated he was surprised that the dump trucks cost over \$100,000. Mr. Smith stated that the price includes the snow removal equipment as well.

A motion was made by Council Member Whitley, seconded by Council Member Corey to forward this matter to Council with a favorable recommendation for approval. Motion passed unanimously.

120199**Contract Extension - Asplundh - Tree Trimming**

Council is requested to approve a one-year contract extension for tree trimming services for the Electric Department (ElectriCities cooperative contract) to Asplundh in the amount of \$588,066.00.

Council Member Alexander felt that Asplundh does a good job for the City. Randy McCaslin stated that this is part of a multi-year contract with ElectriCities who has bid it out competitively across the state. Council Member Sims asked if it was standard to charge an hourly rate for trimmers and also an hourly rate for the equipment. Mr. McCaslin stated that this is standard practice. Mayor Smothers stated that she is not going to support the motion for the contract because she has issues with the contract and company. Council Member Corey

felt that the contract price was very high. Strib Boynton advised that tree trimming is fundamental to prevent power outages through the entire city.

Council Member made a motion to forward this matter to Council with a favorable recommendation for approval. The motion died for lack of a second. This item will be placed on City Council's agenda without recommendation.

120200

Contract Extension - Breece Enterprises - Water & Sewer Improvements

Council is requested to approve a final and maximum contract extension to the Breece Enterprises contract for additional water and sewer improvements in the amount of \$881,700.00.

Pat Pate explained that this contract is for the various obsolete water and sewer lines throughout the city. They are continuing to look at priority areas, which are mostly areas that have aged. Council Member Alexander asked if they will be looking at these streets for resurfacing as well. Mr. Pate stated that once the line is put back in they are required to bring pavement back up. Mr. Pate stated that then as a part of the resurfacing program, they look those streets and add them to the resurfacing list. Council Member Douglas asked for explanation of the extension clause of the contract. Pat Pate explained that when they put out a bid for a project like this, which is not a specific contract where they are building a street, but they are dealing with a certain amount of water and sewer line projects, they are typically done on a basis from the money that is available the first of the year, and with that contract it is allowed to be extended one time for the amount of the original contract. This gives the city the option if they assume that the pricing is good to extend it one time, then after that they have to go out for bids.

A motion was made by Council Member Corey, seconded by Council Member Whitley to forward this matter to Council with a favorable recommendation for approval. Motion passed unanimously.

120201

Resolution Authorizing Financing & Budget Ordinance Amendment for Downtown Wi-Fi Project

Council is requested to 1) authorize the City Manager and Financial Services Director to accept the proposal for the lease-purchase agreement with BB&T Governmental Finance, to authorize the borrowing as evidenced in the attached resolution, and to prepare and execute the necessary documents in connection with the financing agreement, and 2) adopt a budget ordinance in the amount of \$104,092 to appropriate funds for a Downtown Wi-Fi project.

Note: Council Member Alexander explained that as opposed to going out for financing for the Wi-Fi project, they have decided to fund this project for a pay as you go project. Therefore this item will be removed from Council's agenda.

120207 Contract - HIT Solutions - Downtown Wi-Fi Project

Consideration of contract with HIT Solutions (Meraki) in the amount of \$104,092.00 to install an outdoor downtown wireless (Wi-Fi) solution for the City of High Point.

Strib Boynton stated that they are recommending installation of an outdoor downtown Wi-Fi for \$104,092.00, which is what it will cost to buy the equipment. It is recommended that this will be funded from the fund balance of the general fund. This Wi-Fi will be available for free for anyone who is downtown. Mr. Boynton stated that one of the items they talked about at Council Retreat is trying to provide WiFi for the downtown. Northstate or Time Warner will service the WiFi, and it is estimated that cost to be about \$54,000 a year.

Council Member Whitley stated that this is a unique and great opportunity for uses in the downtown block, with the potential for outdoor dining with access to Wi-Fi.

Council Member Alexander asked what the potential is for a provider to advertise to reduce city costs. Mr. Lingerfelt stated that you could do it on a splash page or a web page that is set up for that area. The WiFi is just for providing internet connection.

Council Member Alexander stated that this was at the top of the Furniture Market's list of projects that need to be worked on. Mr. Boynton stated he was pleased they were able to do it for a fraction of what they originally estimated the costs to be.

Mr. Boynton stated for financing they will be recommending an ordinance for pay as you go financing.

A motion was made by Council Member Whitley, seconded by Council Member Corey to forward this item to Council with a favorable recommendation for approval. Motion passed unanimously.

Note: Council Member Alexander stated that they will make a motion to remove the 120207 for financing portion of this project and then suspend the rules to adopt an ordinance for pay as you go financing.

OTHER ITEMS

HiTran Grant Application Council Member Alexander stated that at tonight's meeting there is a public hearing scheduled for the Transit Authority Grant Application, which is standard and

done every year. Council Member Sims asked if they were looking at the routes. Buddy Cox stated that with this grant application they were looking at short range transit plan to start the process.

Economic Development Mayor Smothers reported that she had lunch with Mayor Joines and Mayor Perkins to talk about a previous issue related to incentives and from that meeting and they did agree that a Tri City Job Incentive Guide would be helpful for consideration and so the staffs have agreed to get together to put some guidelines down to take back to the various councils to see if there was support going forward.

ABC Board Council Member Alexander stated that as the liaison to the High Point ABC Board, it has been an honor serve as liaison, and he stated that the City has a wonderful ABC Board and ABC operations. Council Member Alexander stated that it is the most remarkable retail operation he has ever observed. Mayor Smothers advised that they do have a reappointment coming up in October for the ABC Board. James Tanner is eligible for a reappointment, and there is also one vacancy on the board. Council Member Sims cautioned the Council regarding the set term limits. Mayor Smothers stated that for this position it requires so much concentration by the board members in terms of being on top of the business and Mr. Tanner's expertise with HR is invaluable. Council Member Alexander stated that the chemistry of this board is excellent. They have paid off the new ABC building a year early. Council Member Sims again cautioned the Council that when they went to this model of setting term limits for board members it was for a reason, and stated there are other that possess the same expertise, and thought they had set that in place and should follow it.

COG Property Issues Council Member Alexander stated that after the merger of the COG, the Cog found themselves with an office in Greensboro and in Downtown Winston-Salem, which both of those leases are up now and on a month to month basis. The COG as well as the Board feels that getting everyone under one roof is the right thing to do. The COG is now looking at a number of other properties which are new buildings. The first choice location is kind of across from Bishop McGuinness High School. The building is a \$4.0 million construction of a 25,000 square foot building that includes its land costs. They brought a vote to the Executive Committee for a lease option. The COG does not want to lease the building, they want to own the building, but the reason for the lease was so that the contractor could take that bankable lease and go to a bank, get a construction loan, and begin the construction of the building, and then come back to the COG once the building was built for lease or purchase option. Because the COG is a 74 member organization of local governments, they would have to go before the Local Government Commission, and they will have to authorize them to go out to the membership, then they would present to the membership a financing option. Council Member Alexander stated that the lease that they want to sign is for fifteen years at \$30,000 a month, or a \$5.4 million lease, and felt this lease is either a go or no go on the building. Once the final vote is taken on August 15th from the full delegate body, the building is built. The lease does not cover maintenance, insurance or anything. Strib Boynton asked what they were paying a month now. Council Member Alexander stated that the expenditures now do not quite total \$30,000, but they are very close to that. This vote is for a bankable lease which will build the building, and then they will be obligated. Council Member Alexander stated he was the lone vote out of the executive committee to say absolutely no. Council Member Alexander stated he brings this to

Council because he needs Council's advice, because on the 15th he can make an argument against it. Council Member Alexander stated that the lease will be \$17.80 a square foot, plus the utilities and other expenses, which will be close to \$25.00 a square foot. Mr. Boynton stated that there are a lot of showroom offices in downtown High Point available as well as Eastchester for much less than that.

Mayor Smothers stated that Council Member Alexander has shared this concern with her over the period of time the Board has discussed moving, and she suggested that he prepare a summary which she also gave to Mayor Joines and Mayor Perkins today. Mayor Smothers felt that they were not aware of this. The general reaction was as much office space that is already available to be able to move into something that is empty now might have more value than building something. Mayor Smothers also noted that just the location of this property is prime and near I-40 and it would be de-annexed and taken off the tax books, which doesn't make much sense to her. Council Member Alexander stated that the COG is pursuing some type of financing through some rural development agency, and in order to obtain that financing they would have to have Kernersville to de-annex what is already within the corporate limits.

Council Member Sims expressed the concern that the COG feels they really need to own the building, and their income stream is primarily from the member cities that belong to the COG, so at any point in time should a council decide that they no longer want to participate in the COG, it now effects that funding stream that is supposed to pay for this building.

Council Member Alexander shared Council Member Sims' concern and that you would now own a piece of property with 73 others, and felt it was not what they need to be doing. Council Member Alexander requested Council's approval to vote no on this lease purchase. The Council agreed and gave their approval.

Fred Baggett stated that this is a judgment call for Council to make. The COG would own the building in its own name and High Point would have an interest in it. If they borrowed the money to buy it, each unit would be obligated to pay their proportionate share. Council Member Alexander stated that 70% of the total membership will have to sign the borrowing documents pledging their taxing authority as collateral.

There being no further business to come before Council, the meeting adjourned at 4:34 p.m.

Respectfully Submitted,

Dawn J. Sparks, CMC
Deputy City Clerk

Latimer Alexander, Chairman

PLANNING AND ZONING COMMISSION RECOMMENDATION

On July 24, 2012, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Keith McInnis and Mr. Carson Lomax.

City of High Point

Land Use Plan Amendment Case 12-05

A request by the City of High Point Planning & Development to establish initial Land Use Map classifications of Low Density Residential, Office, and Community/Regional Commercial for approximately 19 acres lying along the west side of Baker Road between East Fairfield Road and Stratford Road.

AND

City of High Point

Zoning Case 12-09

A request by the City of High Point City Council to establish an initial City zoning designation of Residential Single Family-9 (RS-9) District to approximately 8.4 acres added to the corporate limits from a land area exchange with the City of Archdale. The property is lying along the west side of Baker Road, approximately 490 feet north of S. Main Street (*203,231 and 233 Baker Road*) and at the northwest and southwest corners of Baker Road and Weaver Avenue (*503, 507, 509, 511 and 601 Baker Road*).

Mr. Shannon presented both requests and recommended approval as outlined in the staff report.

No one spoke in favor or in opposition to the request.

The Planning & Zoning Commission recommended **approval** of Land Use Plan Amendment Case 12-05 by a vote of 7-0.

The Planning & Zoning Commission recommended **approval** of Zoning Case 12-09 by a vote of 7-0.

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

**STAFF REPORT
LAND USE PLAN AMENDMENT CASE 12-05, AND ZONING CASE 12-09
July 24, 2012**

Requests		
Applicant: City of High Point	Owner: Various property owners	
LUPA Proposal: To establish initial Land Use Map classification for approximately 19 acres	From:	Undesignated and Medium Density Residential
	To:	Low Density Residential, Office and Community /Regional Commercial
Zoning Proposal: To establish initial City zoning for approximately 8.4 acres, shown in two Tracts, A and B.	From:	Area is currently not zoned. Both the northern tract (Tract A) and the southern tract (Tract B) were zoned R-15 (Residential: 15,000 sq.ft. min. lot) when within the City of Archdale.
	To:	RS-9 Residential Single Family-9 District

Site Information		
Location:	Tract A of the zoning site is lying at the northwest and southwest corners of Baker Road and Weaver Avenue (503, 507, 509, 511 & 601 Baker Road). Tract B of the zoning site is lying along the west side of Baker Road, approximately 490 feet north of S. Main Street (203 thru 233 Baker Road).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	158059, 158060, 158061, 158062, 158063, 158064, 158065, 158066, 158067, 158068, 158069, 158070, 158071, 158072, 158073, 158074, 158075, 158076, 158077, 158078, 158079, 158357, 158358, 179743, 179749, 195948, 200527, 200529, & 200543	158060, 158063, 158065, 158066, 158067, 158076, 158078 & 158079
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 19 acres	Approximately 8.4 acres
Current Land Use:	Plan Amendment	Zoning Request
	Single family dwellings, medical office, multifamily dwellings, and undeveloped parcel.	Same
Physical Characteristics:	This portion of Baker Road, between Weaver Avenue and S. Main Street, has a moderately sloping terrain. There is a perennial stream that runs in a west to east direction between Weaver Avenue and S. Main Street. The northern portion of the site, near Weaver Avenue, drains in a southerly	

	direction toward the stream and the southern portion of the zoning site drains in a northerly direction toward this stream.
Water and Sewer Proximity:	A 16-inch City water line and a 8-inch City sewer line are lying adjacent to S. Main Street; however these lines terminate approximately 500 feet west of the intersection of S. Main Street and Baker Road. In addition, an 8-inch City water line and a 8-inch sewer line are lying adjacent to Baker Road; however it terminates a the intersection of Baker Road and Weaver Avenue.

General Drainage and Watershed:	The site drains in a general southeastern 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:	None

Adjacent Property Zoning and Current Land Use			
North:	CU-LO	Conditional Use Limited Office District	Single family dwelling and undeveloped
South:	CU-LO HB	Conditional Use Limited Office District Highway Business (Guilford Co)	Undeveloped
East:	R-15	(City of Archdale)	Single family dwellings, multifamily, office and undeveloped
West:	RS-7 CU RM-18 HB	Residential Single Family-7 District (Guilford Co) Conditional Use Residential Multifamily-18 District Highway Business District (Guilford Co)	Single family, multifamily and undeveloped

Adjacent Land Use Designations		
North:	A. Low Density Residential	B./C. Office
South:	A. Office, Community/Regional Commercial and Medium Density Residential	B./C. Undesignated
East:	A. Low Density Residential and Undesignated	B./C. Undesignated
West:	A. Medium Density Residential and Community/Regional Commercial	B./C. Community/Regional Commercial

Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	Undesignated and Medium-Density Residential: This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwelling units per gross acre.
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. Office: This classification includes professional, personal and business service uses. Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	This request is neither in conflict with the Community Growth Vision Statement's goals and objectives nor does it promote those goals and objectives.
Land Use Plan Goals, Objectives & Policies:	The following goals and objectives of the Land Use Plan are relevant to this request: Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.
Relevant Area Plan(s):	There are no applicable area plans for this area.
Zoning History:	There is no City of High Point zoning history on either Tract A or Tract B.
LUPA History:	LUPA 11-03 - Approximately 16.71 acres lying approximately 300 feet southeast of the intersection of E. Fairfield Road & Ingram Road from undesignated to Low Density Residential; adopted September 19, 2011.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Baker Road Weaver Avenue	Major Thoroughfare Local Street	975 ft. 190 ft.
Vehicular Access:	Baker Road and Weaver Avenue		
Traffic Counts:	Baker Road	3,800 trips NCDOT 2009 24 Hr count.	

Estimated Trip Generation:					
Traffic Impact Analysis:	Required			Comment	
	☐ Yes	☐ No			
Pedestrian Access:	Development will be required to meet the sidewalk requirements in the Development Ordinance.				

School District Comment

Not applicable to this zoning case, there is no proposed change in any of the existing uses.

Details of Proposal

General Overview:

On July 1, 2012 Session Law 2012-102 which exchanges tracts of land between the City of High Point and the City of Archdale became effective, after being approved by the North Carolina General Assembly on June 28, 2012. The City of High Point is now requesting the assignment of future land use and zoning for these areas and the unincorporated area that has been added to the city's Planning Area Boundary.

Summary of Land Use Plan Amendment Request:

The City of High Point is proposing the establishment of future land use classifications for the following three areas:

- Approximately 15.5 acres consisting of 23 lots lying along the west side of Baker Road and straddling Weaver Avenue between Baker Road and Giles Street from Medium Density Residential and undesignated to a Low Density Residential land use designation.
- Approximately 2.8 acres consisting of 4 lots lying along the west side of Baker Road between Ralph Drive and the Randolph/Guilford County Line to an Office land use designation.
- Approximately 1 acre consisting of the back portions of two lots that front on South Main Street to Community/Regional Commercial.

Summary of Zoning Request:

The land to be rezoned is shown in two tracts on the accompanying zoning map. The proposed Residential Single-Family 9 District for Tract A and Tract B is roughly equivalent to the zoning that was applied by Archdale. The desire is not to create or perpetuate any lot nonconformities. Four of the five lots in Tract A were nonconforming under the R-15 Archdale zoning. High Point's RS-9 zoning district is a residential district with uses similar to the R-15 zone, but with a smaller minimum lot size requirement, which will assure that all of the lots in Tract A will be conforming in size.

The current land uses in Tract B, except for the vacant lot, were nonconforming under Archdale's zoning and would remain so under the RS-9 District. The RS-9 zoning is meant to be a 'holding zone', essentially leaving these property owners in a situation zoning-wise that is equivalent to what they had in Archdale. Although still nonconforming, the current land uses (chiropractor and apartment building) will be consistent with the Office land use designation

proposed by the LUPA. Should the land use on these lots change, or if redevelopment is desired, the property owner(s) can request an appropriate rezoning at that time.

Recommendation

1. Land Use Plan Amendment Case 12-05:

Staff Recommends Approval:

Staff recommends approval to establish a land use classification for:

- a. Approximately 15.5 acres from Undesignated and Medium Density Residential to a Low Density Residential land use designation;
- b. Approximately 2.8 acres to Office; and
- c. Approximately 1 acre to Community Regional Commercial.

The requested Land Use Plan Amendment is supported by the Land Use Plan through the promotion of an urban growth pattern that occurs in an orderly fashion. This request includes an expansion of the Planning Area Boundary and the city limits using Baker Road as a common boundary between the City of High and the City of Archdale. 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 12-09:

Staff Recommends Approval

Staff recommends approval to establish an initial City of High Point zoning designation of Residential Single Family 9 (RS-9) District on the zoning site (Tract A and Tract B.).

Required Action

Planning and Zoning Commission and City Council:

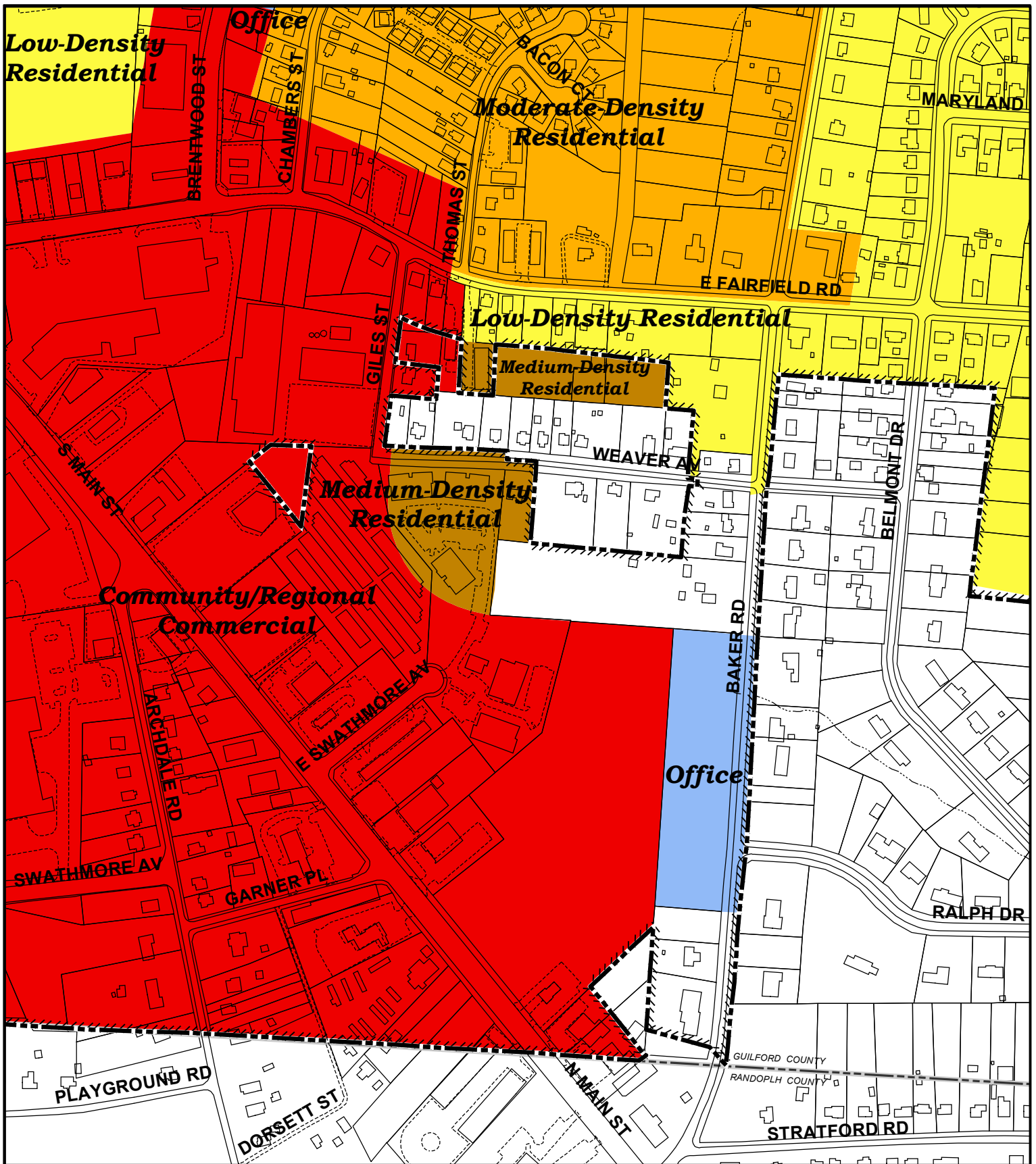
Regarding the zoning case Z12-09, the NC General Statutes require the Planning & Zoning Commission, upon making its recommendation, and the City Council, upon rendering its decision, to place in the official record a statement of consistency with the City's adopted plans. In addition, the City Council 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) the RS-9 district will result in no lot size nonconformities; 2) the RS-9 district will not alter or make worse the nonconforming uses on two of the lots; 3) it is reasonable to initially zone developed properties in a manner similar to what existed in the City of Archdale, and 4) it connects with additional RS-9 property to the north.

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 Robert L. Robbins, AICP, Development Services Administrator and Heidi H. Galanti, AICP, Planning Services Administrator and reviewed by Lee Burnette AICP, Director.



LAND USE PLAN AMENDMENT 12-05

EXISTING LAND USE PLAN

Planning & Development
Department

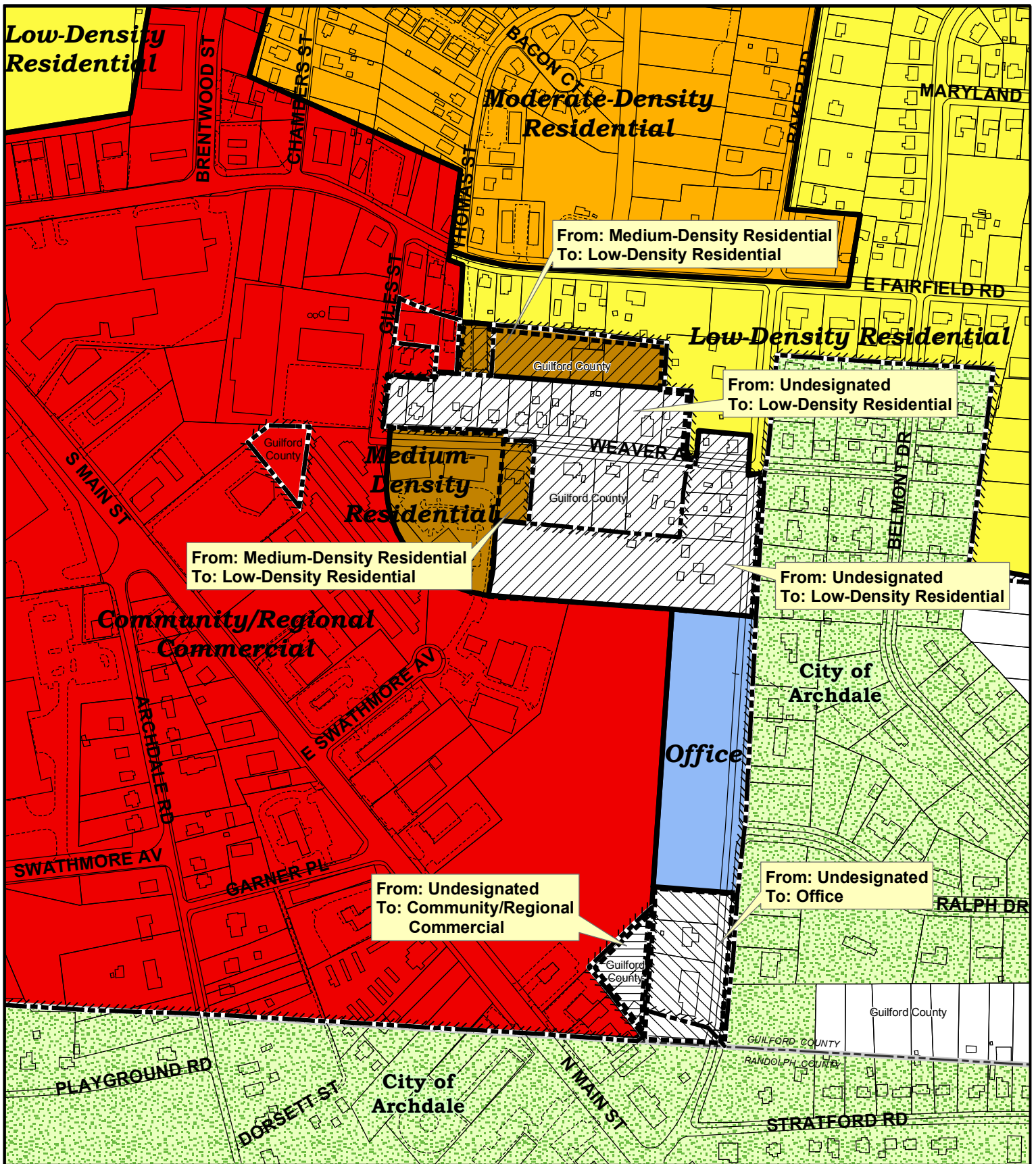
City of High Point

Date: July 16, 2012



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LAND USE PLAN AMENDMENT 12-05

**From: Undesignated & Medium-Density Residential
To: Low-Density Residential, Office and
Community/Regional Commercial**

Subject Property Boundary - - - - -

**Planning & Development
Department**

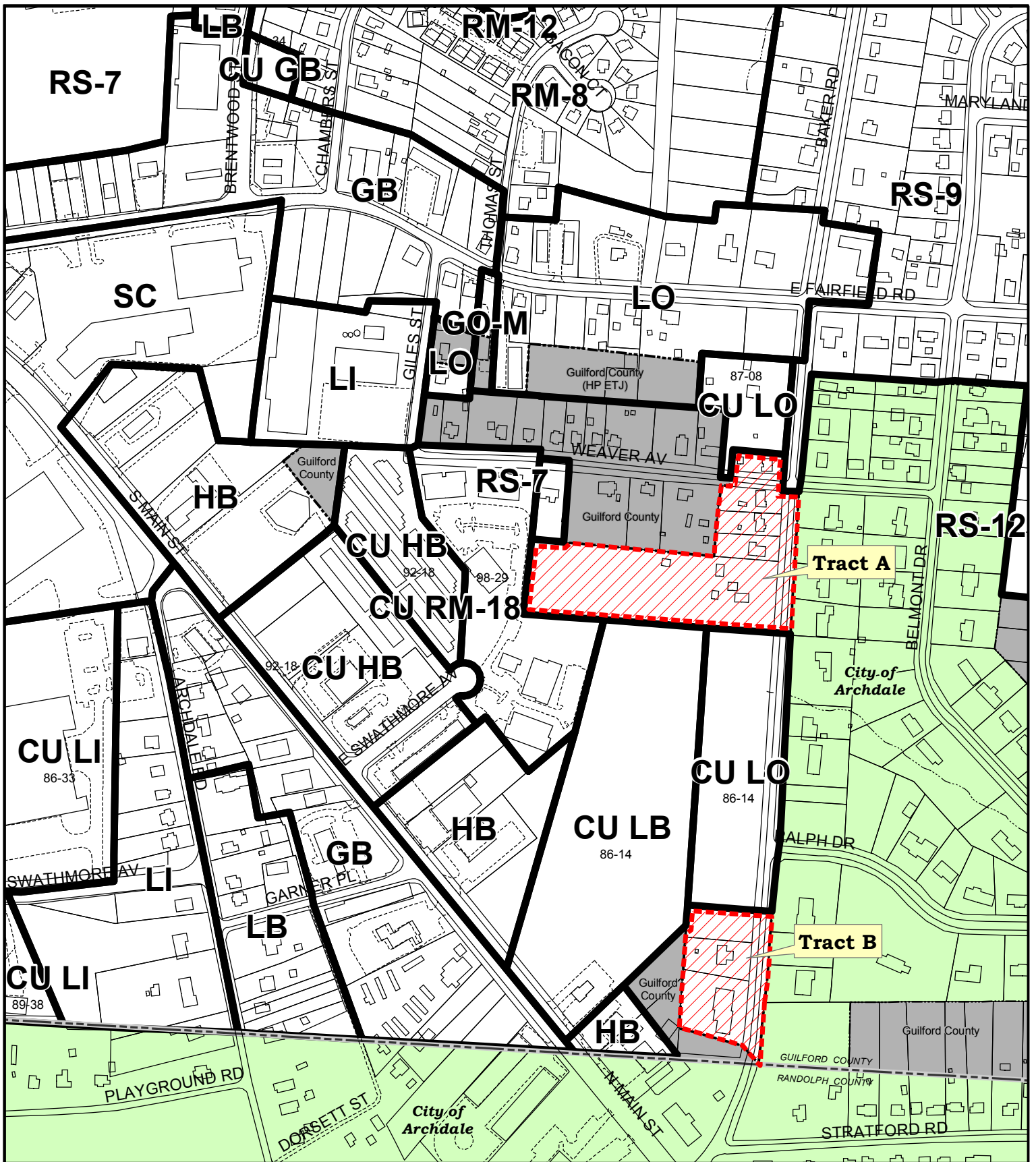
City of High Point

Date: July 16, 2012



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ZONING CASE 12-09

From: Residential-10 and Residential-15 (Archdale)
To: Residential Single Family-9 (High Point)

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

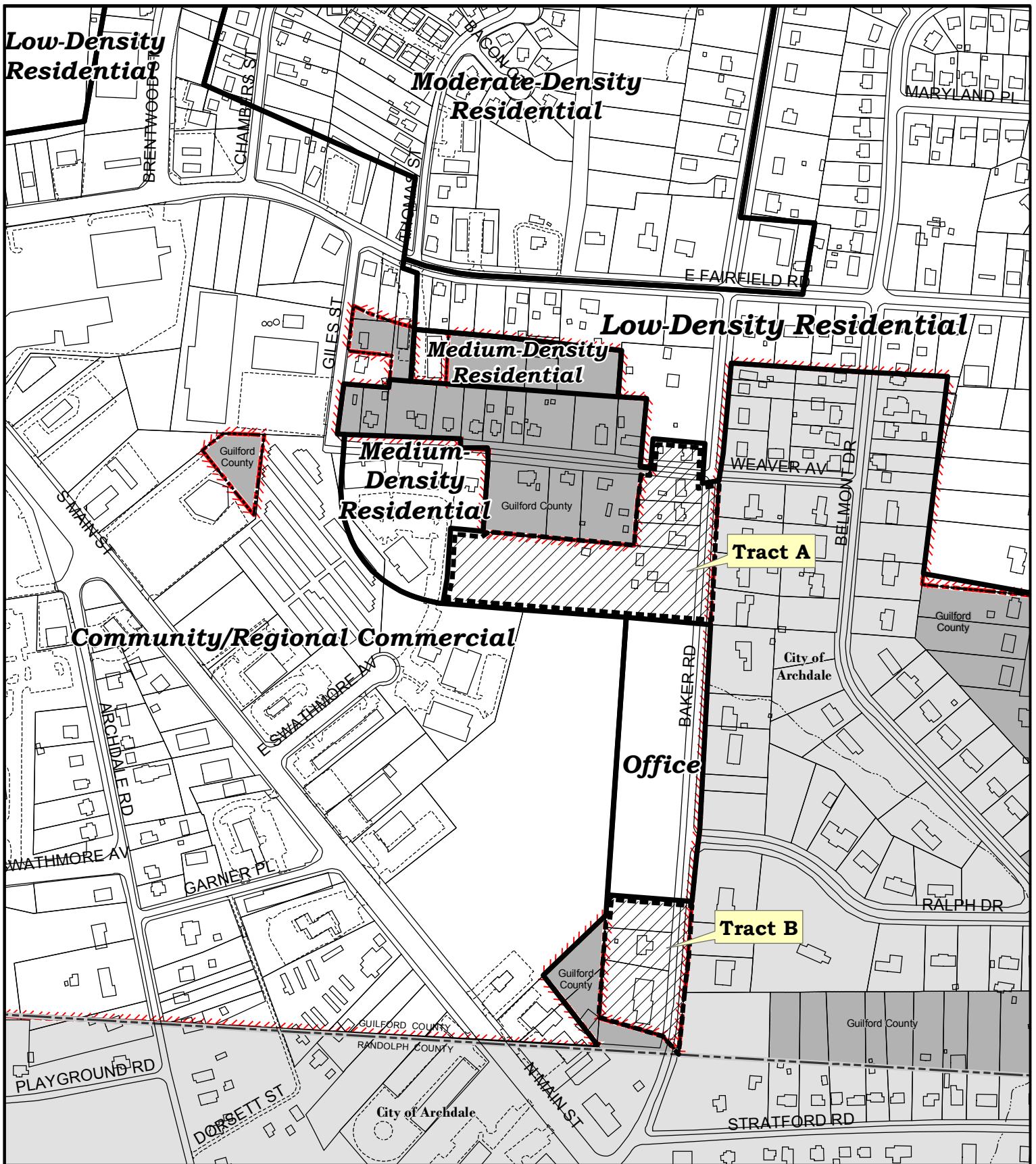
Planning & Development
Department

City of High Point

Date: July 11, 2012



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ZONING CASE 12-09

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: July 11, 2012



Scale: 1"=400'

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ZONING CASE 12-09

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: July 11, 2012



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ZONING CASE 12-09

