City of High Point

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

Meeting Minutes

Monday, May 16, 2011

4:45:00 PM

Council Chambers

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

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE

Present: Mayor Smothers, Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas, Council Member Pugh, Council Member Henley, Council Member Whitley and Council Member Corey

PRESENTATION OF ITEMS

FINANCE COMMITTEE - Council Member Alexander, Chair
Committee Members: Whitley, Smothers and Corey

(all were present)

Contract - Bid No. 31 - Sewer Line Chemical Root Control

110090 Consideration of approval of contract awarding Bid No. 31 for Sewer Line Chemical Root Control. Purchasing and Public Services recommends that contract be awarded to Municipal Sales, Inc. in the amount of $110,450.00 which is the lowest responsible and responsive bidder meeting specifications.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation. However, Council Member Sims felt it was premature to take action on the contract before the budget is actually approved. Council Member Whitley pointed out the timing was crucial and explained that it was now the middle of May and the contractors are already setting their production schedules so approving the contracts after July 1st wouldn't work because it would be late fall or early spring before they could get the jobs scheduled.

Although the Committee recommended this contract be placed on Thursday's Agenda with a favorable recommendation, due to the two dissenting votes from Sims and Pugh, it will be placed on the Thursday's Regular Agenda.

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

Votes: Aye: Mayor Smothers, Council Member Alexander, Council Member Moore, Council Member Douglas, Council Member Henley, Council Member Whitley and Council Member Corey
Nay: Council Member Sims and Council Member Pugh

Contract - Bid No. 33 - Asphalt City Wide

110091 Consideration of approval of contract awarding Bid No. 33 for Asphalt City Wide. Purchasing and Public Services recommends that contract be awarded jointly to Sharpe Brothers and Thompson-Arthur Paving. Usage is expected to be approximately $602,000.00.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m.

prior to this meeting.

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation. However, Council Member Sims felt it was premature to take action on the contract before the budget is actually approved. Council Member Whitley pointed out the timing was crucial and explained that it was now the middle of May and the contractors are already setting their production schedules so approving the contracts after July 1st wouldn't work because it would be late fall or early spring before they could get the jobs scheduled.

Although the Committee recommended this contract be placed on Thursday's Agenda with a favorable recommendation, due to the two dissenting votes from Sims and Pugh, it will be placed on the Thursday's Regular Agenda.

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

Votes: Aye: Mayor Smothers, Council Member Alexander, Council Member Moore, Council Member Douglas, Council Member Henley, Council Member Whitley and Council Member Corey
Nay: Council Member Sims and Council Member Pugh

Contract - Bid No. 34 - Stone City Wide

110092 Consideration of approval of contract awarding Bid No. 34 for Stone City-Wide. Purchasing and Public Services recommends that contract be awarded to Martin Marietta which was the only bid received. Estimated annual spend of $100,000 based on 2010-2011 purchases.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

The Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation. However, Council Member Sims felt it was premature to take action on the contract before the budget is actually approved. Council Member Whitley pointed out the timing was crucial and explained that it was now the middle of May and the contractors are already setting their production schedules so approving the contracts after July 1st wouldn't work because it would be late fall or early spring before they could get the jobs scheduled.

Although the Committee recommended this contract be placed on Thursday's Agenda with a favorable recommendation, due to the two dissenting votes from Sims and Pugh, it will be placed on the Thursday's Regular Agenda.

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

Votes: Aye: Mayor Smothers, Council Member Alexander, Council Member Moore, Council Member Douglas, Council Member Henley, Council Member Whitley and Council Member Corey
Nay: Council Member Sims and Council Member Pugh

Contract - Bid No. 35 - Water Meters

110093 Consideration of approval of contract awarding Bid No. 35 for the purchase of 5/8" x 3/4" Water Meters. Purchasing and Public Services recommends that contract be awarded to Carolina Meter Supply Co., in the amount of $244,000.00 which is the lowest responsible and responsive bidder meeting specifications.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

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

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Whitley, that this matter be recommended for approval, consent agenda. The motion carried unanimously.

Contract - Bid No. 36 - General Water & Sewer Improvements

110094 Consideration of approval of contract awarding Bid No. 36 for General Water & Sewer Improvements. Purchasing and Public Services recommends that contract be awarded to Breece Enterprises, Inc., in the amount of $1,068,383.50 which is the lowest responsible and responsive bidder meeting specifications.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

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

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Whitley, that this matter be recommended for approval, consent agenda. The motion carried unanimously.

Contract - Bid No. 37 - Sidewalk Repair- Central Business District

110095 Consideration of approval of contract awarding Bid No. 37 for Sidewalk Repair in the Central Business District. Purchasing and Public Services recommends that contract be awarded to Mayes Landscaping and Concrete in the amount of $100,000.00 which is the lowest responsible and responsive bidder meeting specifications.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

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

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Whitley, that this matter be recommended for approval, consent agenda. The motion carried unanimously.

NCDOT - Sale of City Owned Property - Skeet Club Road Widening Project

110096 Council is requested to authorize the City Attorney's office to proceed with the sale of City-owned property (right of way and easements) to the North Carolina Department of Transportation (NCDOT) for the Skeet Club widening project. The parcels are located at the intersection of Waterview Road and Skeet Club Road and at the Deep River Park.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

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

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Whitley, that this matter be recommended for approval, consent agenda. The motion carried unanimously.

NCDOT - Supplemental Agreement For Airport Area Roadway Network

110100 Council is requested to authorize staff to execute a Supplemental Agreement between the North Carolina Department of Transportation (NCDOT) and the City of High Point for Airport Area Roadway Network, State TIP U-4758 (Johnson Street/Sandy Ridge Road Planning, Environmental, and Preliminary Design). This Supplemental Agreement will provide the City with an additional $1,025,922 in project funding thorough the Federal High Priority SAFETEA-LU program.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

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

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Whitley, that this matter be recommended for approval, consent agenda. The motion carried unanimously.

Resolution - Application to HUD - Healthy Homes & Lead-Based Paint Hazard Control Grant

110105 Council is requested to adopt a resolution authorizing staff to proceed with the filing of a grant application to the Federal Government's Housing and Urban Development (HUD) Department in the amount of $3.15 million for the Healthy Homes & Lead-Based Paint Hazard Control Grant.

This matter was discussed during a Finance Committee meeting held at 3:30 p.m. prior to this meeting.

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

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Whitley, that this matter be recommended for adoption, consent agenda. The motion carried unanimously.

Presentation of City of High Point Proposed 2011-2012 Annual Budget - Establish Public Comment Period

110099 Council is requested to establish the dates of Monday, June 6, 2011 at 5:30 p.m. and Thursday, June 9, 2011 at 9:00 a.m. to receive public comments on the proposed City of High Point 2011-2012 annual budget.

No action is required on this matter at this meeting. The Proposed 2011-2012 Annual Budget will be presented by the city manager at the meeting scheduled for Thursday, May 19, 2011.

A motion was made by Mayor Pro Tem Alexander, seconded by Council Member Whitley, that this matter be presented before council. The motion carried unanimously.

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

Committee Members: Alexander, Douglas, and Corey

(all were present)

Ordinance - Vacate/Close Dwelling - 1407 Hampstead Drive

110097 Adoption of ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 1407 Hampstead Drive belonging to Kenneth Wayne Lassister.

Chairwoman Sims asked staff to update Council on this housing case. Katherine Bossi, Local Codes Enforcement Supervisor, stated staff received a complaint from the tenant and they made their inspection and found several violations of the Minimum Housing Code. Staff had the hearing on April 8th and the property owner did not appear, but discussed the process for the case with the tenant and the tenant's legal aid representative that appeared at the hearing. Staff issued the order to repair with a compliance date of May 9th. Ms. Bossi reported that no repairs have been made to the property and no permits obtained. The violations still exist and the dwelling is still occupied. Ms. Bossi pointed out that Community Development is aware of this case and Section 8 is aware of the case as well.

Mayor Pro Tem Alexander expressed disbelief that this dwelling even qualified and passed inspection since it was Section 8. Ms. Bossi reported that staff has been in contact with the Housing Authority to discuss their process in comparison with the City's Minimum Housing Code to get a better understanding of both processes and how they need to work.

Chairwoman Sims asked if the Housing Authority is prepared to rehouse the tenant should Council adopt the order to vacate and close the structure and staff replied in the affirmative. Mayor Smothers suggested that if there is action to adopt the ordinance, it should be subject to the Housing Authority assuming the responsibility for relocation of the tenant and agreed that since it is a Section 8 house, the Housing Authority should be monitoring the dwellings they have since they have the responsibility for certifying the certificate.

Council Member Moore agreed that it appears that the Housing Authority did not follow procedures that they had in place for Section 8 and felt it was important to find out how this happened before finalizing any action.

Ms. Bossi pointed out that the tenant was present and could speak to the matter.

Cynthia Lee, the tenant at 1407 Hampstead, shared that the actually acquired the property in December and the property management company told her the landlord would be responsible for the repairs. She explained that she brought to their attention the repairs that needed to be made and she was told it would be taken care of, but the repairs were not made and the condition of the house worsened with time. She informed Council that she was without proper heat during the winter, had a major problem with insect infestation and it has been one thing after another. She explained that the landlord kept promising her that the repairs would be done, but nothing has happened. She pointed out that she also brought this to the Housing Authority's attention. Ms. Lee shared that she had paid her rent every month and turned in the required repair sheets.

She stated the Housing Authority did finally agree to give her another voucher after she filed the complaint. Ms. Lee explained that her lawyer contacted the CEO of the Housing Authority and they did come out in April, but the house has failed to pass inspection at least four to five times since the Housing Authority came out and it has failed inspection with the City of High Point twice. Ms. Lee also shared with Council that she has some disabilities
and because of three types of mold in the house, she has been sick since December.

Mayor Smothers asked if there was a chance that the house was located elsewhere originally. Council Member Whitley mentioned it appears that this might be the case and pointed out they came back in and put in block and stucco. Staff pointed out that Mr. Lassiter (the property owner) also owns the property at the corner of Enterprise and Hampstead at 1401 and there was a situation with him bringing livestock on the property and was gold that it used to be a big farm at some point. Ms. Bossi stated she wasn't sure whether this property was possibly a smaller rental property on the same property that could have been divided at some point.

Chairwoman Sims suggested the city contact the Housing Authority to address some of these questions/concerns before the meeting on Thursday.

Pending comments on Thursday from the Housing Authority, the Committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation.

A motion was made by Council Member Sims, seconded by Council Member Douglas, that this matter be recommended for adoption, consent agenda. The motion carried unanimously.

Ordinance - Vacate/Close Dwelling - 206 Model Farm Road

110098 Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 206 Model Farm Road belonging to Oamar Zaman and Uzma R. Raga.

Chairwoman Sims pointed out the tenant has vacated the property. The property owner was not present to offer any comments.

The committee recommended this matter be placed on Thursday's Agenda with a favorable recommendation for adoption.

A motion was made by Council Member Sims, seconded by Mayor Pro Tem Alexander, that this matter be recommended for adoption, consent agenda. The motion carried unanimously.

Pending Items

Ordinance - Vacate/Close Structure - 800 E. Commerce Street

110045 Council is requested to adopt an ordinance ordering the Inspector to effectuate the vacating and closing of a structure located at 800 E. Commerce Street belonging to Nathaniel E & Margaret G. Bolds.

Chairwoman Sims reported that she spoke with staff who informed her that the property owner has made most of the repairs to this structure and she recommended to leave this matter on the pending list for another month, then it would be brought out as soon as the inspection takes place.

PLANNING, ECONOMIC DEVELOPMENT & INFORMATION TECHNOLOGY COMMITTEE - Council Member Whitley, Chair

Committee Members: Sims, Henley and Moore

(all were present)

Resolution of Intent - Street Abandonment 11-04 - High Point University

110101 Approval of a resolution of intent that establishes a public hearing date of Monday, June 20, 2011 at 5:30 p.m. to consider a request to abandon an improved portion of North Avenue located between Fifth Street (including intersection) and Willoubar Terrace.

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

A motion was made by Council Member Whitley, seconded by Council Member Sims, that this matter be recommended for adoption, consent agenda. The motion carried unanimously.

Resolution of Intent - Street Abandonment 11-05 - State of North Carolina (NC National Guard)

110102 Approval of a resolution of intent that establishes a public hearing date of Monday, June 20, 2011 at 5:30 p.m. to consider a request to abandon an improved portion of Armory Drive beginning approximately 450 feet east of the terminus of Armory Drive.

The Committee recommended this matter be placed on Thursday's Agenda with a

favorable recommendation for adoption.

A motion was made by Council Member Whitley, seconded by Council Member Sims, that this matter be recommended for adoption, consent agenda. The motion carried unanimously.

Pending Items

Part 150 Assessment Report

110038 Consideration of a report from the Planning and Development Department that assesses the PTIA Part 150 Airport Noise Compatibility Study including a recommendation to amend the Airport Overlay District.

City of High Point Incentives Policies

110053 Council is requested to receive the following Incentives Policy Review Committee recommendations:

4) City of High Point Retail Incentives Policy [new]

Note: For Parts 1 and 3 of the Incentive Policies, please refer to Legislative Matter 110032.
This item was discussed in the Planning, Economic Development and IT committee meeting held Tuesday, May 17th at 9:00 a.m., and the committee recommended that the City of High Point Retail Incentives Policy be adopted as presented and placed on today's agenda for action.

Chairman Whitley announced that the Planning, Economic Development and Information Technology Committee would meet on Tuesday, May 17, 2011 at 9:00 a.m. to discuss this matter.

Budget Ordinance Amendment - Heritage Point Master Plan - High Point Museum

110122 Council is requested to adopt a Budget Ordinance amending the 2010-2011 Budget Ordinance to appropriate funds in the amount of $70,000.00 for Heritage Point for the High Point Museum and Historical Park.

At 5:15 p.m., the Mayor announced that Council would take a short recess before the public hearings were to begin at 5:30 p.m. Council convened at 5:30 p.m. to hold the public hearings that were scheduled.

Prior to the public hearings being held, those persons desiring to speak regarding 110104 Special Use Permit 11-04- Central Recycling, LLC re Salvage Yards, etc... were duly sworn.

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

Ordinance - Text Amendment 11-03 - Central Recycling, LLC re Salvage Yards, etc.

110103 A request by Central Recycling, LLC to amend Section 9-5-2 (qqqq) of the Development Ordinance pertaining to development standards for Salvage yards, Auto Parts or Scrap Processing use.

11-04- Central Recycling, LLC re Salvage Yards, etc... was held on Monday, May 16, 2011 at 5:30 p.m.

_____Transcript: Public Hearing May 16, 2011_____

Chairman Whitley: Which one is going to do the presentation?

Doug Loveland: I'll do the text amendment and then…..

Chairman Whitley: Okay, we're going to handle both of them at the same time.

Mayor Smothers: The text amendment just allows this to happen.

Chairman Whitley: Right.

Mayor Smothers: So….

Chairman Whitley: Go ahead and proceed.

Doug Loveland: thank you. This is Text Amendment request 11-03. The applicant being Central Recycling, LLC. Central Recycling has found a site which Bob will describe in a moment in which they wish to do a salvage yard operation or at least that's how we're classifying what they're proposing to do. The Development Ordinance currently allows such an operation as a special use in the HI and AG properties and requires at least 5 acres of size to even make that request and also an 8-foot fence surrounding the activity area among some other requirements. The applicant's site is not 5 acres. I believe it's 2-3 acres. The applicant wishes to construct a 6-foot fence around the activity area. So the applicant is requesting an amendment to that requirement to eliminate the size requirement in AG and HI. The request would obviously remain a special use request which is what's here before you today or will be shortly, as well as to amend as I mentioned the fence requirement from 8-feet as it currently stands down to 6-feet. When they conferred with staff their desire to do that, we did state to them a concern about stacking of salvage in that. A fence at 8 feet is largely for screening purposes. Our particular concern was stacking of automobiles and automobile parts because that's our experience. That, if anything, is going to be stacked in such an operation, it would be that. So that was staff's concern.

The applicant responded with some language, some wording in the amendment with which to handle that and actually worked with staff on that language. Ultimately they came forward with the provision that's performance based and you'll see that there in the draft amendment before you. If stacking is above the height of a 6-foot fence, would it be visible from non-industrial areas or non-industrial roads which we deem to be major thoroughfares or roads carrying non-industrial traffic. Obviously you don't want that stacking to be visible from such areas. If the applicant can demonstrate that such stacking wouldn't be visible, then they would be allowed to stack above a 6-foot fence.

P & Z heard this amendment and made a recommendation to approve a revised

amendment that is in your report. They stated concern with the size of such a request in the AG and the applicant's proposal was in HI. It also stated concerns about the fence height surrounding the request and recommended it remain at 8-feet. Staff is supportive of the recommendation as proposed, feeling that it allows the applicant to utilize a smaller industrial site and yet retains council's ability to deny such a request should they find that a location is inappropriate. I will remind you, of course, being a text amendment, this would be applicable to any salvage yard use anywhere in the city. Obviously, the applicant is desiring to make their particular location work. I'd be happy to answer any questions.

Mayor Pro Tem Alexander: I've got a question. We've got a nice salvage yard, I think they do a good job and I don't have an objection against it. It's down on 68 as you're going to Thomasville. I believe DH Griffin or one of his companies kind of runs that. They have, very clearly visible from the street, metal shelving that has a door or this has got a fender or this has got a……I mean is that allowable or are you talking about carcasses of automobiles that are being stacked? I have a hard time understanding….

Doug Loveland: Autos or auto parts. I believe if I'm familiar with their site, there's actually two separate properties down there. One of which has received a special use permit as of fairly recent. One of which predates our requirements and does not have a special use. I haven't been by there so I don't know which site it is that has vehicle parts visible from the roadway.

Mayor Pro Tem Alexander: One of them has parts that are, you know, clearly stacked. I mean it is a warehouse for……it's not carcasses of automobiles that are stacked up. I mean I don't know how you determine what you see what you don't and what's allowed and what's not.

Doug Loveland: Well that was a concern relayed to us from zoning enforcement as well as staff that we thought it was more likely that you would see a stacking of automobile parts and vehicles. I think, particularly, with what the applicant is proposing, parts of washing machines and appliances weren't as likely to be stacked, but as you indicated, it doesn't mean that they couldn't be. Those were the two items that we felt we were more likely to see stacked. Again, I don't know the particulars of the site you are referring to, so I don't know how that came about. There is a difference between stacking height and having something screened. If you'll notice this language says largely obscure from view. We're not really seeking to have it totally screened because that can be very difficult to do particularly depending upon topography. You could have a 12-foot fence, but if it's downhill from the roadway, you'll still be able to see it. So what we're seeking is to have that largely obscured from view and not totally screened. So I don't know if topography is playing a role in that…..

Mayor Pro Tem Alexander: No, the topography works in their favor there. This is just forward and I don't find it objectionable. I mean it is a business that is engaged in that. They do have a fence up there to provide both security and screening, but there is….it is clearly visible from a major street.

Doug Loveland: That may be on a site that was pre-dating the requirements for a special use permit and therefore…..they're side by side.

Mayor Pro Tem Alexander: It may be.

Council Member Corey: Is the current height 6-feet or 8-feet?

Doug Loveland: It's currently 8-feet and the applicant is proposing to lower that to 6-feet.

Chairman Whitley: Any other questions of staff?

Mayor Smothers: I guess the applicant will tell us why.

Doug Loveland: Right, I'd let them address that. I think they thought they were better served with a 6-foot fence. I'll let them get into why. Or that an 8-foot fence was unnecessary at the location which is really what they were getting at.

Mayor Smothers: The reduction of the acreage….

Doug Loveland: The elimination of the acreage.

Mayor Smothers: You all didn't have any trouble with that?

Doug Loveland: No, because if it was permitted by right, I think we would have had concerns, but with it being a special use request, the applicant has to come in front of council and demonstrate that it's an appropriate location-whether it's 10 acres or 2 acres. If Council doesn't feel or P & Z doesn't feel it's an appropriate location, then P & Z could recommend Council deny it and that's what the special use process is set up to do. We feel that enables the applicant to utilize smaller sites that might be sufficient and yet still allows Council that ability if they deem it inappropriate to deny it and that's really regardless of site size. But absolutely if it was permitted by right, I think we would have had a concern.

Mayor Smothers: Thank you.

Chairman Whitley: Anything else? Bob.

Bob Robbins: In tandem with the text amendment request is the special use permit request 11-04. Of course, this is a request to allow salvage yards, scrap processing use and a salvage yard auto parts use in the heavy industrial district. The site up on the screen is approximately 2.8 acres. It lies west of the intersection of Taylor Avenue and Millis Street. You've got Taylor Avenue here which comes off of W. Green and Millis which runs across…well in front of the property and connects with Westpoint Avenue. To the north, there are vacant industrial buildings. South has a warehouse facility. To the east, another vacant industrial building at this time. To the west across the railroad right-of-way is an auto repair facility, another vacant industrial building. There are a few commercial enterprises along W. Kivett and across the railroad right-of-way from

this site. Doug, if you'll put the land use map back up quickly.

The Land Use Plan classification for this area is Heavy Industrial. Of course, this includes a whole range of our most wide open, if you will, classification including a lot of assembly and fabricating, heavy manufacturing activities and so on. The use that the applicant is proposing is permitted as Doug pointed out both in the AG district and also in the HI or Heavy Industrial district with a special use permit. The applicant has noted that a majority of its activity will consist of the collection, sorting, and wholesale distribution of recyclable metals and they purchase these from folks that bring them in and then they sell them to a processor or end user to make different items from the metal.

The applicant also noted that occasionally vehicles may be accepted. They did note that vehicles are not the norm, but every once in a while, someone does bring that in and they will accept that. They don't store the vehicles or the metals on the site any longer than they need to. As soon as they have enough to make a truck load, then those are basically shipped off the site. So it's not quite the same as an auto salvage yard where you might have the hulks of vehicles sitting around for months or years. You won't find that to be the case with this particular business.

Mayor Smothers: I believe right now, there's a Chevrolet that looks like it's from the 50s sitting on the site.

Bob Robbins: On this site?

Mayor Smothers: Yes.

Bob Robbins: The applicant also noted that occasionally, when they do accept vehicles, of course they must drain the fluids which is required by law. They have to adhere to those regulations. The roofs of the vehicles generally are compressed there and as I stated, they eventually leave the site. Included with the request is, of course, a special use permit, in itself and also includes a binding site plan. Doug if you'll put the site plan up. The site plan notes that the entire site will be fenced and it will have secured gates at two entrance points on Millis Street and those entrance points are here and coming up alongside the building at the south end and into here. The applicant has noted that materials will be brought into the site at the southern driveway along Millis Street where they will be weighted. There's going to be a scale in here. The trucks will come in off Millis Street here, go to the scale. They're weighed and brought into the site and around this area here, where the trucks will be emptied onto the site in piles, the truck would then come around and probably exit here although they could, again, come out and exit down here, but most likely here. Materials, once they're dumped on the site would be probably further sorted to some degree, non-ferrous metals may be stored within the building. Most of the ferrous metals and so on will be outside until they're taken off the site. Of course, special use permit findings that are currently in the ordinance require the minimum area of five acres and an 8-foot fence and as Doug pointed out and also that no salvage yard be located within 300 feet of any residence at the time of its initiation. There is not a residence within 300 feet of this site, so they do meet that. And with the text

amendment changes, they would meet both the acreage requirement which would disappear and the text amendment and their proposal for a 6-foot fence if that's adopted of course would meet the requirement of the text amendment at 6 feet.

One issue I wanted to bring forward is that just a statement or a request. The Transportation Department has requested that specific driveway access points on the site. Two of these are to be removed and the two others they're going to use need to be upgraded to meet current standards of the driveway ordinance. All these conditions are in the Special Use Permit. The two driveways to be closed are at the north end up here and up here. Those will be fenced off and closed so they will not be used anymore. The two that they will retain are here and down here. Both of those need to be upgraded which they have agreed to do. The Transportation Department desires that information regarding this be noted on the site plan that's already in the special use permit. Their request was to put it also on the site plan.

As far as findings, based on the applicant's submittal and the proposed conditions and of course the proposed text amendment, the findings are noted on pages 46 and 47 of your packet. Just a couple of things to go over quickly. The site is within an established heavy industrial area. This is supported by the Land Use Plan map designation being industrial. The staff has not identified any issues that would substantially injure the value of adjoining property owners. The allowance of the requested use will be in harmony with the area. All of the surrounding uses are of an industrial nature and similar and this certainly is something that would fit into that type of activity. As far as traffic is concerned, most of the traffic in this area are from employees and customers of adjacent industrial uses and of course this business would generate some truck traffic to and from the site every day. Their main way of getting out and Doug if you want to go back to the first map. We do have a way to get across the railroad at Westpoint Avenue right here, so trucks can….of course if they're coming down Green, they can come up and enter the site and come back out and go this way if they need to or come in from this direction. So it's not directly on a thoroughfare, but it is close by really so that traffic can flow easily to and from the site. There are no residential uses in the immediate area of this site. The nearest non-industrial uses are really a convenience store and the Merita Bread Store distribution store across the railroad tracks on W. Kivett. Doug, if you'll go to the site photos. I want to show those very quickly.

These are some photos of the site. The three story building that you see in the picture is on the site. That would be partially used, I believe, by the business. The area in the foreground here that's sort of grassy is the area that would be used to store the materials until they are taken off the site. The trucks come in from the far end and come in in this direction and out over here or on the other side of the building. This happens to be one of the driveways. I think the northernmost one that's going to be closed off that you see in the picture. This shot was taken across Taylor Avenue. The next one. Again, these are shots. This is where the intersection of Millis and Taylor is right here with the site being right in this area here. Next. From the site, what you're looking at now, of course, is the railroad. You can see that it's elevated about 8-10 feet above the ground level on the site. It does a very effective ……creates a very effective berm and the vegetation in here also helps screen this site from activity on

the W. Kivett Drive side. This is the Merita Bread facility on the other side and you can barely see the roof on it. Go ahead Doug.

Council Member Moore: So that picture there is standing on the property?

Bob Robbins: Yes.

Council Member Moore: Okay.

Bob Robbins: Here is….we backed up some. You can see this is, again, the same shot we had further up here except we're back on the site. You can see the railroad elevated here and it does block view from other things on the other side. We'll get a shot in the other direction here.

Chairman Whitley: Bob, is that the closed crossing right there on the right side?

Bob Robbins: Yes, right here on Taylor that was closed. Here we are looking across W. Kivett. Okay and again you can see how high the embankment is here and how much really gets obscured. This is a facility next to the site that Herb took a picture of because there's a lot of vegetation here.

Mayor Pro Tem Alexander: Bob, let me ask you a question. If you had a six-foot or eight-foot fence on the other side of the railroad tracks off of the right-of-way of the railroad. Could you see the top of either one of the fences?

Bob Robbins: Not standing like a person, no you would not.

Mayor Pro Tem Alexander: From this level, so I guess if you were traveling in a car or standing here, you couldn't see the fence regardless?

Bob Robbins: Not from Kivett, no. Again, this is more where the site is actually right in here. In fact right there you can just see the top of that three-story building that's on the site right there through the trees. So you can see there's a vegetative line there as well as the railroad. Go ahead Doug. Is that it? No-that one? Oh, one more. This was taken to show you, if you remember, looking across the railroad to this building right here, all you saw was sort of the top of this building across like that. This distance right there for these pillars is 13.5 feet, so your line of sight takes you right across the top of that from where you were on Kivett. We just wanted to throw that in to show what you were really looking at.

Council Member Henley: Are those buildings occupied?

Bob Robbins: I don't think these are. I think they are vacant right now. Okay, the recommendation of the staff is to support the special use permit and we find that the request to allow a salvage yard, scrap processing salvage yard use upon this site in an HI district would not negatively impact adjacent properties and will be in harmony with the area. Planning & Zoning met on April 26th to review this case. They voted 4-2 in favor of supporting the SUP and if there's any other questions, I'll try to answer

those before the applicant speaks.

Mayor Pro Tem Alexander: I've got a question. There are two places that I see every day. One I pass on my way to work and one I pass on my way to lunch. At the corner of Market Center and Woodbine, there's a small scrap yard. I mean they receive everything short of cars there. All kinds of metals and that kind of thing. It's on the corner. There's no screening, there's no fence, there's nothing there. And then every day when I go to lunch, at the corner of Fairfield and Surrett, there are two tractor trailers there with a hand-made sign, an American flag and a couple of guys hanging out the back of a truck that'll take scrap metal and parts and all kinds of stuff there. I called and asked about both of them and both of them I was told, oh yeah those are permitted uses and this sounds a whole lot like that-yet, the one that operates out of the two tractor trailers, I mean it literally….that's all it is. There's no screening. They don't even have a facility. They just park in a parking lot.

Bob Robbins: Well, I'm not familiar with either of those. The one with the tractor trailers might be classified as a collection facility which is a little bit different in the zoning than this. The other one I really can't address.

Mayor Pro Tem Alexander: Market Center and Woodbine.

Bob Robbins: And it may have been there before. I don't know how long it's been there.

Mayor Smothers: It may be grandfathered.

Council Member Corey: Isn't this facility to take cars and cut them up and pull out motors and pull out this and that and separate this and that?

Bob Robbins: Not this business. The only thing they will do as I understand it and they'll address this or I'm sure Tom will when he gets up is that they have to drain the fluids obviously, if there's any oils or fluids within the vehicles and take those out. They may flatten the roof down, pound it down so it's not totally up. That's it. They don't sell parts off cars and they're not pulling motors out and that kind of thing.

Council Member Pugh: What's the proximity to any streams?

Bob Robbins: I don't think there's anything within the….certainly within the view of the map there that I know of.

Mayor Smothers: Well the big ditch is over there to the right.

Bob Robbins: There may be one in that area there.

Council Member Corey: How are they going to get rid of all these fluids that they take out of all these cars? Are they going to dispose of it somewhere?

Bob Robbins: Yeah, they have to do that. There's a law and they have to meet those

requirements. Again, I think Tom will address that. Anything else?

Mayor Smothers: I believe….have you have done some research on two other facilities that they own?

Bob Robbins: That they have? They do have one in Thomasville. Yes, we actually went down to take a look at that facility.

Mayor Smothers: Is this going to be like that one?

Bob Robbins: I think the operation is similar.

Mayor Smothers: Well the only reason I asked that is because earlier in the presentation, you said they will receive cars, they don't necessarily seek to receive cars and they'll just keep them as long as they have to.

Bob Robbins: Just until they have several that they can load up and ship out. It's kind of like when they get a load, it goes.

Mayor Smothers: What constitutes a load?

Bob Robbins: Four or five.

John Bolton: Sixteen.

Bob Robbins: Anything else for me?

Mayor Smothers: On Chris' computer, I was looking at the wrong lot. Is there a sign that says rezoning on the property? I didn't see one in the picture. But anyway, I went out there and didn't find it.

Chairman Whitley: Any other questions of staff at this time? [none] Would the petitioner like to come forward?

Tom Terrell: Thank you. Mayor Smothers, Mr. Whitley and Members of Council, I'm Tom Terrell, 529 W. Parkway representing Central Recycling. We do have a few people here who would like to also speak after I do. Let me address some of your points and say at the outset that one of if not the central cause of a lot of misperception is that we have a categorical description that's completely inapplicable to what this company does. The category in the table of permitted uses describes an industry that basically no longer exists. The public hears that and conjures up images of something that took place decades ago. Many decades ago and I think most of us know this, there were several mom and pop owners of some land who would actually collect wrecked automobiles and then they would sell those parts (the carburetors, water pumps) you know to a repair garage and the automobile would be in a field forever with the weeds growing. That's why we had years ago, a five-acre minimum. It was for that type of use. Central Recycling does not do salvage at all. There is no salvage what-so-ever in what they do. In fact, there is no parts salvage in their

industry. What Central Recycling does is to collect metal of different types. They sort it out and send it off to be processed or melted down to be reused. Councilman Corey, you asked a very good question. I'm glad you did because I was going to address that point. There is no salvageable parts. They really just collect and ship them back out. There is no ripping, tearing, shredding, or any activity like that. it's a collection and sorting process. If you look at the first tab and by the way, all those are a very small part of what this is all about. But because automobiles will come in on occasion, this is where it has to go by category so we have sort of a tyranny of a category that doesn't quite apply to the industry. Under the first tab for the proposed text amendment, I have outlined some points here for your consideration that describes the old industry and what we would really call the true junkyards where the lots had to be large enough to accommodate nothing but really automobiles. The new industry-it's metal recycling. It is, for really, everything but automobiles. Automobiles, though, do come in. Also to answer the question about what happens to the fluids. This is just like any automobile garage. Every single auto garage in the City of High Point and in the United States has to follow the same protocol. There's nothing fancy about it. You drain the liquids. They have to be stored according to EPA standards and they are shipped out to be disposed of per EPA standards. Local Jiffy Lubes do the exact same thing.

So as to the text amendment, the main point of the text amendment is the size. Mr. Alexander referenced the D. H. Griffin site. If you were to go out there to that site, they use a very small portion of it. Probably an acre to an acre and a half, but they had to find five acres because the ordinance required that. And that one that's out there right now that D. H. Griffin has is what was done under the current ordinance. Ms. Smothers, you had asked about the fence and wanted to know about the fence height. This was written partly because…..if you'll look at that photograph, even an eight-foot fence, the top of an eight-foot fence, could not be seen from the other side of that railroad berm. But the main issue is you can drive under an eight-foot fence and there are-if you know what you're going after-you can cut and drive under and eight-foot fence and you can drive off with thousands of dollars worth of recyclable materials. That's what these markets are. A six-foot fence is secure. It prevents you from doing that. Parenthetically, it also costs about $8-$10,000 more. If anybody wants to see them, I actually do have estimates of the differences between an eight-foot and a six-foot fence for this size lot.

If you go right behind this page that has the bullet points, you will see what Mr. Alexander was actually referring to. The first page is Fairfield and Surrett Drive. You see, this is a collection point. Right below that is from the other side looking across is a convenience store. It's right there at the street corner and metal is brought in and unloaded from trucks and if you go to the next page, this is a restaurant parking lot. People are bringing in any and all kinds of scrap if it fits onto a tractor trailer. The only difference is there would not be any cars that could go inside a tractor trailer that would come into a site like that. if you go to the next page, you see two photographs. This is Fairfield and Brentwood. This is zoned LI. By the way, that site at Fairfield and Surrett is zoned Light Industrial. This next site…..I'm sorry, it's zoned General Business at Fairfield and Brentwood it's the same thing. It's right here in front of everybody. There's no fence what-so-ever concealing all of these materials. The next

page is the same thing. You see Loggins Scrap Recycling. It's a big sign. It's at the corner of Green and Ward and the photograph below shows although they have a security fence that it's for their protection. There is no visual buffer from the street. So the fence requirement for this type of operation, it's really not something that is necessary. It's a holdover from the days from trying to conceal an automobile graveyard with carcasses that are out there in the high weeds. Are there any questions about that?

Chairman Whitley: Tom, let me ask you one question. Loggins Scrap Recycling-where's it at on the map?

Tom Terrell: It's on the corner of Green and Ward.

Chairman Whitley: I got that. But where at at that intersection?

Tom Terrell: If you are going west, no I'm sorry, east on Ward, and you cross Green, it is the second lot on the left right across from the Old Penske rental place.

Mayor Pro Tem Alexander: There's a gas station on the corner and then that building and there was a little furniture plant. That was the three buildings that were in there and all of them were kind of empty.

Council Member Pugh: Tom, I appreciate you're bringing that to our attention because these sites out here that are scattered….I'm sorry, go ahead Bernita.

Council Member Sims: Go ahead, you've already started. I'll just wait, I have several questions.

Council Member Pugh: But these sites out here just shows us that we need to relook at these recycling places and maybe make it a little more tighter restrictions that what exists today because this is not getting it. On the corners and things like that.

Council Member Sims: Thanks, Tom. What is the average length of time that material stays on site?

Tom Terrell: Mr. Bolton is here. He's the best one to address that. A lot of materials come and leave the same day. Automobiles…..it's as soon as the truck is there to take out those that have been accumulated. But there's no storage beyond when you have enough for a load to go back out. Anything on the site is money not being made. In fact to look at it, it's money being lost. So there's a monential incentive to keep it turned over.

Council Member Sims: Okay, hours of operation?

Tom Terrell: Typical hours of operation….I think Mr. Bolton will address that.

Council Member Sims: Well I'll just wait and ask him all these questions I have.

Tom Terrell: We did not offer hours of operation. We are able to do that. They are not late hours. They're not early hours, but they're consistent.

Council Member Corey: My question concerning the fence….is it for aesthetic purposes? Is it for security purposes? What is the purpose of the fence? Six or eight feet.

Tom Terrell: The purpose that Central Recycling would have in that fence is for security because this is valuable material. The reason that we have had it in our UDO for so long is because we have an old industry that it describes and it's to conceal that from the public. But in this particular case, as we go on we will see and the staff has shown, this is a natural site that has built-in steel walls and the public can't see it anyway. And it's in a Heavy Industrial area and there should be some acknowledgement that, you know, it's okay for a Heavy Industrial district to look Heavy Industrial.

Mayor Smothers: From a train.

Tom Terrell: Yes, right next to a train. If I can go on, then. I'd like to address harmony with the area as the first standard. There's a tab right there in the book. Some of these photos are…..the first three pages are a little bit a duplicate from what you saw with staff, but that very first top photo shows this is a secluded out-of-the-way place. It's hard to see or reach. You don't see this site unless you are intentionally trying to get there. The building owner is here tonight. As you see, that building has a lot of broken windows. It needs to be recycled itself. It could be put to work. The next page shows the old Flyback building. Then the fourth page shows, again, what staff just showed you. That is a pretty high berm that the railroad is on that conceals this from anything on the other side. If you look at the next page, it says view of the area from Green approaching Taylor. This is what High Point historically has looked like or at least it has for the last 50+ years that I have lived in High Point. It's not pretty, but this is what has created jobs in High Point. This is what has created our city. It's this type of view. That's just the other side of the lot. If you'll look at the bottom of the page, this is as we saw in one of the photographs the bakery. In fact, the bakery from the parking lot of this building right here in this direction is where you see this use right here….I'm sorry, I believe it's right here…..it is a….it's just a used tire place and behind the fence there are a lot of stacked up, used tires. So we submit that it's clearly consistent with the character of the area.

The next tab deals with the conformity, with the plan of development. If I could, I'd like to point you to two sentences in the staff report. The Core City Plan notes that quote among the existing conditions that predominate within the southwest portion of the Core City are: vacant land, vacant buildings and old infunctionally obsolete buildings. So this is what we have in the plan. Right behind that, I have four pages

A motion was made by Council Member Pugh, seconded by Council Member Douglas, that this matter be recommended for denial, consent agenda. The motion carried by the following vote:

Votes: Aye: Mayor Smothers, Council Member Sims, Council Member Douglas, Council Member Pugh and Council Member Henley
Nay: Council Member Alexander, Council Member Moore, Council Member Whitley and Council Member Corey

(CONTINUED 110103)

Council Member Moore: I hope, you know after we get the rest in place, I hope we can possibly be a partner to you. I do want to say that I've known Tom a long time. He's been a kind leader and friend to me. The pictures that you stated where you said it's not quite beautiful. That's kind of…where I come from…..it was beautiful to me when it employed about a 1,000 or 1,500 people and paid taxes and generated revenues. But I understand that's another debate.

Council Member Corey: I have another question. I asked the question was the fence for aesthetic purposes or security and the answer was for security. Would not an 8-foot fence be more secure than a six-foot fence?

John Bolton: In our business, Sir, no it would not. The fact is if a thief wants in, he's coming in. A six-foot fence will take out your cab of your pick-up truck. Okay, if you cut my fence with bolt cutters, wire cutters, you can go up to Home Depot and buy you a grinder-battery operated-and do it real easy. The pipes will take out your windshield. You can't get under it. It delays them somewhat. An 8-foot, you can take a grinder and cut you a whole and just drive right on through. Fence in today's society is more for keeping people out, children safe, animals out, more than for security. We will probably be using….or I know we will….cameras and such forth. The fence….had a dog and they shot him with a slingshot. I had a camera, they painted the cameras. You know, I put up barbed wire, they used quilts to get over it. I mean, you know, security is to keep the younger generation out-not the thief. If the thief wants in, he's coming.

Council Member Moore: One more question. You mentioned a crane. What's that going to look like?

John Bolton: It's an excavator. I call it a crane, but it's an excavator.

Chairman Whitley: Any other questions? [none] Thank you.

Tom Terrell: Mr. and Mrs. Shore, could y'all? Mr. Shore and Mr. Duncan would like to speak very briefly. Both of them have trouble hearing.

Mrs. Shore: I'm going to repeat what he says because he can't hear good. He's had a stroke and everything. Alright, what do you want to tell them? Wayne's a good person. Well I can't explain it really because my husband goes there, but you couldn't ask for no better person. He's really nice to everybody. He helps people and all and he gets a lot of customers down there. He's very clean and everything.

Council Member Pugh: Who is that?

Mayor Smothers: She said Wayne.

Council Member Sims: It's Mr. Bolton.

Mrs. Shore: Any questions? [none] Okay, thank you.

Tom Terrell: Do you have any problems living next door to that facility?

Mrs. Shore: No, Sir. I've lived beside there for forty something years when he went in business. [inaudible]…..2004. We don't have no problems.

Council Member Pugh: The residences that are there now are non-conforming, is that correct?

Council Member Alexander: No, this is in Thomasville.

Council Member Pugh: Oh, they're in Thomasville. I'm sorry. Okay, excuse me. In Thomasville.

Mrs. Duncan: I wasn't sworn in because my husband is the head of the house. [laughter]

Tom Terrell: Do you want to tell them what it's like to live next door?

Mr. Duncan: Oh, don't have no problems. I've been there for thirty years-me and my wife. We don't have no problems. I did speak with them about the dust come off the tires of the trucks, but he said he would take care of that. Other than that, I don't have no problem with it. I retired four years ago. I did thirty years in the work system. I did fifty years altogether, but now I'm retired so I stay gone a lot. I'm not home a lot, but I don't have no problem with what's going on next door because without the salvage business, we wouldn't have nowhere to put that stuff and I think it's a good job that he's doing there.

Council Member Pugh: Do they live in Thomasville also?

Tom Terrell: Yes, they live next to the Kennedy Road facility.

Council Member Pugh: Well, we wouldn't have that problem here because there's no houses over there at that area and wouldn't ever be any there because of the zoning restrictions.

Tom Terrell: Thank you.

Becky Wilkerson: I'm Becky Wilkerson. I'm one of the owners of the property and in an attempt to kind of explain why I'm here. I'm supporting the effort just to do something to let the property be utilized. It sat for a while and the lovely…..I'm an emotional landowner, so it's a very lovely piece of property and I'd love to see it used for something other than just sitting dormant. Also, in an overall scheme for High Point, it would bring some revenue in as opposed to at this point in time, not doing

anything except letting me go by and check on it every so often and go in and walk around and say Hmmm, nice building. But I do believe that in any attempt to give it more opportunity to be utilized, that's what I'm supporting what they're trying to do as far as get their special permits. Mr. Routh here knows more about the actual property.

Mayor Pro Tem Alexander: In riding through that area and I don't know if it's your property or a roadway or whatever, but I have seen in the past people just do all kinds of dumping of trash and that kind of thing in the area. I mean it's not, you know, reflective on you as a property owner, but when people see a large open area, they just go in there and they dump all kinds of stuff.

Becky Wilkerson: Right….and you see more of that than I do.

Ryan Routh: Yeah. Obviously there's drug activity and prostitution and all sorts of things happening in that area. It would be nice to have some tenant there that's policing the area and watching and keeping up with everything. I think standard wise, I don't think it's going to reduce the standards. They haven't spoken about the fence, but it's my understanding it's going to be a white fence that's going to cover everything. It's not a chain link fence. This will be a full vinyl, nice like a residential fence. They will obviously upfit the building, the electrical and updoing the sprinkler system. They're going to invest quite a bit of money in the building itself and make it look nice and presentable. They've spent a lot of time to comply with all the rules and regulations whereas by some of these other facilities that you've seen, they've just kind of run it under the radar. So they're doing the best they can to comply with everything and work with the city in all areas which is admirable. If we can work with them the best we can to generate some business for High Point, that would be great.

Chairman Whitley: Any questions? Can you give us your name?

Ryan Routh: I'm Ryan Routh.

John Bolton: I'd also like to bring this back to the board. Our original investment is going to be around $650,000 with about a $300,000….so that we could buy with. So our total investment is somewhere right around $1,000,000. I just thought that would be important for y'all to know.

Council Member Moore: Do you have a website?

John Bolton: Central Recycling, LLC. WWW.centralrecyclingllc.com <http://WWW.centralrecyclingllc.com>

Chairman Whitley: Any other questions for Mr. Bolton? Thank you. Tom, do you have anybody else?

Mayor Smothers: We have some people that have signed up.

Tom Terrell: Thank you for asking, but there is nobody that I'm aware of. There may be others speaking in favor that are here that I'm unaware of.

Chairman Whitley: Alright. Anyone here that would like to speak in opposition? If you'd come forward and give us your name and address.

Dorothy Darr: My name is Dorothy Darr. I live at 501 W. High Street, High Point, 27260. I'm glad to hear that there's no junkyards. I passed two on the way to Thomasville to look at Central Recycling, LLC. There was only one listing in the Thomasville directory. I should have thought that there was a website….and that was the parts place. The three pictures that I took yesterday were parts. Then we do pass a junkyard on the way to the coast, so I think they are still alive. I'm here to ask you to deny the special use permit for auto salvage and scrap processing yard in the Core City of High Point. To allow this use in the central city….one thing I must say, too, I think you're a nice person. You sound like you're a very nice person-not to take anything away from Wayne Bolton-but to allow this use in the central city, you must amend the Development Ordinance. I'm here to ask you not to amend the Development Ordinance for an auto scrap processing yard in High Point-in the central city area. Such a use will injure the value of the surrounding property. In particular and more importantly, it will injure the areas potential for future enhanced economic development. I thought that I was going to read from the Core City Plan and I thought rather than just me read and then give you the footnote, we might just read the highlights together.

Let's make sure I have my copy here……I just had nine copies I think.

Mayor Smothers: We can share.

Dorothy Darr: Excuse me.

Mayor Smothers: We can share.

Dorothy Darr: I just have nine copies for the voting members. Strib, I don't have one for you. You can just pass them down.

Mayor Smothers: I think we have that. Is that the one we have in this packet?

Dorothy Darr: I just excerpted the pages. Does everybody have one?

Industrial districts. The first page. Industrial Districts, Existing Conditions, General Recommendations, *Organize, manage and promote the industrial districts in a manner similar to higher-end industrial parks*. The second page there Design & Marketing Strategy, *It is important that the appearance and overall image of the Core City's industrial areas become enhanced. Efforts should be made to improve existing facilities and design standards should be established for future new development. It is proposed that the Core City's industrial areas be better organized, defined and marketed. Marketing efforts should treat the area more like a modern industrial park.* It's got a few pictures there. The final page….*with the long term shift in furniture manufacturing away from High Point, some of the Core City's industrial areas are no longer competitive and might be best suited for higher and better uses allowed under*

different zoning. It is strongly recommended that the city examine these areas in greater detail to determine where there should be a change in zoning to commercial, residential and other uses. I'm asking you here tonight not just to deny this special use permit, but also that you follow the city's Core City Plan in the next 12-24 months to do just that-particularly in the southwest. And that is to examine the southwest in greater detail to determine where there should be a change in zoning. We need to bring this area into the modern era. Into the 21st Century. *The southwest portions of the Core City could be competitive for typical inner-city and industrial uses, such as* and it lists these uses on the last sheet that I gave you…..*regional transportation, delivery services, security services, food manufacturing which is baked goods, catering services, packaging, small specialty manufacturers, artist designers and specialty craft producers provide an excellent recruitment recruitment opportunity for the Core City especially where there is a "lifestyle" component that can be woven in with industrial uses.*

Industrial Definition & Marketing, that's the last column. I just wanted to say that there's a strong community group now developing that is looking at and developing a southwest renewal plan. We are looking at the Core City Plan very closely. We're looking at the Southside Revitalization Plan 2004 adopted by City Council and we're utilizing this last column here. *One of the key components of an industrial revitalization strategy for the Core City is the requirement for more physical definition of the individual industrial areas. Many of the industrial zones in the Core City lack names, identify, and physical definition, although they are generally clustered along or near railroads. Therefore it is strongly recommended that key industrial districts be defined and mapped, then identified for marketing and redevelopment purposes.* And that's what this group is doing. We're about three months out though. We've just applied for a grant which we'll hear in the next few weeks for a power point presentation and eventually get to City Council-not to ask you for any money-just to basically try to think together on how we might revitalize the southwest going into the 21st Century.

So to conclude, I'm asking you to deny the special use permit for an auto scrap processing yard in the Core City area of High Point. This area has been slated for economic development by the Core City Plan and the Community Growth Vision Statement. The mission statement begins, *High Point's future growth will respect natural and historic resources and encourage Core City redevelopment.* I'm asking you not to amend the Development Ordinance to allow an auto salvage and scrap processing yard in the Center City area of High Point. This is not the direction we want to go. No auto salvage or auto scrap processing yard should ever be allowed in the City of High Point now or going forward. Also I ask that you encourage, over the next 12-24 months, the Planning and Development Department to follow the recommendations of the Core City Plan; to examine the southwest quadrant of the Core City in greater detail; to determine where there should be a change in zoning to establish design standards for future development and to better organize, define and market the southwest working with our community group as we move forward together.

That's all I have to say. These are my pictures. I didn't know whether to bring a disk

or what. I did go to the parts part because I didn't realize….there was only one listing and that was on Martin Luther King Drive, a block off I-85 and you get there by an access road. That was the only listing for Central Recycling.

Mayor Smothers: Can you put that on the overhead?

Dorothy Darr: There's three of them there.

Council Member Pugh: Ms. Darr, what you're saying is basically that to allow this and to lower the developmental standards, it would be contrary to the Core City Plan which we have spent hundreds of thousands of dollars to develop?

Dorothy Darr: Yes, all we need to do is follow it and reread it if we haven't done it in a while. There's many parts on the industrial areas and it's a wonderful, wonderful plan. It won an award for a reason and also I just recently read the Southside Revitalization Plan of 2004-that's a terrific plan. It meshes very well. In fact the Core City Plan pretty much…..the southside neighborhood. The Southwest Group, which I've talked to you and Mike was very good to expand my vision-the Southwest renewal plan-we're looking at the southwest from traditionally or historically how we've looked at it in High Point. South of the railroad tracks, west of Main Street and then the Core City line will be the southern boundary of it. We're looking at the 27260 zip code because when you go across the railroad and get into the northern side of town, you get into the 27262 zip code. The 60 zip code has a very clear demographic poverty and also has a very clear history of industry.

Mayor Smothers: Ms. Darr, this is Central Recycling parts?

Dorothy Darr: Yes. They only had one listing in the….

Mayor Pro Tem Alexander: This is not what they are going to be doing.

Dorothy Darr: I know. I didn't know they had a place on Kennedy because they don't have a phone in the newest directory. This was taken yesterday. I've got two other…..but I just learned tonight that they have three locations. He said one in Eden, one on Kennedy Street in Thomasville and this one on Martin Luther King. But this one's the only one listed in the phone directory.

Council Member Corey: So this is an example of a six-foot fence then?

Dorothy Darr: I think it's about five …..we've seen them all over High Point. We know chain link. We know chain link with barbed wire, don't we? But I think it is one step above the two junk yards that I drove past on I-85 going to this site. I think it is. I think they care for it well. There is quite a bit of land across the street from this that I thought would make an excellent expansion, but I don't think it's appropriate for the Core City in High Point, North Carolina. The central city of our great city should not allow scrap yards and salvage. I think that, if you were to come in and have a very visionary idea for Myrtle Desk-the wonderfully Myrtle Desk Company-we have six empty factories that are highly historic in that area, just in this immediate area and

much more in the southwest, of course. I think that it would be injurious to a perspective buyer to have a junk yard….a junk, salvage…..an auto salvage…..it's hard to say, isn't it……a scrap processing yard-that's what I should call it.

Mayor Pro Tem Alexander: Ms. Darr, one of the….

Dorothy Darr: I think it would be detrimental and especially if you looked out on the top floor of your condo, upscale condo down into the scrap processing yard, you might say I don't know if this property is going to be for us.

Chairman Whitley: Did you have a question Mr. Alexander?

Mayor Pro Tem Alexander: The owner of the buildings that you're talking about is one of the owners of this land that they're trying to sell.

Dorothy Darr: I'm just quoting the Core City Plan and the vision…..

Mayor Pro Tem Alexander: So if the owner of that building didn't feel that it was injurious to the property….

Dorothy Darr: Well I was going to….sometimes we get a short-term vision if we want the money, you know? I don't want us to go in a short-term. I don't want us to proceed with a short-term vision tonight. That's what I'm saying.

Mayor Pro Tem Alexander: Is there an example of the inspired development that you would like to see that's been done in High Point in the last ten years?

Dorothy Darr: Oh yes. It's a wonderful, wonderful plan. I don't have it on power point yet.

Mayor Pro Tem Alexander: No, I mean real like I could walk in the door.

Dorothy Darr: Excuse me?

Mayor Pro Tem Alexander: Never mind.

Council Member Henley: Mr. Alexander, I wish you would have been able to go with us down to Charlotte a few weeks ago when I went with City Manager Boynton and Loren Hill and Sandy Dunbeck and we met with some very innovative folks in Charlotte-called Charlotte Developmental Corporation. They've gone into blighted areas, very tactfully and specifically acquired property and redeveloped for a much

higher and better use than what I see here. Specifically along the Wilkerson Boulevard area which probably could have served as a poster child for prostitution within the last ten or twenty years and those folks have been kind enough to share their playbook to us for how to go about doing that. It's one of the items that's on the city manager's To do list once we get through this budget cycle. We've got the playbook here in High Point, we just need to execute on it.

Mayor Smothers: Also, we have….well the manager and I have talked to at least one developer about areas such as this in terms of reclaiming property that's underutilized or not utilized and trying to prepare it for redevelopment. We're going along the line with y'all. The same line as you are.

Dorothy Darr: Any other questions?

Chairman Whitley: Thank you, Ms. Darr. Anyone else like to speak in opposition?

Council Member Douglas: I've got a question for Tom. A couple of questions. Tom, aren't you a member of the Core City Planning Committee?

Council Member Sims: City Project.

Tom Terrell: I'm sorry.

Council Member Douglas: Are you a member of the Core City project?

Tom Terrell: I am currently on the board. I was the first chairman of the Steering Committee.

Council Member Douglas: Well I was wondering if you were familiar with any of the language and information that she just read to us.

Tom Terrell: Yes, I am. Let me address that. This is a 2.8 acre tract that hugs a railroad. It's okay for the Walker Collaborative, who proposed this to talk about industrial/office park, but you can't take a small island of land that's 2.8 acres and make it into a pristine upscale office park with fountains and duck ponds and grassy areas and have room to do anything. That cannot be done and I don't think that is what they were suggesting. There's just no room for it to happen. There are no design standards in the pages that you are looking at. You're looking at a 10,000 foot proposal to the city that one day design standards should be adopted so that we have upscale office parks down where the old Alma Desk and Myrtle Desk buildings are. I think everybody who's here knows that's not going to happen in our lifetime. We can talk about it…..

Dorothy Darr: I don't agree.

Tom Terrell: Okay…..

Council Member Pugh: I don't agree. As long as ……

[gavel]

Tom Terrell: And they can talk about regional transportation and wholesale food services, but none of those companies have come along. This company has come along in an area where there are all these vacant buildings. This company is the kind of company that High Point….and hear me on this…..actually tries to attract. It's not only bringing jobs, but every one of those 100 people that come in every single day is going out with a check. That might as well be a job right there. A hundred people in addition to the 8-12 employees who are leaving that site with a check in their hand that they would not otherwise have. So those are the people who we're telling no if this thing is not approved. As for the signs, by the way, that were shown right there, that was the MLK facility. I'm pretty sure those signs would not even be allowed in High Point. That was a different facility in Thomasville on a thoroughfare that had drive-by traffic. This place is secluded. You can't find it, except by word of mouth and other types of advertising. That would not be an issue.

Council Member Douglas: So in your opinion, does this still meet the criteria you helped to layout in the city plan?

Tom Terrell: Absolutely. You have to get beyond those maps. Those maps call for this to be heavy industrial. There's nothing in the Core City Plan that says you cannot have heavy industrial use that's not adhering to some design guidelines that have yet to be written.

Council Member Pugh: I have a question or comment. It's not….I don't have anything against the nature of the building. It would fit somewhere else outside the Core City. There's plenty of places that this business could go and this business could flourish and be whatever it needs to be. My contention is this is not an appropriate area. This is the Core City. This is where we've spent hundreds of thousands of dollars in studies and everything. To put it there….I'm a realtor….forty years…..and to put it there, you're going to set a precedent for that area-in my opinion. For what that's worth. But you're going to set a precedent and people's going to ride in there and we've instructed Economic Development to go over there to maybe incentivize businesses to come in there of a better, stronger nature with more jobs….create more jobs and to revitalize that area. We have hopes….that is in my ward….and I have hopes of seeing that as Ms. Darr and others in this city, to see that area come back to life and being more than it used to be and certainly not less than what it used to be. This, in my opinion, would only be a detriment.

Council Member Moore: What would less than used to be mean, Mike?

Council Member Pugh: Well you know what it used to be. It used to be flourishing Alma Desk, Myrtle Desk, etc….they had plenty of jobs for everybody. That's what we envision, but I know those jobs-those types of jobs-are not going to come back. No, they're not going to come back.

Council Member Moore: Okay, and …..

Council Member Pugh: But I envision something better than that. Something greater than that.

Council Member Moore: What's better than that?

Council Member Pugh: Some of the high tech jobs that are going over on Premier and we certainly don't want to bring that area down any lower, but we want to lift that area up to attract development in High Point on a higher scale.

Mayor Pro Tem Alexander: Well, Mike, are you going to get rid of the existing industrial base that's in that neighborhood?

Dorothy Darr: May I just say something?

Mayor Smothers: Excuse me, let Mr. Pugh finish and I think Council is just discussing now.

Council Member Pugh: We've given direction to Loren and to the Economic Development folks to go out and seek businesses and to take them over there first and to try to create a better environment over there and to bring the jobs back to that area on a better and higher scale. That's what I'm saying. And this, just in my opinion, does not meet that standard.

Chairman Whitley: Alright, any additional comments from the audience? And be very brief please.

Dorothy Darr: I think it is hard to visualize. I think that less would be a scrap processing yard with an 8-foot chain link fence-a six-foot chain link fence even-that's covered in black.

Council Member Moore: Less than what it is now?

Dorothy Darr: Yes. You asked the question what's less. And I think more is hard to visualize. I remember talking to Jake Froelich one time and he said the problem is getting people to be able to visualize. He said it's just….you just need to….and that's why….even if you could just postpone it for three to six months and let us get together our visual presentation because it's hard to read so many words these days. I mean I could send it all to you, but oh it's so many words. It might be easier just to see in a power point presentation. It's easier to understand visual. I think you'll digest it easier and it will be very good food for thought for us all.

Council Member Moore: I don't disagree with you there and Mr. Froelich is a great industrialist and producer and benefactor to our community.

Dorothy Darr: And I do think that just with the strong community group that we have just now at the very beginning of it…..I do think that this train is going to leave the tracks. This would be a log on the tracks. You can push it aside. I mean it's not going

to stop the train from leaving the station, but it is an obstruction and I think it should be seen as an obstruction to a larger and better vision of a higher and better use of this wonderful historic property. I mean I look at southside, I look at the whole southwest quadrant and I am just amazed at the opportunities and assets that are there. Part of the plan is to convey, to list those assets, to show those assets, to kind of gather together what's positive and then go from there and know how to market it. Decline it, get new zoning, and go out and market it.

Council Member Moore: I appreciate your opinion and your passion.

Council Member Corey: Can I say something? I frankly do not see how a functioning industrial activity in an area of empty buildings and just empty lots could be a lowering of economic development in that area. Something functioning is better than no function. That's all I'll say.

Chairman Whitley: I'm going to close the public hearing.

Tom Terrell: One thing….if the 8-foot fence is the issue, Central Recycling will build an 8-foot fence. If that makes a difference to somebody. It will be offered as a condition.

Chairman Whitley: Thank you. I'm going to close the public hearing.

Council Member Sims: Mr. Whitley, could I say something?

Chairman Whitley: Go ahead.

Council Member Sims: Sitting currently on the City Project board and looking at what has been proposed and has come before Council, I guess my angst is over having to amend or do a text amendment in order to make it work. If it met all the requirements, if the acreage was in place, and all of that was there and it did not require us to have to do this in order to fit it into that piece, it would make me feel just a little bit better about it. I do believe that the vision of all those individuals who worked with the Core City Plan looked at how can we restore that area at least to what it was or better. That better part was having gone and looked in other communities, looking at what they have done in those same industrial areas in their communities where they put in loft apartments and they've done live/work spaces and they've done all these innovative and creative things to revitalize their core city communities. I think that was the vision that we had, you know. At this point in time, as a salvage yard or recycling or whatever--could we use it? Absolutely. Is it the right place for it? I'm not so sure. I look at and whether or not it will happen in my lifetime, I don't know. I certainly hope so. I want to see something happen because we've put so much time and effort into it. But I am having just a little angst over what we're doing and where we're putting it. It's almost as if we're telling the individuals in the west end that this is the best that we can do. I'm not so sure that's the best we can do. I believe that, yes, it will create jobs. Yes, it will provide something in that area that currently we don't have, but are we moving too fast with this whole process and are we telling west end something's better than nothing? And I'm not so sure that's where

I am in this process. We've looked at certain areas that we've identified and said this is where we want to do…..or we want to concentrate our efforts, but we forget the fact that west end was a part of this plan as well. There were some things that they specifically asked for and none of that was a salvage yard. They asked for some things and said this is what we need in our communities in order for us to be happy as citizens. None of them ever said we want a salvage yard. So, I'm having a little bit of heartburn over all of this. I truly want this gentleman to be in High Point. I want his business to flourish. I want all of those great and wonderful things to happen. The jobs and all of that. I'm just not clear about whether this is the right place for that to happen.

Mayor Smothers: Well, if I may speak to the fact that we're having to make a change. As you said, before we even consider the request before us. I have problems with the fact that there is going to be absolutely no minimum size for a recycling dump, whatever you want to call it. Not you, Mr. Bolton. But we're just taking it out. It's not five acres, but it's not anything.

Mayor Pro Tem Alexander: Well it's two tractor trailers now.

Mayor Smothers: Well I don't think we've permitted that, Mr. Alexander.

Mayor Pro Tem Alexander: I called the Inspections Department and I said what about this and they told me it was in compliance. Have a nice day.

Mayor Smothers: May I finish? I let you finish. I've got the gavel. I do have trouble with that particular text. I think the petitioner has certainly been generous in showing a willingness to waive the six foot thing and go eight feet. I do believe that the point you made regarding topography makes a difference on the site. That really should…..there should be some leeway for that. But, I just can't see changing the text just not to have some requirement as to size. The only other issue that I have about it has to do with a hundred to a hundred and fifty trucks a day going into an area that has rather constricted access in terms of the internal road system over there. It's substandard for industrial. There's no doubt about that. Anyway, I just wanted to speak about the text amendment.

Chairman Whitley: Okay, any other comments?

Mayor Pro Tem Alexander: I'm impressed that we have someone who wants to invest a million dollars and bring in eight jobs that are on the payroll, an unknown number of jobs that are customer driven or entrepreneurial driven into the west end of High Point. I own property in that area. I have property for lease in that area. Over 50% of the developed property in that area has a sign in front of it. That's real facts. That's where we are. Here's a million dollars worth of investment in the area and eight jobs and you know it's nice to dream and I don't ever want to stop dreaming, but beauty's i

Special Use Permit 11-04 - Central Recycling, LLC re Salvage Yards, etc.

110104 A request by Central Recycling, LLC for a Special Use Permit to allow a Salvage Yard, Scrap processing use and a Savage Yard, Auto Parts use in the Heavy Industrial (HI) District. The site consists of 2.8 acres lying west of the intersection of Taylor Avenue and Millis Street (800 and 812 Millis Street).

The joint public hearing for this matter and related matter **110103 Ordinance- Text Amendment 11-03- Central Recycling, LLC re SalvageYards, etc..**.was held on Monday, May 16, 2011 at 5:30 p.m.

For specific comments made at the public hearing regarding Sepcial use Permit 11-04, please refer to matter **110103 Ordinance- Text Amendment 11-03- Central Recycling, LLC re Salvage Yards, etc....**. above.

A motion was made by Council Member Whitley, seconded by Mayor Pro Tem Alexander, that this matter be returned without recommendation. The motion carried by the following vote:

Votes: Aye: Mayor Smothers, Council Member Alexander, Council Member Moore, Council Member Sims, Council Member Douglas, Council Member Henley, Council Member Whitley and Council Member Corey
Nay: Council Member Pugh

ADJOURNMENT

There being no further matters to come before Council at this time, the meeting adjourned at 7:38 p.m.

Respectfully Submitted,

_____
Rebecca R. Smothers, Mayor

Attest:

_____
Lisa b. vierling, mmc
City clerk