

City of High Point

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

Meeting Agenda

Monday, April 19, 2010

4:45:00 PM

Council Chambers

Committee of the Whole

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

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

Committee Members - Bencini, Douglas, Alexander

100100 Contract Renewal Bid No. 27 - Rehrig International - Garbage & Yard Waste Roll Out Containers

Consideration and approval of Bid No. 27 for the contract extension of supplying garbage and yard waste carts to the Rehrig Pacific Company in the amount of \$283,080.00 (5,000 garbage & 1,000 yard waste carts at \$47.18/cart).

100101 Contract Bid No. 31 - Regional Site Solutions, Inc. - Sealing Pavement Cracks & Joints

Consideration and approval for the awarding of Bid No. 31 for Sealing Pavement Cracks & Joints to the Regional Site Solutions, Inc. in the amount of \$99,450.00 (85,000 lbs @ \$1.17/lb).

100083 Contract - Audit Services - McGladrey & Pullen CPA's - FY 2009/2010

Council is requested to authorize the Mayor to execute contract with McGladrey & Pullen, CPA's for audit services for the FY beginning July 1, 2009 and ending June 30, 2010. Contract fee is \$80,000.00.

100084 Resolution - Two-thirds Bonds Orders and Refunding Bonds Order

City Council is requested to approve the bond orders authorizing \$3,200,000 Parks and Recreational Facilities Bonds, \$2,415,000 Street and Sidewalk Improvement Bonds, and \$7,000,000 General Obligation Refunding Bonds; and, establish a public hearing on Monday, May 3, 2010 at 5:30 pm as required by state law on the issuance of the referenced 2/3 bonds.

100099 Wynnefield Properties - Commitment Letter - Elderly Housing

Authorize City Manager to execute a permanent commitment letter for a \$500,000 loan to Wynnefield Properties to construct 56 units of elderly housing. The development will be known as Admiral Pointe.

Pending Items

090050 Revised Economic Incentive Policy

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

3/5/2009

Committee of the Whole

referred

Committee of the Whole

PUBLIC SAFETY COMMITTEE - Council Member Faircloth, Chair

Committee Members - Douglas, Pugh, Alexander

100085 Ordinance - Vacate/Close Dwelling - 337-A Ennis Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling locate at 337-A Ennis Street belonging to Justin Shaw.

100086 Ordinance - Vacate/Close Dwelling - 339-B Ennis Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 339-B Ennis Street belonging to Justin Shaw.

100095 Ordinance - Demolition of Structure - 2010 Van Buren Street

Council is requested to adopt an ordinance ordering the inspector to effectuate the demolition of a structure located at 2010 Van Buren Street belonging to Franklin J. Cashwell.

PUBLIC SERVICES COMMITTEE - Council Member Sims, Chair

Committee Members - Blakeney, Faircloth, Whitley, Alexander

100102 Bi Weekly Collection of Recyclables

Council is requested to approve the converting from the current weekly collection to bi-weekly collection of recyclables in accordance with our plan beginning the week of May 31, 2010.

PLANNING & DEVELOPMENT COMMITTEE - Council Member Bencini, Chair

Committee Members - Blakeney, Pugh, Sims, Faircloth

PUBLIC HEARINGS ON ITEMS**Finance Committee - Council Member Whitley, Chair****100096 Public Hearing - Community Development & Housing Department - 5-Year Consolidated Plan and Annual Action Plan**

Monday, April 19, 2010 at 5:30 p.m. is the date established to receive public comments on the Community Development and Housing Department 5-Year (2010-2014) Consolidated plan and 2010-2011 Annual Action Plan.

Planning & Development Committee - Council Member Bencini, Chair

100087**Land Use Plan Amendment 10-01 - Deep River Center, LLC & CHK & LLC**

A request by Deep River Center, LLC & CHK, LLC to amend the City of High Point Land Use Map to change the classification for approximately 9.98 acres from Community Regional Commercial to the Office land use designation. The site is lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive.

100088**Ordinance - Rezoning Case 10-03 - Deep River Center, LLC & CHK, LLC**

a. Conditional Use General Office-High Intensity (CU GO-H) District.

A request by Deep River Center, LLC & CHK, LLC to rezone approximately 9.98 acres from the Conditional Use Highway Business (CU-HB) District and Conditional Use Shopping Center (CU-SC) District to a Conditional Use General Office-High Intensity (CU GO-H) District. The site is lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive.

b. Conditional Use Permit 10-03

A request by Deep River Center, LLC & CHK, LLC for approval of an accompanying Conditional Use Permit with conditions pertaining to permitted uses, prohibited uses and architectural design guidelines.

100089**Resolution - Street Abandonment SA 10-04 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved portion of Sheldon Court, lying south of Eugene Avenue between Fala Street and Prospect Street.

100090**Resolution - Street Abandonment SA-10-05 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved right-of-way, unnamed alley (15 feet in width), lying east of N. Hamilton Street between Guilford Avenue and Louise Avenue.

100091**Resolution - Street Abandonment SA 10-06 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved right-of-way (identified as "E. Commerce Street" on Plat Book 5 Page 327) lying north of Franklin Avenue between Brentwood Street and New Street.

100092**Resolution - Street Abandonment SA 10-07 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved right-of-way, identified as "10-foot Alley" on a map titled, "Johnson Place" as recorded in Plat Book 3 Page 10 lying south of E. Lexington Avenue between N. Main Street and Johnson Street.

100093**Resolution - Street Abandonment SA 10-08 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved right-of-way, identified as “Chester Street” on a map titled, “Clark - Lambeth Property” as recorded in Plat Book 6 Page 208 lying south of E. State Avenue between N. Hamilton Street and Johnson Street.

100094**Resolution - Street Abandonment SA 10-09 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved right-of-way identified as “Dedicated Right-of-Way” on a map titled, “Evermore Estates” as recorded in Plat Book 78 Page 16 lying north of Bowers Avenue between S. Scientific Street and Jamestown Road (private).

ADJOURNMENT

City of High Point

Strib Boynton

CITY MANAGER



April 27, 2010

Norman Stone,
Wynnefield Properties
PO Box 395
Jamestown, NC 27282

RE: Admiral Pointe, High Point, North Carolina

Dear Mr. Stone:

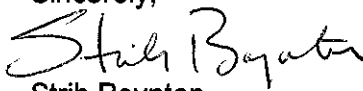
The High Point City Council has authorized me to execute a permanent loan commitment letter for a \$500,000 mortgage subsidy to assist the Admiral Pointe Elderly Housing development; please see attached the executed permanent loan commitment letter. I also want to take articulate some of our expectations of you in the course of this project. In addition to the terms in the commitment letter and the forthcoming contract, Wynnefield Properties will also be expected to:

- Satisfactorily complete an environmental review as determined by the City of High Point;
- Comply with the City of High Points' development review process;
- Comply with all development or any other City, state or federal regulation or requirements including traffic impact analysis necessary to obtain building or other permits; and
- Execute a mutually agreed upon Mortgage Loan Agreement and such other documents, terms and conditions reasonably required by the City to protect its interest in the project.

Upon receipt of this letter, you may undertake pre-development activities without restriction using your own funds. However, your funds should not be used for an activity that has an adverse environmental impact or that limits the choice of alternatives prior to approval of the City's Request for Release of Funds; failure to comply with this requirement may preclude the City from funding your project.

Once these items have been properly completed and the City receives a Release of Funds for the project, a Mortgage Loan Agreement can be executed. We are very pleased that you have proposed to undertake this project to help address the affordable housing deficit in our community. We look forward to working with you on this project.

Sincerely,


Strib Boynton,
City Manager

City of High Point

Strib Boynton

CITY MANAGER



April 27, 2010

Wynnefield Properties
PO Box 395
Jamestown, NC 27282

RE: Admiral Pointe, High Point, North Carolina

Gentlemen:

The City of High Point is proud to confirm its commitment to provide permanent financing to Admiral Pointe, LLC (the "Borrower") to assist it in the development of its elderly housing complex to be located in High Point, North Carolina, and to be known as Admiral Pointe (the "Project").

The terms of the proposed permanent loan (the "Loan") are as following:

1. Loan Amount: Five Hundred Thousand Dollars (\$500,000.00).
2. Interest Rate: Two percent (2.0%) interest payable as follows: amortized over 20 years
3. Loan Term: Twenty (20) years from the closing of the Loan. Closing of the Loan shall occur at the same time the Project's principal permanent loan is closed, with an amortization period of Twenty (20) years.
4. The Lender's source of funds for the Loan is Neighborhood Stabilization Program funds.
5. Other Terms: The Loan shall be non-recourse and shall be secured by a second lien mortgage encumbering the Project. There shall be no prepayment penalties associated with prepayment of the Loan.

If the above terms are acceptable to you, please sign where provided for below.

Sincerely,

A handwritten signature in cursive script that reads "Strib Boynton".

Strib Boynton,
City Manager

Agreed to and accepted this _____ day of _____, 2010.

By: _____

Name: _____

Title: _____

PLANNING AND ZONING COMMISSION RECOMMENDATION

On March 23, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Jay Wagner and Mr. Jim White.

1. Deep River Center, LLC & CHK, LLC Land Use Plan Amendment Case 10-01

A request by Deep River Center, LLC & CHK, LLC to amend the City of High Point Land Use Map to change the classification for approximately 9.98 acres from Community Regional Commercial to the Office land use designation. The site is lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive.

AND

2. Deep River Center, LLC & CHK, LLC Zoning Case 10-03

a. Conditional Use General Office-High Intensity (CU GO-H) District.

A request by Deep River Center, LLC & CHK, LLC to rezone approximately 9.98 acres from the Conditional Use Highway Business (CU-HB) District and Conditional Use Shopping Center (CU-SC) District to a Conditional Use General Office-High Intensity (CU GO-H) District. The site is lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive.

b. Conditional Use Permit 10-03

A request by Deep River Center, LLC & CHK, LLC for approval of an accompanying Conditional Use Permit with conditions pertaining to permitted uses, prohibited uses and architectural design guidelines.

Ms. Galanti presented the Land Use Plan Amendment request to the Commission and recommended approval as outlined in the staff report. Mr. Shannon presented the zoning request to the Commission and recommended its approval contingent upon approval of Land Use Plan Amendment Case 10-01 as outlined in the staff report.

Speaking in favor of the request was the applicant's representative, Mr. Anthony Lester (Evans Engineering) of 4609 Dundas Drive in Greensboro and Mr. Craig Stone (President of Wynnefield Properties) of 5614 Riverdale Drive in Jamestown. Mr. Lester provided a brief overview of Wynnefield Properties proposal to develop a 48-unit independent living apartment facility upon the southwestern portion of the zoning site. Mr. Lester stated that informational letters were sent to surrounding property owners but they only heard from the representative of the adjacent daycare center. He provided them with a copy of the permit that outlined the uses of the requested zoning district and he has heard nothing further from this property owner.

Mr. Craig Stone, President of Wynnefield Properties, was available to answer any questions.

No one spoke in opposition.

The Planning & Zoning Commission recommended **approval** of Land Use Plan Amendment Case 10-01 and Zoning Case 10-03 by a vote of 6-0.

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

**COMBINED STAFF REPORT
LAND USE PLAN AMENDMENT CASE 10-01 AND
ZONING CASE 10-03
March 23, 2010**

Requests	
Applicant: Deep River Center, LLC & CHK, LLC	Owner(s): Deep River Center, LLC & CHK, LLC
LUPA Proposal: To change the future land use designation for approximately 9.98 acres.	From: Community/Regional Commercial To: Office
Zoning Proposal: To rezone approximately 9.98 acres.	From: CU-HB Conditional Use Highway Business District CU-SC Conditional Use Shopping Center District To: CU GO-H Conditional Use General Office-High Intensity District

Site Information		
Location:	Lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive.	
Tax Parcel Numbers:	LUPA Request	Zoning Request
	0196614, 0196666, 0196667 & 0196589	Same
Site Acreage:	LUPA Request	Zoning Request
	9.98 acres	Same
Current Land Use:	LUPA Request	Zoning Request
	Undeveloped and vacant office building.	Same
Physical Characteristics:	The site has been cleared and the land area along Admiral Drive has been graded and prepared for development.	
Water and Sewer Proximity:	An 8-inch City sanitary sewer line runs along Samet Drive and along a portion of Admiral Drive. A 12-inch City water line lies adjacent to the site along Samet Drive and an 8-inch water line runs along the entire length of Admiral Drive.	
General Drainage and Watershed:	The site has a moderately sloping terrain that drains from north to south with the Samet Drive frontage being the low point. The site is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily development with an impervious surface area that exceeds 24% or more of the site.	
Overlay District(s):	City Lake General Watershed Area (GWA) Eastchester Scenic Overlay District	

Transportation Information					
Adjacent Streets:	Name		Classification		Approx. Frontage
	Admiral Drive		Local		710 feet
	Samet Drive		Local		850 feet
Vehicular Access:	This development will have access on Admiral Drive and Samet Drive.				
Traffic Counts:	Samet Drive near site		3,892 trips (2007, 12-hour traffic count)		
Estimated Trip Generation:	The proposed development will generate approximately 1,400 total trips per day.				
Traffic Impact Analysis:	Required			Comment	
	☐	Yes	☐	No X	
Pedestrian Access:	This development will be required to meet the sidewalk requirements in the Development Ordinance.				

School District Comment				
School District:	Guilford County Schools			
Local Schools:	Enrollment: (Fall 2009)	Capacity:	Mobile Classrooms:	Projected Additional Students:
Montlieu Elementary	423	613	3	72 – 74
Welborn Middle	549	1,008	0	37 - 38
Andrews High	914	1,260	0	46 - 47
School District Remarks:	No remarks			

Adjacent Property Zoning and Current Land Use			
North:	CU-HB	Conditional Use Highway Business District	Office uses.
South:	CU RM-18	Conditional Use Residential Multifamily-18 District	Multifamily (apartment complex).
East:	CU-HB	Conditional Use Highway Business District	Undeveloped.
	CU-SC	Conditional Use Shopping Center District	
West:	CU-HB	Conditional Use Highway Business District	Office use, recreation facility and child day care facility
	CU-SC	Conditional Use Shopping Center District	

Adjacent Land Use Designations	
North:	Community/Regional Commercial
South:	High Density Residential
East:	Community/Regional Commercial
West:	Community/Regional Commercial

Relevant Land Use Policies and Related Zoning	
Community Growth Vision Statement:	Goal 3: Create more mixed use areas, while reinforcing existing ones, to minimize traffic, maximize the utilization of infrastructure, and so people can live, work and play in one location. Obj. 3D: Include high-density residential development as a component of existing and new mixed use areas for the purposes of utilizing land efficiently, pairing people with convenient goods and services, supporting the commercial uses, and minimizing traffic.
Land Use Plan Goals, Objectives and Policies:	Goal #3: Provide a wide range of housing opportunities for families of all income levels; Obj. #3. Provide opportunities for an adequate supply of affordable housing at appropriate locations convenient to employment, shopping and service areas; Obj. #8. Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations.
Relevant Area Plan(s):	❖ <i>Eastchester Drive Corridor Plan (Phase II Update 1994)</i> The plan recommends that this quadrant of West Wendover Avenue, between Eastchester Drive and Penny Road, be developed with mixed-uses offering a wide range of commercial, services, high-rise office, and high density residential uses. The plan also recommends continuing the high quality appearance of new development. ❖ <i>West Wendover Avenue/Guilford College Road Corridor Plan -1995</i> Land Use Objectives: 1. Avoid strip commercial development, 2. Concentrate community/regional commercial uses at each end of the corridor - NC 68/West Wendover and I-40/West Wendover, Visual Quality Objectives: 1. Ensure the maintenance of a high visual quality in the West Wendover Avenue Corridor with appropriate standards for signs, landscaping, buffer yards, setbacks and design guidelines.
Zoning History	Currently, the land area along the south side of Eastchester Drive and W. Wendover Avenue, between Hickwood Road & Penny Road, is zoned Shopping Center (SC), Highway Business (HB) or Residential Multifamily-18 (RM-18) and developed with various commercial, retail, office, business professional, self storage warehousing and multifamily uses. In the early 1980's all of this area was zoned for single family dwellings except for an office zoning at the southeast corner of Eastchester Drive & Hickwood Road. In 1987, zoning Case 87-28 rezoned all of this area to a Planned Business zoning district. During the 1990's there were multiple zoning applications approved that further rezoned this area to

	various CU-SC and CU-HB Districts. Finally, in 1997 the southern boundary of this commercial area was rezoned to a CU RM-18 District for development of the Highbrook Apartment complex.
--	--

Relevant Land Use Plan Amendment History

Case #:	Date:	Description:
LUPA 01-04	Nov. 15, 2001	Approximately 5 acres located at the southwest corner of W. Wendover Avenue and Penny Road was changed from Office to Community/Regional Commercial

Purpose of Existing and Proposed Land Use Designations

Existing Designation:	Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
Proposed Designation:	Office: This classification includes professional, personal and business service uses.

Details of Proposals

The applicant has a client that desires to develop the 2½ acre area at the southwestern portion of the zoning site for multifamily development. Depending upon the demand, they may consider expansion of multifamily uses upon other portions of the zoning site. The development goal envisioned is a mixed use development consisting of multifamily and office uses, thus they have requested rezoning to a GO-H District, which is intended to accommodate high intensity office, institutional uses and high density residential uses at a density of 26 units per acre or less. Some limited retail uses are permitted in the GO-H District subject to being within a multi-tenant building, with individual retail uses being restricted to a maximum of 3,500 square feet in area.

The site is within the Wendover Crossing development which consists of approximately 46 acres and extends from Penny Road to the western boundary of the zoning site, and from W. Wendover Avenue southward to Samet Drive. The land area associated with Wendover Crossing and the adjacent Wendover Landing development has had a Land Use Map designation of Community/Regional Commercial and Office with corresponding commercial zoning for over 20 years. That area of the Wendover Crossing development lying directly north of the zoning site, fronting W. Wendover Avenue and all four intersections of Tinsley Drive and Admiral Drive, has been development with various office and business professional uses with the exception of two restaurants that front W. Wendover Avenue.

Currently, all of this area is designated upon the City's Land Use Map as Community/Regional Commercial. Therefore, a Land Use Plan Amendment is required in conjunction with the zoning application to support the requested GO-H District.

Analysis of Land Use Plan Amendment Request

- ❖ Since the mid 1980's the southeast quadrant of the Eastchester Drive/W. Wendover Avenue intersection has been designated as Office or Community/Regional Commercial, or a

combination of the two. This quadrant of the intersection has been slower to develop than the other quadrants and it has evolved overtime into a mix of office and retail uses, with high density residential on the south side of Samet Drive.

- ❖ The request to amend the Land Use Plan to an Office land use designation on this site would allow for multifamily and offices uses, which is in keeping with the existing overall development pattern that has been established in this area and would further add diversity to the mix of uses in the area.

Zoning Request - Identified Issues

Major Issues:

- ❖ None

Minor Issues:

- ❖ None

Zoning Request - Findings

Section 9-3-13 of the Development Ordinance requires that certain findings be made before a zoning map amendment and Conditional Use Permit may be approved. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these required findings.

That the development of the property in accordance with the proposed conditions will not materially endanger the public health or safety; staff finds

Compliance	❖ Transportation improvements, between Hickwood Drive and Penny Road, were installed with the development of the Wendover Crossing and abutting Wendover Landing commercial subdivisions. Staff has found no evidence that suggests the requested rezoning would negatively impact traffic circulation or public safety in this area.
-------------------	---

That the development of the property in accordance with the proposed conditions will not substantially injure the value of the adjoining or abutting property; or that the development is a public necessity; staff finds

Compliance	❖ Over the past 15 years the land area along the south side of Eastchester Drive and W. Wendover Avenue, between Hickwood Road and Penny Road, has developed into a mixed use area consisting of commercial uses along perimeter frontage roads, office/business professional uses internally and multifamily to the south. The zoning site is located within the internal area of this commercial node where multifamily uses transition to office uses. The request to rezone this site to a GO-H district would continue to allow office uses and expand the ability to permit multifamily uses toward the internal area of this commercial node. Staff has found no evidence that suggests the requested rezoning would negatively impact adjacent property owners.
-------------------	---

That the location and character of the development, in accordance with the proposed conditions, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City of High Point and its environs; staff finds

Compliance	❖ Subject to approval of the corresponding Land Use Plan Amendment case (LUPA10-01), the requested CU GO-H district will be in conformance with the City's Land Use Map. ❖ The request is in keeping with Objective 8 and 9 of the Land Use Plan which encourages infill, mixed use and higher residential densities at appropriate locations and transition in land uses between more and less intensive land uses. ❖ Prime high visibility commercial or office tracts along perimeter roadways of the commercial node have already been developed. The requested GO-H district is intended to accommodate high intensity office, institutional uses and high density residential uses. Staff finds that the request will be in harmony with the area and the Land Use Plan for this area because, 1) it does not introduce any new land uses in this area, 2) it will establish zoning that matches the existing uses currently developed in this area, and 3) the applicant has offered a condition to continue to use the existing Wendover Crossing Design Guidelines for development upon the site.
-------------------	--

Recommendations

Land Use Plan Amendment Request (LUPA 10-01):

The requested Office land use designation is in keeping with the overall existing development pattern in this area and is supported by the City's land use policies. Staff recommends approval of this Land Use Plan Amendment request.

Zoning Request (Z10-03):

Subject to approval of Land Use Plan Amendment Case 10-01 and based upon existing development pattern in this immediate area, the zoning request will be compatible with the City's Land Use Plan and will be in harmony with the area. Staff recommends approval of this request to rezone 9.98 acres at the northeastern and northwestern corners of Samet Drive and Admiral Drive to a Conditional Use General Office High Intensity (CU GO-H) district.

Zoning Request - Required Action

Planning and Zoning Commission:

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City's Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with staff's findings, by adoption of its own statement.

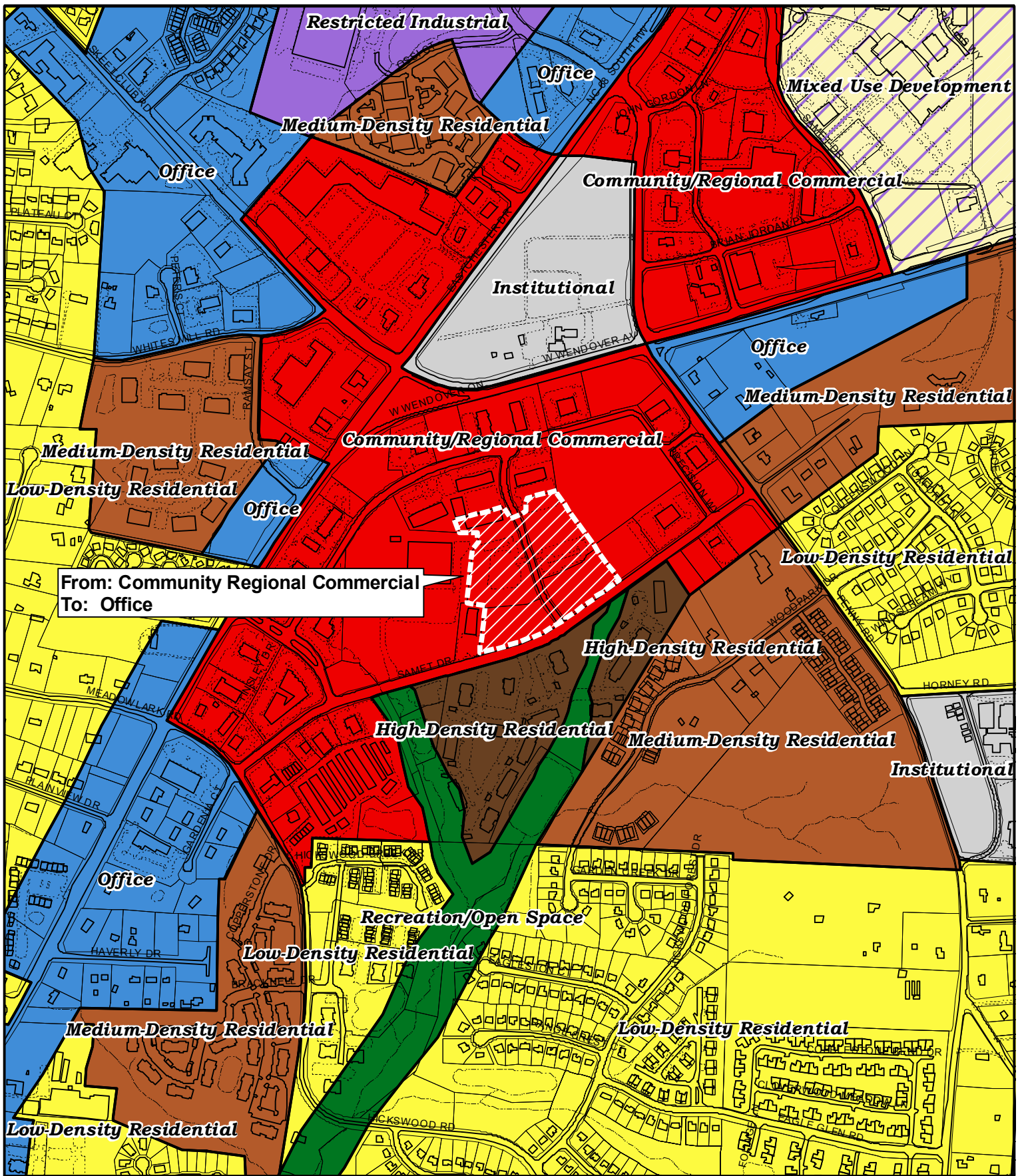
City Council:

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City's Land Use Plan. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Council, or, if the Council is in disagreement with staff's findings, by adoption of its own statement.

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) Subject to approval of Land Use Plan Amendment Case 10-01, the request will be consistent with the City's Land Use Plan; 2) The request to permit additional office uses and higher intensity multifamily uses at this location is consistent with Objective 8 of the Land Use Plan which encourages infill, mixed use and higher residential densities at appropriate locations; and 3) The site abuts office uses to the north and multifamily uses to the south, thus the request will not be introducing any new land uses in this area and will be in harmony with existing development patterns in this area. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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



LAND USE PLAN AMENDMENT 10-01

Request: From: Community Regional Commercial
To: Office

Existing Land Use Plan
Subject Property Boundary



Department of Planning
and Development

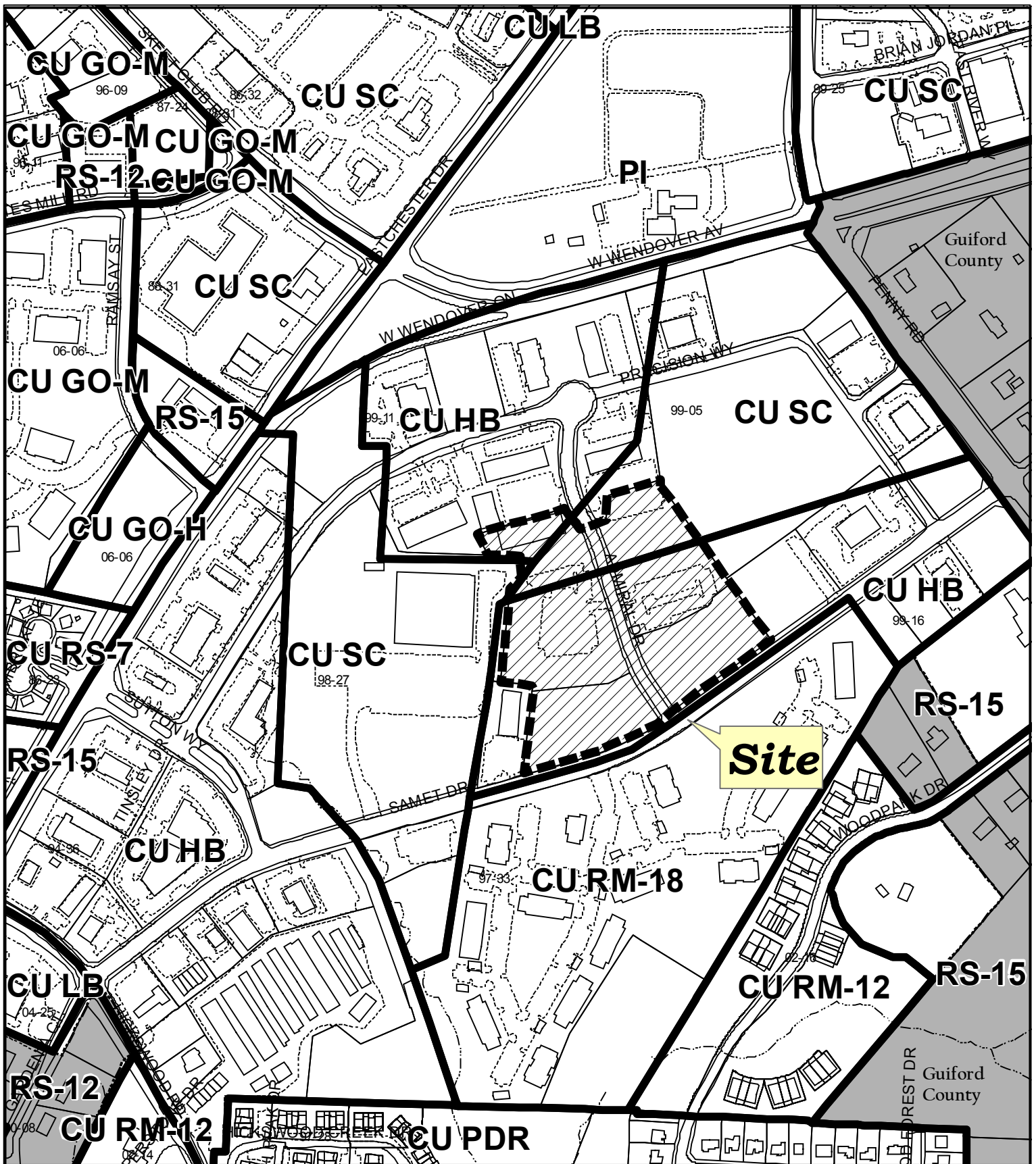
City of High Point

Date: March 11, 2010



Scale: 1"=700'

y:\ba-pz\2010\pz\lupa10-01.mxd



REZONING CASE 10-03

From: Conditional Use Shopping Center and
Conditional Use Highway Business

To: Conditional Use General Office-High

Existing Zoning Boundary

Subject Property Boundary

Planning & Development
Department

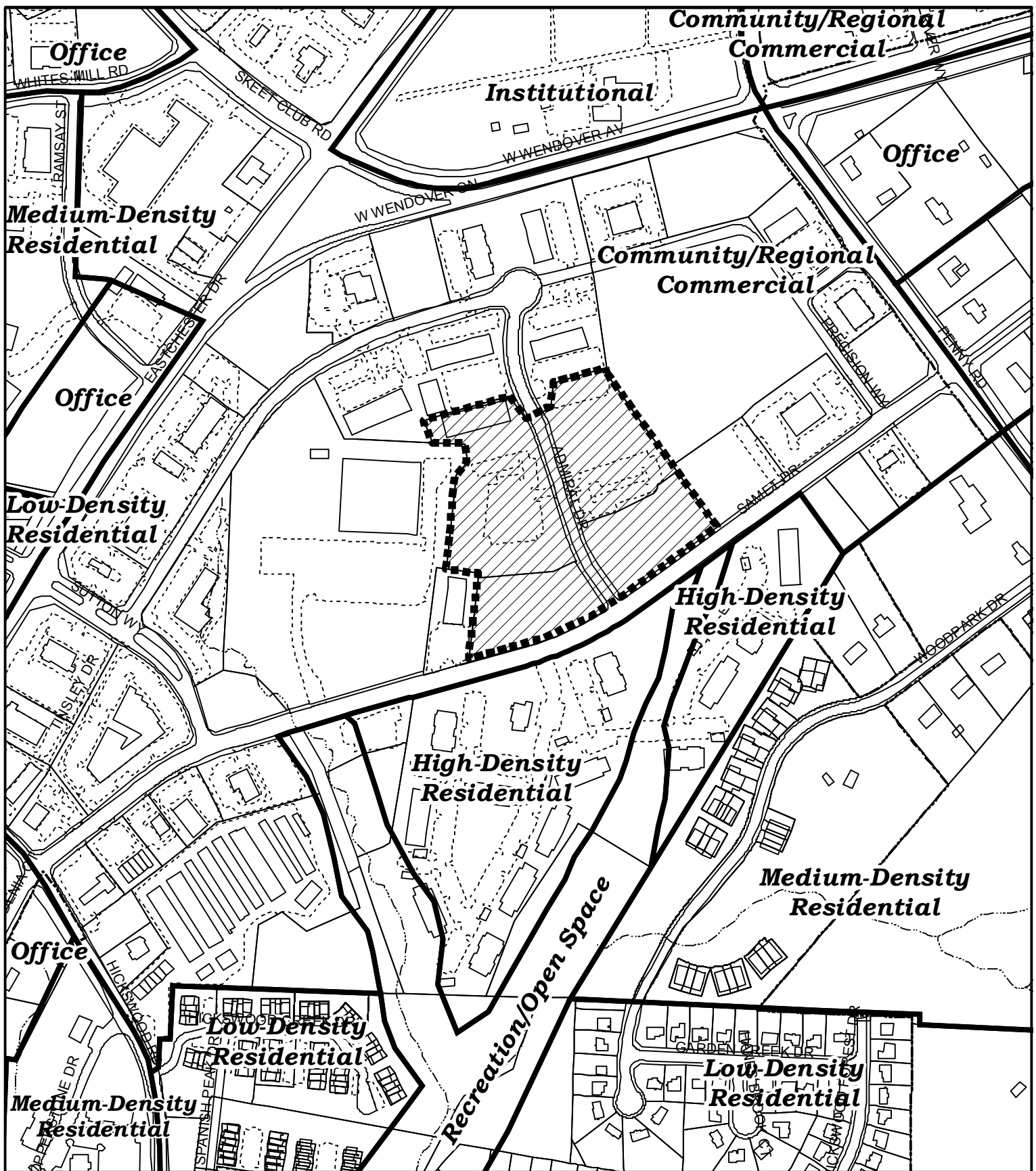
City of High Point

Date: March 11, 2010



Scale: 1"=400'

y:/ba-pz/2010/pz/z/10-03.mxd



REZONING CASE 10-03

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
 Department**

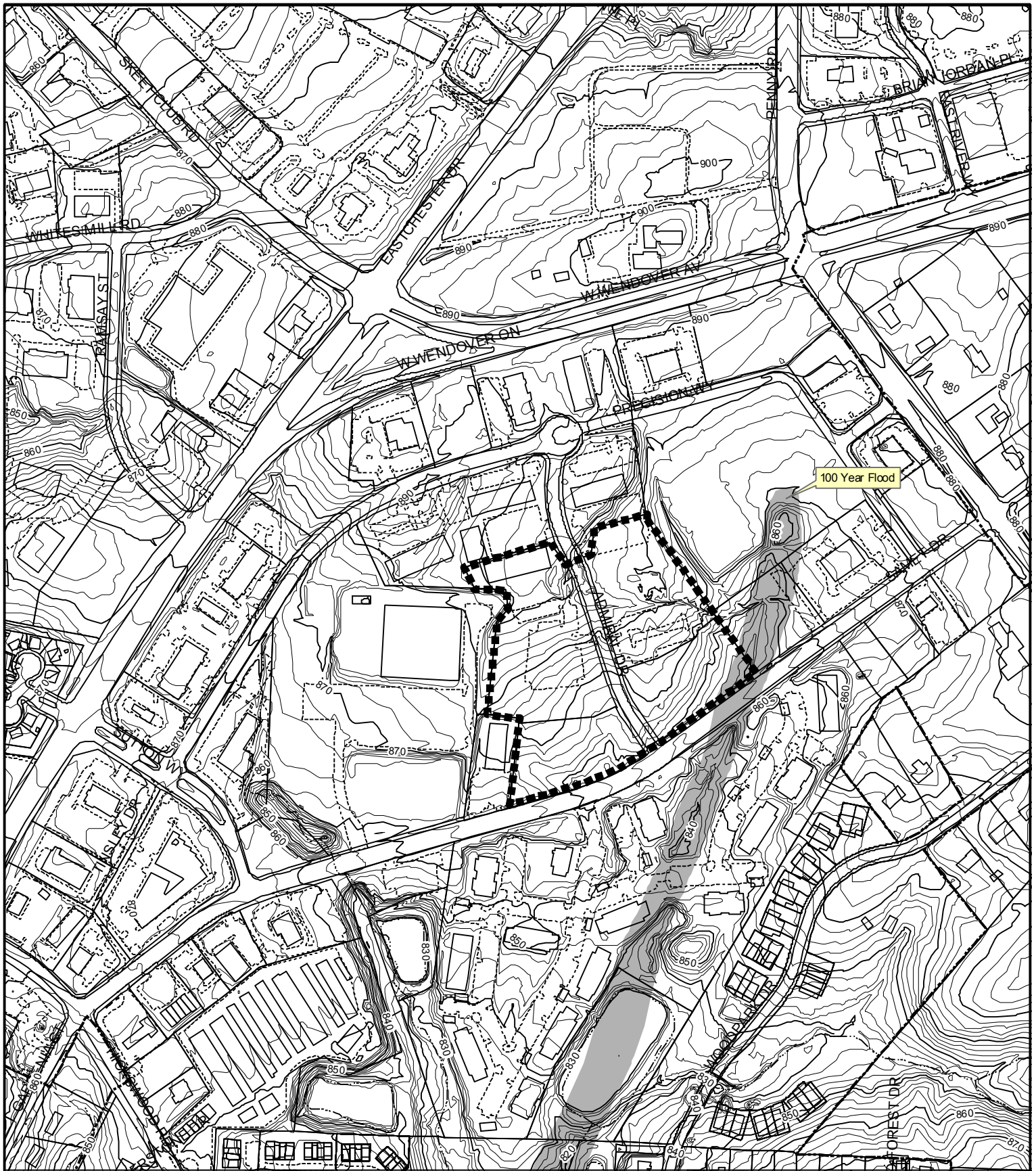
City of High Point

Date: March 11, 2010



Scale: 1"=400'

y:/ba-pz/2010/pz/z10-03.mxd



REZONING CASE 10-03

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: March 11, 2010



Scale: 1"=400'

y:/ba-pz/2010/pz/z10-03topo.mxd

REZONING CASE 10-03



APPLICATION FOR A CONDITIONAL USE PERMIT
CITY OF HIGH POINT, NORTH CAROLINA
Conditional Use General Office-High Intensity (CU GO-H) District

March 8, 2010
(Submitted)

TO THE CITY COUNCIL OF THE CITY OF HIGH POINT:

The undersigned hereby respectfully request that the High Point City Council, pursuant to Title 9, Chapter 3 of the City Code, grant a Conditional Use Permit for the following use(s), subject to the following conditions:

- I. USES: Any of the land uses allowed in the General Office High Intensity (GO-H) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the GO-H District and the specific conditions listed in this Conditional Use Permit.
- II. CONDITIONS:
 - A. Prohibited Uses: The following GO-H District land uses shall be prohibited.
 1. Single Family Detached Dwellings.
 2. Two Family Dwellings (Twin Homes or Duplexes).
 3. Townhouse Dwellings.
 - B. Architectural Design Guidelines:
 1. Development upon the zoning site shall be subject to the standards of the Wendover Crossing Design Guidelines (Nov. 3, 1998). Given the proximity of the site to existing office buildings within the same development, and to encourage an overall cohesive design and look, all buildings shall be designed to complement the architecture of the office buildings. This shall include similar roof type and covering, exterior materials, windows and doors, and overall architectural style.
 2. Neon signs shall not be permitted.
 3. Metal and vertical sided buildings shall be prohibited.
 4. No roof or accent roof lighting shall be permitted.

DESCRIPTION OF PROPERTY: Approximately 9.98 acres lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive. The site is also known as Guilford County Tax Parcel(s) 284-1-11, 39, 91 & 92.

An application has been duly filed requesting that the property involved in this application be rezoned from the Conditional Use Highway Business (CU-HB) District and Conditional Use

Shopping Center (CU-SC) District to a Conditional Use General Office-High Intensity (CU GO-H) District. It is understood and acknowledged that if the property is rezoned as requested and the Conditional Use Permit authorized, the property described in this request will be perpetually bound by the use(s) authorized and the conditions imposed, unless subsequently changed or amended as provided for a Title 9, Chapter 3, of the City Code.

The City Council may add additional conditions to make the necessary findings of fact required for approval of a Conditional Use Permit.

It is further understood and acknowledged that plans for any development to be made pursuant to any such Conditional Use Permit so authorized shall be submitted to the Technical Review Committee and/or other such approval authorities for review in the same manner as other such plans now required to be approved by the City of High Point.

Citizens Information Meeting Report Zoning Case 10-03

Submitted by: Deep River Center, LLC and
CHK, LLC

March 1, 2010

Memorandum

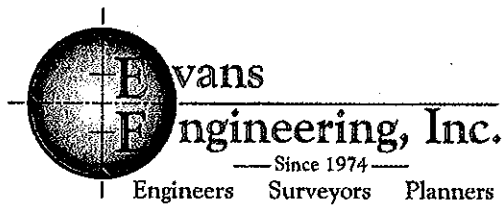
To: Herb Shannon, City of High Point, Senior Planner & Zoning Coordinator

From: Anthony D. Lester; PE, PLS
Evans Engineering, Inc.

Date: March 1, 2010

Re: Citizens Information Report for Deep River Center, LLC and CHK, LLC at
Wendover Crossing

The owners chose to notify all the adjoining property owners within 300 feet of the subject property via an informational letter. I have attached a copy of this informational letter for your review. To date, none of the adjoining property owners have contacted me with any questions. If any additional information is needed, please notify me. Thanks.



February 19, 2010

Raymond and Trudy Brown
807 Dorado Drive
High Point, North Carolina 27265

RE: Proposed Rezoning of 9.98 Acres of Land on the West and East Sides of
Admiral Drive and North of Samet Drive

Dear Neighbor:

Deep River Center, LLC and CHK, LLC own approximately 9.98 acres of land north of Samet Road which also lies on the west and eastern sides of Admiral Drive (see the attached map). This property is currently zoned CU-SC. The existing property currently consists of vacant land and an existing office condominium building and unused parking lots. The owners of this property has asked the City of High Point to rezone this property to a classification of CU-GO-H (Conditional Use District General Office High Intensity). The purpose this rezoning is due to the fact that the new zoning classification of GO-H will allow some uses such as apartments and nursing homes, whereas the existing CU-SC district would not. The proposed GO-H district will also continue to allow the office condominiums that have currently been built on a portion of this property.

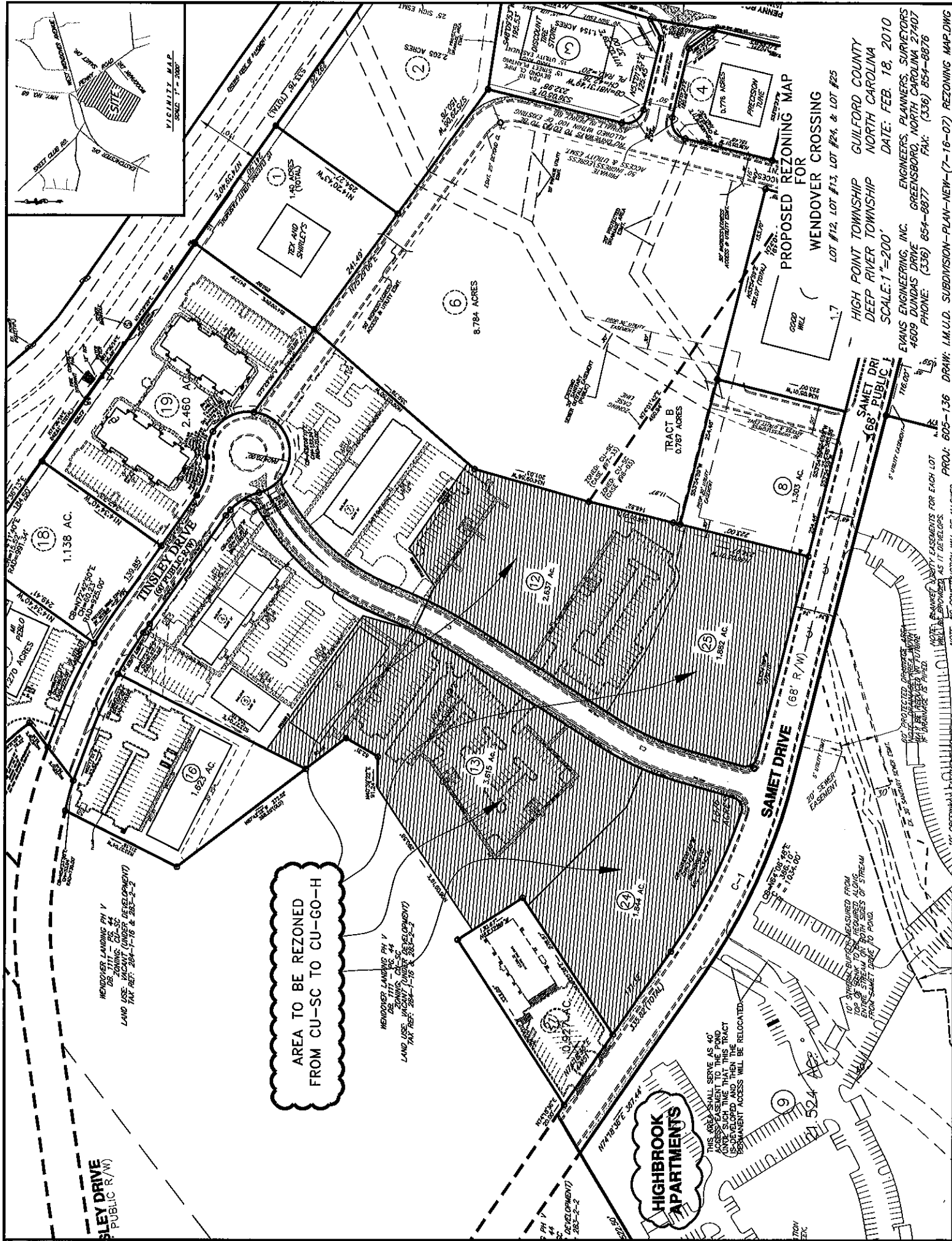
If you should have any questions concerning the rezoning of this property, please contact me, Anthony D. Lester at (336) 854-8877 x314. I will attempt to answer any questions you might have.

The proposed rezoning case is scheduled to be heard by the City of High Point Planning and Zoning Commission on March 23, 2010 at 6pm.

Thank you for your consideration of this matter and should there be any questions, please call.

Sincerely,

Anthony D. Lester, P.E., P.L.S.
Vice-President
Evans Engineering, Inc.





**City of High Point
Conditional Use District Zoning
Citizen Information Meetings**

Anyone planning to file a zoning application for a conditional use district from the City of High Point is required to hold a citizen information meeting prior to filing the application. This requirement applies only to an application for a conditional use district or an application to amend a previously approved conditional use district. Conditional use district zoning is a type of zoning where property owners can impose specific conditions or restrictions on the development and use of their property, and where the conditions are enforceable by the City regardless of the property's future ownership.

The City of High Point finds that quality development is better achieved through an informed and cooperative process than an adversarial one. The purpose of the citizen information meeting is to allow the person planning to file an application, otherwise known as the applicant, the opportunity to inform citizens about the development proposal and to provide citizens the opportunity to ask questions and find out more about the proposal prior to any official public hearings.

The applicant's development proposal is officially presented to the Planning & Zoning Commission and City Council at their respective public hearings. At the public hearings, the Commission and Council hear comments and concerns from citizens regarding the proposal prior to making decisions. The public hearings are not the preferred setting for citizens to learn about a development proposal for the first time. It is difficult to gain understanding of a proposal and offer well thought out comments during the relatively short time of a public hearing. The citizen information meeting is important in that it can provide basic information and allow communication with the applicant before the public hearings, so that citizens may informatively develop their comments and any concerns, and later present them at the public hearings for consideration.

Applicants may vary the form and number of citizen information meetings they conduct; however, they are required to contact or otherwise notify owners of property located within 300 feet of the proposed zoning site. Whatever form the meeting takes, those citizens participating are provided with this written statement from the City of High Point, which describes the purpose of the citizen information meeting, the application process and where additional information may be obtained from the City. In addition, the applicant must provide a written description of the development proposal and any other available information that would help citizens to better understand it. After the zoning application is filed with the City's

Administration
336.883.3328

Planning Services
336.883.3328

Development Services
336.883.3328

Inspection Services
336.883.3151

Planning & Development Department, the applicant submits to the City a written report of the citizen information meeting(s). At a minimum, this report records the property owners notified; date, time and location of the meeting(s); the written description of the development proposal; and any comments, ideas or suggestions from citizens that were incorporated into the development proposal.

Before the public hearings are held, the City's Planning & Development Department mails notices to all owners of property located within 300 feet of the zoning site. This notice provides information on the conditional use district request; the time, date and place of the Planning & Zoning Commission public hearing; and contact information. A second notice is mailed prior to the City Council's public hearing with similar information. Also, signs are placed on the zoning site giving notice of the request and the City's public hearings.

After hearing public comments and considering the development proposal, the Planning & Zoning Commission makes a recommendation to the City Council who, after holding their public hearing, decides what action should be taken on the proposal. Changes to the applicant's proposal can occur during this process in order to insure consistency with City policy and development regulations, and to minimize expected impacts that can be generated by the development or use of the zoning site.

No condition can be included in a conditional use district that specifies ownership status, race, religion or characteristics of the development's occupants, the minimum size of a dwelling, the minimum value of buildings or improvements, or ones that otherwise excludes specific races, religions or classes of people.

Citizens are strongly encouraged to contact the City's Planning & Development Department and visit the department's website for additional information on the City's zoning process, and for information about specific development proposals.

Contact:

Planning & Development Department
336-883-3328
www.high-point.net/plan

BROWN RAYMOND W JR & TRUDY S
807 DORADO DR
HIGH POINT NC 27265

CAREY PHILLIP & ARNET
3750-105 ADMIRAL DR
HIGH POINT NC 27265

CHK LLC C/O GREENWOOD & CHARLES
1451-A TRADE MART BLVD
WINSTON SALEM NC 27127

COHEN MANUEL & ELINOR B
PO BOX 1117
MONCKS CORNER SC 29460

DEEP RIVER CENTER LLC
PO BOX 5657
WINSTON SALEM NC 27113

DLF HOLDINGS LLC
3745 ADMIRAL DR
HIGH POINT NC 27265

FRYE TIMOTHY A & STACEY H
6335 POPLAR FOREST DR
SUMMERFIELD NC 27358

GERITA CONSULTING INC
3 CHATTERSON CT
GREENSBORO NC 27410

GOODWILL INDUSTRIES OF CENTRAL
NORTH CAROLINA INC
125 S EUGENE ST
GREENSBORO NC 27406

HAGGERTY RICHARD C JR & GAIL H
3759 W LEXINGTON AVE
HIGH POINT NC 27265

MAYS CLIFTON
905 RUSKIN DR
HIGH POINT NC 27265

NATIONAL HOME FURNISHINGS ASSN INC
3910 TINSLEY DR #101
HIGH POINT NC 27265

NNN HIGBROOK 2 LLC ETAL C/O TRIPLE
NET PROPERTIES LLC ATTN THERESA
HUTTON
1551 N TUSTIN AVE STE 200
SANTA ANA CA 92705

RHIE HAK BUM & SUNGCHU
6121 LEA RAY DR
GREENSBORO NC 27410

SILVER DONALD J
PO BOX 6251
HIGH POINT NC 27262

SPENCER-STROUD PROPERTIES LLC
510 BURNING TREE CIR
HIGH POINT NC 27265

SPORTSCENTER TRIAD LLC
3811 SAMET DR
HIGH POINT NC 27265

SVH PROPERTIES LLC
PO BOX 6475
HIGH POINT NC 27262

TRAWETS LLC
3765 ADMIRAL DR STE 105
HIGH POINT NC 27265

BID INFORMATION AND RECOMMENDATION**BID #** 27-102208 (extension)**DATE OPENED:** October 22, 2008**DESCRIPTION:** Garbage & Yard Waste Rollout Carts**BID PACKAGES DISTRIBUTED:** 13**DEPARTMENT:** Public Services –
Environmental Services**SOURCE OF FUNDS:** 631783-529181**BUDGETED AMOUNT:** \$ 300,000.00**RECOMMENDED AWARD**

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
5000	95 Gallon Garbage Rollout Cart	\$47.18	\$ 235,900.00
1000	95 Gallon Yard Waste Rollout Cart	\$47.18	\$47,180.00
	TOTAL		\$283,080.00

PURPOSE: To extend contract for purchase of Rollout Carts for fiscal year 2010/2011.

COMMENTS: Contract specifications allowed for three one-year extensions. Two additional years remain after this extension. This contract also allowed for price adjustments based on resin pricing. The current price for carts is \$47.18. The price has been as low as \$40.05 since the beginning of the contract.

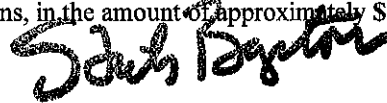
ORIGINAL BID TABULATION

<u>VENDOR NAME & ADDRESS</u>	<u>QTY</u>	<u>ITEM</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
Rehrig Pacific Company	5000	95U MCB	\$49.12	\$245,600.00
PJ Hamm				
1000 Raco Court	1000	95U MCB	\$49.12	\$49,120.00
Lawrenceville, GA 30045				\$294,720.00
Otto Environmental	5000	MSD-95C	\$49.34	\$246,700.00
Attn: Judy Grist				
12700 General Drive	1000	MSD-95C	\$49.34	\$49,340.00
Charlotte, NC 28273				\$296,040.00
Toter Inc.	5000	79296	\$49.97	\$249,850.00
Laura P. Gates	1000	79296	\$49.97	\$49,970.00
PO Box 5338				\$299,820.00
Statesville, NC 28677				
	5000	76596	\$52.47	\$262,350.00
	1000	76596	\$52.47	\$52,470.00
				\$314,820.00

Schaefer Systems International	5000	USD95B	\$51.84	\$259,200.00
Larry Wiegman				
P O Box 7009	1000	USD95B	\$51.84	\$51,840.00
Charlotte, NC 28241				\$311,040.00
Cascade Engineering	5000	CE96G	\$53.40	\$267,000.00
Carol Hindley				
4950 37th Street, SE	1000	CE96G	\$51.40	\$51,400.00
Grand Rapids, MI 49512				\$318,418.00

The **PURCHASING DEPARTMENT AND PUBLIC SERVICES DEPARTMENT** recommend that the contract for the **GARBAGE & YARD WASTE ROLLOUT CARTS** be extended for fiscal year 2010/2011 to **REHRIG PACIFIC CO.**, the lowest responsible and responsive bidder meeting specifications, in the amount of approximately \$ 283,080.00.

DATE OF RECOMMENDATION: April 14, 2010



Strib Boynton, CITY MANAGER

Public Services Department

Richard D. McMillan, P.E.
ASSISTANT DIRECTOR



MEMORANDUM

DATE: April 14, 2010
TO: Pat Pate, Assistant City Manager
W. Chris Thompson, PE, Director of Public Services
FROM: Richard D. McMillan, P.E., Asst. Director of Public Services 
SUBJECT: Agenda Item – Garbage & Yard Waste Cart Contract Extension Recommendation

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

Consideration and approval for the contract extension of supplying garbage and yard waste carts to the Rehrig Pacific Company in the amount of \$283,080.00 (5,000 garbage & 1,000 yard waste carts at \$47.18/cart).

The current price of the carts (\$47.18 as of 03/31/2010) is set for three months and adjusted quarterly based on the current price of resin (main ingredient in the cart – petroleum-based). The price adjustment clause is in the original contract and protects the City and vendor against major fluctuations in resin prices.

Funding for this payment will be made from the following account: 631783-529181

If you have any questions, please contact me.

pc: Bob Martin, Purchasing Director
Patty Sykes, Purchasing
Leonard Barham, Environmental Services Superintendent
File

BID INFORMATION AND RECOMMENDATION**BID #** 31-041210**DATE OPENED:** April 12, 2010**DESCRIPTION:** Sealing Pavement Cracks & Joints**BID PACKAGES DISTRIBUTED:** 6**DEPARTMENT:** Public Services**SOURCE OF FUNDS:** 101721-527205**BUDGETED AMOUNT:** \$100,000.**RECOMMENDED AWARD**

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1 lot	SEALING PAVEMENT CRACKS & JOINTS	\$99,450.00	\$99,450.00

PURPOSE: The purpose of this contract is repair cracks and joints in City streets.**BID TABULATION**

BIDDER	UNIT PRICE X 85,000 lbs	TOTAL PRICE
Regional Site Solutions P O Box 5047 High Point, NC 27262	1.17	99,450.00
Gordon Company, Inc. 105 Kaylan Lane Thomasville, NC 27360	1.18	100,300.00
Delta Contracting 564-A Trollingwood Rd. Haw River, NC 27258	1.41	119,850.00
Turner Asphalt 5805 Lease Lane Raleigh, NC 27617	1.80	153,000.00

The **PURCHASING DEPARTMENT AND PUBLIC SERVICES DEPARTMENT** recommend that the contract for **SEALING PAVEMENT CRACKS & JOINTS** be awarded to **REGIONAL SITE SOLUTIONS**, the lowest responsible and responsive bidder meeting specifications, in the amount of **\$99,450.00**.

DATE OF RECOMMENDATION: April 14, 2010
Strib Boynton, CITY MANAGER

Public Services Department

Richard D. McMillan, P.E.
ASSISTANT DIRECTOR



MEMORANDUM

DATE: April 14, 2010
TO: Pat Pate, Assistant City Manager
W. Chris Thompson, PE, Director of Public Services
FROM: Richard D. McMillan, P.E., Asst. Director of Public Services
SUBJECT: Agenda Item – Sealing Pavement Cracks & Joints Contract

A handwritten signature in blue ink that reads "Richard D. McMillan".

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

Consideration and approval for the awarding of a bid for Sealing Pavement Cracks & Joints to the Regional Site Solutions, Inc. in the amount of \$99,450.00 (85,000 lbs @ \$1.17/lb).

Funding for this payment will be made from the following account:

DAK Account: 101721-527205 Street Resurfacing Contract

If you have any questions, please contact me.

pc: Bob Martin, Purchasing Director
Patty Sykes, Purchasing
Leonard Barham, Environmental Services Superintendent
File

WOMBLE
CARLYLE
SANDRIDGE
& RICE

A PROFESSIONAL LIMITED
LIABILITY COMPANY



Suite 2100
150 Fayetteville Street Mall
Raleigh, NC 27601

Mailing Address:
Post Office Box 831
Raleigh, NC 27602
Telephone: (919) 755-2100
Fax: (919) 755-2150
Web site: www.wcsr.com

Jennifer Distefano
NC State Bar Certified Paralegal
Direct Dial: (919) 755-8132
Direct Fax: (919) 755-6168
E-mail: jdistefano@wcsr.com

April 20, 2010

VIA E-MAIL TRANSMISSION

High Point Enterprise

aloflin@hpe.com

Attention: Amy Loflin, Legal Advertising Department

Re: Publication of Order Authorizing \$7,000,000 General Obligation Refunding
Bonds of the City of High Point, North Carolina

Dear Amy:

Please publish the attached Bond Order once in the High Point Enterprise on Friday,
April 23, 2010.

Please fax a copy of the proof of the Bond Order to me after the type has been set, but
prior to publication, for my review. My fax number is (919) 755-6168.

After the Bond Order has been published, please provide me with four publisher's
affidavits, with printed clippings attached, evidencing such publication.

The invoice for such publication should be forwarded to:

Jeffrey A. Moore
Director of Financial Services
City of High Point
Post Office Box 230
High Point, North Carolina 27261
Telephone: (336) 883-3238

Thank you for your assistance and please do not hesitate to contact me if you have any
questions.

WOMBLE CARLYLE SANDRIDGE & RICE
A Professional Limited Liability Company

Jennifer Distefano

Attachment

cc: Jeffrey A. Moore (via e-mail)
Lisa B. Vierling (via e-mail)

TO THE PUBLISHER OF THE HIGH POINT ENTERPRISE:

Please publish the following on Friday, April 23, 2010. If the date of publication is not Friday, April 23, 2010, then please change the date of publication in the final paragraph.

ORDER AUTHORIZING \$7,000,000 GENERAL OBLIGATION REFUNDING BONDS

BE IT ORDERED by the City Council of City of High Point, North Carolina:

1. That pursuant to The Local Government Bond Act, as amended, the City of High Point, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue General Obligation Refunding Bonds in an aggregate principal amount not exceeding \$7,000,000 for the purpose of providing funds, together with any other available funds, to (a) refund all or a portion of the City's outstanding General Obligation Public Improvement Bonds, Series 2005, dated October 1, 2005, and (b) pay certain expenses related thereto.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect upon adoption.

The foregoing order was adopted on the 19th day of April, 2010, and is hereby published this 23rd day of April, 2010. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice.

Lisa B. Vierling
City Clerk of the
City of High Point, North Carolina



MEMORANDUM

April 8, 2010

MEMO TO: Pat Pate, Assistant City Manager
FROM: Jeffrey A. Moore, Financial Services Director
SUBJECT: Agenda item for City Council meeting

Please place the following item for City Council's consideration and approval at their next meeting:

1. City Council to authorize the Mayor to execute a contract with McGladrey & Pullen CPAs for the fiscal year audit for the period ending June 30, 2010 in the amount of \$80,000.

The proposed contract provides for the independent financial and compliance audit for the fiscal year beginning July 1, 2009 and ending June 30, 2010. The combined fee for the audit services is \$80,000. We have been able to negotiate the audit to be done for the same price as last year's audit. The auditors agreed to forego the 4% annual increase as approved in the three year agreement approved by City Council in February 2008.

I will be available for any questions you or City Council may have.

Accounting
336.883.3240

Internal Audit
336.883.3122

Purchasing
336.883.3219

Treasury Services
336.883.3230

McGladrey & Pullen

Certified Public Accountants

April 1, 2010

The Honorable Mayor and Members
of the City Council
City of High Point, North Carolina
P.O. Box 230
High Point, North Carolina 27261

McGladrey & Pullen, LLP
230 North Elm St., Ste. 1100, Greensboro, NC 27401-2436
P.O. Box 2470, Greensboro, NC 27402-2470
O 336.273.4461 F 336.274.2519
www.mcgladrey.com

Attention: Mr. Jeffrey A. Moore, Financial Services Director

This letter is to explain our understanding of the arrangements for the services we are to perform for the City of High Point, North Carolina (the "City") for the year ending June 30, 2010. We ask that you either confirm or amend this understanding.

Audit Services

We will perform an audit of the City's governmental activities, business-type activities, aggregate discretely presented component unit, each major fund, and aggregate remaining fund information and budgetary comparison for the general fund as of and for the year ending June 30, 2010 which collectively comprise the basic financial statements. We understand that these financial statements will be prepared in accordance with accounting principles generally accepted in the United States of America. The objective of an audit of financial statements is to express an opinion on those statements.

We are responsible for forming and expressing an opinion about whether the financial statements that have been prepared by management with the oversight of the City Council are presented fairly, in all material respects, in conformity with accounting principles generally accepted in the United States of America.

We will also perform the audit of the City as of June 30, 2010 so as to satisfy the audit requirements imposed by the Single Audit Act, the U.S. Office of Management and Budget (OMB) Circular No. A-133 and the State Single Audit Implementation Act of North Carolina.

We will conduct the audit in accordance with auditing standards generally accepted in the United States of America; "Government Auditing Standards" issued by the Comptroller General of the United States; the provisions of the Single Audit Act, OMB Circular A-133 and OMB's Compliance Supplement; and the State Single Audit Implementation Act of North Carolina. Those standards, circulars, supplements or guides require that we plan and perform the audit to obtain reasonable rather than absolute, assurance about whether the financial statements are free of material misstatement whether caused by error or fraud. Accordingly, a material misstatement may remain undetected. Also, an audit is not designed to detect errors or fraud that are immaterial to the financial statements. The determination of abuse is subjective; therefore, Government Auditing Standards do not expect us to provide reasonable assurance of detecting abuse.

An audit of financial statements also includes obtaining an understanding of the City and its environment, including its internal control, sufficient to assess the risks of material misstatement of the financial statements, and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, we will communicate to management and the finance committee, any significant deficiencies or material weaknesses that become known to us during the course of the audit.

We will also communicate to City Council (a) any fraud involving senior management and fraud (whether caused by senior management or other employees) that causes a material misstatement of the financial statements, (b) any fraud, illegal acts, violations of provisions of contracts or grant agreements and abuse that come to our attention (unless they are clearly inconsequential), (c) any disagreements with management and other serious difficulties encountered in performing the audit, and (d) various matters related to the City's accounting policies and financial statements.

In addition to our reports on the City's financial statements, we will also issue the following reports or types of reports:

A report on the fairness of the presentation of the City's schedule of expenditures of Federal and State awards for the year ending June 30, 2010.

Reports on internal control related to the financial statements and major programs. These reports will describe the scope of testing of internal control and the results of our tests of internal controls.

Reports on compliance with laws, regulations, and the provision of contracts or grant agreements. We will report on any noncompliance which could have a material effect on the financial statements and any noncompliance which could have a material effect, as defined by OMB Circular A-133 and the State Single Audit Implementation Act of North Carolina, on each major program.

A schedule of findings and questioned costs.

The funds that you have told us are maintained by the City and that are to be included as part of our audit are listed below:

- General fund
- Special revenue funds
- Debt service fund
- Capital project funds
- Enterprise funds
- Internal service fund

The component unit whose financial statements you have told us is to be included as part of the City's basic financial statements is the ABC Board of High Point. The ABC Board of High Point will be disclosed through discrete presentation as a component unit, as required by Governmental Accounting Standards Board (GASB) 14 and 39. Another CPA Firm will audit the ABC Board of High Point.

The federal and state financial assistance programs that you have told us that the City participates in and that are to be included as part of the single audit compliance examination are the same as the ones in the *Schedule of Federal and State Awards and the State Single Audit Implementation Act* for the year ended June 30, 2009, included in the City's June 30, 2009 financial and compliance report. The City does not anticipate any significant changes in its federal and state financial assistance programs for the year ended June 30, 2010 with the exception of Federal Stimulus funding that the City received for various programs which maybe required to be tested as major programs.

Our reports on internal control will include any significant deficiencies and material weaknesses in the system of which we become aware as a result of obtaining an understanding of internal control and performing tests of internal control consistent with requirements of the standards and circular identified above. Our reports on compliance will address material errors, fraud, abuse, violations of compliance requirements, and other responsibilities imposed by state and federal statutes and regulations and assumed by contracts; and any state or federal grant, entitlement of loan program questioned costs of which we become aware, consistent with requirements of the standards and circulars identified above.

City of High Point's Responsibilities

Management is responsible for the financial statements, including the selection and application of accounting policies, adjusting the financial statements to correct material misstatements, and for making all financial records and related information available to us. Management is responsible for providing us with a written management representation letter confirming certain representations made during the course of our audit of the financial statements and affirming to us that it believes the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole and to the opinion units of the financial statements.

Management is responsible for establishing and maintaining effective internal control over financial reporting and for informing us of all significant deficiencies and material weaknesses in the design or operation of such controls of which it has knowledge.

Management is responsible for identifying and ensuring that the City complies with the laws and regulations applicable to its activities, and for informing us about all known material violations of such laws or regulations. In addition, management is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the City involving management, employees who have significant roles in internal control, and others where the fraud could have a material effect on the financial statements. Management is also responsible for informing us of its knowledge of any allegations of fraud or suspected fraud affecting the City received in communications from employees, former employees, analysts, regulators, or others.

Management is also responsible for (a) making us aware of significant vendor relationships where the vendor is responsible for program compliance, (b) following up and taking corrective action on audit findings, including the preparation of a summary schedule of prior audit findings, and a corrective action plan, and (c) report distribution including submitting the reporting packages.

The City Council is responsible for informing us of its views about the risks of fraud within the City, and its knowledge of any fraud or suspected fraud affecting the City.

The City agrees that it will not associate us with any public or private securities offering without first obtaining our consent. Therefore, the City agrees to contact us before it includes our reports or otherwise makes reference to us, in any public or private securities offering. We may conclude that we are not otherwise associated with the proposed offering and that our association with the proposed offering is not necessary, providing the City agrees to clearly indicate that we are not associated with the contents of the official statement. The City agrees that the following disclosure will be prominently displayed in the official statement:

McGladrey & Pullen, LLP, our independent auditor, has not been engaged to perform, and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. McGladrey & Pullen, LLP, also has not performed any procedures relating to this official statement.

Our association with an official statement is a matter for which separate arrangements will be necessary. The City agrees to provide us with printer's proofs or masters of such offering documents for our review and approval before printing, and with a copy of the final reproduced material for our approval before it is distributed. In the event our auditor/client relationship has been terminated when the City seeks such consent, we will be under no obligation to grant such consent or approval.

Because McGladrey & Pullen, LLP will rely on the City and its management and finance committee to discharge the forgoing responsibilities, the City holds harmless and releases McGladrey & Pullen, LLP, its partners, and employees from all claims, liabilities, losses, and costs arising in circumstances where there has been a knowing misrepresentation by a member of the City's management which has caused, in any respect, McGladrey & Pullen, LLP's breach of contract or negligence. This provision shall survive the termination of this arrangement for services.

The City's Records and Assistance

If circumstances arise relating to the conditions of your records, the availability of sufficient, competent evidential matter, or indications of a significant risk of material misstatement of the financial statements because of error, fraudulent financial reporting, misappropriation of assets, or noncompliance which in our professional judgment prevent us from completing the audit or forming an opinion, we retain the unilateral right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawal from the engagement.

During the course of our engagement, we may accumulate records containing data which should be reflected in your books and records. The City will determine that all such data, if necessary, will be so reflected. Accordingly, the City will not expect us to maintain copies of such records in our possession.

The assistance to be supplied by City personnel, including the preparation of schedules and analyses of accounts, has been discussed and coordinated with Mr. Jeffrey A. Moore, Financial Services Director. The timely and accurate completion of this work is an essential condition to our completion of the audit and issuance of our audit report.

If, in connection with our audit, you request us to perform accounting services necessary for the preparation of the financial statements (such as maintaining depreciation schedules, computing the provision for income taxes, drafting the financial statements, etc.) you agree to designate an appropriate individual to oversee the services, make all management decisions involved in those services, evaluate the adequacy and results of the services, and accept responsibility for the results of the services.

From time to time and depending upon the circumstances, we may use third-party service providers to assist us in providing professional services to you. In such circumstances, it may be necessary for us to disclose confidential client information to them. We enter into confidentiality agreements with all third-party service providers and we are satisfied that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others.

Other Terms of our Engagement

Our fees are based on the time required by the individuals assigned to the engagement, plus direct expenses. Interim billings will be submitted as work progresses and as expenses are incurred. We will submit our final bill for these services promptly upon delivering the reports. Our fee for the services described in this letter and in the LGC-205 *Contract to Audit Accounts* issued by the Local Government Commission will not exceed \$80,000 unless the scope of the engagement is changed, the assistance which the City has agreed to furnish is not provided, turnover of key personnel before the audit is completed, or unexpected conditions are encountered, in which case we will discuss the situation with you before proceeding. Any services performed in addition to normal audit procedures will be charged at standard rates less 20%. Any additional major programs above the seven (7) potential major programs will be billed at \$4,200 each. All other provisions of this letter will survive any fee adjustment.

Our professional standards require that we perform certain additional procedures, on current and previous years' engagements, whenever a partner or professional employee leaves the firm and is subsequently employed by or associated with a client. Accordingly, the City agrees it will compensate McGladrey & Pullen, LLP for any additional costs incurred as a result of the employment of a partner or professional employee of McGladrey & Pullen, LLP.

In the event we are requested or authorized by the City or are required by government regulation, subpoena, or other legal process to produce our documents or our personnel as witnesses with respect to our engagements for the City, the City will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such requests.

The working papers for this engagement are the property of McGladrey & Pullen, LLP. However, you acknowledge and grant your assent that representatives of the cognizant or oversight agency or their designee, other government audit staffs, and the U.S. Government Accountability Office shall have access to the audit working papers upon their request; and that we shall maintain the working papers for a period of at least three years after the date of the report, or for a longer period if we are required to do so by the cognizant or oversight agency. Access to requested workpapers will be provided under the supervision of McGladrey & Pullen, LLP audit personnel and at a location designated by our Firm.

You have informed us that you intend to prepare a comprehensive annual financial report (CAFR) and submit it for evaluation by the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting. Our participation in the preparation of the CAFR is to consist of having the financial statement report reviewed by a person who is also a reviewer for the GFOA Certificate Program and have him involved in the resolution of any accounting or reporting questions that arise during the engagement.

Claim Resolution

The City and McGladrey & Pullen, LLP agree that no claim arising out of services rendered pursuant to this agreement shall be filed more than two years after the date of the audit report issued by McGladrey & Pullen, LLP or the date of this arrangement letter if no report has been issued. The City waives any claim for punitive damages. McGladrey & Pullen, LLP's liability for all claims, damages and costs of the City arising from this engagement is limited to the amount of fees paid by the City to McGladrey & Pullen, LLP for the services rendered under this arrangement letter.

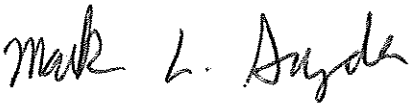
This letter together with form LGC-205 *Contract to Audit Accounts* constitutes the complete and exclusive statement of agreement between McGladrey & Pullen, LLP and the City, superseding all proposals oral or written and all other communication, with respect to the terms of the engagement between the parties.

City of High Point, North Carolina
April 1, 2010
Page 6

In accordance with *Government Auditing Standards*, a copy of our most recent peer review report and applicable letter of comment was provided to you in a previous year, for your information.

If this letter together with form LGC-205 *Contract to Audit Accounts* defines the arrangements as the City understand them, please sign and date the enclosed copy, and return it to us. We appreciate your business.

McGLADREY & PULLEN, LLP

A handwritten signature in black ink that reads "Mark L. Snyder". The signature is written in a cursive, flowing style.

Mark L. Snyder, Partner

Confirmed on behalf of the addressee:

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

City Manager



Financial Services Director

CONTRACT TO AUDIT ACCOUNTS

of City of High Point, North Carolina
Governmental Unit
On this 1st day of April, 2010, McGladrey & Pullen, LLP
Auditor

P.O. Box 2470, Greensboro, NC 27402-2470
Mailing Address
_____, hereinafter referred
to as the Auditor, and the City Council of the City of High Point, hereinafter
Governing Board Governmental Unit
referred to as the Governmental Unit, agree as follows:

1. The Auditor shall audit all statements and disclosures required by generally accepted accounting principles and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit for the period beginning July 1, 2009, and ending June 30, 2010. The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion will be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate discretely presented component units, each major governmental and enterprise fund, and the aggregate remaining fund information (nonmajor government and enterprise funds, the internal service fund type, and the fiduciary fund types).
2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with generally accepted auditing standards. The Auditor shall perform the audit in accordance with Government Auditing Standards if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB Circular A-133 and the State Single Audit Implementation Act, the auditor shall perform a Single Audit. This audit and all associated workpapers may be subjected to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the LGC. If the audit and/or workpapers are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners.
3. *This contract contemplates an unqualified opinion being rendered.* If financial statements are not prepared in accordance with generally accepted accounting principles (GAAP), or the statements fail to include all disclosures required by GAAP, explain that departure from GAAP in the space below: No departures contemplated.
4. *This contract contemplates an unqualified opinion being rendered.* The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. *Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.* The audit will have no scope limitations except: No limitations are contemplated.
5. If this audit engagement is subject to the standards for audit as defined in Government Auditing Standards, July 2007 revisions, issued by the Comptroller General of the United States, then the Auditor warrants by accepting this engagement that he has met the requirements for a peer review and continuing education as specified in Government Auditing Standards. The Auditor agrees to provide a **copy of their most recent peer review report regardless of the date of the prior peer review report** to the Governmental Unit and the Secretary of the Local Government Commission prior to the execution of the audit contract. (See Item 21.)
6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted by October 31, 2010. If it becomes necessary to amend the due date of the audit a written explanation of the delay must accompany the amended contract.
7. It is agreed that generally accepted auditing standards include a review of the Governmental Unit's system of internal control and accounting as same relates to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor will make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his findings, together with his recommendations for improvement. That written report must include all matters defined as "significant deficiencies and material weaknesses" in AU 325 of the AICPA Professional Standards. The Auditor shall file a copy of that report with the Secretary of the Local Government Commission.
8. All local government and public authority contracts for annual or special audits, bookkeeping or other assistance necessary to prepare the Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina require the approval of the Secretary of the Local Government Commission. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit until the invoice has been approved by the Secretary of the Local Government Commission. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices should be submitted in **triplicate** to the Secretary of the Local Government Commission. The original and one copy will be returned to the Auditor. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.

Contract to Audit Accounts (cont.) City of High Point, North Carolina
(name of unit)

9. In consideration of the satisfactory performance of the provisions of this agreement, the Governmental Unit shall pay to the Auditor, upon approval by the Secretary of the Local Government Commission, the following fee which includes any cost the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (Federal and State grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts:

Year-end bookkeeping assistance – [For audits subject to Government Auditing Standards, this is limited to bookkeeping services permitted by revised Independence Standards] NONE ANTICIPATED. Any services performed in addition to normal audit procedures will be charged at standard rates.

Audit - \$80,000 for the audit unless the scope of the engagement is changed, the assistance which the City has agreed to furnish is not provided, turnover of key personnel before the audit is completed, or unexpected conditions are encountered. Any such delays will be charged at eighty percent (80%) of standard rates. Any additional major programs above seven (7) will be billed at \$4,200 each.

Preparation of the financial statements - N/A. Client prepares financials

10. The auditor working with local governmental unit that has outstanding revenue bonds will include in the notes to the audited financial statements, whether or not required by the revenue bond documents, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the auditor should be aware that any other bond compliance statements or additional reports required in the authorizing bond documents need to be submitted to the LGC simultaneously with the local government's audited financial statements unless otherwise specified in the bond documents.
11. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, at least, Management's Discussion and Analysis, the financial statements of the governmental unit and all of its component units and notes thereto prepared in accordance with generally accepted accounting principles, combining and supplementary information requested by the client or required for full disclosure under the law, and the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board as soon as practical after the close of the accounting period.
12. The Auditor shall file with the Local Government Commission two BOUND copies of the report of audit. If reports are received unbound they will not be reviewed by the LGC and will be returned to the auditor for binding. In addition, if the North Carolina Office of the State Auditor designates certain programs to be audited as major programs, a turnaround document and a representation letter addressed to the State Auditor shall be submitted to the Local Government Commission. Two bound copies of the report of audit should be submitted if the audit is performed only under the provisions of the State Single Audit Implementation Act or a financial audit is required to be performed in accordance with Government Auditing Standards. Three bound copies of the audit are to be submitted for Councils of Governments. Two bound copies of the audit should be submitted for tax levying Municipalities. Otherwise, one bound copy shall be submitted. Units that operate a 911 fund need to provide an additional copy to the number stated above. Bound copies of the report shall be filed with the Local Government Commission when (or prior to) submitting the invoice for the services rendered. The report of audit, as filed with the Secretary of the Local Government Commission, becomes a matter of public record for inspection and review in the offices of the Secretary by any interested parties. Any subsequent revisions to these reports must be sent to the Secretary of the Local Government Commission. These audited financial statements are used in the preparation of Official Statements for debt offerings (the auditors' opinion is not included), by municipal bond rating services, to fulfill secondary market disclosure requirements of the Securities and Exchange Commission, and other lawful purposes of the government, without subsequent consent of the auditor. If it is determined by the LGC that corrections need to be made to the unit's financial statements they should be provided within three days of notification unless, another time frame is agreed to by the LGC.
13. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the Local Government Commission, this agreement may be varied or changed to include the increased time and/or compensation as may be agreed upon by the Governing Board and the Auditor.
14. If an approved contract needs to be varied or changed for any reason, the change must be reduced to writing, signed by both parties, preaudited if necessary, and submitted to the Secretary of the Local Government Commission for approval. This document and a written explanation of the change must be submitted in triplicate to the Secretary of the Local Government Commission for approval. No change shall be effective unless approved by the Secretary of the Local Government Commission, the Governing Board, and the Auditor.
15. Whenever the Auditor uses an engagement letter with the client, Item 16 is to be completed by referencing the engagement letter and attaching a copy of the engagement letter to the contract to incorporate the engagement letter into the contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract will control. Engagement letter terms are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 22 of this contract. Engagement letters containing indemnification clauses will not be approved by the Local Government Commission.
16. There are no special provisions except: The attached arrangement letter is an integral part of this contract and should be read in its entirety when reading this contract.
17. A separate contract should not be made for each division to be audited or report to be submitted. A separate contract must be executed for each component unit which is a local government and for which a separate audit report is issued.

Contract to Audit Accounts (cont.) City of High Point, North Carolina
(name of unit)

18. The contract should be executed and submitted in triplicate to the Secretary of the Local Government Commission. The mailing address is 325 North Salisbury Street, Raleigh, North Carolina 27603-1385. The physical address is 4505 Fair Meadow Lane, Suite 102, Raleigh, North Carolina 27607-6449.

19. The contract is a tri-party agreement and is not valid until it is approved by the Local Government Commission. Upon approval, the original contract will be returned to the Governmental Unit, a copy will be forwarded to the Auditor, and a copy retained by the Secretary of the Local Government Commission. The audit should not be started before the contract is approved.

20. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the Local Government Commission.

21. If this audit engagement is not subject to Government Auditing Standards, then Item 5 shall be listed as a deleted provision in Item 22. An explanation must be given for deleting this provision.

22. All of the above paragraphs are understood and shall apply to this engagement, except for the following numbered paragraphs shall be deleted: (See Item 15)

Firm McGladrey & Pullen, LLP

By Mark L. Snyder, Partner
(Please type or print name)

Mark L. Snyder
(Signature of authorized audit firm representative)

Email Address: Mark.Snyder@rsmi.com

Date APR 21, 2010

Approved by the Secretary of the Local Government Commission as provided in Article 3, Chapter 159 of the General Statutes or Article 31, Part 3, Chapter 115C of the General Statutes.

For the Secretary, Local Government Commission

Date _____
(Signature)

By REBECCA R. SMOTHERS, MAYOR
(Please type or print name and title)

(Signature of Mayor/Chairperson of governing board)

Date _____

Email Address: _____

By M. CHRISTOPHER WHITLEY
(Chairperson of Audit Committee - please type or print name)

(Signature of Audit Committee Chairperson)

Date _____
(If unit does not have an audit committee, this section should be marked "N/A.")

Email Address: _____

This instrument has been preaudited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

JEFFREY A. MOORE
Governmental Unit Finance Officer (Please type or print name)

(Signature)

Date _____
(Preaudit Certificate must be dated.)

Email Address: jeff.moore@highpointnc.gov

PLANNING AND ZONING COMMISSION RECOMMENDATION

On February 23, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Andrew Putnam.

City of High Point

Street Abandonment Case 10-06

A request by the Technical Review Committee to abandon an unimproved right-of-way (identified as "E. Commerce Street" on Plat Book 5 Page 327) lying north of Franklin Avenue between Brentwood Street and New Street.

Mr. Schroeder presented these request to the Commission and recommended approval of the case as outlined in the staff report.

No one spoke in favor or opposition.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 10-06 by a vote of 7-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-06
February 23, 2010**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: Abandonment of an unimproved right-of-way (identified as “E. Commerce Street” on Plat Book 5 Page 327) lying north of Franklin Avenue between Brentwood Street and New Street.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Brentwood Street	Major Thoroughfare	80 ft. right-of-way – 48 ft. curb & gutter
New Street	Local Street	Within 311 R/w – 24 ft. curb & gutter

Adjacent Property Zoning and Current Land Use		
North	Residential Single Family – 7 (RS-7) (western 2/3's) & Light Industrial (LI) (eastern 1/3)	Single Family Residence
East	Right-of-way	New Street & Hwy 311
South	Residential Single Family – 7 (RS-7) (western 2/3's) & Light Industrial (LI) (eastern 1/3)	Vacant
West	Right-of-way (Brentwood Street)	Brentwood Street

Analysis
The right-of-way being considered for abandonment is approximately 0.47 acres in area being approximately 30 feet in width by 680 feet in length. The right-of-way does not contain any public or private improvements. The area is heavily wooded and the topography is gently sloping in the western two-thirds and then falls approximately twenty feet (20') in the eastern one-third to New Street.

Findings
The Technical Review Committee (TRC) reviewed this request on April 23, 2008 and identified no issues that would prevent its abandonment. An early notice was sent to abutting property owners on January 29, 2010.

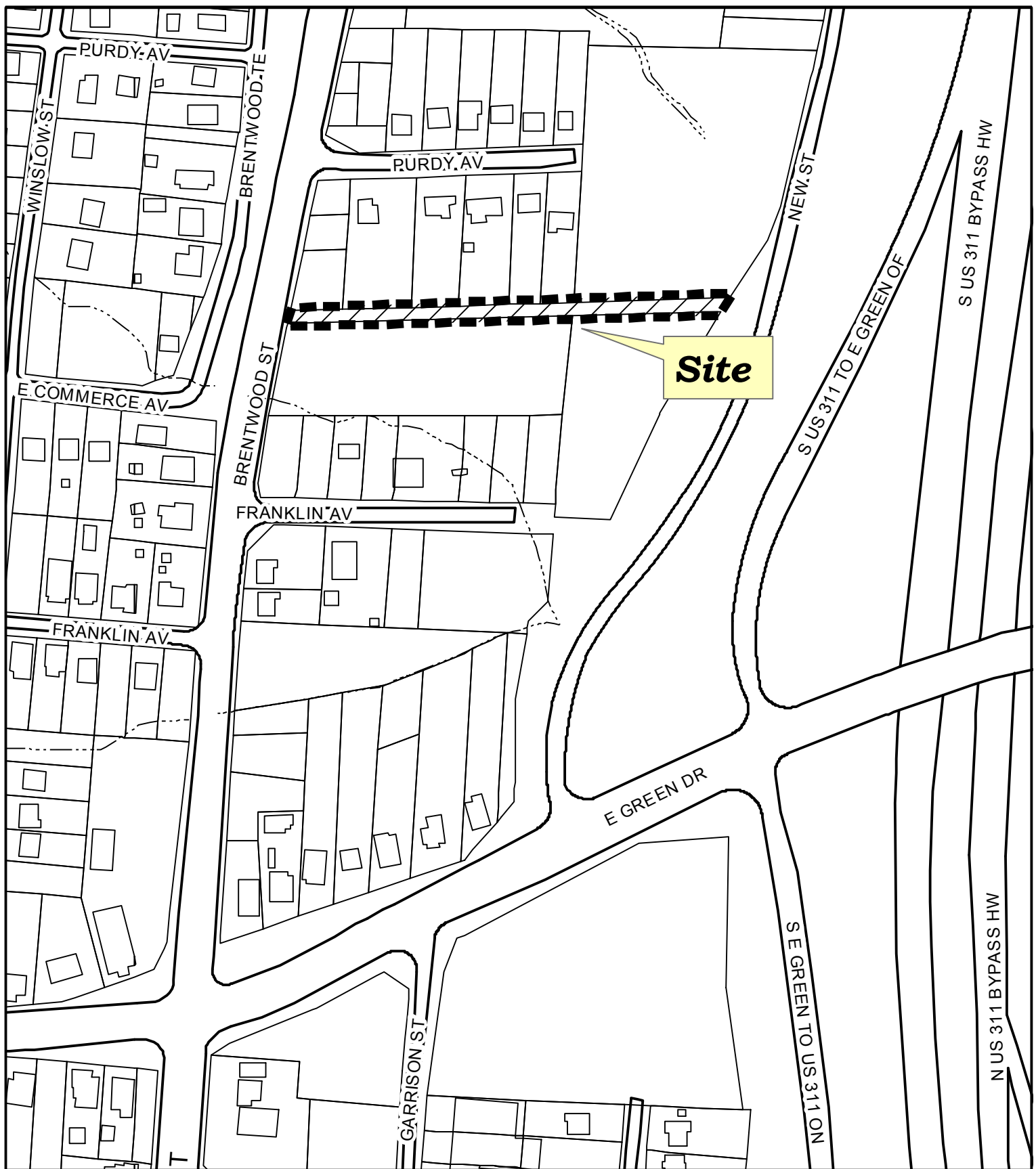
This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means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

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment based on preliminary findings that it is not contrary to the public interest, and that no property in the vicinity of the street abandonment would be deprived of reasonable means of ingress or egress.

Report Preparation

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



STREET ABANDONMENT REQUEST SA10-06

Applicant: City of High Point
Area: 0.29 acres



Location of proposed street abandonment

Planning & Development
Department

City of High Point

Date: February 8, 2010



Scale: 1"=200'

y:/ba-pz/2010/pz/sa10-06.mxd



Looking east from Brentwood Street.



Looking west from New Street.



Aerial with the abandonment area highlighted.

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

**ORDINANCE
REQUEST:** Ordinance to Vacate

**PROPERTY
ADDRESS:** 339 - B Ennis St

OWNER: Justin Shaw

**FIRST
INSPECTION:** Number of Violations: Major 3 Minor 22
02-10-2010 1) no smoke detector
2) unsafe electrical wiring
3) unsafe heating equipment

**HEARING
RESULTS:**
03-01-2010 Owner appeared for hearing. During the hearing, the following findings of fact were established. There are numerous violations of the Minimum Housing Code. At the time of the first inspection, the dwelling was occupied by two adults and one child under 18 years of age. The tenants moved from the dwelling 3-29-2010. All utilities have been placed on hold. The ordinance is requested to allow the inspector to close and placard the dwelling as required by state statute.

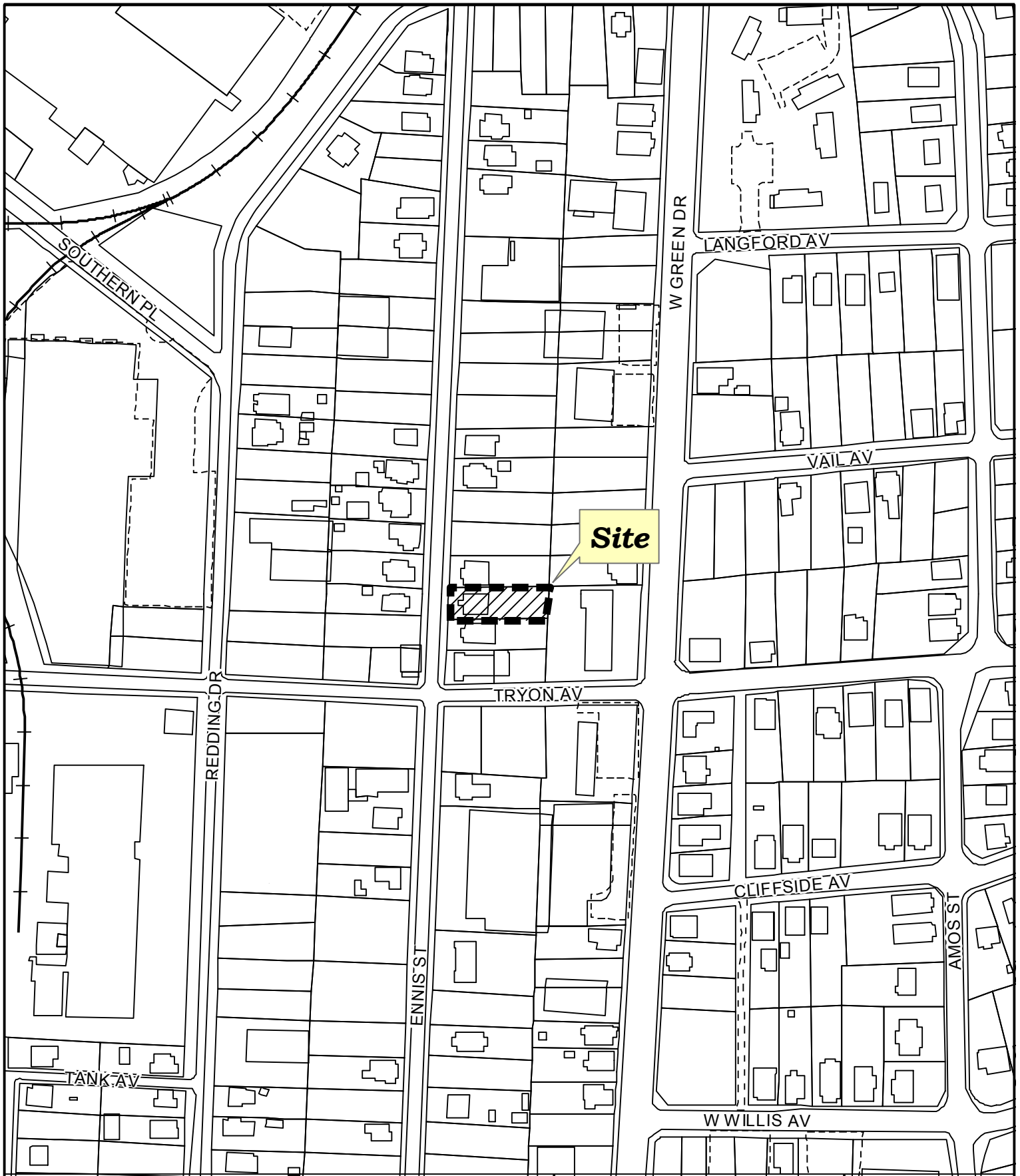
**ORDER(S)
ISSUED:** Order to Repair or Vacate
03-01-2010 compliance date of 03-24-2010

APPEALS: No appeals to date.

**OWNER
ACTIONS:** The owner has not obtained any permits. There have been no repairs made.

EXTENSIONS: None requested

**CURRENT
STATUS:** Conditions still exist. Dwelling is vacant and secure. This is a duplex unit. The other unit is not occupied at this time.
4-13-2010



339-B Ennis Street

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: April 13, 2010



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



339 – B Ennis Street

A regular meeting of the City Council of the City of High Point, North Carolina was held in the Council Chambers of the Municipal Building at 211 South Hamilton Street in High Point, North Carolina, the regular place of meeting, at 4:45 p.m. on April 19, 2010.

Present: Mayor Rebecca R. Smothers, presiding, and Council Members Latimer Alexander, William Bencini, Mary Lou Blakeney, Foster Douglas, John Faircloth, Michael Pugh, Bernita Sims and Christopher Whitley

Absent: None

Also Present: City Manager, Strib Boynton

* * * * *

Council Member Christopher Whitley introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

ORDER AUTHORIZING \$3,200,000 PARKS AND RECREATIONAL FACILITIES BONDS

BE IT ORDERED by the City Council of the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue parks and recreational facilities bonds in an aggregate principal amount not exceeding \$3,200,000 for the purpose of providing funds, together with any other available funds, for constructing, improving and equipping parks and recreational facilities of the City of High Point,

North Carolina, inside and outside its corporate limits, including, without limitation, greenways, playing fields, concession and restroom facilities and parking areas, and the acquisition of any necessary land and rights-of-way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Thereupon, the order entitled "ORDER AUTHORIZING \$3,200,000 PARKS AND RECREATIONAL FACILITIES BONDS" was passed upon introduction by the following vote:

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

Noes: Council Member Michael Pugh

Thereupon, Council Member Christopher Whitley introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

ORDER AUTHORIZING \$2,415,000 STREET AND SIDEWALK IMPROVEMENT BONDS

BE IT ORDERED by the City Council of the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue street and sidewalk improvement bonds in an aggregate principal amount not exceeding \$2,415,000 for the purpose of providing funds, together with any other available funds, for constructing, reconstructing, widening and improving streets and sidewalks of the City of High Point, North Carolina, inside and outside its corporate limits, including, without limitation, curbs and gutters, culverts, drains, traffic controls and signals, benches and planters, signage and markers, lighting and other related improvements and equipment, and the acquisition of any necessary land and rights-of-way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Thereupon, the order entitled "ORDER AUTHORIZING \$2,415,000 STREET AND SIDEWALK IMPROVEMENT BONDS" was passed upon introduction by the following vote:

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

Noes: Council Member Michael Pugh

Thereupon, Council Member Christopher Whitley introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

**ORDER AUTHORIZING \$7,000,000 GENERAL OBLIGATION
REFUNDING BONDS**

BE IT ORDERED by the City Council of City of High Point, North Carolina:

1. That pursuant to The Local Government Bond Act, as amended, the City of High Point, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue General Obligation Refunding Bonds in an aggregate principal amount not exceeding \$7,000,000 for the purpose of providing funds, together with any other available funds, to (a) refund all or a portion of the City's outstanding General Obligation Public

Improvement Bonds, Series 2005, dated October 1, 2005, and (b) pay certain expenses related thereto.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect upon adoption.

The City Council thereupon designated the Financial Services Director of the City to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed after the bond orders have been introduced and, with respect to the Parks and Recreational Facilities Bonds and the Street and Sidewalk Improvement Bonds, before the public hearing thereon.

Thereupon, the Financial Services Director of the City caused to be filed with the City Clerk, in the presence of the City Council, the sworn statement of debt as so required.

Thereupon, the order entitled "ORDER AUTHORIZING \$7,000,000 GENERAL OBLIGATION REFUNDING BONDS" was passed by the following vote:

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

Noes: Council Member Michael Pugh

Thereupon, Council Member Christopher Whitley announced that the order entitled "ORDER AUTHORIZING \$7,000,000 GENERAL OBLIGATION REFUNDING BONDS" had been adopted.

The City Clerk was thereupon directed to publish the aforementioned order entitled "ORDER AUTHORIZING \$7,000,000 GENERAL OBLIGATION REFUNDING BONDS," together with the appended statement as required by The Local Government Bond Act, as amended, once in The High Point Enterprise.

On motion duly made, seconded and carried, the City Council fixed 5:30 p.m., May 3, 2010, in the Council Chambers of the Municipal Building at 211 South Hamilton Street in High Point, North Carolina, as the hour, day and place for the public hearing upon the orders entitled "ORDER AUTHORIZING \$3,200,000 PARKS AND RECREATIONAL FACILITIES BONDS" and "ORDER AUTHORIZING \$2,415,000 STREET AND SIDEWALK IMPROVEMENT BONDS" and directed the City Clerk to publish said orders, as required by The Local Government Bond Act, as amended, once in The High Point Enterprise not later than the sixth day before said date.

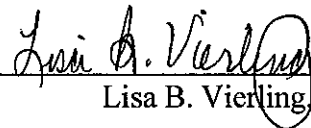
* * * * *

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on April 19, 2010, as relates in any way to the foregoing orders authorizing bonds of said City and that said proceedings are recorded in the minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said City this 19th day of April, 2010.





Lisa B. Vierling, City Clerk

**CITY OF HIGH POINT, NORTH CAROLINA
SWORN STATEMENT OF DEBT MADE PURSUANT TO THE
LOCAL GOVERNMENT BOND ACT, AS AMENDED**

I, Jeffrey A. Moore, Financial Services Director of the City of High Point, North Carolina, having been designated by the City Council of said City to make and file with the City Clerk a statement of the debt of said City pursuant to The Local Government Bond Act, as amended, DO HEREBY CERTIFY that the following is a true statement as shown by the books in my office, not taking into consideration any debt incurred or to be incurred in anticipation of the collection of taxes or other revenues or in anticipation of the sale of bonds other than funding and refunding bonds:

(a) GROSS DEBT

a(1) Outstanding debt evidenced by bonds:

Public Improvement Bonds, Series 2000A	\$ 400,000
Public Improvement Bonds, Series 2000B	1,350,000
Water and Sewer Bonds, Series 2002	19,250,000
Water and Sewer Bonds, Series 2003	8,190,000
Refunding Bonds, Series 2003	3,010,000
Refunding Bonds, Series 2005	32,090,000
Public Improvement Bonds, Series 2005	11,715,000
Public Improvement Bonds, Series 2006	12,740,000
Public Improvement Bonds, Series 2007A	3,860,000
Public Improvement Bonds, Series 2007B	13,790,000
Public Improvement Bonds, Series 2008	<u>12,820,000</u>
Total	<u>\$119,215,000</u>

**a(2) Bonds authorized by orders introduced,
but not yet adopted:**

Parks and Recreational Facilities	\$ 3,200,000
Street and Sidewalk Improvement	2,415,000
Refunding	<u>7,000,000</u>
Total	<u>\$12,615,000</u>

a(3) Unissued bonds authorized by adopted orders:

Firefighting and Prevention Facilities (2004)	\$ 1,050,000
Streets and Sidewalks (2004)	12,265,000
Storm Sewer and Flood Control (2004)	3,265,000
Refunding (2005)	<u>25,080,000</u>
Total	<u>\$41,660,000</u>

a(4) Outstanding debt, not evidenced by bonds: \$ -0-

**(a) GROSS DEBT, being the sum of a(1), a(2), a(3) and
a(4): \$173,490,000**

(b) DEDUCTIONS

b(1)	Funding and refunding bonds authorized by orders introduced but not yet adopted:	\$ <u>7,000,000</u>
b(2)	Funding and refunding bonds authorized but not yet issued:	<u>\$25,080,000</u>
b(3)	The amount of money held in sinking funds or otherwise for the payment of any part of the principal of gross debt other than debt incurred for water, gas, electric light or power purposes or sanitary sewer purposes (to the extent that the bonds are deductible under G.S. 159-55(b)):	\$ _____-0-
b(4)	Bonded debt included in gross debt and incurred, or to be incurred, for water, gas, electric light or power purposes:	<u>\$16,246,205</u>
b(5)	Bonded debt included in gross debt and incurred, or to be incurred, for sanitary sewer system purposes (to the extent that said debt is made deductible by G.S. 159-55(b)):	\$ _____-0-
b(6)	Uncollected special assessments heretofore levied for local improvements for which any part of the gross debt (that is not otherwise deducted) was or is to be incurred to the extent that such assessments will be applied, when collected, to the payment of any part of the gross debt:	\$ _____-0-
b(7)	The amount, as estimated by the Financial Services Director, of special assessments to be levied for local improvements for which any part of the gross debt (that is not otherwise deducted) was or is to be incurred, to the extent that the special assessments, when collected, will be applied to the payment of any part of the gross debt:	\$ _____-0-
(b)	DEDUCTIONS, being the sum of b(1), b(2), b(3), b(4), b(5), b(6) and b(7):	<u>\$48,326,205</u>

(c) NET DEBT

(c)	NET DEBT, being the difference between the GROSS DEBT (a) and the DEDUCTIONS (b):	<u>\$125,163,795</u>
-----	---	----------------------

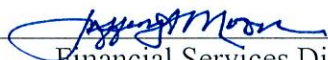
(d) ASSESSED VALUE

(d) ASSESSED VALUE of property subject to taxation
by the City, as revealed by the City tax records and
certified to the City by the assessor: \$8,537,726,302

(e) PERCENTAGE

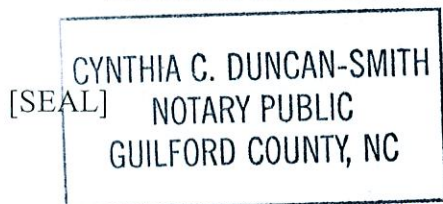
(e) Percentage which the NET DEBT (c) bears to the
ASSESSED VALUE (d): 1.47%

The foregoing statement is true.


Financial Services Director

STATE OF NORTH CAROLINA)
)
COUNTY OF GUILFORD) ss:

Subscribed and sworn to before me this 19th day of April, 2010.




Notary Public

My Commission expires 1/18/2015.

* * * * *

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of a statement which was filed with me at a meeting of the City Council of said City held on April 19, 2010, after the introduction and before the public hearing on orders authorizing bonds of said City, and that said statement is open to public inspection in my office.

WITNESS my hand and seal of said City, this 19th day of April, 2010.




City Clerk

PLANNING AND ZONING COMMISSION RECOMMENDATION

On March 23, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Jay Wagner and Mr. Jim White.

City of High Point

Street Abandonment Case 10-04

A request by the Technical Review Committee to abandon an unimproved portion of Sheldon Court, lying south of Eugene Avenue between Fala Street and Prospect Street.

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

Speaking in favor of the request was, Mr. Ken Hanner of 909 Prospect Street in High Point, representing the abutting property owner Carolina Container. Mr. Hanner thanked the Commission for their consideration in expanding the area for the street abandonment and requested their continued support by voting for approval of this street abandonment request.

No one spoke in opposition.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 10-04 by a vote of 6-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-04
March 23, 2010**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: Abandonment of an unimproved portion of Sheldon Court, lying south of Eugene Avenue between Fala Street and Prospect Street.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Sheldon Court	Local Street	60 ft. right-of-way – 18 ft. ribbon pavement
Prospect Street	Minor Thoroughfare	64 ft. right-of-way – 40 ft. curb & gutter

Adjacent Property Zoning and Current Land Use		
North	RM-8 (west) & HI (east)	Tractor Trailer Storage
East	Right-of-way	Prospect Street
South	RM-8 (west) & HI (east)	Tractor Trailer Storage
West	Residential Multifamily – 8 (RM-8)	Tractor Trailer Storage / Vacant

Analysis
The right-of-way being considered for abandonment is approximately 0.70 acres in area being approximately 60 feet in width by 510 feet in length. The right-of-way contains a privately maintained paved area for the storage of tractor trailers at the eastern end, and a publicly maintained portion at the western end that is known as Sheldon Court. Access to the storage area is obtained from Prospect Street via this public right-of-way. Carolina Container is the only property owner abutting the portion of the right-of-way to be closed. (see map) There is an 8-inch water line and a fire hydrant within the right-of-way.

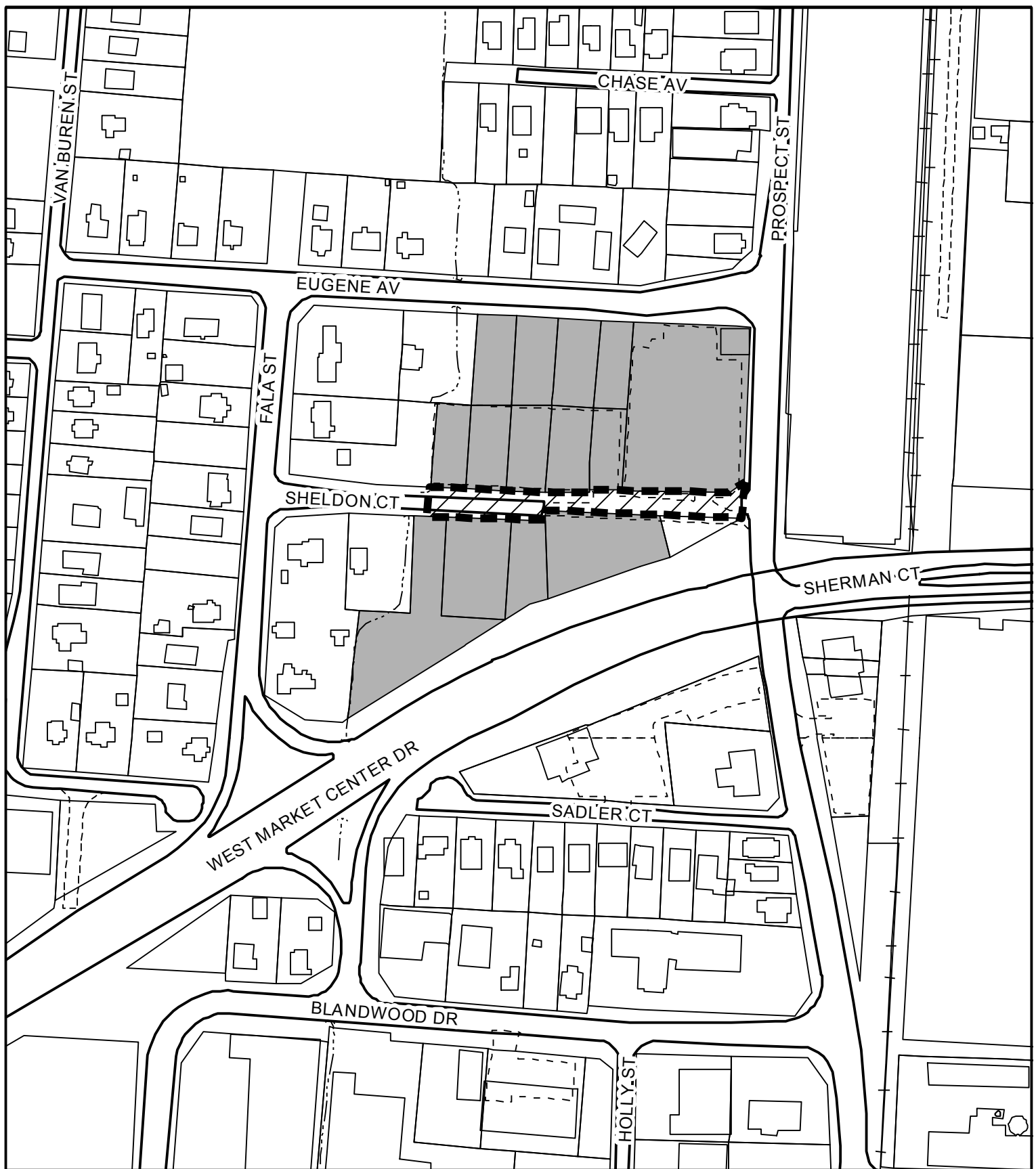
Findings
The Technical Review Committee (TRC) reviewed this request on December 17, 2008 and March 10, 2010 and identified no issues that would prevent its abandonment. An early notice was sent to abutting property owners on January 29, 2010. This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means of ingress and egress to their property.

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment with the retention of a 20-foot utility easement centered on the existing 8-inch water line based on preliminary findings that it is not contrary to the public interest, and that no property in the vicinity of the street abandonment would be deprived of reasonable means of ingress or egress.

Report Preparation

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



STREET ABANDONMENT REQUEST SA10-04

Applicant: Technical Review Committee

Area: 0.70 acres



Location of requested street abandonment



Parcels owned by Carolina Container

Planning & Development
Department

City of High Point

Date: March 12, 2010



Scale: 1"=200'

y:/ba-pz/2009/pz/sa6c-6z.mxd



Looking west from Prospect Street.



Looking east from terminus of Sheldon Court.



Additional portion of right-of-way for abandonment.



Aerial with the abandonment area highlighted.

WOMBLE
CARLYLE
SANDRIDGE
& RICE

A PROFESSIONAL LIMITED
LIABILITY COMPANY

Suite 2100
150 Fayetteville Street Mall
Raleigh, NC 27601

Mailing Address:
Post Office Box 831
Raleigh, NC 27602
Telephone: (919) 755-2100
Fax: (919) 755-2150
Web site: www.wcsr.com

Jennifer Distefano
NC State Bar Certified Paralegal
Direct Dial: (919) 755-8132
Direct Fax: (919) 755-6168
E-mail: jdistefano@wcsr.com

April 20, 2010

VIA E-MAIL TRANSMISSION

High Point Enterprise

aloflin@hpe.com

Attention: Amy Loflin, Legal Advertising Department

Re: Publication of Order Authorizing \$3,200,000 Parks and Recreational Facilities Bonds and Order Authorizing \$2,415,000 Street and Sidewalk Improvement Bonds for the City of High Point, North Carolina

Dear Amy:

Please publish the attached Bond Orders once in the High Point Enterprise on Friday, April 23, 2010.

Please fax a copy of the proof of the Bond Orders to me after the type has been set, but prior to publication, for my review. My fax number is (919) 755-6168.

After the Bond Orders have been published, please provide me with four publisher's affidavits, with printed clippings attached, evidencing such publication.

The invoice for such publication should be forwarded to:

Jeffrey A. Moore
Director of Financial Services
City of High Point
Post Office Box 230
High Point, North Carolina 27261
Telephone: (336) 883-3238

Thank you for your assistance and please do not hesitate to contact me if you have any questions.

WOMBLE CARLYLE SANDRIDGE & RICE
A Professional Limited Liability Company

Jennifer Distefano

Attachment

cc: Jeffrey A. Moore (via e-mail)
Lisa B. Vierling (via e-mail)

TO THE PUBLISHERS OF THE HIGH POINT ENTERPRISE:

Please publish the following once in The High Point Enterprise on Friday, April 23, 2010:

ORDER AUTHORIZING \$3,200,000 PARKS AND RECREATIONAL FACILITIES BONDS

BE IT ORDERED by the City Council of the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue parks and recreational facilities bonds in an aggregate principal amount not exceeding \$3,200,000 for the purpose of providing funds, together with any other available funds, for constructing, improving and equipping parks and recreational facilities of the City of High Point, North Carolina, inside and outside its corporate limits, including, without limitation, greenways, playing fields, concession and restroom facilities and parking areas, and the acquisition of any necessary land and rights-of-way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

ORDER AUTHORIZING \$2,415,000 STREET AND SIDEWALK IMPROVEMENT BONDS

BE IT ORDERED by the City Council of the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue street and sidewalk improvement bonds in an aggregate principal amount not exceeding \$2,415,000 for the purpose of providing funds, together with any other available funds, for

constructing, reconstructing, widening and improving streets and sidewalks of the City of High Point, North Carolina, inside and outside its corporate limits, including, without limitation, curbs and gutters, culverts, drains, traffic controls and signals, benches and planters, signage and markers, lighting and other related improvements and equipment, and the acquisition of any necessary land and rights-of-way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

The foregoing orders have been introduced and a sworn statement of debt has been filed under the Local Government Bond Act showing the appraised value of the City of High Point, North Carolina to be \$8,537,726,302 and the net debt thereof, including the proposed bonds, to be \$125,163,795. A tax will be levied to pay the principal of and interest on the bonds if they are issued. Anyone who wishes to be heard on the questions of the validity of the bond orders and the advisability of issuing the bonds may appear at a public hearing or an adjournment thereof to be held at 5:30 p.m. on May 3, 2010, in the Council Chambers of the Municipal Building at 211 South Hamilton Street in High Point, North Carolina.

By: Lisa B. Vierling
City Clerk
City of High Point, North Carolina

PLANNING AND ZONING COMMISSION RECOMMENDATION

On March 23, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Jay Wagner and Mr. Jim White.

City of High Point

Street Abandonment Case 10-07

A request by the Technical Review Committee to abandon an unimproved right-of-way, identified as “Chester Street” on a map titled, “Clark – Lambeth Property” as recorded in Plat Book 6 Page 208 lying south of E. State Avenue between N. Hamilton Street and Johnson Street.

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

No one spoke in favor or in opposition.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 10-07 by a vote of 6-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-07
March 23, 2010**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: Abandonment of an unimproved portion of Larkin Street (identified as “Chester Street” on a map titled, “Clark-Lambeth Property” as recorded in Plat Book 6 Page 208) lying south of E. State Avenue between N. Hamilton Street and Johnson Street.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
E. State Avenue	Local Street	40 ft. right-of-way – 24 ft. curb & gutter
Larkin Street (Chester)	Local Street	12-28 ft. right-of-way – Not improved

Adjacent Property Zoning and Current Land Use		
North	Residential Single Family – 7 (RS-7)	Single family residences
East	Residential Single Family – 7 (RS-7)	Single family residences
South	Limited Office (LO)	Vacant / Single family residence
West	Limited Office (LO)	Vacant / Office Buildings

Analysis
The right-of-way being considered for abandonment is approximately 0.39 acres in area varying between 12 and 28 feet in width by 810 feet in length. The right-of-way contains no public or private improvements. Access to all property abutting the portion of the right-of-way proposed for abandonment has access to Johnson Street or N. Hamilton Street. The 350-foot portion of right-of-way south of E. State Avenue not included in the abandonment request provides the only means of access to three tax parcels. These tax parcels are not in common ownership of properties with frontage on Johnson Street or N Hamilton Street.

Findings
The Technical Review Committee (TRC) reviewed this request on April 22, 2009 and identified no issues that would prevent its abandonment. An early notice was sent to abutting property owners on February 19, 2010.

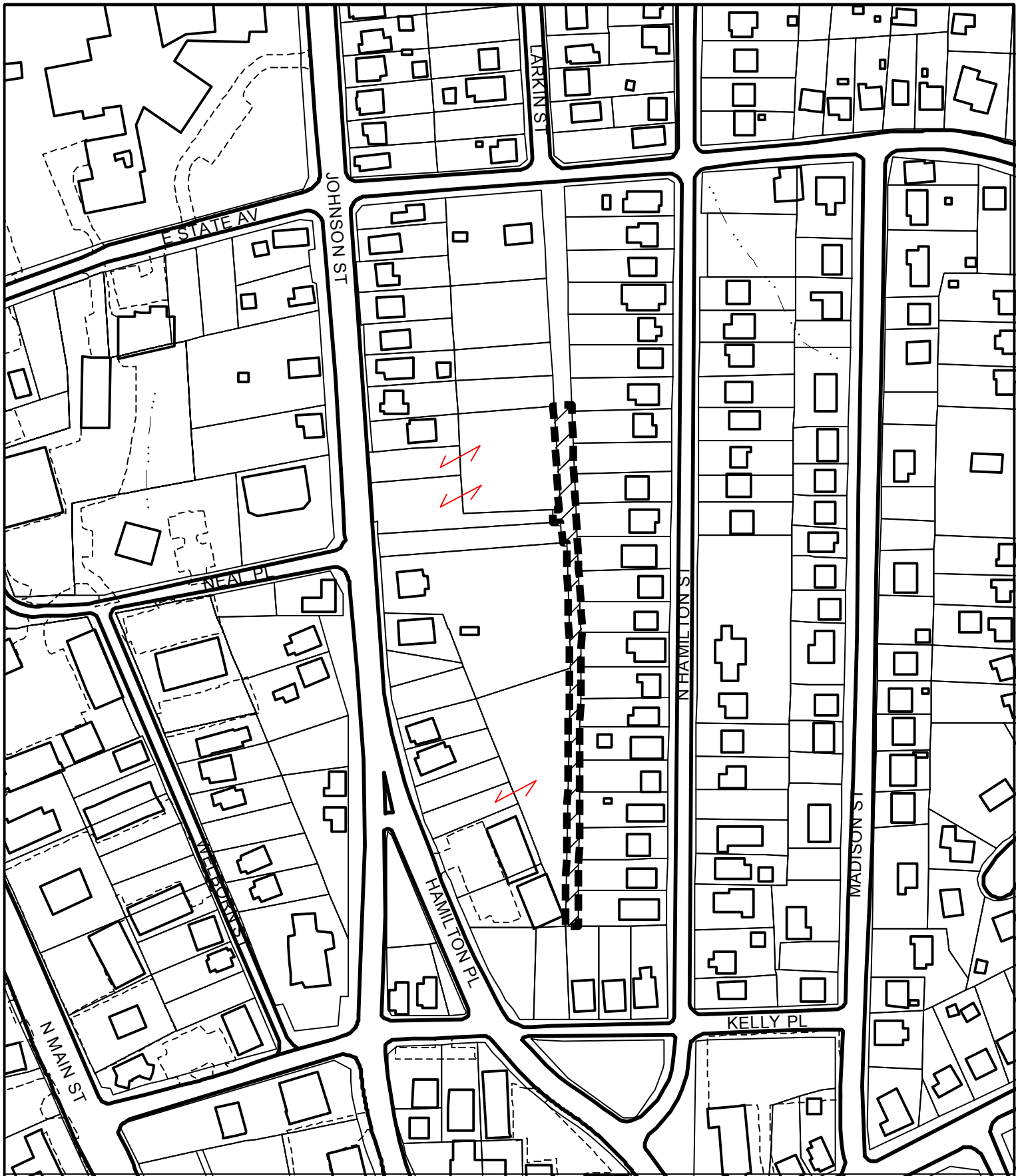
This abandonment of the public’s interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public’s interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means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

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment based on preliminary findings that it is not contrary to the public interest, and that no property in the vicinity of the street abandonment would be deprived of reasonable means of ingress or egress.

Report Preparation

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



STREET ABANDONMENT REQUEST SA10-07

Applicant: Technical Review Committee

Area: 0.39 acres



Location of requested street abandonment

**Department of Planning
and Development**

City of High Point

Date: March 5, 2010



Scale: 1"=200'

y:\ba-pz\2010\pz\sa10-07.mxd



Looking south from E. State Avenue.



Looking north from southern terminus of the unimproved right-of-way.



Aerial with the abandonment area highlighted.

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, a public hearing was held before the City Council of the City of High Point on April 19, 2010 regarding a proposed amendment to said Land Use Plan for the High Point Planning Area,

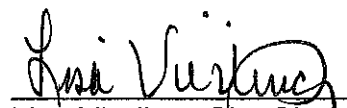
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

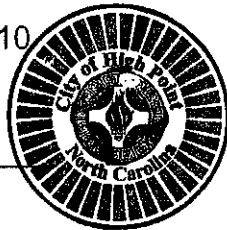
SECTION 1. That the Land Use Plan for the High Point Planning Area be amended by redesignating the area lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive from Community/Regional to Office. The property is also known as Guilford County Tax Parcel Numbers 0196614, 0196666, 0196667 & 0196589. The area totals approximately 9.98 acres.

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

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

Adopted by City Council
this 19th day of April 2010


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.

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

**ORDINANCE
REQUEST:**

Ordinance to Vacate

**PROPERTY
ADDRESS:**

337 - A Ennis St

OWNER:

Justin Shaw

**FIRST
INSPECTION:**
02-10-10

Number of Violations: Major 4 Minor 35
1) no smoke detector
2) unsafe (rotted) interior framing
3) unsafe heating equipment and water heater
4) unsafe electrical wiring

**HEARING
RESULTS:**
02-24-2010

Owner appeared for hearing. During the hearing, the following findings of fact were established. There are numerous violations of the Minimum Housing Code. At the time of the first inspection, the dwelling was occupied by two adults. The tenants moved from the dwelling 3-12-2010. All utilities have been placed on hold. The ordinance is requested to allow the inspector to close and placard the dwelling as required by state statute.

**ORDER(S)
ISSUED:**
02-24-2010

Order to Repair
compliance date of 03-24-2010

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

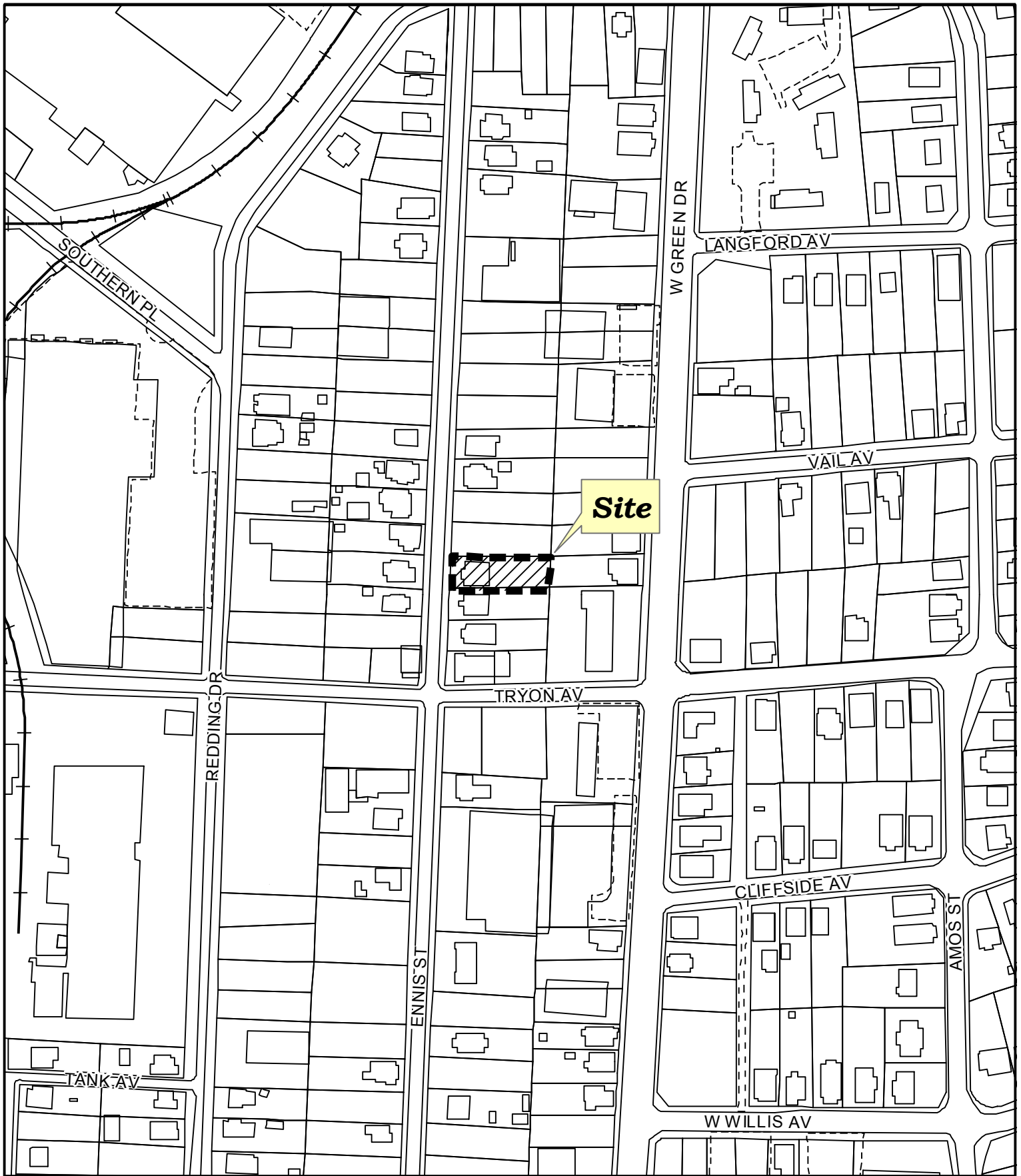
The owner obtained a building permit 3-31-2010. There have been no inspections.

EXTENSIONS:

None requested

**CURRENT
STATUS:**
4-13-2010

Conditions still exist. Dwelling is vacant and secure. This is a duplex unit. The other unit is occupied and the inspection is pending due to access to the unit.



337-A Ennis Street

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: April 13, 2010



Scale: 1"=200'
y/b-a-pz/l/inspection/vacate



337 – A Ennis Street

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

**ORDINANCE
REQUEST:** Ordinance to Demolish

**PROPERTY
ADDRESS:** 2010 Van Buren St

OWNER: Franklin J Cashwell

**FIRST
INSPECTION:** Number of Violations: Major 0 Minor 27
02-23-2010
1) broken rafters at rear of dwelling
2) hole in roof at rear of dwelling
3) rotten exterior wall studs
4) electrical, plumbing and heating equipment should be checked
as there has been no electric or water service since 2000

**HEARING
RESULTS:**
03-09-2010
The owner did not appear for the hearing. During the hearing, the following findings of fact were established. There are numerous violations of the Minimum Housing Code. This property is a case from the original list of closed dwellings. Due to the deteriorated condition of the dwelling and the associated blight on the neighborhood and that fact that the repairs exceed 50% of the tax value, the Order to Repair or Demolish was issued. The Guilford County Tax value of the dwelling is \$23,400.00. The repair estimate is \$23,275.00

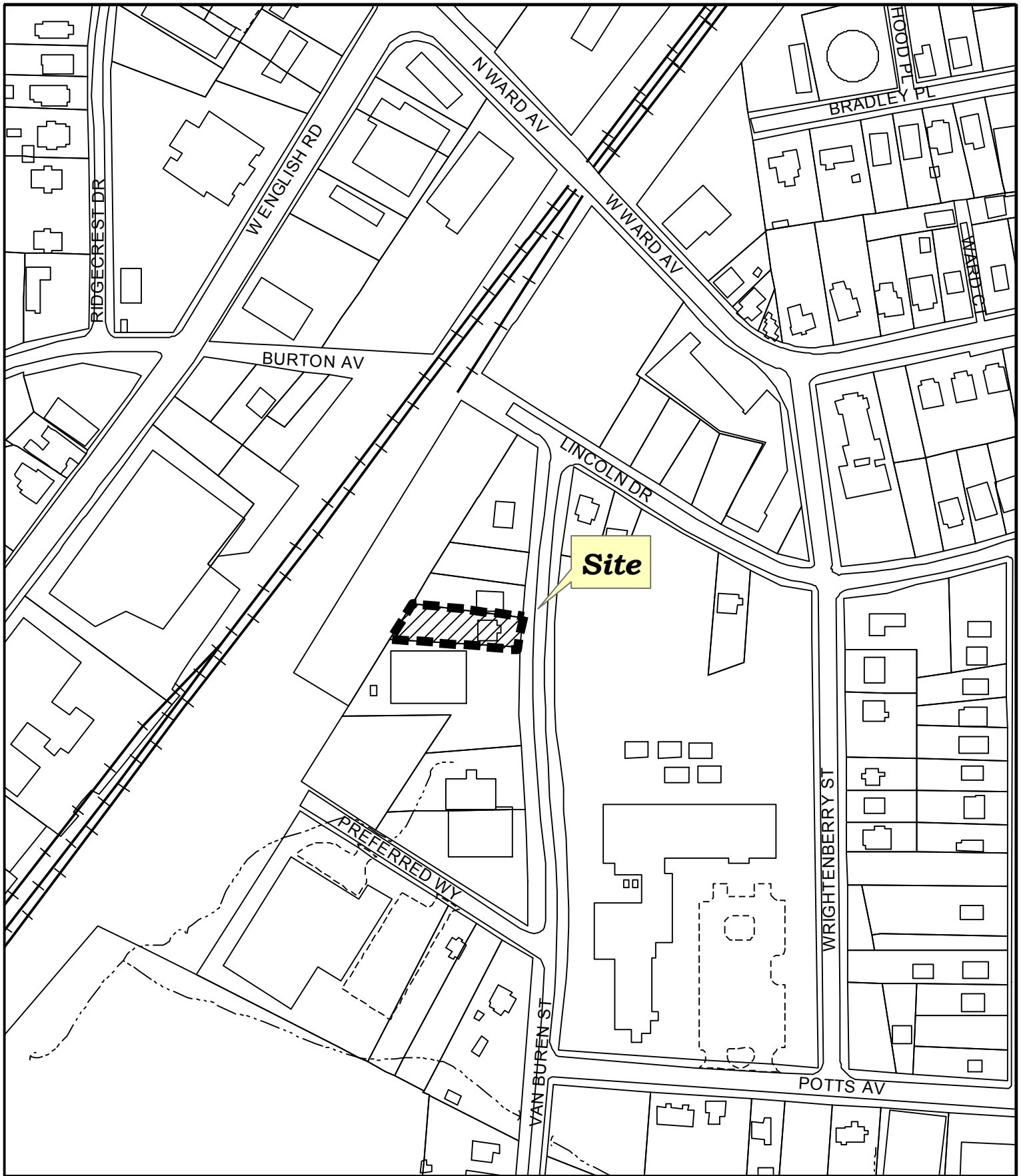
**ORDER(S)
ISSUED:**
03-09-2010
Order to Repair or Demolish (30-day)
compliance date of 04-09-2010

APPEALS: No appeals to date.

**OWNER
ACTIONS:** There have been no permits obtained or inspections requested by the owner.

EXTENSIONS: None requested by the owner.

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



2010 Van Buren Street

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: March 25, 2010



Scale: 1"=200'

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



2010 Van Buren Street



2010 Van Buren Street

PLANNING AND ZONING COMMISSION RECOMMENDATION

On March 23, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Jay Wagner and Mr. Jim White.

City of High Point

Street Abandonment Case 10-08

A request by the Technical Review Committee to abandon an unimproved right-of-way, identified as “10-foot Alley” on a map titled, “Johnson Place” as recorded in Plat Book 3 Page 10 lying south of E. Lexington Avenue between N. Main Street and Johnson Street.

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

No one spoke in favor or in opposition.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 10-08 by a vote of 6-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-08
March 23, 2010**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: Abandonment of right-of-way (identified as “10-foot Alley” on a map titled, “Johnson Place” as recorded in Plat Book 3 Page 10) lying south of E. Lexington Avenue between N. Main Street and Johnson Street.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
N. Main Street	Major Thoroughfare	80 ft. right-of-way – 52 ft. curb & gutter
Johnson Street	Major Thoroughfare	60 ft. right-of-way – 28 ft. curb & gutter

Adjacent Property Zoning and Current Land Use		
North	Main Street (MS)	Private Club (Bar)
East	Main Street (MS)	Johnson Street right-of-way
South	Main Street (MS)	Restaurant
West	Main Street (MS)	N. Main Street right-of-way

Analysis

The right-of-way being considered for abandonment is approximately 3,200 square feet in area approximately 10 feet in width by 320 feet in length (two segments of 150 feet and 170 feet in length). The right-of-way contains no public improvements. The right-of-ways do appear to contain paved and gravel surfaces which are privately maintained. Access to all property abutting the portion of the right-of-way proposed for abandonment has access to N. Main Street, E. Lexington Avenue, or Johnson Street.

Findings

The Technical Review Committee (TRC) reviewed this request on April 22, 2009 and identified no issues that would prevent its abandonment. A notice was sent to abutting property owners on March 1, 2010.

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

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment based on preliminary findings that it is not contrary to the public interest, and that no property in the vicinity of the street abandonment would be deprived of reasonable means of ingress or egress.

Report Preparation

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



STREET ABANDONMENT REQUEST SA10-08

Applicant: Technical Review Committee

Area: 3,200 sq ft



Location of requested street abandonment

**Department of Planning
and Development**

City of High Point

Date: March 5, 2010



Scale: 1"=200'

y:\ba-pz\2010\pz\sa10-08.mxd



Looking west from Johnson Street.



Looking west from the central alley towards N. Main Street.



Aerial with the abandonment area highlighted.



MEMORANDUM

DATE: **April 14, 2010**

TO: Randy McCaslin, Assistant City Manager

FROM: Michael E. McNair, Director

SUBJECT: Loan Commitment Letter

RE: Admiral Pointe Elderly Housing Development

The City has received a proposal from Wynnefield Properties to construct a 56 unit affordable housing development for the elderly (age 55 & UP) on a 2-acre site located at the corner of Admiral Drive and Samet Drive. The developer has requested a commitment letter for a loan in the amount of \$500,000. In order to ensure affordability to the residents and qualify for a local government mortgage subsidy in the tax credit application process, the terms of the loan must be consistent with the requirements of NC Housing Finance Agency's 2010 Qualified Application Plan. Consequently, the terms of the proposed loan will be \$500,000 @ 2.0% over 20 years. The loan will be sourced from the City's Neighborhood Stabilization funds received from HUD via the Housing and Economic Recovery Act of 2008.

High Point has a great-unmet need for safe, sanitary and decent affordable housing for its low to moderate-income residents. This development will be an initial step by the city to help address this need. Staff requests that Council favorably consider approving the city's financial participation in this development and authorize the City Manager to execute the loan commitment letter.

Enclosures: Request for Funding from Wynnefield Properties
Draft Loan Commitment Letter
Elevations
Site Plan

LOAN COMMITMENT

April __, 2010

Wynnefield Properties
PO Box 395
Jamestown, NC 27282

RE: Admiral Pointe, High Point, North Carolina

Gentlemen:

The City of High Point is proud to confirm its commitment to provide permanent financing to Admiral Pointe, LLC (the "Borrower") to assist it in the development of its multifamily complex to be located in High Point, North Carolina, and to be known as Admiral Pointe (the "Project").

The terms of the proposed permanent loan (the "Loan") are as following:

1. Loan Amount: Five Hundred Thousand Dollars (\$500,000.00).
2. Interest Rate: Two percent (2.0%) interest payable as follows: amortized over 20 years
3. Loan Term: Twenty (20) years from the closing of the Loan. Closing of the Loan shall occur at the same time the Project's principal permanent loan is closed, with an amortization period of Twenty (20) years.
4. The Lender's source of funds for the Loan is Neighborhood Stabilization Program funds.
5. Other Terms: The Loan shall be non-recourse and shall be secured by a second lien mortgage encumbering the Project. There shall be no prepayment penalties associated with prepayment of the Loan.

If the above terms are acceptable to you, please sign where provided for below.

Sincerely,

By: City of High Point

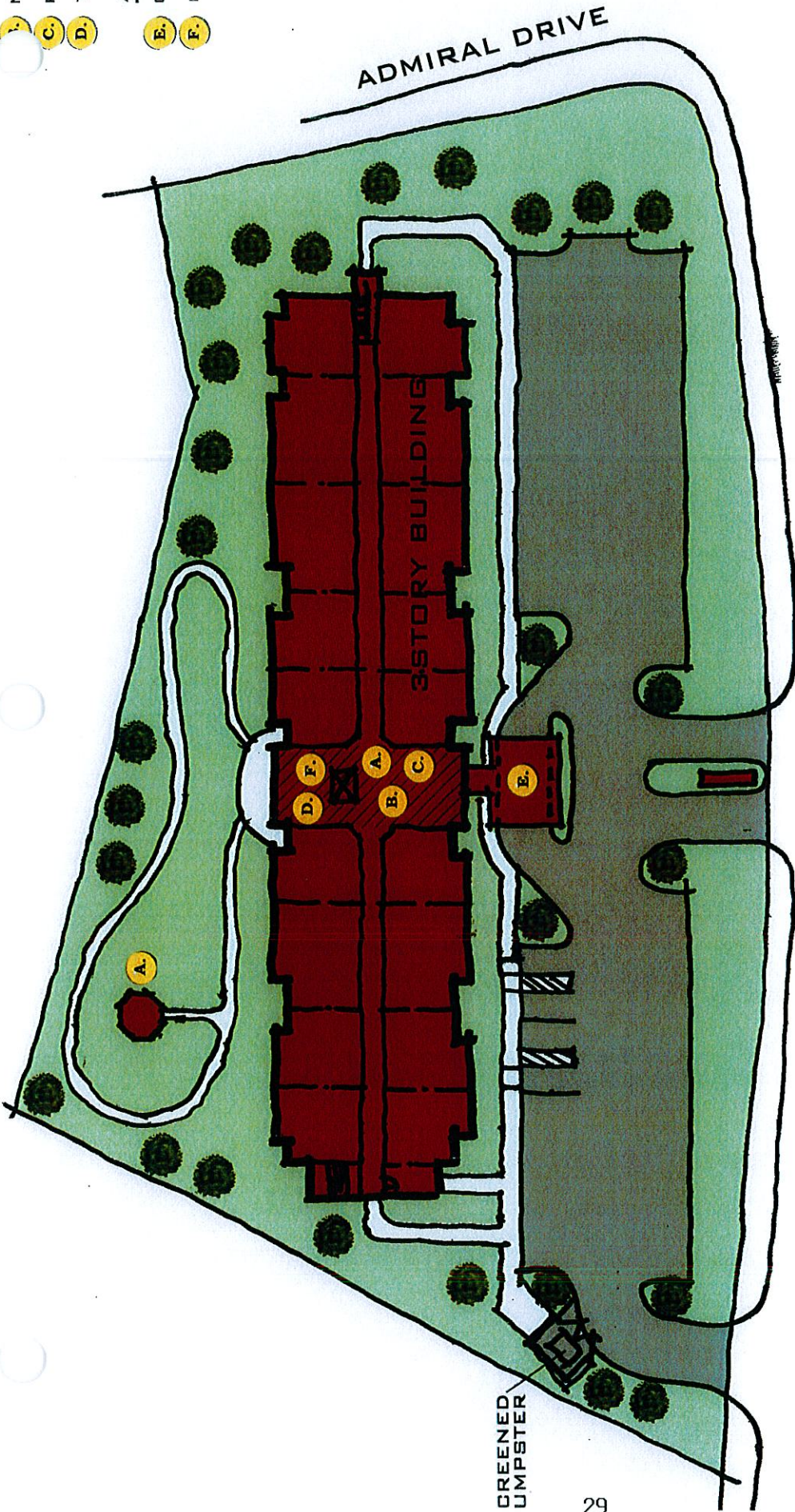
Name: Stribling Boynton

Title: City Manager

Agreed to and accepted this ____ day of _____, 2010.

[BORROWER SIGNATURE BLOCK]

- 1.** MULTI-PURPOSE
- 2.** RESIDENT CC
- 3.** TENANT STORAGE
- 4.** ADDITIONAL
- 5.** COVERED DRIVE
- 6.** EXERCISE RE



GREENED
UMPSTER

SAMET DRIVE

UNIT LAYOUT

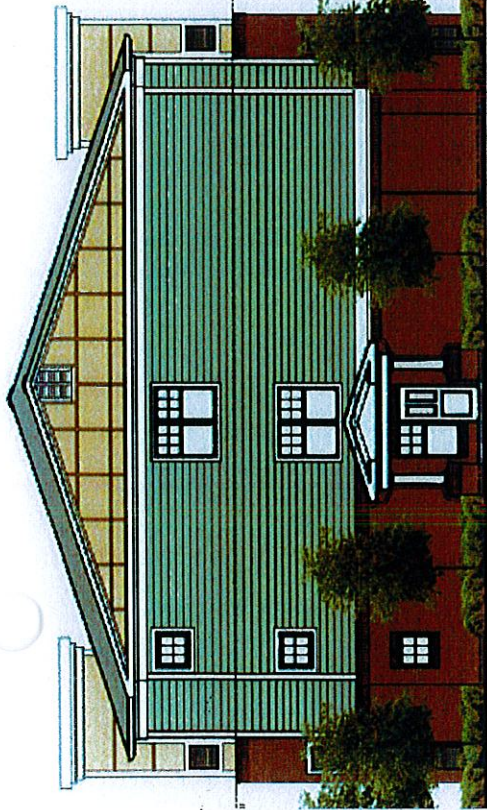
1-BEDROOM UNITS:

2-BEDROOM UNITS:

TOTAL:

PARKING @ .96 SP

54 SPACES PROVIDE



1/3RD FF.
EL. 21'-5 1/4"

1/2ND FF.
EL. 10'-0"

1/1ST FF.
EL. 0'-0"

REAR SIDE ELEVATIONS

OPPOSITE SIDE ELEVATION SIMILAR

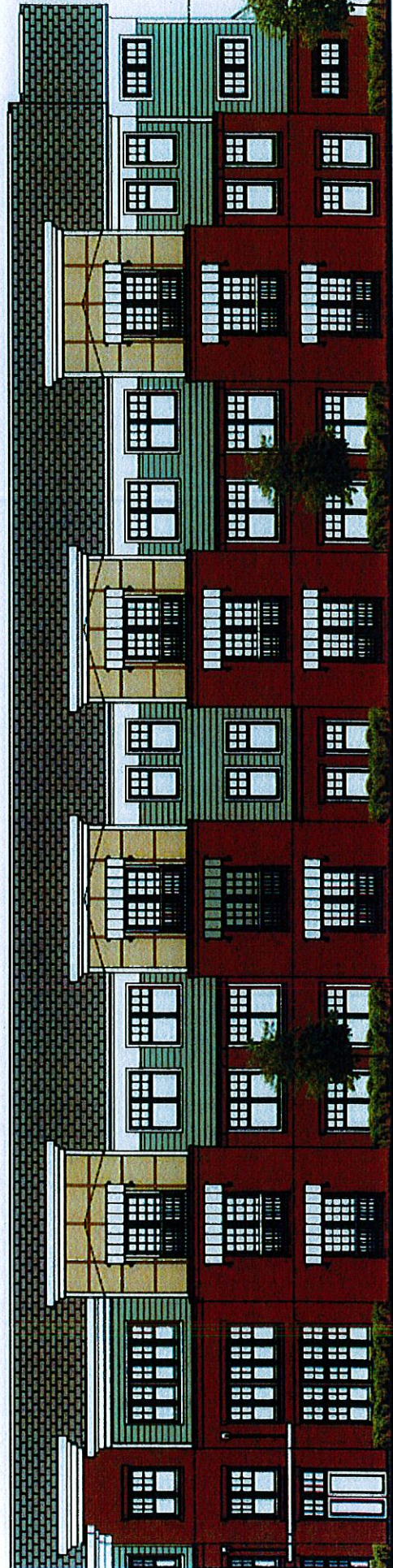
1'-0"

EXTERIOR REAR ELEVATION

1/16" = 1'-0"

OPPOSITE REAR ELEVATION SIM

2



EXTERIOR FRONT ELEVATION

1

2'

PLANNING AND ZONING COMMISSION RECOMMENDATION

On March 23, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Jay Wagner and Mr. Jim White.

City of High Point

Street Abandonment Case 10-09

A request by the Technical Review Committee to abandon an unimproved right-of-way identified as “Dedicated Right-of-Way” on a map titled, “Evermore Estates” as recorded in Plat Book 78 Page 16 lying north of Bowers Avenue between S. Scientific Street and Jamestown Road (private).

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

No one spoke in favor or in opposition.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 10-09 by a vote of 6-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-09
March 23, 2010**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: Abandonment of an unimproved right-of-way (identified as a 50-foot Dedicated Right-of-Way on a map titled, “Evermore Estates” as recorded in Plat Book 78 Page 16) lying north of Bowers Avenue between S. Scientific Street and Jamestown Road (private).

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
S. Scientific Street	Minor Thoroughfare	68 ft. right-of-way – 20 ft. ribbon pavement
Jamestown Road	Private Drive	12 ft. private access – 10 ft. gravel drive

Adjacent Property Zoning and Current Land Use		
North	Residential Multifamily – 8 (RM-8)	Apartments
East	Residential Single Family – 9 (RS-9)	Private access drive
South	Residential Multifamily – 8 (RM-8)	Vacant (city owned)
West	Residential Multifamily – 8 (RM-8)	S. Scientific right-of-way

Analysis
The right-of-way being considered for abandonment is approximately 0.243 acres in area approximately 50 feet in width by 185 feet in length. The right-of-way contains no public or private improvements. The area is heavily wooded and topography is generally flat. Access to all property abutting the portion of the right-of-way proposed for abandonment has access to S. Scientific Street.

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

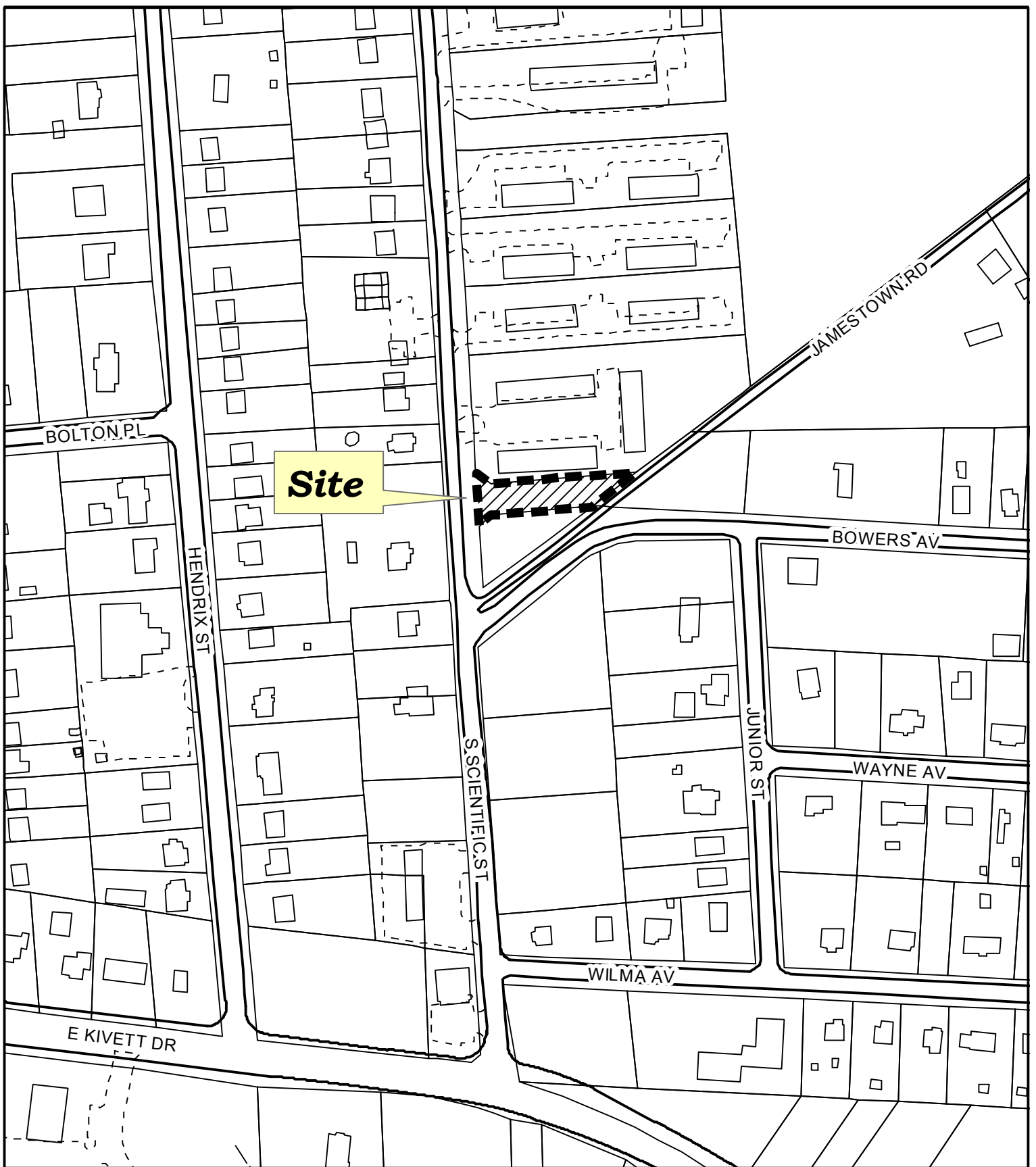
This abandonment of the public’s interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public’s interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means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

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment based on preliminary findings that it is not contrary to the public interest, and that no property in the vicinity of the street abandonment would be deprived of reasonable means of ingress or egress.

Report Preparation

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



STREET ABANDONMENT REQUEST SA10-09

Applicant: Technical Review Committee
Area: 0.24 acres



Location of requested street abandonment

**Planning & Development
 Department**

City of High Point

Date: March 5, 2010



Scale: 1"=200'
 y:/ba-pz/2010/pz/sa10-09.mxd



Looking east from Jamestown Road (private).



Looking west from S. Scientific Street.



Aerial with the abandonment area highlighted.

PLANNING AND ZONING COMMISSION RECOMMENDATION

On March 23, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Jay Wagner and Mr. Jim White.

1. Deep River Center, LLC & CHK, LLC Land Use Plan Amendment Case 10-01

A request by Deep River Center, LLC & CHK, LLC to amend the City of High Point Land Use Map to change the classification for approximately 9.98 acres from Community Regional Commercial to the Office land use designation. The site is lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive.

AND

2. Deep River Center, LLC & CHK, LLC Zoning Case 10-03

a. Conditional Use General Office-High Intensity (CU GO-H) District.

A request by Deep River Center, LLC & CHK, LLC to rezone approximately 9.98 acres from the Conditional Use Highway Business (CU-HB) District and Conditional Use Shopping Center (CU-SC) District to a Conditional Use General Office-High Intensity (CU GO-H) District. The site is lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive.

b. Conditional Use Permit 10-03

A request by Deep River Center, LLC & CHK, LLC for approval of an accompanying Conditional Use Permit with conditions pertaining to permitted uses, prohibited uses and architectural design guidelines.

Ms. Galanti presented the Land Use Plan Amendment request to the Commission and recommended approval as outlined in the staff report. Mr. Shannon presented the zoning request to the Commission and recommended its approval contingent upon approval of Land Use Plan Amendment Case 10-01 as outlined in the staff report.

Speaking in favor of the request was the applicant's representative, Mr. Anthony Lester (Evans Engineering) of 4609 Dundas Drive in Greensboro and Mr. Craig Stone (President of Wynnefield Properties) of 5614 Riverdale Drive in Jamestown. Mr. Lester provided a brief overview of Wynnefield Properties proposal to develop a 48-unit independent living apartment facility upon the southwestern portion of the zoning site. Mr. Lester stated that informational letters were sent to surrounding property owners but they only heard from the representative of the adjacent daycare center. He provided them with a copy of the permit that outlined the uses of the requested zoning district and he has heard nothing further from this property owner.

Mr. Craig Stone, President of Wynnefield Properties, was available to answer any questions.

No one spoke in opposition.

The Planning & Zoning Commission recommended **approval** of Land Use Plan Amendment Case 10-01 and Zoning Case 10-03 by a vote of 6-0.

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

**COMBINED STAFF REPORT
LAND USE PLAN AMENDMENT CASE 10-01 AND
ZONING CASE 10-03
March 23, 2010**

Requests	
Applicant: Deep River Center, LLC & CHK, LLC	Owner(s): Deep River Center, LLC & CHK, LLC
LUPA Proposal: To change the future land use designation for approximately 9.98 acres.	From: Community/Regional Commercial To: Office
Zoning Proposal: To rezone approximately 9.98 acres.	From: CU-HB Conditional Use Highway Business District CU-SC Conditional Use Shopping Center District To: CU GO-H Conditional Use General Office-High Intensity District

Site Information		
Location:	Lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive.	
Tax Parcel Numbers:	LUPA Request	Zoning Request
	0196614, 0196666, 0196667 & 0196589	Same
Site Acreage:	LUPA Request	Zoning Request
	9.98 acres	Same
Current Land Use:	LUPA Request	Zoning Request
	Undeveloped and vacant office building.	Same
Physical Characteristics:	The site has been cleared and the land area along Admiral Drive has been graded and prepared for development.	
Water and Sewer Proximity:	An 8-inch City sanitary sewer line runs along Samet Drive and along a portion of Admiral Drive. A 12-inch City water line lies adjacent to the site along Samet Drive and an 8-inch water line runs along the entire length of Admiral Drive.	
General Drainage and Watershed:	The site has a moderately sloping terrain that drains from north to south with the Samet Drive frontage being the low point. The site is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily development with an impervious surface area that exceeds 24% or more of the site.	
Overlay District(s):	City Lake General Watershed Area (GWA) Eastchester Scenic Overlay District	

Transportation Information				
Adjacent Streets:	Name		Classification	
	Admiral Drive		Local	
	Samet Drive		Local	
Vehicular Access:	This development will have access on Admiral Drive and Samet Drive.			
Traffic Counts:	Samet Drive near site		3,892 trips (2007, 12-hour traffic count)	
Estimated Trip Generation:	The proposed development will generate approximately 1,400 total trips per day.			
Traffic Impact Analysis:	Required		Comment	
	☐	Yes	☐	No X
Pedestrian Access:	This development will be required to meet the sidewalk requirements in the Development Ordinance.			

School District Comment				
School District:	Guilford County Schools			
Local Schools:	Enrollment: (Fall 2009)	Capacity:	Mobile Classrooms:	Projected Additional Students:
Montlieu Elementary	423	613	3	72 – 74
Welborn Middle	549	1,008	0	37 - 38
Andrews High	914	1,260	0	46 - 47
School District Remarks:	No remarks			

Adjacent Property Zoning and Current Land Use			
North:	CU-HB	Conditional Use Highway Business District	Office uses.
South:	CU RM-18	Conditional Use Residential Multifamily-18 District	Multifamily (apartment complex).
East:	CU-HB	Conditional Use Highway Business District	Undeveloped.
	CU-SC	Conditional Use Shopping Center District	
West:	CU-HB	Conditional Use Highway Business District	Office use, recreation facility and child day care facility
	CU-SC	Conditional Use Shopping Center District	

Adjacent Land Use Designations	
North:	Community/Regional Commercial
South:	High Density Residential
East:	Community/Regional Commercial
West:	Community/Regional Commercial

Relevant Land Use Policies and Related Zoning	
Community Growth Vision Statement:	Goal 3: Create more mixed use areas, while reinforcing existing ones, to minimize traffic, maximize the utilization of infrastructure, and so people can live, work and play in one location. Obj. 3D: Include high-density residential development as a component of existing and new mixed use areas for the purposes of utilizing land efficiently, pairing people with convenient goods and services, supporting the commercial uses, and minimizing traffic.
Land Use Plan Goals, Objectives and Policies:	Goal #3: Provide a wide range of housing opportunities for families of all income levels; Obj. #3. Provide opportunities for an adequate supply of affordable housing at appropriate locations convenient to employment, shopping and service areas; Obj. #8. Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations.
Relevant Area Plan(s):	❖ <i>Eastchester Drive Corridor Plan (Phase II Update 1994)</i> The plan recommends that this quadrant of West Wendover Avenue, between Eastchester Drive and Penny Road, be developed with mixed-uses offering a wide range of commercial, services, high-rise office, and high density residential uses. The plan also recommends continuing the high quality appearance of new development. ❖ <i>West Wendover Avenue/Guilford College Road Corridor Plan -1995</i> Land Use Objectives: 1. Avoid strip commercial development, 2. Concentrate community/regional commercial uses at each end of the corridor - NC 68/West Wendover and I-40/West Wendover, Visual Quality Objectives: 1. Ensure the maintenance of a high visual quality in the West Wendover Avenue Corridor with appropriate standards for signs, landscaping, buffer yards, setbacks and design guidelines.
Zoning History	Currently, the land area along the south side of Eastchester Drive and W. Wendover Avenue, between Hickwood Road & Penny Road, is zoned Shopping Center (SC), Highway Business (HB) or Residential Multifamily-18 (RM-18) and developed with various commercial, retail, office, business professional, self storage warehousing and multifamily uses. In the early 1980's all of this area was zoned for single family dwellings except for an office zoning at the southeast corner of Eastchester Drive & Hickwood Road. In 1987, zoning Case 87-28 rezoned all of this area to a Planned Business zoning district. During the 1990's there were multiple zoning applications approved that further rezoned this area to

	various CU-SC and CU-HB Districts. Finally, in 1997 the southern boundary of this commercial area was rezoned to a CU RM-18 District for development of the Highbrook Apartment complex.
--	--

Relevant Land Use Plan Amendment History

Case #:	Date:	Description:
LUPA 01-04	Nov. 15, 2001	Approximately 5 acres located at the southwest corner of W. Wendover Avenue and Penny Road was changed from Office to Community/Regional Commercial

Purpose of Existing and Proposed Land Use Designations

Existing Designation:	Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
Proposed Designation:	Office: This classification includes professional, personal and business service uses.

Details of Proposals

The applicant has a client that desires to develop the 2½ acre area at the southwestern portion of the zoning site for multifamily development. Depending upon the demand, they may consider expansion of multifamily uses upon other portions of the zoning site. The development goal envisioned is a mixed use development consisting of multifamily and office uses, thus they have requested rezoning to a GO-H District, which is intended to accommodate high intensity office, institutional uses and high density residential uses at a density of 26 units per acre or less. Some limited retail uses are permitted in the GO-H District subject to being within a multi-tenant building, with individual retail uses being restricted to a maximum of 3,500 square feet in area.

The site is within the Wendover Crossing development which consists of approximately 46 acres and extends from Penny Road to the western boundary of the zoning site, and from W. Wendover Avenue southward to Samet Drive. The land area associated with Wendover Crossing and the adjacent Wendover Landing development has had a Land Use Map designation of Community/Regional Commercial and Office with corresponding commercial zoning for over 20 years. That area of the Wendover Crossing development lying directly north of the zoning site, fronting W. Wendover Avenue and all four intersections of Tinsley Drive and Admiral Drive, has been development with various office and business professional uses with the exception of two restaurants that front W. Wendover Avenue.

Currently, all of this area is designated upon the City's Land Use Map as Community/Regional Commercial. Therefore, a Land Use Plan Amendment is required in conjunction with the zoning application to support the requested GO-H District.

Analysis of Land Use Plan Amendment Request

- ❖ Since the mid 1980's the southeast quadrant of the Eastchester Drive/W. Wendover Avenue intersection has been designated as Office or Community/Regional Commercial, or a

combination of the two. This quadrant of the intersection has been slower to develop than the other quadrants and it has evolved overtime into a mix of office and retail uses, with high density residential on the south side of Samet Drive.

- ❖ The request to amend the Land Use Plan to an Office land use designation on this site would allow for multifamily and offices uses, which is in keeping with the existing overall development pattern that has been established in this area and would further add diversity to the mix of uses in the area.

Zoning Request - Identified Issues

Major Issues:

- ❖ None

Minor Issues:

- ❖ None

Zoning Request - Findings

Section 9-3-13 of the Development Ordinance requires that certain findings be made before a zoning map amendment and Conditional Use Permit may be approved. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these required findings.

That the development of the property in accordance with the proposed conditions will not materially endanger the public health or safety; staff finds

Compliance	❖ Transportation improvements, between Hickwood Drive and Penny Road, were installed with the development of the Wendover Crossing and abutting Wendover Landing commercial subdivisions. Staff has found no evidence that suggests the requested rezoning would negatively impact traffic circulation or public safety in this area.
-------------------	---

That the development of the property in accordance with the proposed conditions will not substantially injure the value of the adjoining or abutting property; or that the development is a public necessity; staff finds

Compliance	❖ Over the past 15 years the land area along the south side of Eastchester Drive and W. Wendover Avenue, between Hickwood Road and Penny Road, has developed into a mixed use area consisting of commercial uses along perimeter frontage roads, office/business professional uses internally and multifamily to the south. The zoning site is located within the internal area of this commercial node where multifamily uses transition to office uses. The request to rezone this site to a GO-H district would continue to allow office uses and expand the ability to permit multifamily uses toward the internal area of this commercial node. Staff has found no evidence that suggests the requested rezoning would negatively impact adjacent property owners.
-------------------	---

That the location and character of the development, in accordance with the proposed conditions, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City of High Point and its environs; staff finds

Compliance	❖ Subject to approval of the corresponding Land Use Plan Amendment case (LUPA10-01), the requested CU GO-H district will be in conformance with the City's Land Use Map. ❖ The request is in keeping with Objective 8 and 9 of the Land Use Plan which encourages infill, mixed use and higher residential densities at appropriate locations and transition in land uses between more and less intensive land uses. ❖ Prime high visibility commercial or office tracts along perimeter roadways of the commercial node have already been developed. The requested GO-H district is intended to accommodate high intensity office, institutional uses and high density residential uses. Staff finds that the request will be in harmony with the area and the Land Use Plan for this area because, 1) it does not introduce any new land uses in this area, 2) it will establish zoning that matches the existing uses currently developed in this area, and 3) the applicant has offered a condition to continue to use the existing Wendover Crossing Design Guidelines for development upon the site.
-------------------	--

Recommendations

Land Use Plan Amendment Request (LUPA 10-01):

The requested Office land use designation is in keeping with the overall existing development pattern in this area and is supported by the City's land use policies. Staff recommends approval of this Land Use Plan Amendment request.

Zoning Request (Z10-03):

Subject to approval of Land Use Plan Amendment Case 10-01 and based upon existing development pattern in this immediate area, the zoning request will be compatible with the City's Land Use Plan and will be in harmony with the area. Staff recommends approval of this request to rezone 9.98 acres at the northeastern and northwestern corners of Samet Drive and Admiral Drive to a Conditional Use General Office High Intensity (CU GO-H) district.

Zoning Request - Required Action

Planning and Zoning Commission:

Upon making its recommendation, the Planning and Zoning Commission must place in the official record a statement of consistency with the City's Land Use Plan, and any other officially adopted plan that may be applicable. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Commission, or, if the Commission is in disagreement with staff's findings, by adoption of its own statement.

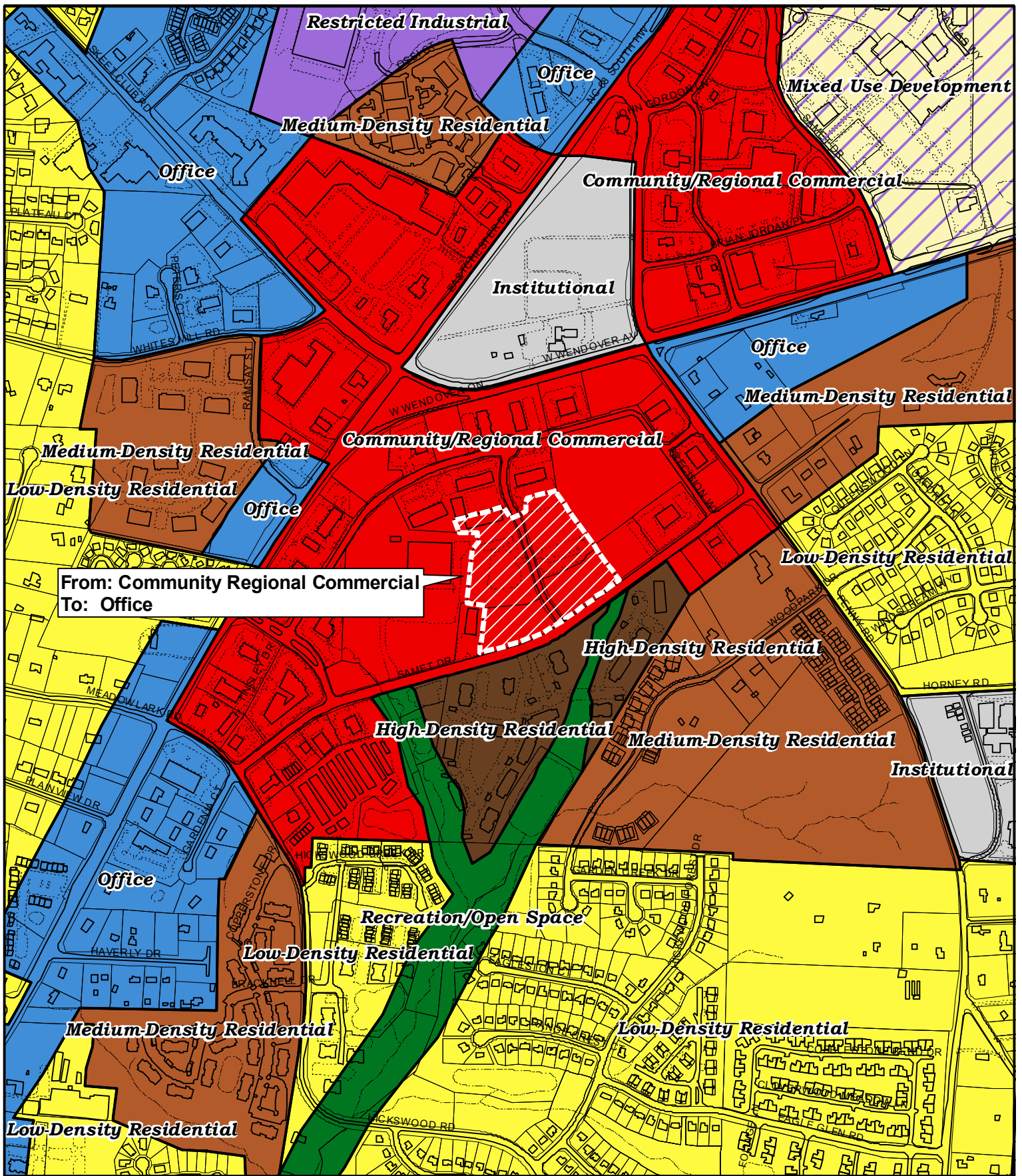
City Council:

Upon rendering its decision in this case, the High Point City Council also must place in the official record a statement of consistency with the City's Land Use Plan. This may be done by adopting the staff's findings as written in this report, by adopting the staff's findings with additions or changes as agreed upon by the Council, or, if the Council is in disagreement with staff's findings, by adoption of its own statement.

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) Subject to approval of Land Use Plan Amendment Case 10-01, the request will be consistent with the City's Land Use Plan; 2) The request to permit additional office uses and higher intensity multifamily uses at this location is consistent with Objective 8 of the Land Use Plan which encourages infill, mixed use and higher residential densities at appropriate locations; and 3) The site abuts office uses to the north and multifamily uses to the south, thus the request will not be introducing any new land uses in this area and will be in harmony with existing development patterns in this area. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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



LAND USE PLAN AMENDMENT 10-01

**Request: From: Community Regional Commercial
To: Office**

Existing Land Use Plan
Subject Property Boundary



**Department of Planning
and Development**

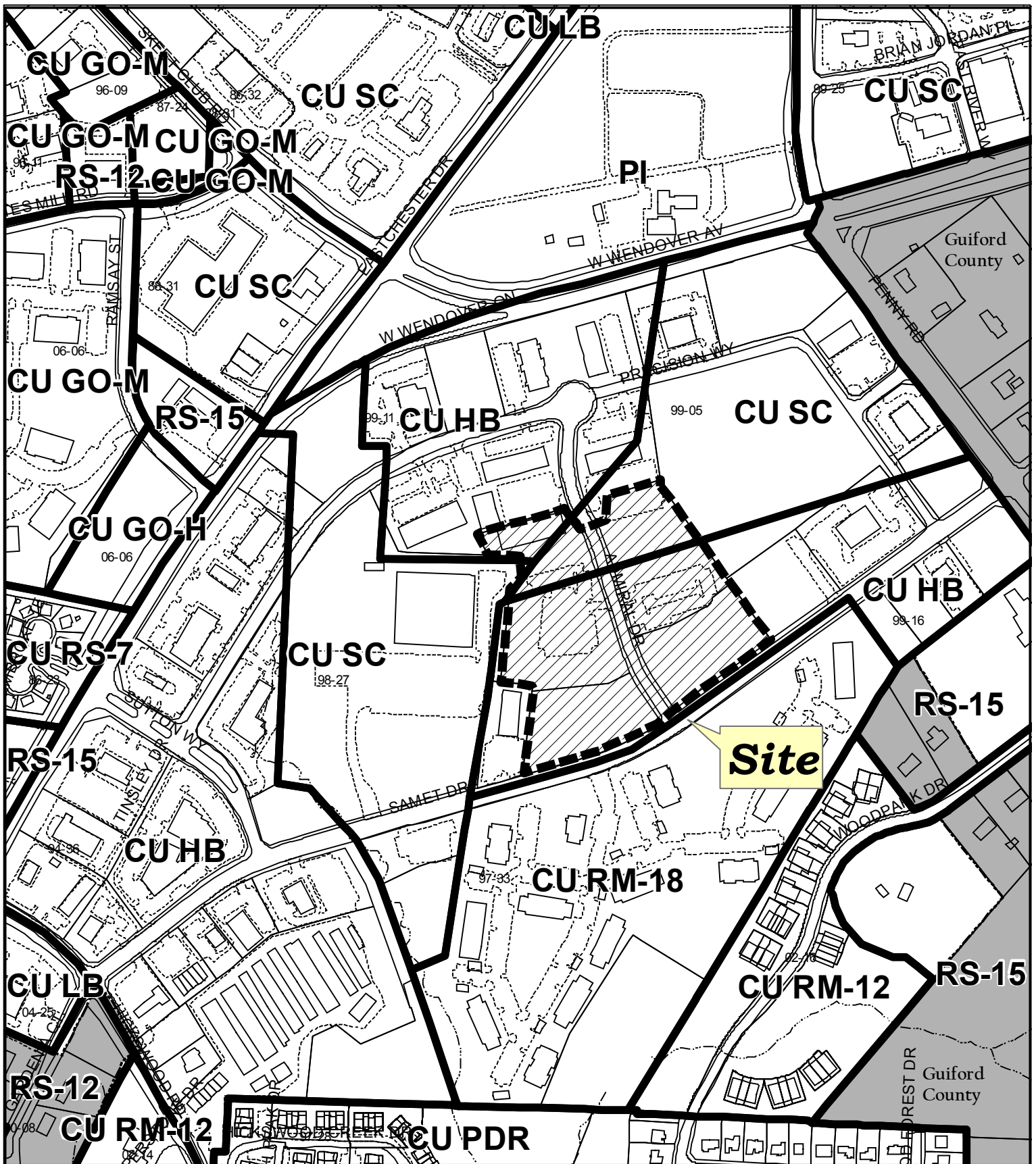
City of High Point

Date: March 11, 2010



Scale: 1"=700'

y:\ba-pz\2010\pz\lupa10-01.mxd



REZONING CASE 10-03

From: Conditional Use Shopping Center and
Conditional Use Highway Business

To: Conditional Use General Office-High

Existing Zoning Boundary

Subject Property Boundary

Planning & Development
Department

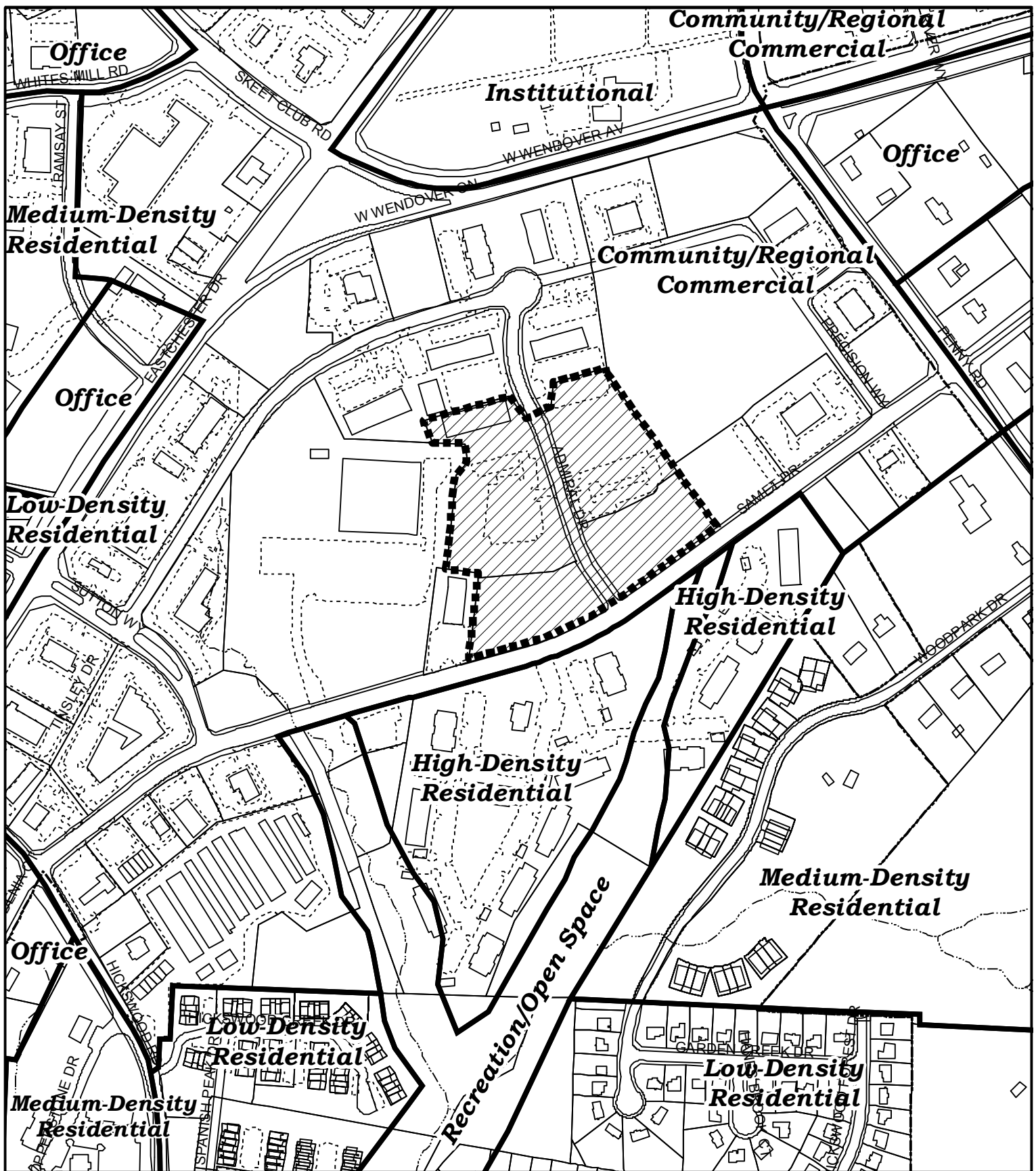
City of High Point

Date: March 11, 2010



Scale: 1"=400'

y:/ba-pz/2010/pz/z/10-03.mxd



REZONING CASE 10-03

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
 Department**

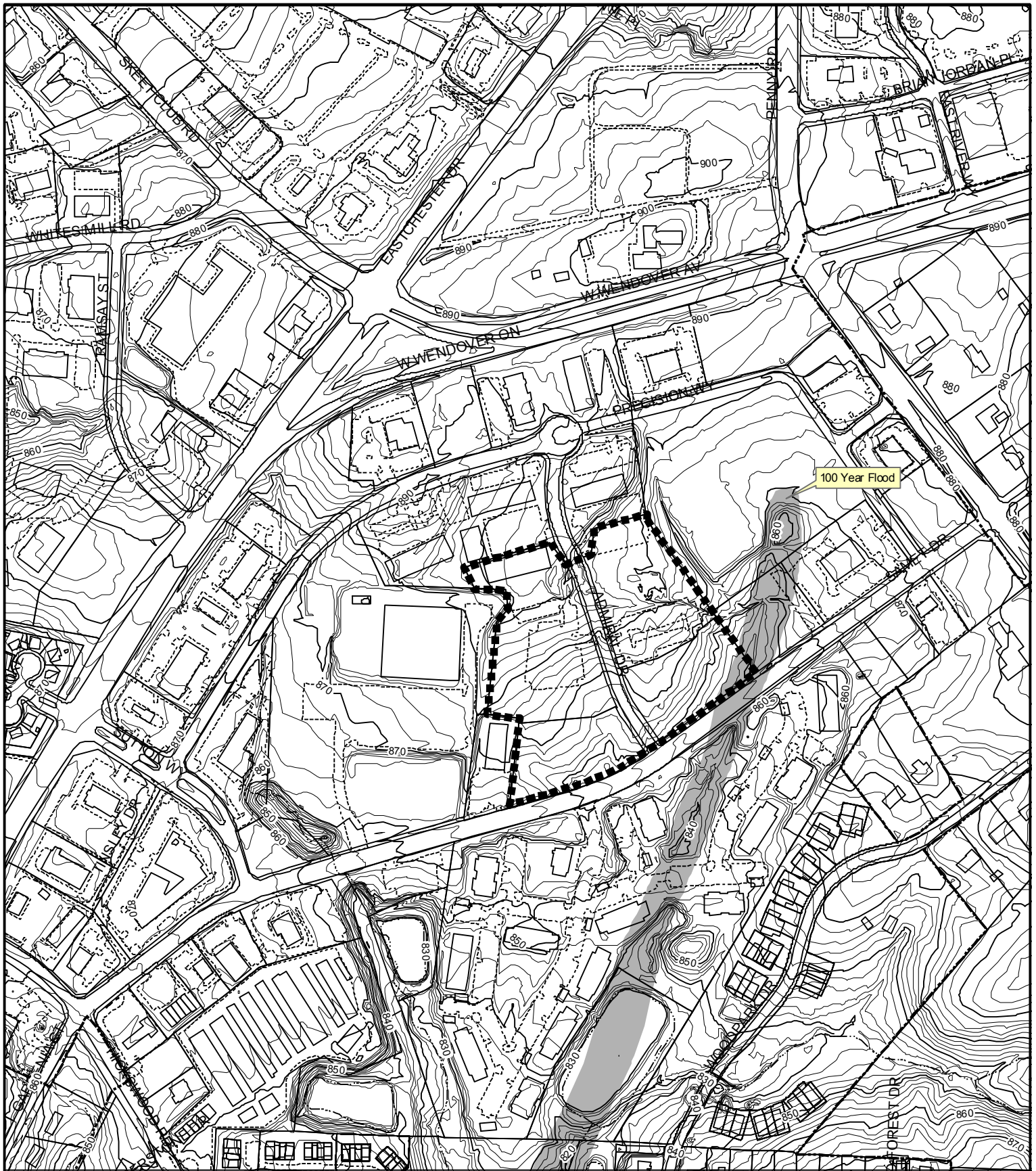
City of High Point

Date: March 11, 2010



Scale: 1"=400'

y:/ba-pz/2010/pz/z10-03.mxd



REZONING CASE 10-03

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: March 11, 2010



Scale: 1"=400'

y:/ba-pz/2010/pz/z10-03topo.mxd

REZONING CASE 10-03



APPLICATION FOR A CONDITIONAL USE PERMIT
CITY OF HIGH POINT, NORTH CAROLINA
Conditional Use General Office-High Intensity (CU GO-H) District

March 8, 2010
(Submitted)

TO THE CITY COUNCIL OF THE CITY OF HIGH POINT:

The undersigned hereby respectfully request that the High Point City Council, pursuant to Title 9, Chapter 3 of the City Code, grant a Conditional Use Permit for the following use(s), subject to the following conditions:

- I. USES: Any of the land uses allowed in the General Office High Intensity (GO-H) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the GO-H District and the specific conditions listed in this Conditional Use Permit.

- II. CONDITIONS:
 - A. Prohibited Uses: The following GO-H District land uses shall be prohibited.
 1. Single Family Detached Dwellings.
 2. Two Family Dwellings (Twin Homes or Duplexes).
 3. Townhouse Dwellings.

 - B. Architectural Design Guidelines:
 1. Development upon the zoning site shall be subject to the standards of the Wendover Crossing Design Guidelines (Nov. 3, 1998). Given the proximity of the site to existing office buildings within the same development, and to encourage an overall cohesive design and look, all buildings shall be designed to complement the architecture of the office buildings. This shall include similar roof type and covering, exterior materials, windows and doors, and overall architectural style.
 2. Neon signs shall not be permitted.
 3. Metal and vertical sided buildings shall be prohibited.
 4. No roof or accent roof lighting shall be permitted.

DESCRIPTION OF PROPERTY: Approximately 9.98 acres lying at the northeastern and northwestern corners of Samet Drive and Admiral Drive. The site is also known as Guilford County Tax Parcel(s) 284-1-11, 39, 91 & 92.

An application has been duly filed requesting that the property involved in this application be rezoned from the Conditional Use Highway Business (CU-HB) District and Conditional Use

Shopping Center (CU-SC) District to a Conditional Use General Office-High Intensity (CU GO-H) District. It is understood and acknowledged that if the property is rezoned as requested and the Conditional Use Permit authorized, the property described in this request will be perpetually bound by the use(s) authorized and the conditions imposed, unless subsequently changed or amended as provided for a Title 9, Chapter 3, of the City Code.

The City Council may add additional conditions to make the necessary findings of fact required for approval of a Conditional Use Permit.

It is further understood and acknowledged that plans for any development to be made pursuant to any such Conditional Use Permit so authorized shall be submitted to the Technical Review Committee and/or other such approval authorities for review in the same manner as other such plans now required to be approved by the City of High Point.

Citizens Information Meeting Report

Zoning Case 10-03

Submitted by: Deep River Center, LLC and
CHK, LLC

March 1, 2010

Memorandum

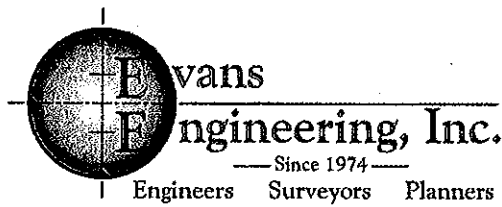
To: Herb Shannon, City of High Point, Senior Planner & Zoning Coordinator

From: Anthony D. Lester; PE, PLS
Evans Engineering, Inc.

Date: March 1, 2010

Re: Citizens Information Report for Deep River Center, LLC and CHK, LLC at
Wendover Crossing

The owners chose to notify all the adjoining property owners within 300 feet of the subject property via an informational letter. I have attached a copy of this informational letter for your review. To date, none of the adjoining property owners have contacted me with any questions. If any additional information is needed, please notify me. Thanks.



February 19, 2010

Raymond and Trudy Brown
807 Dorado Drive
High Point, North Carolina 27265

RE: Proposed Rezoning of 9.98 Acres of Land on the West and East Sides of
Admiral Drive and North of Samet Drive

Dear Neighbor:

Deep River Center, LLC and CHK, LLC own approximately 9.98 acres of land north of Samet Road which also lies on the west and eastern sides of Admiral Drive (see the attached map). This property is currently zoned CU-SC. The existing property currently consists of vacant land and an existing office condominium building and unused parking lots. The owners of this property has asked the City of High Point to rezone this property to a classification of CU-GO-H (Conditional Use District General Office High Intensity). The purpose this rezoning is due to the fact that the new zoning classification of GO-H will allow some uses such as apartments and nursing homes, whereas the existing CU-SC district would not. The proposed GO-H district will also continue to allow the office condominiums that have currently been built on a portion of this property.

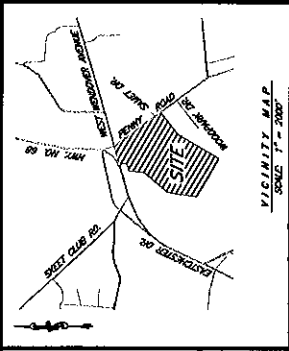
If you should have any questions concerning the rezoning of this property, please contact me, Anthony D. Lester at (336) 854-8877 x314. I will attempt to answer any questions you might have.

The proposed rezoning case is scheduled to be heard by the City of High Point Planning and Zoning Commission on March 23, 2010 at 6pm.

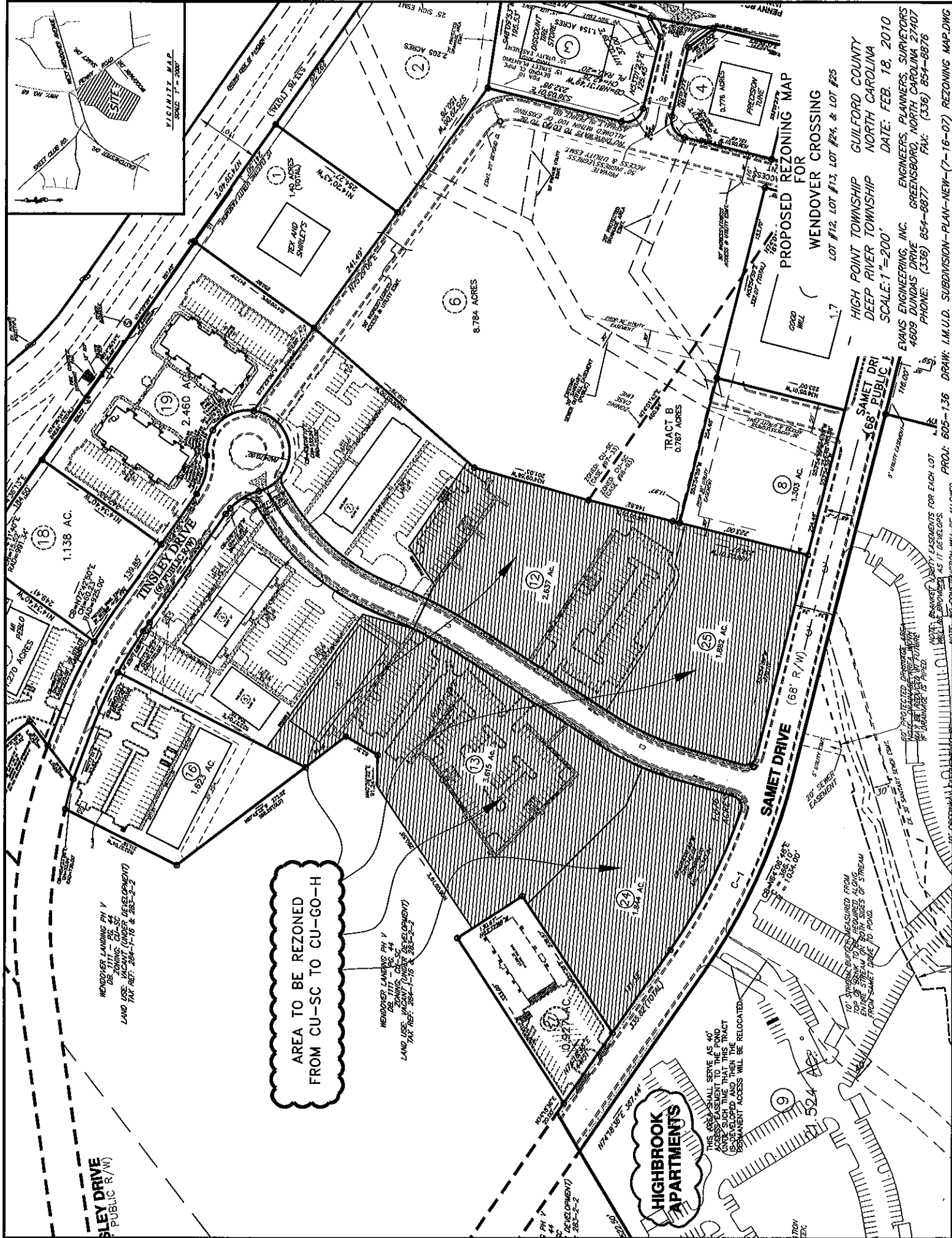
Thank you for your consideration of this matter and should there be any questions, please call.

Sincerely,

Anthony D. Lester, P.E., P.L.S.
Vice-President
Evans Engineering, Inc.



VICINITY MAP
SCALE: 1" = 200'



AREA TO BE REZONED
FROM CU-SC TO CU-GO-H

Highbrook
Apartments

Wendover Crossing

HIGH POINT TOWNSHIP GUILFORD COUNTY
DEEP RIVER TOWNSHIP NORTH CAROLINA
DATE: FEB. 18, 2010
SCALE: 1" = 200'
EVANS ENGINEERING, INC. ENGINEERS, PLANNERS, SURVEYORS
4609 DUNDAS DRIVE GREENSBORO, NORTH CAROLINA 27407
PHONE: (336) 854-8877 FAX: (336) 854-8876
PROJ: 605-136 DRAW: 1M.U.D. SUBDIVISION-PLAN-NEW-(7-16-07) REZONING MAP.DWG

THIS AREA SHALL SERVE AS 40' ACCESS EASEMENT TO THE POND LOCATED WITHIN THE TRACT SUBSEQUENT TO THE TRACT PERMANENT ACCESS WILL BE RELOCATED

10' STREAM BUFFER MEASURED FROM TOP OF BANK TO BE MAINTAINED ALONG ENTIRE STREAM FROM SAMET DRIVE TO POND

NOT RECORDED EASEMENT

NOT RECORDED EASEMENT

NOT RECORDED EASEMENT



**City of High Point
Conditional Use District Zoning
Citizen Information Meetings**

Anyone planning to file a zoning application for a conditional use district from the City of High Point is required to hold a citizen information meeting prior to filing the application. This requirement applies only to an application for a conditional use district or an application to amend a previously approved conditional use district. Conditional use district zoning is a type of zoning where property owners can impose specific conditions or restrictions on the development and use of their property, and where the conditions are enforceable by the City regardless of the property's future ownership.

The City of High Point finds that quality development is better achieved through an informed and cooperative process than an adversarial one. The purpose of the citizen information meeting is to allow the person planning to file an application, otherwise known as the applicant, the opportunity to inform citizens about the development proposal and to provide citizens the opportunity to ask questions and find out more about the proposal prior to any official public hearings.

The applicant's development proposal is officially presented to the Planning & Zoning Commission and City Council at their respective public hearings. At the public hearings, the Commission and Council hear comments and concerns from citizens regarding the proposal prior to making decisions. The public hearings are not the preferred setting for citizens to learn about a development proposal for the first time. It is difficult to gain understanding of a proposal and offer well thought out comments during the relatively short time of a public hearing. The citizen information meeting is important in that it can provide basic information and allow communication with the applicant before the public hearings, so that citizens may informatively develop their comments and any concerns, and later present them at the public hearings for consideration.

Applicants may vary the form and number of citizen information meetings they conduct; however, they are required to contact or otherwise notify owners of property located within 300 feet of the proposed zoning site. Whatever form the meeting takes, those citizens participating are provided with this written statement from the City of High Point, which describes the purpose of the citizen information meeting, the application process and where additional information may be obtained from the City. In addition, the applicant must provide a written description of the development proposal and any other available information that would help citizens to better understand it. After the zoning application is filed with the City's

Administration
336.883.3328

Planning Services
336.883.3328

Development Services
336.883.3328

Inspection Services
336.883.3151

Planning & Development Department, the applicant submits to the City a written report of the citizen information meeting(s). At a minimum, this report records the property owners notified; date, time and location of the meeting(s); the written description of the development proposal; and any comments, ideas or suggestions from citizens that were incorporated into the development proposal.

Before the public hearings are held, the City's Planning & Development Department mails notices to all owners of property located within 300 feet of the zoning site. This notice provides information on the conditional use district request; the time, date and place of the Planning & Zoning Commission public hearing; and contact information. A second notice is mailed prior to the City Council's public hearing with similar information. Also, signs are placed on the zoning site giving notice of the request and the City's public hearings.

After hearing public comments and considering the development proposal, the Planning & Zoning Commission makes a recommendation to the City Council who, after holding their public hearing, decides what action should be taken on the proposal. Changes to the applicant's proposal can occur during this process in order to insure consistency with City policy and development regulations, and to minimize expected impacts that can be generated by the development or use of the zoning site.

No condition can be included in a conditional use district that specifies ownership status, race, religion or characteristics of the development's occupants, the minimum size of a dwelling, the minimum value of buildings or improvements, or ones that otherwise excludes specific races, religions or classes of people.

Citizens are strongly encouraged to contact the City's Planning & Development Department and visit the department's website for additional information on the City's zoning process, and for information about specific development proposals.

Contact:

Planning & Development Department
336-883-3328
www.high-point.net/plan

BROWN RAYMOND W JR & TRUDY S
807 DORADO DR
HIGH POINT NC 27265

CAREY PHILLIP & ARNET
3750-105 ADMIRAL DR
HIGH POINT NC 27265

CHK LLC C/O GREENWOOD & CHARLES
1451-A TRADE MART BLVD
WINSTON SALEM NC 27127

COHEN MANUEL & ELINOR B
PO BOX 1117
MONCKS CORNER SC 29460

DEEP RIVER CENTER LLC
PO BOX 5657
WINSTON SALEM NC 27113

DLF HOLDINGS LLC
3745 ADMIRAL DR
HIGH POINT NC 27265

FRYE TIMOTHY A & STACEY H
6335 POPLAR FOREST DR
SUMMERFIELD NC 27358

GERITA CONSULTING INC
3 CHATTERSON CT
GREENSBORO NC 27410

GOODWILL INDUSTRIES OF CENTRAL
NORTH CAROLINA INC
125 S EUGENE ST
GREENSBORO NC 27406

HAGGERTY RICHARD C JR & GAIL H
3759 W LEXINGTON AVE
HIGH POINT NC 27265

MAYS CLIFTON
905 RUSKIN DR
HIGH POINT NC 27265

NATIONAL HOME FURNISHINGS ASSN INC
3910 TINSLEY DR #101
HIGH POINT NC 27265

NNN HIGBROOK 2 LLC ETAL C/O TRIPLE
NET PROPERTIES LLC ATTN THERESA
HUTTON
1551 N TUSTIN AVE STE 200
SANTA ANA CA 92705

RHIE HAK BUM & SUNGCHU
6121 LEA RAY DR
GREENSBORO NC 27410

SILVER DONALD J
PO BOX 6251
HIGH POINT NC 27262

SPENCER-STROUD PROPERTIES LLC
510 BURNING TREE CIR
HIGH POINT NC 27265

SPORTSCENTER TRIAD LLC
3811 SAMET DR
HIGH POINT NC 27265

SVH PROPERTIES LLC
PO BOX 6475
HIGH POINT NC 27262

TRAWETS LLC
3765 ADMIRAL DR STE 105
HIGH POINT NC 27265

Public Services Department

W. Chris Thompson, P.E.
DIRECTOR



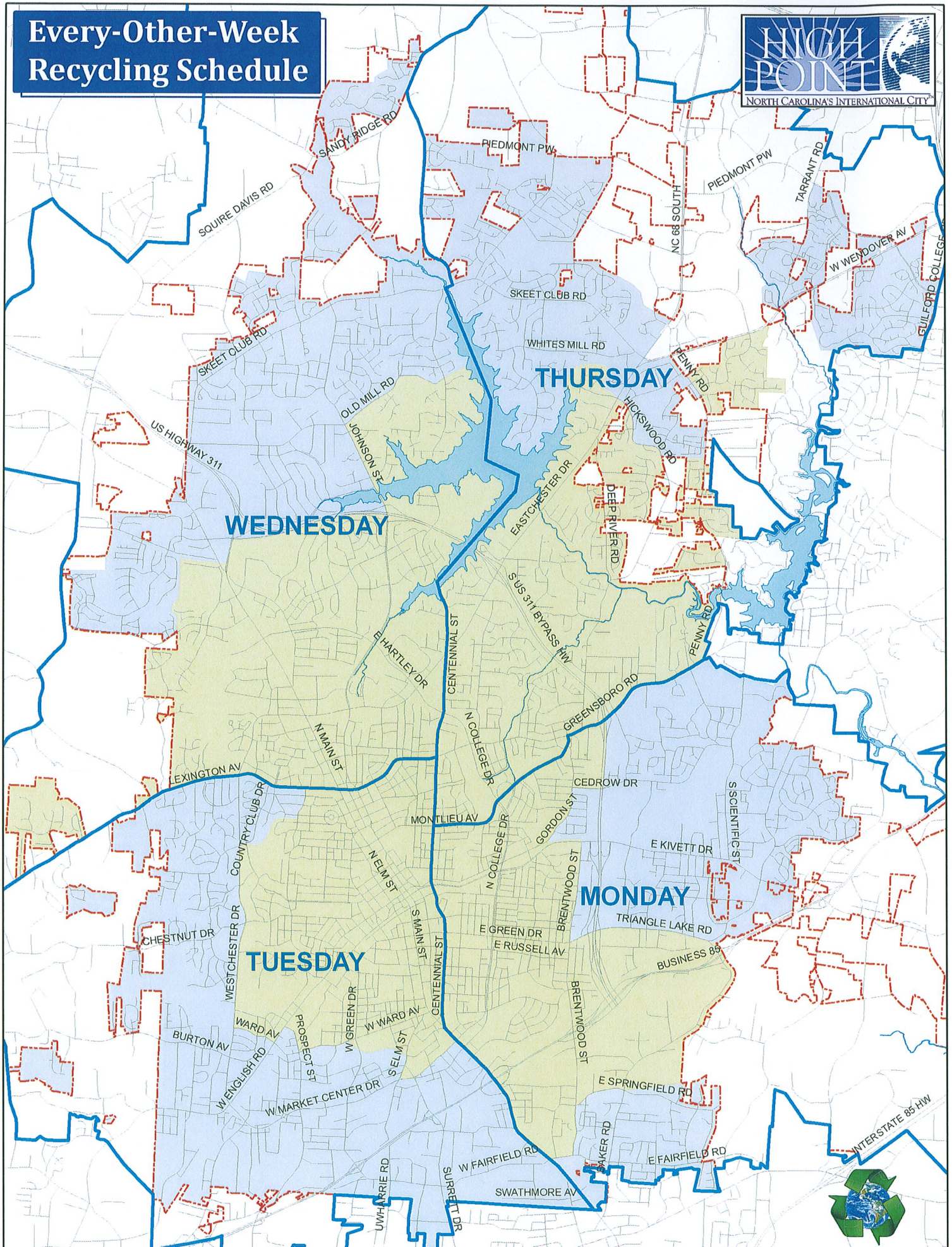
MEMORANDUM

DATE: April 14, 2010
TO: Pat Pate, Asst. City Manager
FROM: W. Chris Thompson, PE, Director of Public Services *W. Chris Thompson*
SUBJECT: Agenda Item – Bi-weekly Collection of Recyclables

As presented in our Public Services Committee meeting on Tuesday, April 6th Public Services has completed the distribution of the 95 gallon recycling carts to all single family home residents and have begun collection of recyclables with automated trucks. The 95 gallon recycling carts provide over five times the volume of our previous 18 gallon bins. As stated "Bin" has retired and "Carter" has been hired. Previously distributed guidelines to all citizens suggest placing the recycling carts at the curb for collection when they are 75% full. Typically this will occur on a bi-weekly basis. Routes with the automated trucks were planned for bi-weekly collection as routes have been reduced from 4 to 3 and personnel has been reduced from 12 to 3.

Public Services is hereby requesting Council approval for converting from the current weekly collection to bi-weekly collection of recyclables in accordance with our plan beginning the week of May 31, 2010. A route map, as attached will be published and distributed to citizens for clarification of pick up days.

Every-Other-Week Recycling Schedule





MEMORANDUM

April 13, 2010

MEMO TO: Strib Boynton, City Manager
Members of City Council

FROM: Jeffrey A. Moore, Financial Services Director
Fred Baggett, City Attorney

SUBJECT: Required City Council actions for 2/3 and Refunding Bonds

Please include the following actions by City Council for their April 19, 2010, Council meeting.

1. The City's bond attorney has prepared the attached resolution for the 2/3 bonds and refunding bonds based on the authorization Council provided at our last meeting. City Council is requested to approve the attached bond orders authorizing \$3,200,000 Parks and Recreational Facilities Bonds, \$2,415,000 Street and Sidewalk Improvement Bonds, and \$7,000,000 General Obligation Refunding Bonds.
2. City Council is requested to establish a public hearing on May 3, 2010 at 5:30pm as required by state law on the issuance of the referenced 2/3 bonds.

These are necessary legal proceedings for the issuance of these bonds. As always, we will be available if you have any questions.

Accounting
336.883.3240

Internal Audit
336.883.3122

Purchasing
336.883.3219

Treasury Services
336.883.3230

A regular meeting of the City Council of the City of High Point, North Carolina was held in the Council Chambers of the Municipal Building at 211 South Hamilton Street in High Point, North Carolina, the regular place of meeting, at 4:45 p.m. on April 19, 2010.

Present: Mayor Rebecca R. Smothers, presiding, and Council Members

Absent: Council Members

Also Present: _____

* * * * *

_____ introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

ORDER AUTHORIZING \$3,200,000 PARKS AND RECREATIONAL FACILITIES BONDS

BE IT ORDERED by the City Council of the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue parks and recreational facilities bonds in an aggregate principal amount not exceeding \$3,200,000 for the purpose of providing funds, together with any other available funds, for constructing, improving and equipping parks and recreational facilities of the City of High Point, North Carolina, inside and outside its corporate limits, including, without limitation, greenways, playing fields, concession and restroom facilities and parking areas, and the acquisition of any necessary land and rights-of-way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Thereupon, the order entitled "ORDER AUTHORIZING \$3,200,000 PARKS AND RECREATIONAL FACILITIES BONDS" was passed upon introduction by the following vote:

Ayes: _____

Noes: _____

Thereupon, _____ introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

ORDER AUTHORIZING \$2,415,000 STREET AND SIDEWALK IMPROVEMENT BONDS

BE IT ORDERED by the City Council of the City of High Point, North Carolina:

1. That pursuant to the Local Government Bond Act, as amended, the City of High Point, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue street and sidewalk improvement bonds in an aggregate principal amount not exceeding \$2,415,000 for the purpose of providing funds, together with any other available funds, for constructing, reconstructing, widening and improving streets and sidewalks of the City of High Point, North Carolina, inside and outside its corporate limits, including, without limitation, curbs and gutters, culverts, drains, traffic controls and signals, benches and planters, signage and markers, lighting and other related improvements and equipment, and the acquisition of any necessary land and rights-of-way.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people within 30 days after the date of its publication as introduced as provided in G.S. 159-60, in which event it will take effect when approved by the voters of said City at a referendum as provided in said Act.

5. That this order is adopted pursuant to the provisions of G.S. 159-49, which authorizes the issuance of bonds without a vote of the people for the purposes specified therein in an

amount not exceeding two-thirds of the amount by which the outstanding indebtedness of said City has been reduced in the preceding fiscal year.

Thereupon, the order entitled "ORDER AUTHORIZING \$2,415,000 STREET AND SIDEWALK IMPROVEMENT BONDS" was passed upon introduction by the following vote:

Ayes: _____

Noes: _____

Thereupon, _____ introduced the following order authorizing bonds the title of which was read and copies of which had been previously distributed to each Council Member:

**ORDER AUTHORIZING \$7,000,000 GENERAL OBLIGATION
REFUNDING BONDS**

BE IT ORDERED by the City Council of City of High Point, North Carolina:

1. That pursuant to The Local Government Bond Act, as amended, the City of High Point, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power and authority to contract, and in evidence thereof to issue General Obligation Refunding Bonds in an aggregate principal amount not exceeding \$7,000,000 for the purpose of providing funds, together with any other available funds, to (a) refund all or a portion of the City's outstanding General Obligation Public Improvement Bonds, Series 2005, dated October 1, 2005, and (b) pay certain expenses related thereto.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect upon adoption.

The City Council thereupon designated the Financial Services Director of the City to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed after the bond orders have been introduced and, with respect to the Parks and Recreational Facilities Bonds and the Street and Sidewalk Improvement Bonds, before the public hearing thereon.

Thereupon, the Financial Services Director of the City caused to be filed with the City Clerk, in the presence of the City Council, the sworn statement of debt as so required.

Thereupon, the order entitled "ORDER AUTHORIZING \$7,000,000 GENERAL OBLIGATION REFUNDING BONDS" was passed by the following vote:

Ayes: _____

Noes: _____

Thereupon, _____ announced that the order entitled "ORDER AUTHORIZING \$7,000,000 GENERAL OBLIGATION REFUNDING BONDS" had been adopted.

The City Clerk was thereupon directed to publish the aforementioned order entitled "ORDER AUTHORIZING \$7,000,000 GENERAL OBLIGATION REFUNDING BONDS," together with the appended statement as required by The Local Government Bond Act, as amended, once in The High Point Enterprise.

On motion duly made, seconded and carried, the City Council fixed 5:30 p.m., May 3, 2010, in the Council Chambers of the Municipal Building at 211 South Hamilton Street in High Point, North Carolina, as the hour, day and place for the public hearing upon the orders entitled “ORDER AUTHORIZING \$3,200,000 PARKS AND RECREATIONAL FACILITIES BONDS” and “ORDER AUTHORIZING \$2,415,000 STREET AND SIDEWALK IMPROVEMENT BONDS” and directed the City Clerk to publish said orders, as required by The Local Government Bond Act, as amended, once in The High Point Enterprise not later than the sixth day before said date.

* * * * *

I, Lisa B. Vierling, City Clerk of the City of High Point, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on April 19, 2010, as relates in any way to the foregoing orders authorizing bonds of said City and that said proceedings are recorded in the minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said City this 19th day of April, 2010.

City Clerk

[SEAL]

Establishment of Public Hearing

The ORDER AUTHORIZING \$3,200,000 PARKS AND RECREATIONAL FACILITIES BONDS and the ORDER AUTHORIZING \$2,415,000 STREET AND SIDEWALK IMPROVEMENT BONDS have been introduced and a sworn statement of debt has been filed under the Local Government Bond Act showing the appraised value of the City of High Point, North Carolina to be \$8,537,726,302 and the net debt thereof, including the proposed bonds, to be \$125,163,795. A tax will be levied to pay the principal of and interest on the bonds if they are issued. Anyone who wishes to be heard on the questions of the validity of the bond orders and the advisability of issuing the bonds may appear at a public hearing or an adjournment thereof to be held at 5:30 p.m. on May 3, 2010, in the Council Chambers of the Municipal Building at 211 South Hamilton Street in High Point, North Carolina.