

City of High Point

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

Meeting Agenda

Monday, April 18, 2011

4:45:00 PM

Council Chambers

Committee of the Whole

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

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

Committee Members - Whitley, Smothers, Corey

110058 Contract - Bid No. 44 - Bulk Container Service Contract Extension

Consideration of award of contract for Bid No. 44 for Bulk Refuse Container Service. Purchasing and Public Services recommends the extension of contract with Republic Waste in the amount of \$487,685.12 for fiscal year 2011-2012.

110075 Contract - Bid No. 27 - Garbage & yard Waste Rollout Carts

Approval of contract awarding Bid No. 27 for the purchase of Garbage & Yard Waste Rollout Carts. Purchasing and Public Services recommends that contract be awarded to Rehrig Pacific Company in the amount of \$283,080.00 which is the lowest responsible and responsive bidder meeting specifications.

110076 Budget Ordinance Amendment - NCDOT Rail Corridor Project

Council is requested to adopt a Capital Project Ordinance amending the 2010-2011 Budget in the amount of \$143,716 for the North Carolina Department of Transportation (NCDOT) Rail Corridor Project.

110060 Supplemental Municipal Agreement - NCDOT Rail Division - Railroad Crossing Rehabilitation/Roadway Improvements

City Council requested to approve a final adjusting change order to complete the railroad crossing improvements at Taylor St, Grimes Ave, Ward St and Prospect St to Yates Construction Company in the amount of \$135,803.04.

110078 Admiral Pointe Elderly Housing Development - Loan Commitment

City Council is requested to favorably consider a proposal from Wynnefield Properties approving the City's financial participation in the amount of \$560,000.00 and authorize the City Manager to execute a loan commitment letter to the Admiral Pointe Elderly Housing Development.

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

Committee Members - Alexander, Douglas, Corey

110061 Ordinance - Vacate/Close Structure - 302-A Allred Street (Duplex Unit)

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 302-A Allred Street belonging to Schwarz Properties, LLC.

110062 Ordinance - Vacate/Close Dwelling - 1610 Johnson Street

Adoption of an ordinance ordering the inspector to effectuate the vacating and closing of a dwelling located at 1610 Johnson Street belonging to Rossie & Ramona Gardner.

Pending Items**110045 Ordinance - Vacate/Close Structure - 800 E. Commerce Street**

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

3/21/2011 Committee of the Whole deferred

Public Safety &
Community Development
Committee

**PLANNING, ECON. DEVELOPMENT & INFORMATION TECHNOLOGY
COMMITTEE - Council Member Whitley, Chair**

Committee Members - Sims, Henley, Moore

Pending Items**110038 Part 150 Assessment Report**

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

3/21/2011 Committee of the Whole referred

Planning , Economic Dev.
& Information
Technology Committee

110053 City of High Point Incentives Policies

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

- 2) City of High Point Job Creation Incentives Policy [new]
- 4) City of High Point Retail Incentives Policy [new]

Note: For Parts 1 and 3 of the Incentive Policies, please refer to Legislative Matter 110032.

PUBLIC HEARINGS ON ITEMS - 5:30 p.m.**Public Safety & Community Development Committee - Council Member Sims, Chair**

110077 Public Hearing - 2011-12 Annual Action Plan - Community Development and Housing Department

Monday, April 18, 2011 at 5:30 p.m. is the date and time established to receive public comments on the Community Development and Housing Department's 2011-12 Annual Action Plan. The department has completed necessary activities for preparation and submission of the Plan to the Department of Housing and Urban Development (HUD).

Planning , EDC & Information Technology Committee - Council Member Whitley, Chair

110063 Special Use Permit 11-03 - Covenant Church United Methodist - Internally Illuminated Sign

A request by Covenant Church United Methodist Inc. for a Special Use Permit to allow an internally illuminated sign. The site is lying along the south side of Skeet Club Road, approximately 900 feet east of Braddock Road (1526 Skeet Club Road).

110065 Land Use Plan Amendment 11-01 - Chase Northcutt, VP RHA Housing, Inc.

A request by Chase Northcutt, VP RHA Housing Inc. to change the land use map designation for approximately 6.61 acres from Community Regional Commercial and Medium Density Residential to an Office land use designation. The site is generally located northeast of the intersection of E. Parris Avenue and Kirkwood Street.

110066 Ordinance - Rezoning Case 11-01 - Chase Northcutt, VP RHA Housing, Inc.

Conditional Zoning General Office High Intensity (CZ GO-H) District.
A request by Chase Northcutt, VP RHA Housing Inc. to rezone approximately 6.61 acres from the Shopping Center (SC) District to a Conditional Zoning General Office High Intensity (CZ GO-H) District. The site is located north of E. Parris Avenue on Kirkwood Street.

110067 Ordinance - Rezoning Case 11-05 - Guilford Crossing at James Landing, LLC

Conditional Zoning Limited Business (CZ-LB) District.
A request by Guilford Crossing at James Landing, LLC to rezone approximately 6.02 acres from the Conditional Use Limited Business and Conditional Use General Office Moderate Intensity (CU GO-M) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is lying at the northwest corner of Piedmont Parkway and Guilford College Road.

110069 Ordinance - Rezoning Case 11-02 - High Point University

Conditional Zoning Limited Business (CZ-LB) District.
A request by High Point University to rezone a 0.28 acre parcel from the Limited Office (LO) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is lying at the southwest corner of E. Lexington Avenue and Fifth Street (1124 E. Lexington Avenue).

110070**Ordinance - Rezoning Case 11-03 - High Point University**

Conditional Zoning Public & Institutional (CZ-PI) District.

A request by High Point University to rezone approximately 6 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site is bounded by Willoubar Terrace, North Avenue and Fifth Street.

110071**Land Use Plan Amendment 11-02 - High Point University**

A request by High Point University to change the land use map for approximately 7 acres from Low Density Residential to an Institutional land use designation. The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.

110072**Ordinance - Rezoning Case 11-04 - High Point University**

Conditional Zoning Public & Institutional (CZ-PI) District.

A request by the High Point University to rezone approximately 7 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.

110073**Resolution - Street Abandonment 11-01 - High Point University - Willoubar Terrace**

A request by High Point University to abandon an improved portion of Willoubar Terrace between Montlieu Avenue and North Avenue, an improved portion of Woodrow Avenue between N. Centennial Street and Willoubar Terrace, and an unimproved 10-foot alley between Willoubar Terrace and N. Centennial Street.

110074**Resolution - Street Abandonment 11-02 - High Point University - Improved Portion of Fifth Street**

A request by High Point University to abandon an improved portion of Fifth Street between Zenith Lane (private) and North Avenue.

ADJOURNMENT

**SPECIAL USE PERMIT 11-03
CITY OF HIGH POINT, NORTH CAROLINA**

April 18, 2011.
(Adopted)

THE CITY OF HIGH POINT CITY COUNCIL, PURSUANT TO SECTION 9-3-14, SPECIAL USE PERMITS, OF THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, APPROVED A SPECIAL USE PERMIT AND SITE PLAN FOR THE FOLLOWING USE, SUBJECT TO THE FOLLOWING CONDITION(S):

USE: One (1) direct (internal) illuminated sign for a non-residential use (church) in a residential zoning district in accordance with Section 9-5-16(e) and Table 5-16-2, of the Development Regulations

CONDITIONS: The internal illumination sign shall comply with the attached exhibit "A".

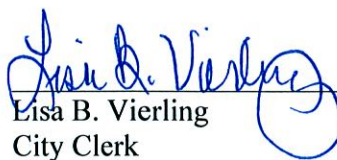
DESCRIPTION OF PROPERTY: The sign is proposed to identify the non-residential use located at 1526 Skeet Club Road. The site is lying along the south side of Skeet Club Road, approximately 900 feet east of Braddock Road and also known as Guilford County Tax Parcel 0217136.

This Special Use Permit and approved site plan are perpetually binding upon the above-described property, unless subsequently amended as provided in the Development Ordinance or until a use otherwise permitted in the zoning district is established.

This Special Use Permit shall become void after eighteen (18) months from the date of City Council approval unless the Special Use authorized has begun and/or a footing inspection has been approved. If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced by a use otherwise permitted in the zoning district, then the Special Use shall be deemed abandoned and this Special Use Permit shall be null and void and of no effect. If for any reason any condition imposed this Special Use Permit is found to be illegal or invalid, then this Special Use Permit shall be null and void and of no effect.

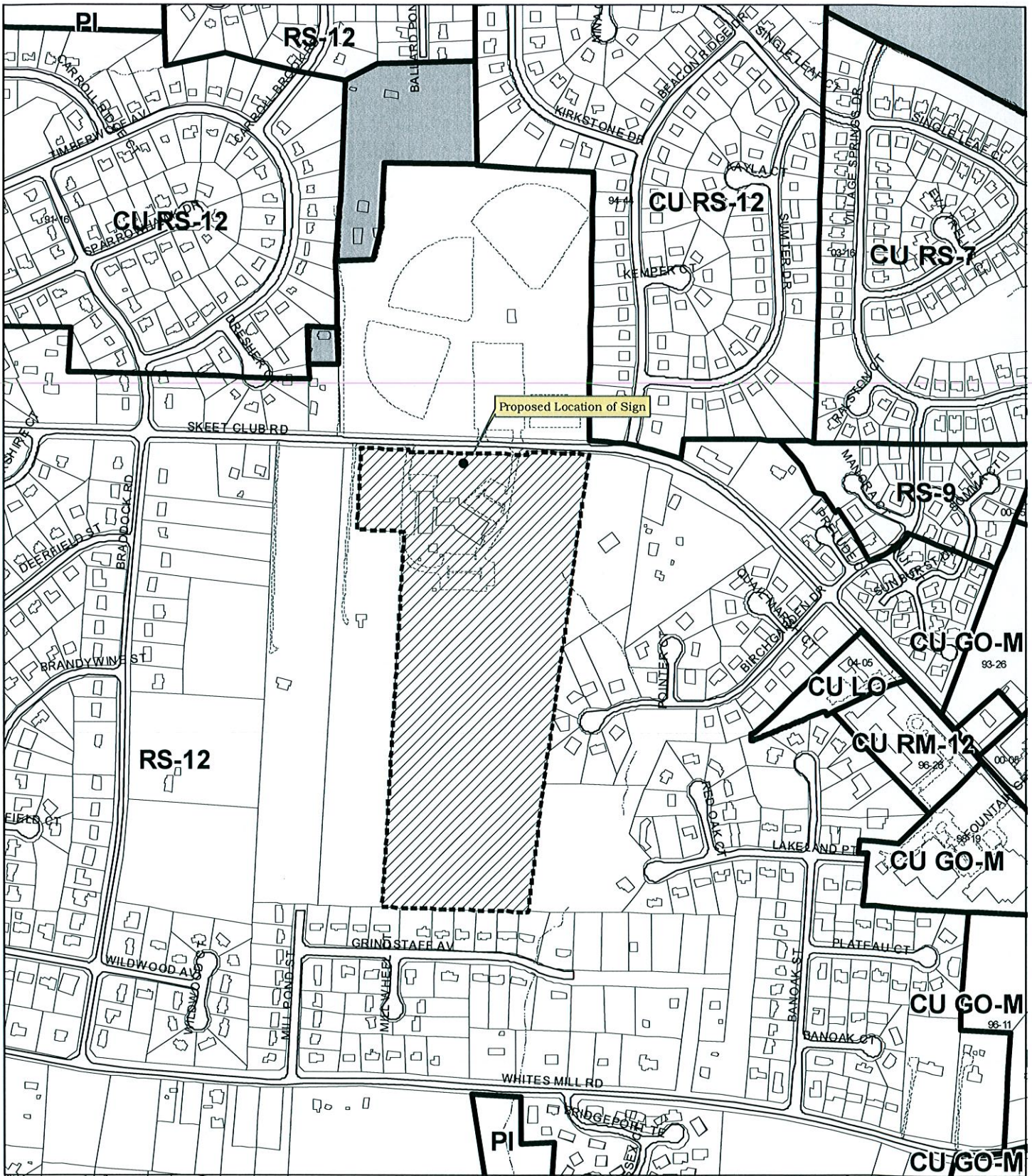
The issuance of this Special Use Permit authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE PERMIT 11-03 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE 18TH DAY OF APRIL, 2011.


Lisa B. Vierling
City Clerk



4-18-2011
Date



SPECIAL USE PERMIT 11-03

Request: To allow an internally illuminated sign.

Existing Zoning Boundary
Subject Property Boundary



Planning & Development
Department

City of High Point

Date: March 4, 2011



Scale: 1"=500'

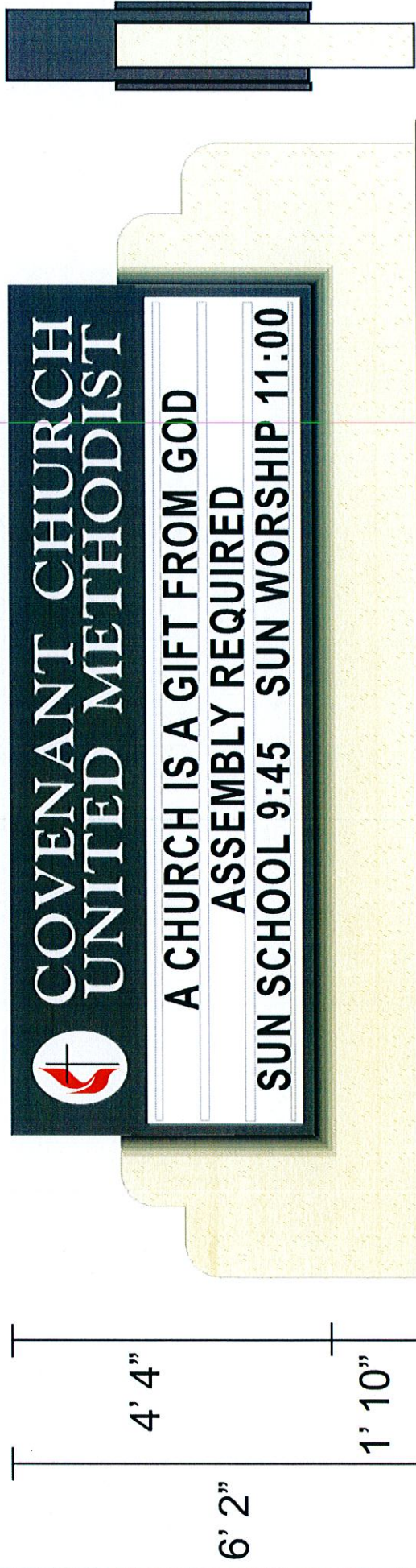
y:\ba-pz\2011\pz\sup\11-03.mxd

16'

2'

12'

2'



**DOUBLE FACES INTERNALLY ILLUMINATED SIGN
ID FACES ARE .080 ROUTED ALUMINUM BACKED
WITH WHITE ACRYLIC**

**SKIRT IS FABRICATED OF .063 MILL ALUMINUM
SIGN IS MOUNTED ON (2) 3" SCHEDULE 40 PIPE
THERE ARE 3 ROWS OF 6" CHANGEABLE COPY**



Superior Sign Company, Inc.

804 W. Main St. • PO Box 1082 • Jamestown, NC 27282
PH. 336-454-2226 • FAX 336-454-6563

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BY: ROSE
APPR.

DATE: 2/9/11

W/ CHANGES: _____

PLANNING AND ZONING COMMISSION RECOMMENDATION

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

High Point University

Land Use Plan Amendment Case 11-02

A request by High Point University to change the land use map for approximately 7 acres from Low Density Residential to an Institutional land use designation. The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.

AND

High Point University

Zoning Case 11-04

Conditional Zoning Public & Institutional (CZ-PI) District.

A request by the High Point University to rezone approximately 7 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.

Ms. Heidi H. Galanti, Planning Services Administrator, presented the Land Use Plan Amendment Case and Mr. Herbert Shannon, Senior Planner, presented Zoning Case. The Planning & Development Department recommended approval of both cases as outlined in the staff report.

Speaking in favor of both requests was Mr. Ron Guerra of 833 Montlieu Avenue in High Point, Director of Construction at High Point University. Mr. Guerra stated that the University is in need of more student housing and their intent is to construct a townhouse style student housing complex consisting of approximately 13 buildings that will accommodate up to 300 students. An individual townhome unit will accommodate six students and three to six townhome units will be attached together to make up an individual building. Mr. Guerra noted that the student housing will be developed around the perimeter of the site with the parking and clubhouse internal to the complex.

No one spoke in opposition.

The Commission questioned if the request for reduced setback would apply across the board for all CZ-PI zoned districts and would the setback reduction have to go before the Board of Adjustment for a variance. Mr. Shannon replied that the setback reduction is only for the site associated with this zoning case and part of the conditional zoning request.

The Planning & Zoning Commission recommended ***approval*** of Zoning Case 11-03, by a vote of 6-2. Commission members Cynthia Davis and Keith McInnis were the dissenting votes; they desired that the request be tabled to the next meeting in order to allow time to review the University Area Plan.

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

**COMBINED STAFF REPORT
LAND USE PLAN AMENDMENT CASE 11-02, AND ZONING CASE 11-04
March 22, 2011**

Requests	
Applicant: High Point University	Owner: High Point University, Michael & Patricia Bellocchio and City of High Point
LUPA Proposal: To change the future land use designation for approximately 7 acres.	From: Low Density Residential To: Institutional
Zoning Proposal: To rezone 2 city blocks totaling 7 acres.	From: RS-7 Residential Single Family-7 District
	To: CZ-PI Conditional Zoning Public & Institutional (CZ-PI) District

Site Information		
Location:	The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.	
Tax Parcel Numbers:	Plan Amendment Request	Zoning Request
	0189988 thru 0189999 and 189921 thru 189931	Same
Site Acreage:	Plan Amendment Request	Zoning Request
	7 acres	Same
Current Land Use:	Plan Amendment Request	Zoning Request
	Single-family dwellings, vacant parcels and a church	Same
Physical Characteristics:	The site has a moderately sloping terrain.	
Water and Sewer Proximity:	City sewer lines (8-inch lines) and water lines (6-inch, 8-inch & 16-inch lines) are both within the public streets abutting the site.	
General Drainage and Watershed:	The site drains in a western direction towards N. Centennial Street. Development 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 developments with an impervious surface area that is greater than 24% or more of the site.	
Overlay District(s):	City Lake General Watershed Area	

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Montlieu Avenue	Major Thoroughfare	420 ft.
	Centennial Street	Major Thoroughfare	750 ft.
	North Avenue	Local Street	350 ft.
	Willoubar Terrace	Local Street	780 ft.

Vehicular Access:	Montlieu Avenue and North Avenue		
Traffic Counts: (Average Daily Trips)	Montlieu Avenue		4,500 ADT (2009, 24-hour count)
	Centennial Street		6,900 ADT (2005, 12-hour count)
Estimated Trip Generation:	Based on the information provided by the applicant this development will generate less than 60 trips/day.		
Traffic Impact Analysis:	Required		Comment
	Yes	<u>No</u> X	None
Pedestrian Access:	This development will be required to include sidewalks along N. Centennial Street and North Avenue to meet the sidewalk requirements in the Development Ordinance.		

School District Comment	
Not applicable to this zoning case.	

Adjacent Property Zoning and Current Land Use			
North:	RS-7	Residential Single Family-7 District	Single family detached dwellings
South:	RS-7	Residential Single Family-7 District	Single family detached dwellings
East:	CU-PI	Conditional Use Public & Institutional District	University Campus (student housing)
West:	RS-7	Residential Single Family-7 District	Single family detached dwellings

Adjacent Land Use Designations	
North:	Low Density Residential
South:	Low Density Residential
East:	Institutional
West:	Low Density Residential

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement:	Goal 1: Preserve and enhance High Point's most important natural and cultural resources. Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Goals, Objectives & Policies:	Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area. Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses;
Relevant Area Plan:	<u>University Area Plan:</u> <u>Policy 2.3:</u> Provide traffic circulation patterns with pedestrian safety as a priority. i. Improve pedestrian connections to and from campus, especially where they cross major thoroughfares (e.g. signalized crosswalks, stamped pavement, medians, etc.).

	ii. Improve pedestrian access to services within the study area by filling in missing sidewalks where needed to provide safe pedestrian access to area services such as the College Village Shopping Center. <u>Goal 3:</u> Ensure compatibility between the edge of campus and the surrounding neighborhood. <u>Policy 3.2:</u> Maintain as many existing large mature trees as possible, on site during new construction. <u>Policy 3.3:</u> Where existing vegetation does not exist, provide landscaping that delineates the campus and residential properties and provides sufficient separation between the university and adjacent residential areas. <u>Policy 3.5:</u> Transition the intensity of uses along the campus edge adjacent to existing residences. i. Decrease the bulk, mass and height of buildings, or increase setbacks. ii. Prevent the spillover of light and glare from outdoor lighting onto adjacent properties by limiting the height, illumination, and direction of outdoor lighting. iii. Locate parking areas internal to campus, where possible, to minimize visual impacts on adjacent residential properties. They should be screened from view, and access to the parking areas should be from internal campus driveways and not directly from local residential streets to minimize cut-through traffic in the residential neighborhood. iv. A combination of fencing and landscaping can be used to soften the edges, however solid fencing is typically discouraged along public streets. v. Placement of loading areas and mechanical equipment should be placed to minimize impact on adjacent properties. Screening shall be provided. vi. Consider reusing structures along the campus edges for housing, administrative offices, or other university uses. <u>Policy 3.6:</u> New campus development should be contiguous to the existing campus and consist of an entire sub-area. However if a partial rezoning of a sub-area is requested, then a site plan must be submitted along with the rezoning request that demonstrates how the impacts on adjacent properties will be mitigated. <u>Policy 3.7:</u> Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests.
Zoning History:	Since 1998, High Point University has received 3 Land Use Plan Amendments and 13 zoning approvals for the area lying north of Montlieu Avenue and west of W. College Drive to accommodate the westward expansion of the University.
LUPA History:	LUPA-00-03 - Land Use Plan Amendment case 00-03 came about as a result of rezoning case 99-48. The land use amendment included

	approximately 24 acres on the west side of W. College Drive, bounded on the west by Fifth Street, Fifth Court and the rear property lines of several lots fronting on W. College Drive. This request was approved by Council on April 11, 2001. LUPA- 08-03 - Approximately 31.36 acres along both sides of N. College Drive between its intersections with E. Lexington Avenue and N. Centennial Street. The site also included properties on the west side of Guyer St. south of Chatham Dr. from Low Density Residential, Moderate Density Residential and Medium Density Residential to Institutional on September 2, 2008. LUPA-09-01 – Approximately 39 acres were redesignated from Low Density Residential and Office to Institutional as a result of the University Area Plan recommendations on October 19, 2009. The amendments covered the following four areas: 1. <u>Phase IA, Sub-area 2 and a small portion of Phase IA, Sub-area 1</u> - lies in the northeast quadrant of W. College Dr. and E. Lexington Ave. 2. <u>Phase IC</u> - bounded on the north by E. Farriss Ave; on the east by Fifth St., Fifth Ct. and the eastside property lines of 1011 Fifth Ct. and 906 E. Farriss Ave.; on the south by Montlieu Ave.; and on the west by Willoubar Terr. and Fifth St. 3. <u>Unimproved right-of-way</u> - south of E. Farriss Ave. between Fifth St. and Willoubar Terr. 4. <u>University Parking Lot South of Montlieu Ave.</u> - bounded on the north by Montlieu Ave., on the east by N. College Dr., the south by Meadowbrook Blvd., and the west by Boundary Ave.
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Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Proposed Designation:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Details of Proposal

Overview of Zoning Request

The applicant desires to expand their campus to include this 2 block area to use for student housing. The proposal is to construct a townhouse style student housing consisting of approximately 13 buildings accommodating 300 students. The site currently has a residential classification upon the City's Land Use Map and single family residential zoning designation. In order to add this area to the campus and allow student housing, the University has submitted both a Land Use Map Amendment and Zoning Map Amendment application.

The applicant is requesting to rezone this 2 block area from RS-7 to a CZ-PI District. Along with their application, they have requested a Conditional Zoning Ordinance with conditions for development of the site. Key points of this ordinance are:

- Use of the site is restricted to townhouse style student housing (*a building consisting of attached dwelling units*) associated with a College or University use.
- Perimeter development standards limit the height of buildings to 50 feet and restrict the size of individual building footprints to 7,500 square feet.
- Standards are included for the screening of mechanical equipment, dumpsters and loading areas. The height of exterior lighting is limited.
- Buildings are to be located between the perimeter of the site (*specifically Montlieu Avenue, N. Centennial Street and North Avenue right-of-ways*) and any parking or vehicle circulation areas. In addition, all buildings shall have pitched roofs.
- Conditions for higher perimeter landscaping standards and the submittal of an alternate landscape plan in accordance with specific performance standards.
- Vehicular access is restricted to Montlieu Avenue and North Avenue.

Applicant's Request to Deviate from Standards of Development Ordinance

Section 9-3-13 subsection b&d of the Development Ordinance states that no rule, regulation or condition of a Conditional Zoning District shall have the effect of removing or amending any requirement of this Development Ordinance, with the exception of less restrictive dimensional, parking and landscaping requirements as authorized by the Ordinance and approved by the City Council.

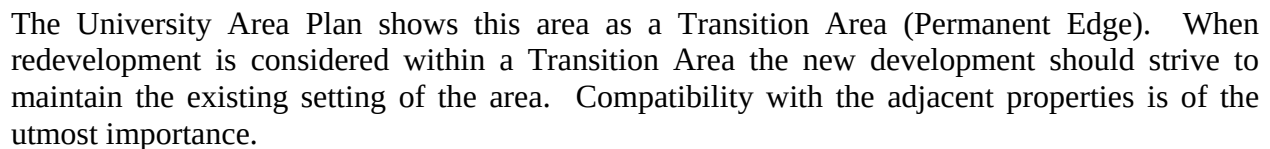
The applicant has proposed a reduction in building and accessory structure setbacks from the perimeter streets that are less restrictive than the requirements of the Development Ordinance. Under the PI District, accessory uses are required to meet the same standards as principal building. Specific of this proposal are as follows:

	Ordinance Requirement	Proposed Less Restrictive Requirements
Montlieu Ave.	50-feet from property line or 95 feet from center line of right-of-way, whichever is greater.	Allow 35 feet setback from property line for principal buildings and 25 feet for accessory structures.
N. Centennial St.	50-feet from property line or 95 feet from center line of right-of-way, whichever is greater.	Allow 30 feet setback from property line for principal buildings and 20 feet for accessory structures.
North Ave.	30-feet from property line or 55 feet from center line of right-of-way, whichever is greater.	Allow 25 feet setback from property line for principal buildings and 15 feet for accessory structures.

Analysis of Land Use Plan Amendment Request

The area requested for a land use plan amendment is designated as Low Density Residential on the Land Use Plan map and it is identified as Sub-areas 2 & 3 of the Phase II Growth Area in the University Area Plan (*see area outlined in green on map below*). The University has been actively working to develop areas within Phase I of the University Area Plan and they have reached a point of needing additional acreage to fill their needs. Except for two parcels along N. Centennial Street, one owned by the City of High Point and another that is under contract, the

University Area Plan Map 4 – Growth Areas (Dec. 2009)



This land area lying east of N. Centennial Street, between E. Farris Avenue and Montlieu Avenue, is identified in the University Area Plan as Growth Areas IC and II. The intent of the plan was for Growth Area IC to develop prior to any proposal being considered in Growth Area II. The University owns almost all the land area in Growth Area IC and development is commencing for student housing and temporary parking lot (under Zoning Case 11-03) for sub areas 2, 3 & 4 of this growth area. Also, that portion of sub area 1 in Growth Area IC, along Fifth Court, is also student housing owned by the University. With the University controlling and using the majority of this growth area, a land use plan amendment for expansion into Growth Area II is consistent with the objectives of the University Area Plan.

Major Issues:

- ### Minor Issues:

- ### ❖ Future Street Improvements on N. Centennial Street

As the University has continued to grow, the Transportation Department has expressed concerns that the cumulative total of the University's expansions over the past several years may begin to negatively impact traffic upon the perimeter City streets. The City requires

zoning applicants to make improvements that are linked to the impact of their development as part of a zoning request. This specific zoning request does not impact City streets to the point of requiring street improvements. However, depending on how the blocks lying north of this zoning site develop, future street improvements may be needed. Based upon existing development and known University plans, street improvements at the intersection of N. Centennial Street and North Avenue would likely be warranted. These improvements would consist of left and right turn lanes, including right-of-way, that would mitigate impacts from the University's main entrance on N. Centennial Street.

The situation is that when a zoning request is submitted for the block to the north, the anticipated street improvements would impact this current zoning site for right-of-way dedication and turn lanes. The Transportation Department recommends the University take this into consideration as they develop this site and plan ahead by locating sidewalks, fencing, landscaping and buildings so that if these future improvements are needed they will have minimal impact on this site. In addition, the Transportations Department is requesting the dedication of N. Centennial Street right-of-way with the associated street abandonment case (SA 11-01) to plan for these anticipated turn lanes.

❖ Setback Reductions

The Planning & Development Department does not object to a reduced building setback along perimeter streets of the zoning site which are similar to setbacks of adjacent residential uses. Reduced building setbacks are not a major concern along North Avenue as the University Area Plan describes this street as an interim edge area. These are areas between growth phases or sub-areas and they are expected to be relatively short-term. Setback reduction along Montlieu Avenue enables development of the site in a manner so that buildings, not large parking areas, are along the Montlieu Avenue frontage. Finally, the site is narrow in its east-west dimension and anticipated street improvements, including right-of-way dedication along N. Centennial Street, further restricts the internal layout of buildings. With the applicant limiting the height of buildings to the same standards as the surrounding residential neighborhoods, additional flexibility was needed along its N. Centennial Street frontage. To offset setback reductions impacts and provide for compatibility with the adjoining residential neighborhoods, the applicant offered to deviate from required street yards to better address the visual appearance along Montlieu Avenue and N. Centennial Street.

Staff Review Comments

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

Consistency with Adopted Plans:

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

The zoning site is within the scope of the adopted University Area Plan. One of the objectives of the University Area Plan is to designate growth areas for a more orderly expansion of the University and to discourage development that would adversely impact adjacent residential neighborhoods. The zoning site is located in the second growth area and the requested Land Use Plan amendment and zoning request are consistent with the University Area Plan and the City's Land Use Plan.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	Based upon conditions offered by the applicant that restricts the use of the site, limits building height, and dictates the manner in which the perimeter of the site must be constructed and landscaped, development of the site will be in harmony with the surrounding area.
	Subject to right-of-way dedication in conjunction with the proposed street abandonment (see Street Abandonment Case 11-01), the issue of street improvements on N. Centennial Street is addressed. With this dedication, setbacks will be from the new property line and building setbacks will be in character with the development pattern of the area.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	The applicant has offered conditions to screen loading areas from abutting roadways, limit height of lighting, and prohibit parking from being along the perimeter of the site.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	Staff has not identified any environmental impacts based upon the proposed district; the site is within the City Lake General Watershed Area and development will be subject to watershed regulations.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;
	The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services. Subject to the N. Centennial Street right-of-way dedication, future improvements to that street can be accomplished without impacting future buildings

	and other perimeter improvements to the site (i.e. fencing & landscaping).
Factor #5	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	The applicant has offered to limit use of the site to student housing only and has offered conditions that development of this area be of character that is compatible with adjacent residential neighborhoods.

Changes in the Area:

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

Since 1999, the campus has expanded westward from its historical W. College Drive boundary. Along with this expansion, the majority of the public street network within the expansion area has either been abandoned in order to combine city blocks or converted to private drives to become part of the university's internal circulation network. The expansion of the campus along with changes to the public street network has changed the character of this area.

Development Patterns:

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

One of the objectives of the University Area Plan was to establish an orderly pattern for the expansion of High Point University and discourage haphazard development that would adversely impact adjacent residential neighborhoods. This was done by establishing growth areas. The zoning site is in Growth Area II. It was anticipated that no development would commence in this area until all of Growth Area IC, directly east of this site, was acquired. The University has acquired almost of the land in Growth Area IC and is currently developing half of this area for student housing (*The Greek Village student housing complex*). Thus, expansion into Growth Area II would be a logical expansion of the campus consistent with the objectives of the University Area Plan.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered 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 the approval of Land Use Plan Amendment Case 11-02, the requested CZ-PI District is consistent with the adopted plans, 2) The request meets or addresses the review factors, 3) The proposal limits use of site, limits vehicular access, limits building footprint size and building height, and prohibits parking from being located along the perimeter of the site all to further insure the request will be in harmony with adjacent single family neighborhoods; and 5) The University owns almost all of the land area within Growth Area IC which is directly east of this zoning request and they are currently constructing student housing in the portion of Growth Area IC directly east of the zoning. Therefore this is an orderly expansion of the campus consistent with the policies of the University Area Plan.

Recommendation

Land Use Plan Amendment Case 11-02:

Staff recommends approval of the request to change the future land use designation for approximately 7 acres to an Institutional land use classification. The request meets goals and objective of the Land Use Plan and will be in harmony with the land use pattern of the surrounding area.

Zoning Case 11-04:

Staff recommends approval of the request to rezone this 7 acre area to the CZ-PI District. As conditioned, the requested CZ-PI District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

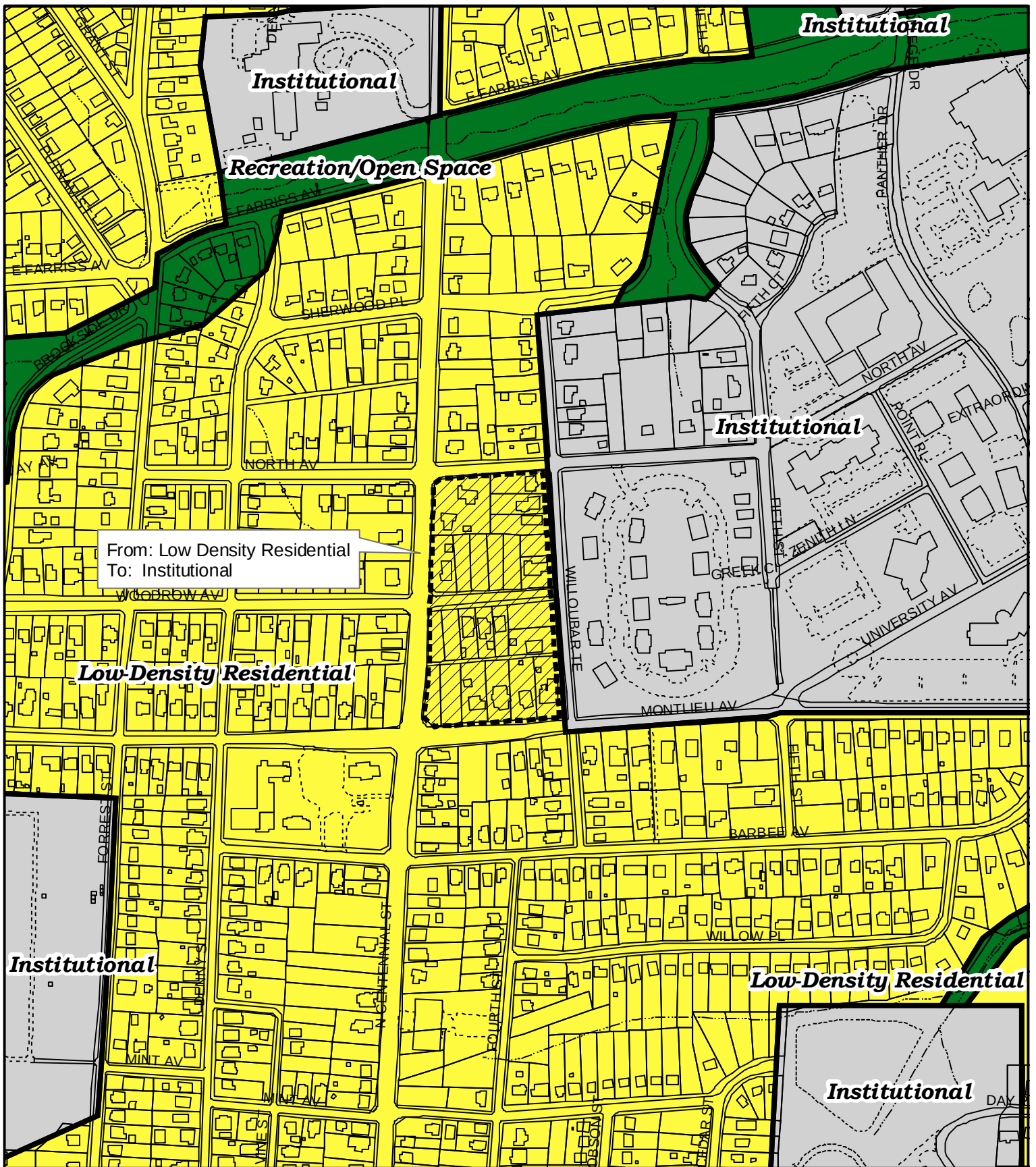
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission must place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the staff's statement or by adopting its own statement.

City Council:

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

Report Preparation

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



LAND USE PLAN AMENDMENT 11-02

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

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: March 14, 2011



Scale: 1"=400'

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ZONING CASE 11-04

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

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

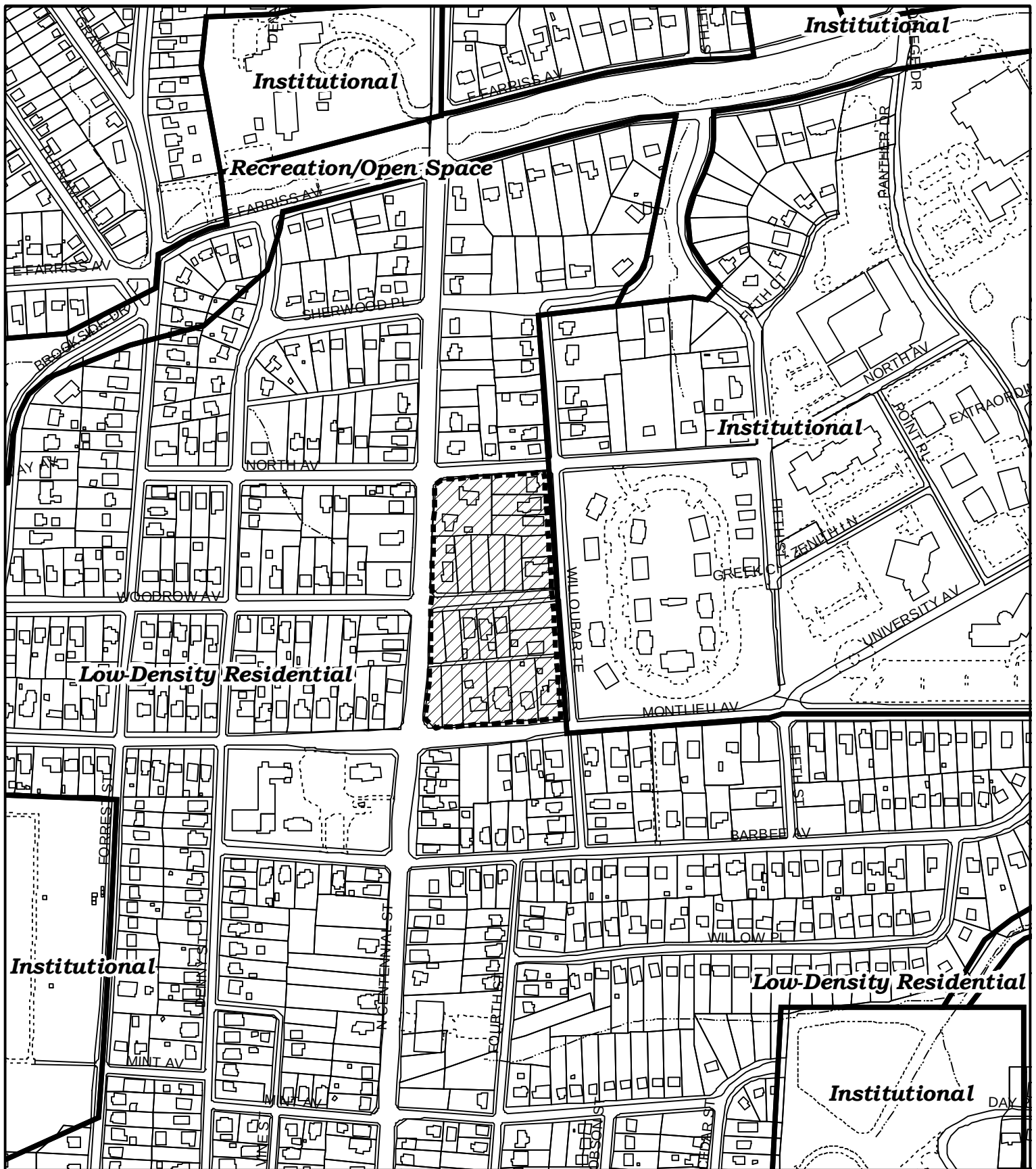
**Planning & Development
 Department**

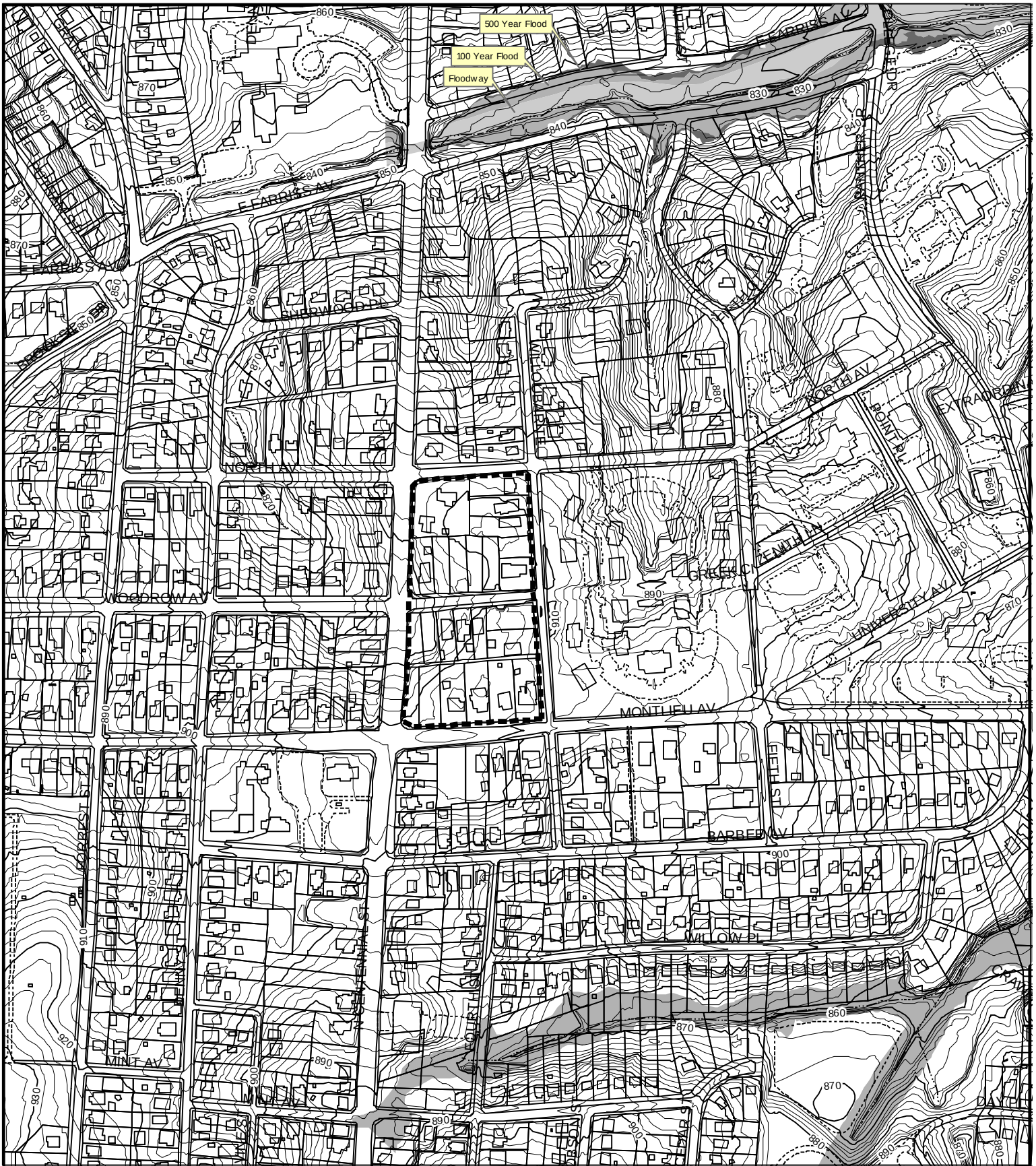
City of High Point

Date: March 4, 2011



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ZONING CASE 11-04

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

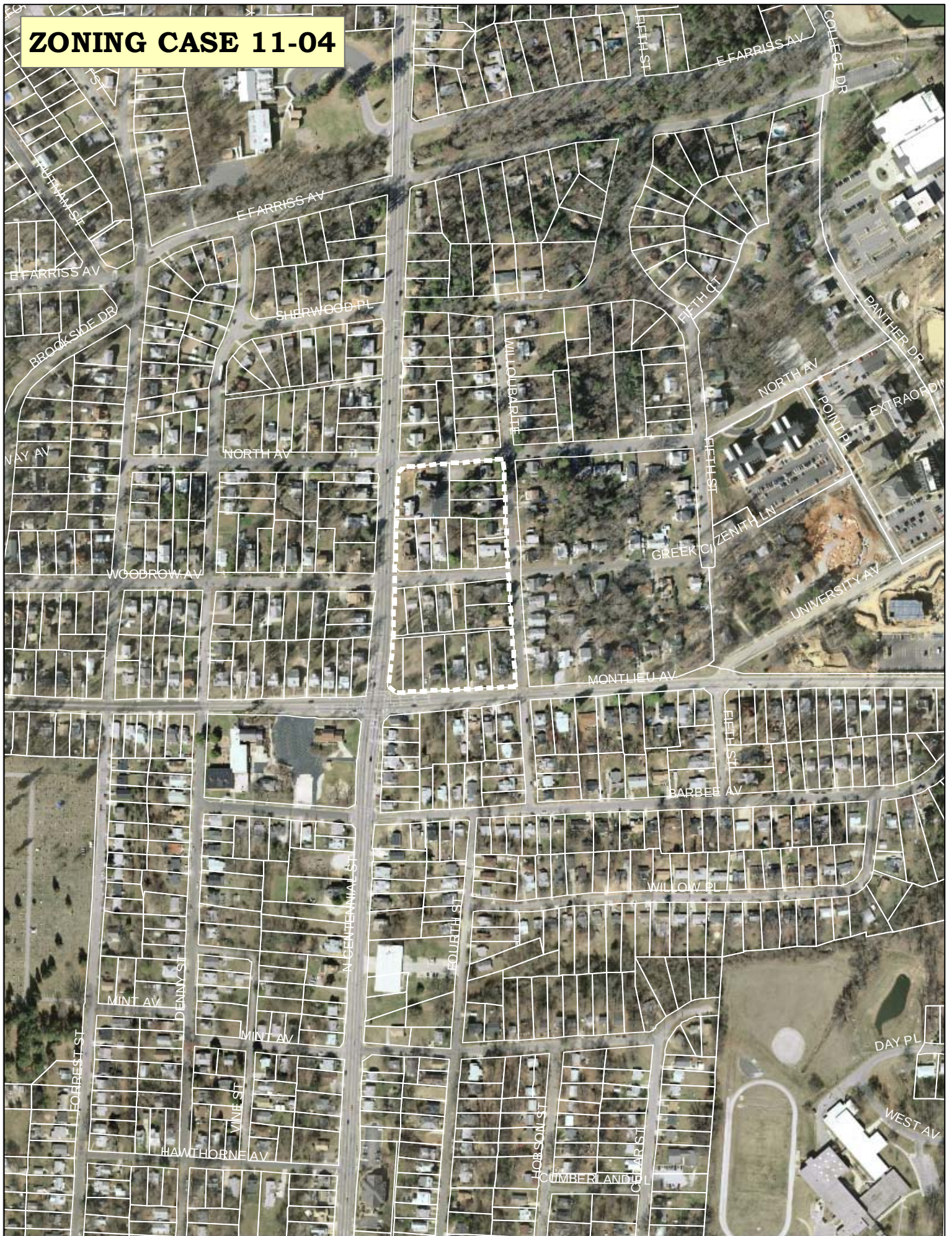
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ZONING CASE 11-04



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

**Zoning Case 11-04
Conditional Zoning Public & Institutional (CZ-PI) District.**

February 7, 2011
(Submitted)

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

Part I. USES:

- A. Only townhouse style student housing (a building consisting of attached dwelling units) associated with a Colleges or Universities use (SIC 8220) and uses customary associated with this use shall be permitted.
- B. Development of the site shall be as allowed in the Public and Institutional (PI) District, subject to the development and dimensional requirements of the PI District and the specific conditions listed in this Conditional Zoning Ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1). General Standards

- a. Mechanical or electrical equipment, dumpsters, or other similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level, as seen from the centerline of any adjacent public street. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
- b. Within 100-feet of the Montlieu Avenue, N. Centennial Street and North Avenue right-of-way, loading areas for a building shall not be located on any side of a building that faces these road right-of ways. In regards to the North Avenue frontage of the zoning site, this standards shall only apply where land area upon opposite site of North Avenue has a residential zoning designation:
- c. Lot Combination - All parcels associated with the rezoning site shall be combined into one lot prior to development and re-subdivision.
- d. Within fifty (50) feet of the exterior perimeter of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height

where this tract is adjacent to residential zoning districts. This lighting shall be directed inwards towards the interior of the tract to minimize lighting spill-off/glare upon adjacent residentially zoned property.

2). Site Development Standards

- a. All buildings shall have a pitched roof.
- b. The size of each building adjacent to the Montlieu Avenue and N. Centennial Street roadways shall be limited to a maximum of six (6) dwelling units per building with a maximum building footprint of 7,500 square feet.
- c. Except for where approved vehicular access points are located, development shall occur in a manner so that buildings are located between the perimeter of the site (specifically Montlieu Avenue, N. Centennial Street and North Avenue right-of-ways) and any parking, and vehicle circulation areas.
- d. The maximum building height shall be fifty (50) feet for any building within 100 feet of the Montlieu Avenue and N. Centennial Street right-of-way.
- e. The following minimum setback from property line shall be permitted.
 - i. Each principal building(s) shall maintain the following minimum setbacks from adjacent right-of-way lines.
 - Montlieu Avenue 35 feet.
 - N. Centennial Street 30 feet.
 - North Avenue 25 feet
 - ii. Covered and uncovered porches, decks and patios, whether attached or unattached to a principal building, and any other accessory structures shall maintain the following minimum setbacks from adjacent right-of-way lines.
 - Montlieu Avenue 25 feet.
 - N. Centennial Street 20 feet.
 - North Avenue 15 feet

B. Landscaping, Buffers and Screening.

1. If fencing is installed along the Montlieu Avenue and N. Centennial Street frontage of the zoning site, the decorative perimeter fencing (brick & wrought iron/aluminum fencing) that generally outlines the boundary of the University shall be installed.
2. Within 100 feet of the Montlieu Avenue a tree protection plan shall be submitted and approved prior to issuance of a grading permit. Trees with a diameter at breast height (dbh) of 4-inches or greater that are preserved within the 100 foot wide planting area shall be credited toward the specified street yard at a rate of 2-canopy trees for each tree preserved. In the event a tree that is to be preserved dies within 2 years of completion of the development it shall be replaced, within

this 100 foot wide planting area, at a rate of 2 canopy trees for each tree lost. Replacement trees shall have a minimum caliper of 2-inch when planted.

3. In lieu of ordinance requirements for street planting yards, a landscaping plan shall be required to be submitted for review and approval by the Planning & Development Department prior to issuance of any building permit upon the site. The objective of this plan is to screen the rear of structures located along the Montlieu Avenue, N. Centennial Street and North Avenue frontages of the zoning site with an assortment of planting species, and to enhance the visual appearance of the permanent edge areas as identified in the University Area Plan. This plan shall at a minimum address the following:
 - a. This plan is specifically for the initial 75 feet of the site's Montlieu Avenue, N. Centennial and North Avenue frontages and should be designed to enhance the visual appearance of these corridors.
 - b. Through the use of an assortment of understory trees, canopy trees, shrubs, berms and other topography treatments, the exterior activity area at the rear of buildings shall be screened. The planting rate shall be sufficient to provide the desired screening effect within three (3) years of planting.
 - c. Fifty percent (50%) of trees and shrubs utilized on the plan along these roadways shall consist of evergreen species of planting material. These shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting.
 - d. Along with the landscaping plan, a depiction of the building elevations after landscaping, as viewed from the abutting roadways may be requested from the Landscape Architect to assist in assessing the effectiveness of the plan.

C. Transportation

1. Access:

- a. There shall be no access allowed to this rezoning site from N. Centennial Street.
- b. Access to North Avenue will be per the requirements of the Driveway Ordinance.
- c. One (1) point of access shall be allowed to Montlieu Avenue at the existing Willoubar Terrace intersection or as approved by the High Point Department of Transportation.

DESCRIPTION OF PROPERTY: A two block area totaling approximately 7 acres bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street. The property is also known as Guilford County Tax Parcels 0189988 thru 0189999 and 189921 thru 189931. The property is currently address as 808 N. Centennial Street; 601, 603, 605, 607, 609 and 611 Montlieu Avenue; 707, 711, 807, 809, 811, 813 Willoubar Terrace; 600, 602 thru 609 and 611 Woodrow Avenue.



February 17, 2011

To: Lee Burnette, Director of Planning and Development

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

Subject: **Rezoning Case #11-04**, High Point University. The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.

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

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

Access:

- There shall be no access allowed to this rezoning site from this rezoning site from Centennial Street and access to North Avenue will be per the requirements of the Driveway Ordinance.
- One (1) point of access shall be allowed to Montlieu Avenue at the existing Willoubar Terrace intersection.

Improvements:

Additional improvements on the High Point University Campus will require a northbound right turn and a southbound left turn lane at the intersection of Centennial Street and North Avenue. Provide right of way along Centennial Street to accommodate the construction of a northbound right turn lane with 100' storage and approximately 270' taper. The new right of way behind the curb must be wide enough to accommodate utilities and pedestrian facilities.

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

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

Citizens Information Meeting Report

Zoning Case 11-04

Submitted by: Donald A. Scarborough on
behalf of High Point University



Friday, February 25, 2011

To: City of High Point, North Carolina
Planning and Development Office

From: Donald A. Scarborough, Ed.D. *DS*
Vice President for Community Relations

Re: Conditional Use District Zoning
Case 07-025
Community Meeting February 24, 2011

High Point University conducted a Citizens' Information Meeting in support of our application for three rezoning requests. The meeting was held in Norton Hall, Room 202, on the campus of High Point University. Letters of invitation were mailed to 113 citizens on February 15, 2011—67 invitations related to #1 below: 17 invitations related to #2 below, and 29 invitations to #3 below. Forty-two (42) people attended this meeting.

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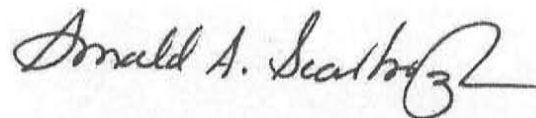
1. RS-7 to CZ-PI: 24 parcels of property adjacent to the main campus. The property totals approximately 7 acres--located on the two blocks bordered by Willoubar Terrace, Montlieu Avenue, North Centennial Street, and North Avenue. Twenty-eight (28) persons attended this meeting and registered with interest in this request.
2. LO to CZ-LB: 1124 East Lexington Avenue. Three (3) people attended this meeting and registered with interest in this request.
3. RS-7 to CZ-PI: 19 parcels of property adjacent to the main campus. The property totals approximately 6.09 acres—located on the block bordered by Fifth Street, North Avenue, and Willoubar Terrace. Eleven (11) people attended this meeting and registered with interest in this project.

A copy of the "City of High Point Conditional Use District Zoning, Citizen Information Meetings" and a copy of High Point University's "Development Proposal—Expansion North of the Main Campus" were distributed and viewed by all participants. A map was displayed outlining the campus master plan and proposed zoning changes. Dr. Donald A. Scarborough, Vice President for Institutional Advancement; Mr. Ron Guerra, Director of Construction and Renovation; and Mr. Dan Pritchett, Jamestown Engineering represented the University.

Most of the discussion centered on the scope and breath of the University's expansion program and then focused on the specific area listed above. It was a very positive meeting with questions related to traffic access to the property, boundary between the University's property and the residential areas, and the intended use of the property. Specific discussion focused on:

- Size and student capacity of the project;
- How the project would be bordered and protect the adjacent property owners;
- Current traffic issues on North Avenue;
- How much of Willoubar Terrace would be closed;
- Construction time frame;
- How construction traffic would be regulated;
- The anticipated boundaries of the University's future expansion plans; and
- The functions of various buildings, and
- Why does the City's University Area Plan not include the area between East Farriss Avenue, North Centennial Street, Lexington Avenue, and McCain Park.

Copies of the Sign-in Sheets for each of the cases are attached.

A handwritten signature in black ink, reading "Donald A. Scarbro" followed by a stylized flourish or number "32".

Sign-In Sheet

Citizens Information Meeting
Thursday, February 24, 2011
High Point University
RS-7 to CZ-PI

Rezoning Location:
Centennial/Mountlieu/Willoubar/North

Name

Address

Phone No.

Sarah M. Gray 607 North Ave

54-2636

Harvey Robinson 906 N.S Ave

Ava Mt 901 N. Centennial St

528-7124

Peggy Ingram & Barbara 605 N Centennial St

418-1108

Mitzi McCollough 604 N. Centennial St

418-6504

Deacon Wally Hargraves ^{whaarsgaard@hcmchurch.org} Emmerich to Near Top of Mt

54-5212

Yvonne R. Rappaport

54-9321

Glenn Alden 911 Willoubar Dr

52-2799

J. S. Cowan 515 MONTLIEU AVE

52-3532

Kathleen Guthrie 1217 Fifth St

910-4011

Ann Schmidt 1215 5th St

787-2891

Cathy Hutchins 515 Woodrow Ave

718-2738

Sasha Brown 606 N Centennial

54-357

~~Glenn Alden~~

Debra Laughon 1321 Fifth St

52-2246

PLANNING AND ZONING COMMISSION RECOMMENDATION

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

High Point University

Zoning Case 11-02

Conditional Zoning Limited Business (CZ-LB) District.

A request by High Point University to rezone a 0.28 acre parcel from the Limited Office (LO) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is lying at the southwest corner of E. Lexington Avenue and Fifth Street (*1124 E. Lexington Avenue*).

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

Speaking in favor of the request was Mr. Ron Guerra of 833 Montlieu Avenue, Director of Construction for High Point University. Mr. Guerra stated that the University would like to use the property for a commercial use as allowed under the Limited Business (LB) District zoning. He stated that the basement would most likely be used for storage by their security staff and the upper floors may be used as offices, but there is no definitive use for the property yet.

Speaking in opposition to the request was Ms. Helen Vaughn of 1221 Fifth Street. She expressed concerns regarding the University's intended use of the property, changes in the residential character of the area, and traffic impact upon the neighborhood.

Speaking neither in favor, nor in opposition was Ms. Kathleen Guthrie of 1217 Fifth Street. She stated that she intended to circulate a petition to the owners in their neighborhood to ask City Council to revisit the University Area Plan and include their neighborhood for university growth and acquisition.

The Planning & Zoning Commission recommended ***approval*** of Zoning Case 11-02, by a vote of 6-2. Commission members Cynthia Davis and Keith McInnis were the dissenting votes; they desired that the request be tabled to the next meeting in order to allow time to review the University Area Plan.

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

**STAFF REPORT
ZONING CASE 11-02
March 22, 2011**

Request	
Applicant: High Point University	Owner: High Point University
Zoning Proposal: To rezone a 0.28 acre parcel.	From: LO Limited Office (LO) District
	To: CZ-LB Conditional Zoning Limited Business (CZ LB) District

Site Information	
Location:	Lying at the southwest corner of E. Lexington Avenue and Fifth Street (1124 E. Lexington Avenue).
Tax Parcel Number:	0182385 (Guilford County Tax Parcel)
Site Acreage:	0.28 acres (approximately 12,700 sq. ft.)
Current Land Use:	There is an existing 3,400 sq. ft two-story building on the site.
Physical Characteristics:	The site has a moderately sloping terrain, with the building sitting at its E. Lexington Avenue frontage and parking lot at the rear of the site.
Water and Sewer Proximity:	There is an 8-inch City water line and an 8-inch City sanitary sewer line lying adjacent to the site along W. Lexington Avenue and Fifth Street.
General Drainage and Watershed:	The site drains in a northern direction towards E. Lexington Avenue. Development 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 is greater than 24% or more of the site.
Overlay District(s):	City Lake General Watershed Area

Adjacent Property Zoning and Current Land Use			
North:	SC	Shopping Center District	Multi tenant commercial shopping center development
South:	RM-12	Residential Multifamily-12 District	Multifamily (apartment complex)
East:	RS-7	Residential Single Family-7 District	Recreational Facility (McCain Park)
West:	LB	Limited Business District	Restaurant and other commercial uses

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	Obj. 2E: Provide retail, service and dining opportunities within a walkable distance to most residents. Obj. 3A: Revitalize and expand existing mixed use areas through building rehabilitations and new infill development.

Land Use Plan Map Classification:	Local/Convenience Commercial: This classification includes moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.
Land Use Plan Goals, Objectives & Policies:	Goal 2: Encourage development that enhances and preserves established neighborhoods.
Relevant Area Plan:	<u>University Area Plan:</u> Goal 5: Support the sustainability of accessible commercial services for the surrounding area.
Zoning History:	There has been no recent zoning activity in this area.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	E. Lexington Avenue Fifth Street		Major Thoroughfare Local Street	115 ft. 110 ft.
Vehicular Access:	This development will take access from the existing access points on E. Lexington Avenue and Fifth Street			
Traffic Counts: (Average Daily Trips)	E. Lexington Avenue		9,700 ADT (2009, 24-hour count)	
Estimated Trip Generation:	Based on the proposed zoning, this site will generate less than 250 trips/day.			
Traffic Impact Analysis:	Required		Comment	
	Yes	<u>No</u> X	None	
Pedestrian Access:	There is an existing sidewalk along the E. Lexington Avenue frontage.			

School District Comment
Not applicable to this zoning case.

Details of Proposal

The applicant is requesting to rezone this site from its current Limited Office (LO) District to a Conditional Zoning Limited Business (CZ LB) District. The requested LB District is intended to accommodate moderate intensity shopping and services close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods and is typically located near the intersection of collectors or thoroughfares in areas which are otherwise developed with residences.

The intersection of E. Lexington Avenue and N. Centennial is a commercial node with commercial uses on all corners. In the northeast quadrant of this intersection, sits an 11 acre commercial center with a Shopping Center (SC) District zoning. Various smaller commercial uses with LB District zoning are situated along the south side of E. Lexington Avenue from N. Centennial Street to the rezoning site.

With this request for LB District zoning, the applicant has offered to prohibit various uses they do not intend to use upon the site and other higher intensity uses of the LB District. The prohibited uses offered by the applicant are reference in the attached proposed uses & conditions for the conditional zoning district.

Identified Issues

Major Issues:

- ❖ None

Minor Issues:

- ❖ None

Staff Review Comments

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

Consistency with Adopted Plans:

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

This segment of E. Lexington Avenue, from N. Centennial Street to Fifth Street which includes the zoning site, has a Land Use Map Designation of Local/Convenience Commercial. This classification is intended for moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods. In addition, these parcels from N. Centennial Street up to the zoning site have a LB District zoning designation. The allowance of commercial zoning upon the site, as restricted by the proposed ordinance, is compatible with the Land Use Plan.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	The Land Use Plan specifically notes that where office and commercial uses border residential neighborhoods that a Conditional Zoning accompanying the rezoning request shall address the following in regards to compatibility to the adjacent residential neighborhoods. a. The mass, scale and height of the proposed use and accessory uses; b. The topography of the subject property(s) and adjacent residential uses; c. The effectiveness of maintaining neighborhood compatibility through the conversion of an existing residential structure to a non-residential use; d. The impact on the residential neighborhood of non-local traffic generated by the proposed use; and e. The sufficiency of the proposed buffering, setbacks and landscaping. The zoning site is only 0.28 acres (approximately 12,700 sq. ft.) in area and any non-residential use upon the site will be required to provide on-site parking. The

	limited land area of the site along with required parking will ensure that current or any future redevelopment would be of a size that will be compatible with the abutting residential neighborhood. In addition, the single family dwellings in the abutting neighborhood are buffered from the zoning site by a multifamily apartment complex located behind the zoning site.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	The applicant has offered to prohibit several of the allowable LB district uses, including some of the higher intensity uses such as convenience stores and restaurants with drive-thru, to further ensure compatibility with abutting residential neighborhood.
	In addition, the limited land area of the site will also ensure any use or redevelopment of the site will not be very intensive, thus ensuring allowable LB District uses will be compatible with the abutting residential neighborhood.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	The site is currently developed; staff has not identified any environmental impacts based upon the proposed district.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;
	The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	The applicant has offered to install a 5-foot high opaque fence along the site's southern boundary to screen the parking lot at the rear of the zoning site from the abutting residence.

Changes in the Area:

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

There have been no significant commercial land use changes in this area over the past 20 years. In addition, property along the south side of E. Lexington Avenue, between N. Centennial Street and Fifth Street, has been non-residential in nature over the past 20 years.

Development Patterns:

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

Fifth Street offers a logical eastern boundary for commercial delineation. This is reflected upon the Land Use Map and is supported by the University Area Plan. Finally, the zoning along the

south side of E. Lexington Avenue abutting the zoning site is already zone LB District, thus the applicant's request is not introducing any new uses in this area.

Reasonableness/Public Interest:

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

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) The requested CZ-LB District is consistent with adopted plans, 2) The request meets or addresses the review factors, 3) The site abuts existing LB District commercial zoning, and 4) The limited size of the site along with conditions offered by the applicant will assist in ensuring the requested CZ-LB District is in harmony with the area.

Recommendation

Staff Recommends Approval:

Staff recommends approval of the request to rezone this 0.28 acre parcel to the CZ-LB District. As conditioned, the requested CZ-LB District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

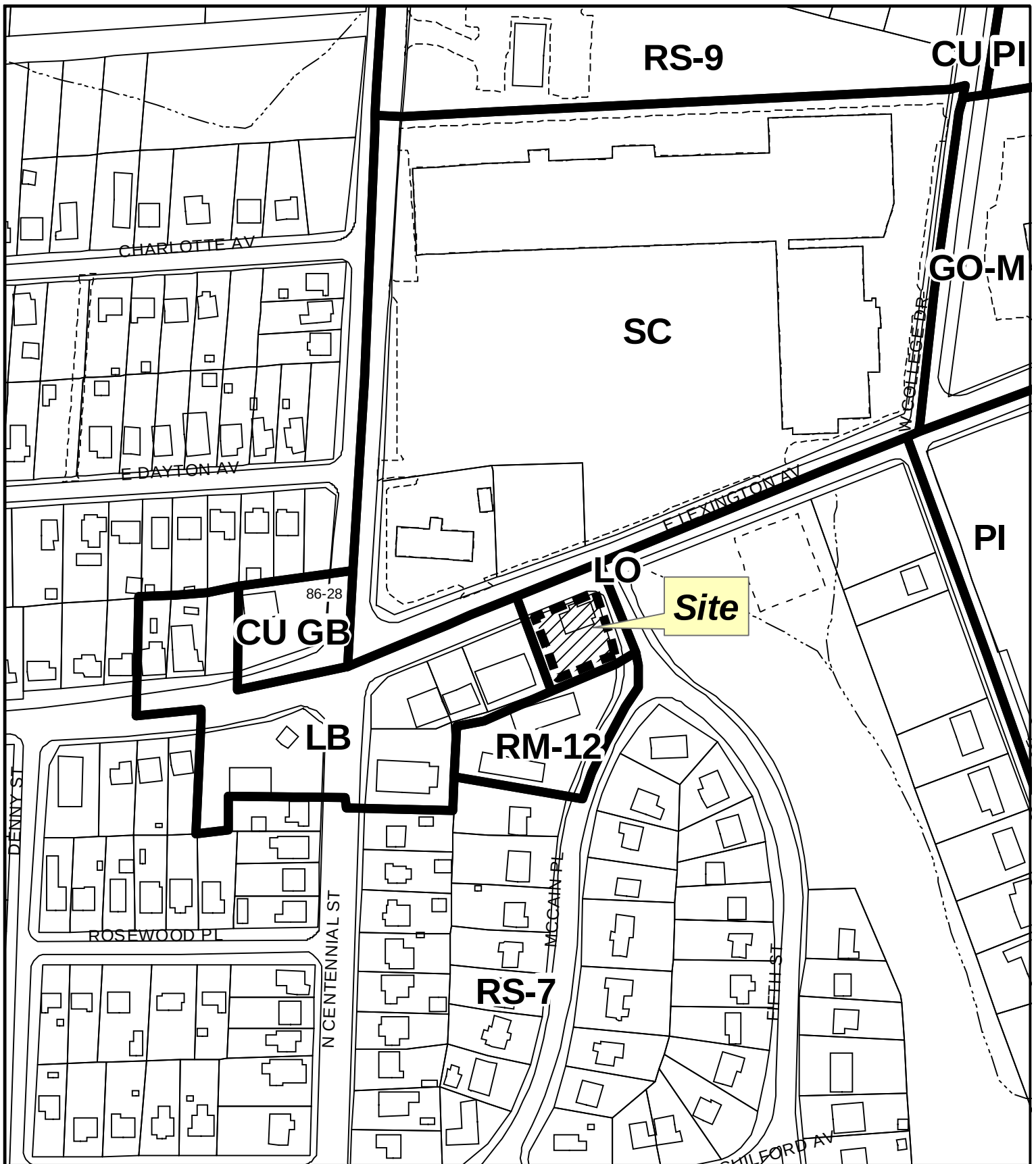
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission must place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the staff's statement or by adopting its own statement.

City Council:

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

Report Preparation

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



ZONING CASE 11-02

From: Limited Office
To: Conditional Zoning Limited Bbusniess

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

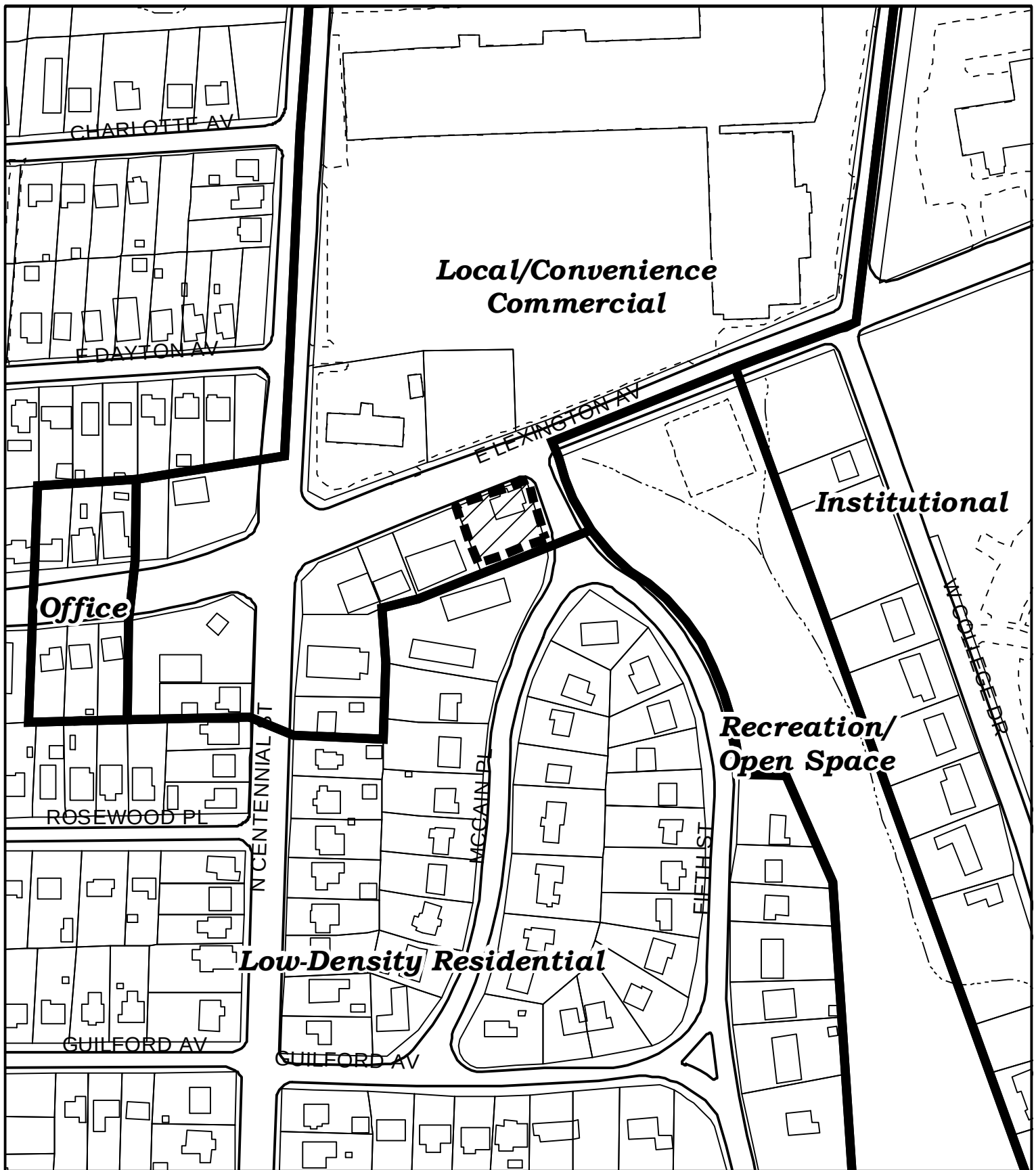
Planning & Development
Department

City of High Point

Date: March 4, 2011



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ZONING CASE 11-02

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



Planning & Development
Department

City of High Point

Date: March 4, 2011



Scale: 1"=200'

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ZONING CASE 11-02

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: March 4, 2011



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ZONING CASE 11-02



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

**Zoning Case 11-02
Conditional Zoning Limited Business (CZ-LB) District**

February 7, 2011
(Submitted)

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

- Part I. USES: Any of the land uses allowed in the Limited Business (LB) District and their customary accessory uses shall be permitted, subject to the development and dimensional requirements of the LB District and the specific conditions listed in this Conditional Zoning Ordinance.
- Part II. CONDITIONS:
- A. Prohibited Uses: The following uses of the LB District shall be prohibited.
1. Residential uses
 - i. Shelters, Temporary
 2. Accessory Uses & Structures
 - i. Communication Towers (exceeding height limits of zoning district)
 - ii. Communication Towers (not exceeding height limits of zoning district)
 - iii. Disabled Motor Vehicles
 3. Educational & Institutional Uses
 - i. Cemeteries/Mausoleums
 4. Business/Professional & Personal Service Uses
 - i. Barber Shops
 - ii. Banks, Savings & Loans, or Credit Unions
 - iii. Beauty Shops
 - iv. Kennels or Pet Grooming Services
 - v. Laundromats, Coin-Operated
 - vi. Laundry or Dry Cleaning Plants
 - vii. Laundry or Dry Cleaning Substations
 - viii. Tanning Salons

5. Retail Trade Uses

- i. Bulky Item Outdoor Display
- ii. Convenience Stores (with gasoline pumps)
- iii. Convenience Stores (without gasoline pumps)
- iv. Pawnshops or Used Merchandise Stores
- v. Restaurants (with drive-thru)
- vi. Service Stations, Gasoline

6. Transportation, Warehousing & Utilities Uses

- i. Communication Towers (exceeding height limits of zoning district)
- ii. Communication Towers (not exceeding height limits of zoning district)
- iii. Demolition Debris Landfills, Minor
- iv. Utility Lines and Related Appurtenances:
 - Distribution Poles, Transmission Poles & Towers
 - Other

7. Other Uses

- i. High Mast Outdoor Lighting > 50' in ht.
- ii. Temporary Construction, Storage or Offices; Real Estate Sales or Rental Offices (with concurrent building permit for permanent building)

- B. Landscaping, Buffers and Screening. An opaque fence (minimum 5 feet in height) shall be provided along the southern boundary of the zoning site

DESCRIPTION OF PROPERTY: An approximately 0.3 acre parcel lying at the southwest corner of E. Lexington Avenue and Fifth Street (*1124 E Lexington Avenue*). The property is also known as Guilford County Tax Parcel 0182385.

Citizens Information Meeting Report Zoning Case 11-02

Submitted by: Donald A. Scarborough on
behalf of High Point University



Friday, February 25, 2011

To: City of High Point, North Carolina
Planning and Development Office

From: Donald A. Scarborough, Ed.D. *DS*
Vice President for Community Relations

Re: Conditional Use District Zoning
Case 07-025
Community Meeting February 24, 2011

High Point University conducted a Citizens' Information Meeting in support of our application for three rezoning requests. The meeting was held in Norton Hall, Room 202, on the campus of High Point University. Letters of invitation were mailed to 113 citizens on February 15, 2011—67 invitations related to #1 below: 17 invitations related to #2 below, and 29 invitations to #3 below. Forty-two (42) people attended this meeting.

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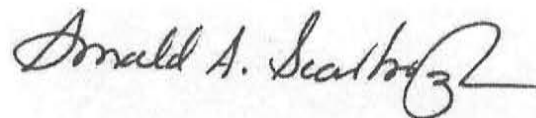
1. RS-7 to CZ-PI: 24 parcels of property adjacent to the main campus. The property totals approximately 7 acres--located on the two blocks bordered by Willoubar Terrace, Montlieu Avenue, North Centennial Street, and North Avenue. Twenty-eight (28) persons attended this meeting and registered with interest in this request.
2. LO to CZ-LB: 1124 East Lexington Avenue. Three (3) people attended this meeting and registered with interest in this request.
3. RS-7 to CZ-PI: 19 parcels of property adjacent to the main campus. The property totals approximately 6.09 acres—located on the block bordered by Fifth Street, North Avenue, and Willoubar Terrace. Eleven (11) people attended this meeting and registered with interest in this project.

A copy of the "City of High Point Conditional Use District Zoning, Citizen Information Meetings" and a copy of High Point University's "Development Proposal—Expansion North of the Main Campus" were distributed and viewed by all participants. A map was displayed outlining the campus master plan and proposed zoning changes. Dr. Donald A. Scarborough, Vice President for Institutional Advancement; Mr. Ron Guerra, Director of Construction and Renovation; and Mr. Dan Pritchett, Jamestown Engineering represented the University.

Most of the discussion centered on the scope and breath of the University's expansion program and then focused on the specific area listed above. It was a very positive meeting with questions related to traffic access to the property, boundary between the University's property and the residential areas, and the intended use of the property. Specific discussion focused on:

- Size and student capacity of the project;
- How the project would be bordered and protect the adjacent property owners;
- Current traffic issues on North Avenue;
- How much of Willoubar Terrace would be closed;
- Construction time frame;
- How construction traffic would be regulated;
- The anticipated boundaries of the University's future expansion plans; and
- The functions of various buildings, and
- Why does the City's University Area Plan not include the area between East Farriss Avenue, North Centennial Street, Lexington Avenue, and McCain Park.

Copies of the Sign-in Sheets for each of the cases are attached.

A handwritten signature in black ink, reading "Donald A. Scarbro" followed by a stylized flourish or number "32".

Citizens Information Meeting
Thursday, February 24, 2011
High Point University
LO to CZ-LB

Phone No.

<u>Name</u>	<u>Address</u>	<u>Phone No.</u>
Helen A. Chapman	1221 4th St.	[REDACTED]
Kathleen Guthrie	1219 5th St	[REDACTED]
Ann Schmidt	1215 5th St	[REDACTED]

COMMUNITY DEVELOPMENT & HOUSING

Michael E. McNair

DIRECTOR OF COMMUNITY DEVELOPMENT & HOUSING



MEMORANDUM

DATE: April 13, 2011

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 and manage a 56 unit affordable housing development for the elderly (age 55 & up) on a site approximately 2 acres in area located near the corner of Admiral Drive and Samet Drive. The developer has requested a loan commitment in the amount of \$560,000 to assist in the development. As the allocation of low income tax credits is a very competitive state wide process, the developer seeks a local government mortgage subsidy to qualify for additional points, enhance rent affordability, and leverage other resources. The NC Housing Finance Agency's 2011 Qualified Application Plan requires that the interest rate of the proposed loan not exceed 2.0% over 20 years to qualify as a mortgage subsidy and earn associated points. The loan will be sourced from the City's HOME Investment Partnership Program funds received from its annual HUD allocation; payments will be made to the development over two fiscal years.

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
Loan Commitment Letter

LOAN COMMITMENT

April __, 2011

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 and Sixty Thousand Dollars (\$560,000.00).
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 HOME Investment Partnership 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 and return.

Sincerely,

Stribling Boynton,
City Manager

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

By: _____

Name: _____

Title: _____

Wynnefield Properties

April 11, 2011

Michael E. McNair
Community Development & Housing Department
City of High Point
PO Box 230
High Point, NC 27261

Re: Admiral Pointe

Dear Mr. McNair:

Wynnefield Properties, Inc. is a General Contractor, Developer and Management Agent located in Jamestown. We have provided management services for construction and development for more than \$210 million in commercial and residential real estate. The firm is actively involved in all phases of project development from site selection, planning, design, construction and property management and has historically provided these services to both profit and non-profit housing providers. We take pride in our ability to maintain high levels of cost control and scheduling while delivering a quality product on time.

Our firm has considerable experience developing single and multifamily properties within the guidelines of various private, federal, state and local housing programs. Wynnefield is proposing to build a 56 unit elderly facility on Admiral drive and would like to request financial assistance from the City of High Point that would allow reductions in rents that will ensure the rental opportunities for a larger segment of society. I have attached for your review a copy of the projections which include a loan from the City of High Point in the amount of \$560,000 with a term of 20 years at 2%.

Our plans are to submit application for final funding by the 13th of May, 2011 and if successful to proceed with construction by late 2011 or early 2012. We are very committed to this new property named Admiral Pointe and believe it addresses a real need for elderly affordable housing in the High Point community.

Thank you for your consideration of this request and we look forward to working with you in the near future.

Sincerely,



C. Craig Stone
President

PLANNING AND ZONING COMMISSION RECOMMENDATION

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

Guilford Crossing at James Landing, LLC

Zoning Case 11-05

Conditional Zoning Limited Business (CZ-LB) District.

A request by Guilford Crossing at James Landing, LLC to rezone approximately 6.02 acres from the Conditional Use Limited Business and Conditional Use General Office Moderate Intensity (CU GO-M) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is lying at the northwest corner of Piedmont Parkway and Guilford College Road.

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

Speaking in favor of the request was Mr. Barry Siegal of 3411-D West Wendover, the applicant, Ms. Nancy Keenan of 3137 Highbridge Circle, Jamestown, and Mr. William Harding of 6003 Devon Court Place.

No one spoke in opposition.

The Planning & Zoning Commission recommended ***approval*** of Zoning Case 11-05, by a vote of 8-0.

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

**STAFF REPORT
ZONING CASE 11-05
March 22, 2011**

Request	
Applicant: Guilford Crossing at James Landing, LLC	Owner: Guilford Crossing at James Landing, LLC
Zoning Proposal: To rezone 6.02 acres.	From: CU-LB Conditional Use Limited Business District
	CU GO-M Conditional Use General Office Moderate Intensity
	To: CZ-LB Conditional Zoning Limited Business District

Site Information	
Location:	The site is lying at the northwest corner of Piedmont Parkway and Guilford College Road.
Tax Parcel Numbers:	0207349 and 0208662 Guilford County
Site Acreage:	6.02 acres.
Current Land Use:	The site is currently developed with a 51,000 square foot commercial building with multiple tenants and contains one undeveloped outparcel.
Physical Characteristics:	The site has a relatively flat terrain; however, there is a dramatic difference in ground elevation between the southeast corner of the site and the abutting roadway intersection. Recent roadway improvements along Guilford College Road and Piedmont Parkway have created a 10 - 15 foot difference in ground level elevation from this intersection and the southeastern portion of the site so as to require a retaining wall.
Water and Sewer Proximity:	A 12 inch City water line lies adjacent to the site along Guilford College Road. A 6-inch City water line and 8-inch sanitary sewer line are lying within Piedmont Parkway.
General Drainage and Watershed:	The site drains in a western direction and development 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 developments with an impervious surface area that is greater than 24% or more of the site.
Overlay District(s):	City Lake General Watershed (GWA)

Adjacent Property Zoning and Current Land Use			
North:	CU GO-H	Conditional Use General Office Moderate Intensity District	Office building and single family dwelling
	AG	Agricultural District (<i>Guilford County</i>)	
South:	CU-LB	Conditional Use Limited Business District	Child daycare center (<i>across Piedmont Parkway</i>)

East:	RS-40	Residential Single Family-40 District (Guilford County)	Single family dwellings (<i>across Guilford College Rd</i>)
West:	CU GO-M	Conditional Use General Office Moderate Intensity District	Office development

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	Obj. 5B: Focus particular attention on the appearance of key gateways into High Point to convey to visitors a positive first and last impression of the community.
Land Use Plan Map Classification:	Local/Convenience Commercial: This classification includes moderate-intensity convenience retail or service uses, generally serving small, local neighborhoods.
Land Use Plan Goals, Objectives & Policies:	Obj. 11: Enhance the aesthetic appearance of High Point by preserving the scenic quality of its major gateway streets and travel corridors and by providing appropriate landscaped buffers and transitional uses between low and high-intensity land uses.
Relevant Area Plan:	<i>West Wendover Avenue/Guilford College Road Corridor Plan:</i> Visual Quality section: The corridor is identified as an important and exceptionally visible gateway between Greensboro, High Point and Jamestown. Visual quality is addressed through the following three issues: • <u>Buffering and Landscaping Requirements:</u> When a need exists to supplement existing plant materials, they should be of sufficient size to provide an effective buffer in a reasonable time and to fulfill other purposes of the landscape ordinance, such as the screening of parking areas and dumpster sites. • <u>Sign Control:</u> Control of signage is identified as critical in promoting visual quality, including the reduction of visual clutter through fewer and smaller individual signs. • <u>Development Standards/Design Guidelines:</u> To enhance the aesthetic quality of developments, individual components of a development should be compatible with each other, and encourage visual harmony between nearby developments and the natural environment. Topics typically addressed by development standards and guidelines include roof pitch, exterior building materials, color, awnings, and building height and orientation, among others.
Zoning History:	<u>Zoning Case 94-27</u> - The southern 1/3 of the zoning site and the daycare center lying along the south side of Piedmont Parkway were annexed and granted CU-LB District zoning in 1994. <u>Zoning Case 95-23</u> - The northern 2/3 of the zoning site and the office complex to the north and west were annexed and granted a CU-LB and CU GO-H District zoning in 1995. This zoning case also included 20 acres lying south and west of the day care center which has been developed as a single-family subdivision.

	<u>Zoning Case 07-03</u> – In 2007, an annexation and rezoning application was submitted for the residential property lying to the north of the zoning site. There was a proposal to develop this 4.3 acre parcel to permit 72 multifamily dwelling units (16.7 units per acre). This request was denied by City Council.
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Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Piedmont Parkway		Major Thoroughfare	420 ft.
	Guilford College Road		Major Thoroughfare	750 ft.
Vehicular Access:	This site will use the two existing access points on Piedmont Parkway and the two existing on Guilford College Road.			
Traffic Counts: (Average Daily Trips)	Piedmont Parkway		7,800 (2008, 12-hour count)	
	Guilford College Road		10,000 (2008, 12-hour count)	
Estimated Trip Generation:	The proposed restaurant with a drive thru window on Tract 2 will generate approximately 1,740 trips/day, 170 trips (entering & exiting) in the AM peak hour and 120 trips (entering & exiting) in the PM Peak hour.			
Traffic Impact Analysis:	Required		Comment	
	Yes	No X	None	
Pedestrian Access:	There are existing sidewalks along the property frontage of Piedmont Parkway and Guilford College Road.			

School District Comment
Not applicable to this zoning case.

Details of Proposal

The zoning site consists of 6.02 acres lying at the northwest corner of Piedmont Parkway and Guilford College Road. In 1994 and 1995 the area encompassing the zoning site was annexed and zoned to its current CU-LB District to allow commercial uses (*CUP94-27 and CUP95-23*). As part of these two zoning actions, Conditional Use Permits were established outlining specific conditions/restrictions to ensure development would occur in a manner compatible with surrounding rural residential area. Since the annexation and rezoning of this area by the City, all the land area associated with the rezoning site has been developed except for a one acre outparcel located at the southeastern corner of the site abutting the intersection of these two major thoroughfares.

The current Conditional Use Permits which govern development upon the site includes conditions prohibiting restaurants with drive thru windows and requiring any building developed upon the site to have a pitched roof. The applicant desires to remove these two specific restrictions, but only upon the undeveloped one-acre outparcel. The applicant is proposing that all the relevant conditions of the existing Conditional Use Permits (*CUP94-27 and CUP95-23*) be converted into a new Conditional Zoning Ordinance, except that the area associated with the outparcel, known as Tract 2, be allowed to have a restaurant with a drive thru window and that development upon this out parcel not be required to have a pitched roof.

Identified Issues

Major Issues:

- ❖ None

Minor Issues:

- ❖ There is a dramatic grade difference of approximately 10 – 15 feet between the roadway intersection of Piedmont Parkway & Guilford College Road and this undeveloped outparcel. Conditions need to be in place to ensure that passing motorists or pedestrians are not staring at roof mounted equipment. This may be achieved by requiring a pitched roof building, not permitting any roof mounted equipment or requiring any roof mounted equipment to be fully screened. The question arises as to what solution will achieve this aesthetic goal while maintaining visual compatibility with the adjacent development in this area.

Staff Review Comments

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

Consistency with Adopted Plans:

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

The Land Use Map denotes a Local/Convenience Commercial classification upon this commercial node at this intersection. This request does not expand the land area of the commercial development; it only adds one new use and changes a design standard.

The W. Wendover Avenue/Guilford College Road Corridor Plan, which is a part of the Land Use Plan, includes "Visual Quality" goals which include buffering & landscaping, sign control and development standards/guidelines. Topics typically addressed by development standards and guidelines include roof pitch, exterior building materials, color, awnings, and building height and orientation, among others. Except for the applicant's request to remove pitched roof standards all other recommended visual quality goals are being met within the applicant's Conditional Zoning Ordinance. To address the roof treatment goal of the corridor plan, the applicant included the following conditions in their ordinance:

- *"The development of all structures on the rezoning site shall be unified in design, including common signage features, compatible building materials and colors, and compatible façade design features and roof shapes."* The larger main building upon the site is a flat roof building but it includes architectural design features to denote the characteristic of a pitched roof building. This condition allows the applicant to pursue similar innovative design for the out parcel.
- *"Appropriate screening shall also be provided to screen all roof-mounted equipment, appurtenances, and roof vents from public right-of-ways."* With the ground elevation of the out parcel being approximately 10 – 15 feet below the abutting roadways, the visibility of unsightly equipment upon the top of a building at this outparcel is a concern. This condition requires such equipment to be fully screened.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<i>Staff Comments:</i> When the site was initially annexed and granted a CU-LB District zoning in the mid 1990's the area was beginning to develop, Piedmont Parkway did not exist and Guilford College Road was 2-lanes. This area has since developed to have a more suburban character; this is now a multilane major intersection with commercial uses on three corners. The ordinance proposed by the applicant removes the mandate that the outparcel develop with a pitched roof building, but includes a condition to screen all roof mounted equipment, appurtenances, and roof vents from public rights-of-way. Although a pitched roof building would be desirable aesthetically, allowing a flat roof building where all roof mounted equipment is screened would not negatively detract from the character of surrounding uses. Especially when the primary structure on the site, Lowes Food Store, is a flat roof building with architectural features to simulated characteristics of a pitched roof building.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	Relevant conditions, restrictions and development standards of the current Conditional Use Permits that govern development upon the site have been included by the applicant in this conditional zoning ordinance. This includes conditions pertaining to limiting building height, signage, exterior lighting, landscaping and vehicular access. In addition, the adjacent roadways and intersections were recently widened and upgraded to more efficiently handle higher traffic volumes and traffic flow during peak hours. As conditioned, staff has not identified any adverse impact the zoning request will have upon adjacent property owners. While traffic turning into this commercial development may increase with development of a restaurant with drive thru window, no new driveways will be built and recent improvements to the abutting streets can handle the additional traffic.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	The site is currently developed; staff has not identified any environmental impacts based upon the proposed district.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;
	The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services.

<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	The zoning site consists of an established commercial development that is fully built-out except for a one acre outparcel. This zoning request is not expanding the land area of commercial zoning but rather adding one use that was initially prohibited by the initial City zoning in 1994 and 1995. Based upon conditions offered by the applicant within their conditional zoning ordinance, staff has not identified any adverse effect the request will have upon the enjoyment or value of adjacent properties.

Changes in the Area:

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

In the mid 1990s when this area was annexed into the City of High Point it was a rural area. Piedmont Parkway did not exist and Guilford College Road was a two-lane roadway. None of the existing commercial, office or multifamily developments existed. In addition, many of the single-family subdivisions lying to the south did not exist, only large lot rural subdivisions.

Now, 15 years later, the character of this area has changed from a rural to a suburban area. Traffic volumes have increased, a major intersection consisting of two multi-lane major thoroughfares has been constructed, and three of the corners of this intersection have developed with commercial uses. Although the W. Wendover Corridor Plan envisioned higher intensity commercial uses to be at the commercial nodes along W. Wendover Avenue, the change in character and development intensity in this area would not preclude a restaurant with drive thru to be totally incompatible with the surrounding area as it has currently developed.

Development Patterns:

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

The zoning site consists of an existing 6.02 acre commercial development; therefore, there is no change in the existing land use pattern at this existing commercial node. It is more desirable and will promote a more orderly development pattern to build-out an existing commercial development rather than creating new commercially zoned areas.

Reasonableness/Public Interest:

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

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) The requested CZ-LB District is consistent with adopted plans, 2) The request meets or addresses the review factors, 3) Except for the allowance of one new commercial use and the allowance of a flat roof building, there is no change in current conditions upon the site and the land area of commercial zoning is not being expanded; and 4) To ensure compatibility with the area, the applicant has offered a condition to fully screen any roof mounted equipment from public rights-of-way.

Recommendation

Staff Recommends Approval:

Staff recommends approval of the requested CZ-LB District. As conditioned, the requested CZ-LB District will be compatible with the surrounding area and in conformance with the adopted plans.

Required Action

Planning and Zoning Commission:

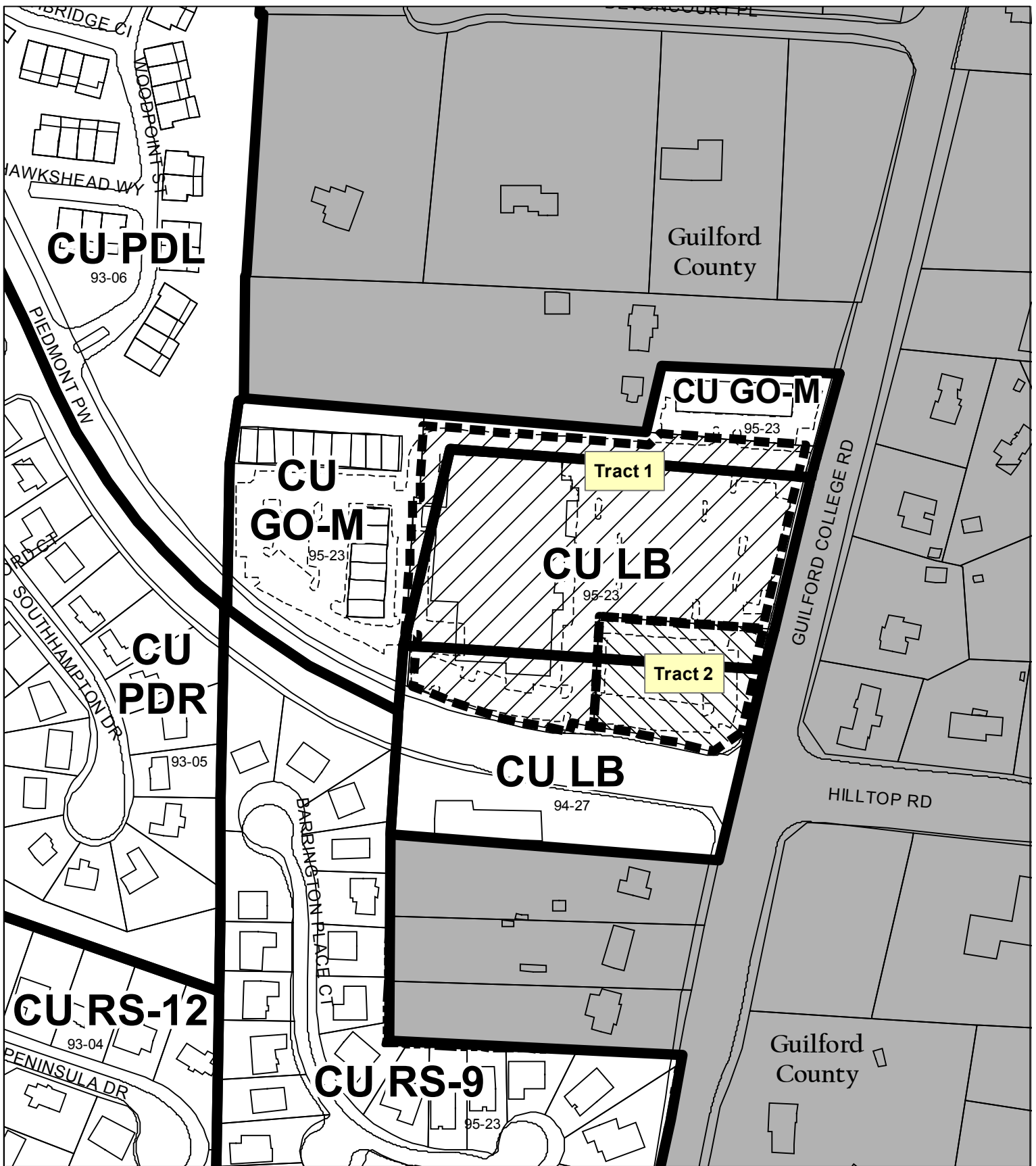
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission must place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the staff's statement or by adopting its own statement.

City Council:

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

Report Preparation

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



ZONING CASE 11-05

From: Conditional Use Limited Business and
Conditional Use General Office Moderate Intensity
To: Conditional Zoning Limited Business

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

Planning & Development
Department

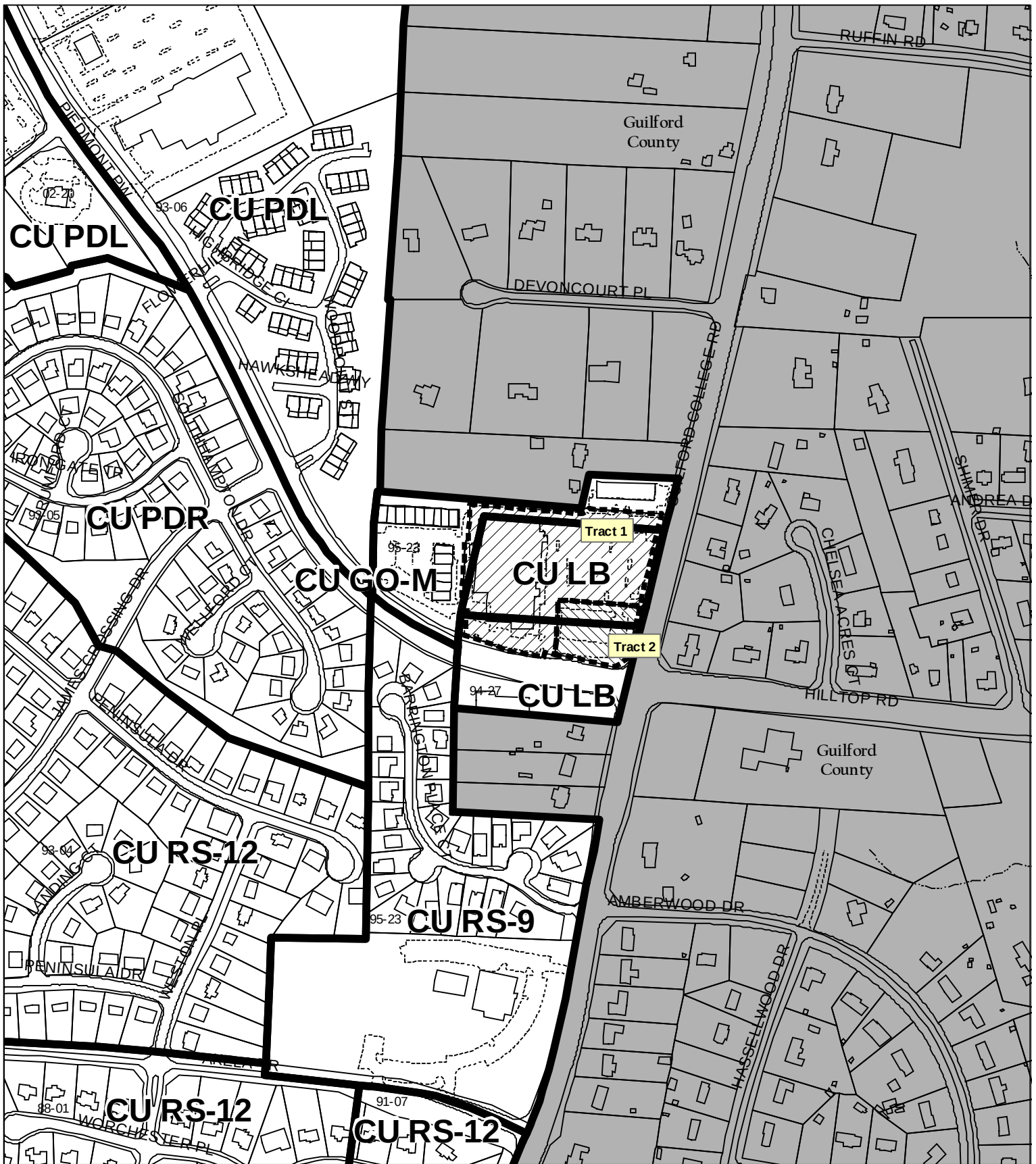
City of High Point

Date: April 11, 2011



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ZONING CASE 11-05

From: Conditional Use Limited Business and
Conditional Use General Office Moderate Intensity
To: Conditional Zoning Limited Business

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

Planning & Development
Department

City of High Point

Date: March 11, 2011



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ZONING CASE 11-05

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



Planning & Development
Department

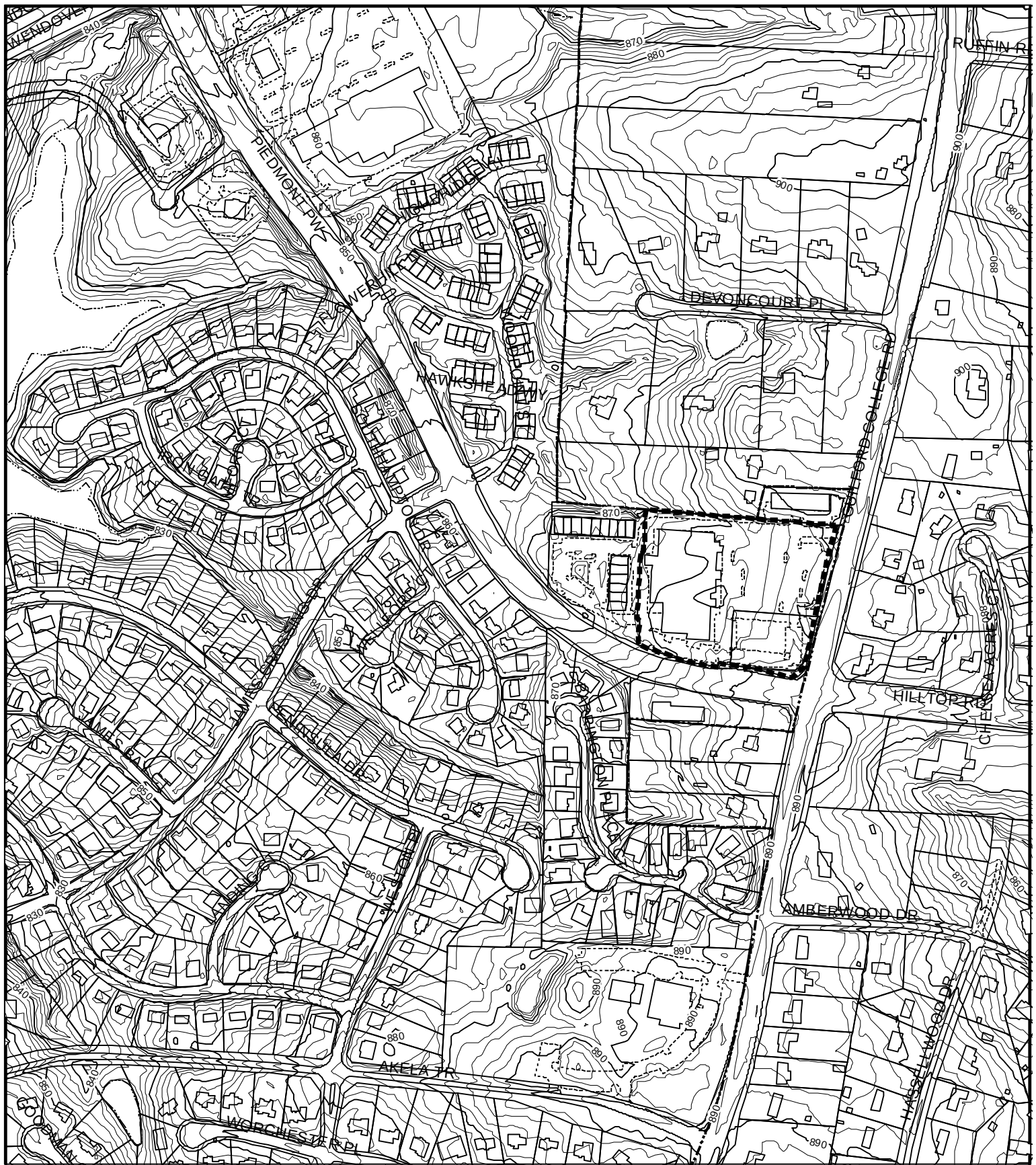
City of High Point

Date: March 4, 2011



Scale: 1"=400'

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ZONING CASE 11-05

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: March 4, 2011



Scale: 1"=300'

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ZONING CASE 11-05



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

**Zoning Case 11-05
Conditional Zoning Limited Business (CZ-LB) District**

February 7, 2011
(Submitted)

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

Part I. USES:

- A. Zoning Tract 1: Any of those land uses allowed in the Limited Business (LB) District and their customary accessory uses shall be permitted within Zoning Tract 1, as depicted on Zoning Exhibit 1 attached hereto, subject to the development and dimensional requirements of the LB District and the specific conditions, requirements and limitations as listed in this Permit, with the exception of the following uses which shall be prohibited:
1. Convenience stores with gasoline pumps (Ref SIC 5411)
 2. Freestanding restaurants with drive-thru (Ref SIC 5812)
 3. Gasoline service stations (Ref SIC 5541)
- B. Zoning Tract 2: Any of those land uses allowed in the Limited Business (LB) District and their customary accessory uses shall be permitted within Zoning Tract 2, as depicted on Zoning Exhibit 1 attached hereto, subject to the development and dimensional requirements of the LB District and the specific conditions, requirements and limitations as listed in this Permit, with the exception of the following uses which shall be prohibited:
1. Convenience stores with gasoline pumps (Ref SIC 5411)
 2. Gasoline service stations (Ref SIC 5541)

Part II. CONDITIONS:

A. Character of Development:

1. Any exterior modifications, alterations, additions, or construction of any new structure on the rezoning site must have a character, nature and appearance compatible with surrounding residential development, including a fifty (50) foot height restriction.

2. The development of all structures on the rezoning site shall be unified in design, including common signage features, compatible building materials and colors, and compatible façade design features and roof shapes.
- B. Signage: Freestanding signage shall be restricted to a total of one development identification sign for Piedmont Parkway, and one for Guilford College Road. Freestanding outparcel, lease lot or individual lot signs shall be restricted to fifty square feet of area and six feet in height.
- C. Exterior Lighting: The height of the exterior pole lighting associated with permitted nonresidential development shall be limited to twenty (20) feet when such lighting is erected within one hundred (100) feet of residentially zoned properties. Said exterior lighting shall also be directed away from residentially zoned properties.
- D. Landscaping, Buffers and Screening. Landscaping shall be provided in accordance with Section 9-5-11 of the Development Ordinance, and the following additional requirements:
1. Foundation plantings shall be provided for the development as approved by the Enforcement Officer. An alternative landscaping plan may be submitted for review and approval by the Planning & Development Department in lieu of this requirement.
 2. Decorative screening and/or landscaping associated with permitted nonresidential development shall be installed so as to screen from public right-of-ways, all trash rooms, trash holding receptacles, loading or service areas, mechanical or electrical equipment, storage facilities or bins, or other unsightly building appurtenances. Appropriate screening shall also be provided to screen all roof-mounted equipment, appurtenances, and roof vents from public rights-of-way.
- E. Transportation
1. Access: The rezoning site will take access from the existing access points on Piedmont Parkway and Guilford College Road as follows:
 - a. Piedmont Parkway: Two points of vehicular access shall be allowed from Piedmont Parkway. One of the access points to Piedmont Parkway is right-in/right-out only and is located approximately 220-feet west of the intersection of Piedmont Parkway and Guilford College Road. The second access point is a full movement and is located approximately 500-feet west of the intersection of Piedmont Parkway and Guilford College Road and it shall be shared with the adjoining development/property to the west, a 2.228 acre area described as Lot #3 upon Final IMUD Plat for Guildford Crossing PB141 Pg50 also known as Guilford County Tax Parcel 0213041.
 - b. Guilford College Road: Two points of vehicular access shall be allowed from Guilford College Road. One of the access points is right-in/right-out only and is located approximately 180-feet north of the intersection of Piedmont

Parkway and Guilford College Road. The second access point is right-in/right-out also and is located approximately 450-feet north of the intersection of Piedmont Parkway and Guilford College Road and it shall be shared with the adjoining development/property to the north, a 0.611 acre area described as Lot #4 upon Final IMUD Plat for Guildford Crossing PB141 Pg50 also known as Guilford County Tax Parcel 0207348.

2. Internal/Shared Access: Internal access shall be provided between Zoning Tracts 1 and 2 by a minimum twenty (20) foot wide access easement. The North Carolina Department of Transportation and the City of High Point Transportation Department shall approve the location of access point between these tracts.

DESCRIPTION OF PROPERTY: Approximately 6.02 acres lying at the northwest corner of Piedmont Parkway and Guilford College Road. The property is also known as Guilford County Tax Parcels 0207349 (5.03 acres – Tract 1) and 0208662 (0.99 acres Tract 2).



February 17, 2011

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: **Rezoning Case #11-04**, High Point University. The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.

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

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

Access:

- There shall be no access allowed to this rezoning site from this rezoning site from Centennial Street and access to North Avenue will be per the requirements of the Driveway Ordinance.
- One (1) point of access shall be allowed to Montlieu Avenue at the existing Willoubar Terrace intersection.

Improvements:

Additional improvements on the High Point University Campus will require a northbound right turn and a southbound left turn lane at the intersection of Centennial Street and North Avenue. Provide right of way along Centennial Street to accommodate the construction of a northbound right turn lane with 100' storage and approximately 270' taper. The new right of way behind the curb must be wide enough to accommodate utilities and pedestrian facilities.

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

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

Citizens Information Meeting Report

Zoning Case 11-05

Submitted by: Barry Siegal & Willard Tucker on behalf of
Guilford Crossing at James Landing, LLC

Akela Trail Properties

P.O. Box 19972
Greensboro, NC 27419

Phone: 336-632-8900
Fax: 336-632-0207
e-mail: tuck1890@bellsouth.net
bscholding@aol.com

February 15, 2011

Dear Neighbors:

I write to invite you to attend a citizen's information meeting to discuss the rezoning of an approximately 5 acre tract at the intersection of Guilford College Road and Piedmont Parkway. The meeting will be held on Tuesday February 22, 2011 at the Jamestown Presbyterian Church at 1804 Guilford College Road at 6:00 p.m.

As many of you know, Akela Trail Properties was the original developer of the James Landing Development. As part of this development we developed and continue to own the Lowes Food Shopping Center at the intersection of Guilford College Road and Piedmont Parkway. We have requested the City of High Point to rezone the existing shopping center to accomplish the following two actions:

1. Change the rezoning of the shopping center from CU-LB and CU-GOH to CZ-LB. This will address an error in the zoning in which a portion of the shopping center is zoned CU-GOH. This error resulted from an inconsistency in the zoning line and the property line. In addition, this change of classification from (CU-LB to CZ-LB) will bring the center in compliance with the City of High Point's new zoning classification system.
2. Modify the permitted uses of the outparcel ("The Christmas Tress Lot") which is currently vacant. We are requesting that the current zoning conditions be amended to allow a restaurant with a drive thru. At the time we originally zoned this property we excluded this use at the City's request because this property was "out in the country" so to speak. Many changes have occurred over the years including substantial changes in the roads in front of the shopping center and additional development including banks and offices. Furthermore, we did not prepare a final grading plan and did not anticipate that the outparcel would be below the adjoining roads and encompassed by the protective walls on Guildford College Road and Piedmont Parkway.

Our request does not affect any of the drives into the shopping center itself. Any development on the outparcel will, of course, be in harmony with our shopping center and will comply with the architectural and sign guidelines we established for the James Landing Development.

At the citizen information meeting you will have the opportunity to meet with us and ask any questions that you may have. We will be able to explain in greater detail the nature of our request to the City of High Point for this rezoning.

(2)

Enclosed find a copy of the statement provided by the High Point Planning and Development Department which outlines the purpose of the citizens information meeting and the zoning process.

We look forward to seeing you at this meeting on Tuesday, February 22, 2011 at 6:00 p.m. If you have any questions in the interim period, please do not hesitate to contact me or Willard Tucker at the phone number or e-mail addresses stated above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Barry S. Siegal", with a stylized, flowing script.

Barry S. Siegal

February 24, 2011

City of High Point Rezoning Case _____
Guilford Crossing at James Landing
Lowes Shopping Center
Conditional Zoning Permit
5+ Acres

Report of Citizens Information Meeting

Meeting held Tuesday February 22, 2011

A meeting was held at the Jamestown Presbyterian Church on Tuesday evening February 22, 2011, at 6:00 pm. An invitation was extended for this meeting to 57 property owners whose property was located within 300 feet of the site. A letter was mailed to each property owner on February 15, 2011. A detailed letter was sent along with a copy of the City of High Point Conditional Use District Zoning Citizen Information Meetings information sheet and a copy of the rezoning case map for the City of High Point's Planning and Development Department.

In Addition to the Petitioners, Barry Siegal and Willard Tucker, the only individuals that attended the meeting were Alfred Ihrig, William Harding, Nancy Kennon, Don and Virginia Moore, and Cecil Little.

The following is a detailed account of the meeting on February 22nd, 2011:

The meeting opened with Barry giving a history of the neighborhood and their desire to make sure what they wanted to do was compatible with the neighborhood. He made the following points:

- The subject 5 acre tract is zoned conditional limited business
- Guilford College Road had been widened by DOT
- Barry and Willard put in Piedmont Parkway, at the time the development was still out in the "country" and the James Landing development was in progress
- There are 3 conditions that were originally set on the outparcel (at the time the shopping center had not been graded and DOT had not done any road improvements):
 - o No convenience store
 - o No gas stations
 - o No restaurants with a drive thru
- DOT redid Guilford College Road after the shopping center was built. DOT made major improvements on Hilltop Road and during the process took down the stone wall at the Lowes shopping center
- Bottom line: today the outparcel is in a hole, 10 feet below the road level
- Barry mentioned that restaurants want a drive thru more than they use to in the past. He named the following restaurants as examples of restaurants with a drive thru:
 - o Zaxby's
 - o Chinese Restaurant at the Rush Shopping Center
 - o Bojangles
 - o Arbys, etc

- Willard and Barry have already had meetings with the City of High Point. They were told by the City to allow a restaurant with a drive thru at the site, the property would have to be rezoned.
- Barry outlined the following items outlined in the request to the City of High Point for the rezoning, he pointed out some of these were screw ups back in 1996):
 - o The current property line does not match the zoning line. They are proposing to straighten out the zoning line. Shifting the zoning line between the office zoning and shopping center zoning would not change anything at the property.
 - o They City wants to change the Conditional-use Limited Business to Conditional-Zoning Limited Business. They pointed out that it does not change anything except the wording of the zoning category, doesn't change signage requirements (has to be consistent with what you see at the shopping center now), any architecture has to comply with the guidelines set-forth when the shopping center was established.
 - o They would like to change the zoning to be able to have a restaurant with a drive thru on the outparcel.
 - o

The Moores' brought up two concerns they had:

- They were concerned that the lighting of the outparcel would be too bright. Willard addressed their concern by informing the group that the outparcel is 10 feet in the hole and any lights put on the outparcel site would not be as tall as what is currently in the shopping center and there would be no light bleed off the site and past Piedmont Parkway.
- They Goodman's were also concerned about additional trash that the drive thru would bring.

Cecil Little told the group a story about how him and his wife solved the trash problem at their residence. Cecil said he use to have a ditch in front of his house that was too steep to mow and all sorts of trash accumulated in the ditch. His wife told him the only way to fix the problem was to fix the ditch so they piped and covered the ditch. They planted grass on top of the ditch and since that point the trash had stopped. Cecil said when it looked like someone's yard and they took care of it, the trash stopped. They respected his property and he made the statement trash brings trash.

Mr. Moore told the group his house is on the west side of Guilford College Road, one house between the daycare and his house. He mentioned trash accumulated in the ditch in front of their house because the wind brought it there. The trash stopped after the ditch was removed when Guilford College Road was widened.

Barry mentioned to the group that they have the Lowes Shopping center swept every night and that the wall acts a barrier to contain any debris to the site.

Mr. Moore said he still had some concern about any additional lighting in the area. He mentioned that the lighting was in his yard some nights and others not as much. He did mentioned he liked the lighting he received from the parkway because it was not pitch black at 2 am around his house and he could see things outside of his house better.

Mr. Ihrig pointed out that their neighborhood, The Highlands is located behind the Rush Fitness Facility on Wendover Avenue. They have seen trash flying into the wood area behind their house and that this has been a continuous problem. Mr. Ihrig mentioned that he thought the wind was blowing trash out of the dumpster and from the Rush parking lot. He mentioned there are no trash bins at the Rush

Shopping center. He mentioned Lowes Shopping Center seemed to be a clean site, but that the Rush Shopping Center did not. He mentioned that the dumpsters for the shopping center were located behind the Rush center.

Barry asked where the trash was coming from.

Ms. Kennon said that most of their trash problems are from the back of the Rush Shopping Center building and the vacant lot next to the shopping center.

Barry pointed out that the location of dumpster may impact the amount of trash they were seeing. He mentioned that the Lowes Shopping Center had a trash compactor on site. He stated "maybe our folks are better at cleaning regularly our site than the Rush folks are."

Mr. Ihrig inquired about the location of the dumpster as well as the way the drive thru would work and where it would be located. Willard showed the group the most likely location of the dumpster, behind the wall and showed where the drive thru would be located on the out parcel. He mentioned that the drive thru would be hidden from the street and explained how it would work. He also stated that the current parking at the shopping center would not change.

Barry made the following points to the group:

- The outparcel is just shy of an acre
- All drives at the shopping center are fixed, and the grades are fixed. Any changes in the parcel elevation would be minimal with finished grades being close to what it is.
- the drive thru would be located between the building and the wall. You would not be able to see the drive thru if you were traveling down Guilford College Road towards Wendover Avenue. You would catch a glimpse of the drive thru if you were traveling on Piedmont Parkway to Guilford College Road.
- Any equipment on the roof of the building will be hidden so it will not be visible to anyone at the street level.

Mr. Harding stated that they he thought Willard and Barry were very professional in their approach and appreciated their good neighbor approach. He mentioned they had been a good ally and that he was very much in approval of the rezoning. He stated he would come to the meeting in favor of the rezoning. He made very favorable comments and said he was pleased that Barry and Willard had always been upfront and very responsible in all of their developments.

Barry said their intent is not to sell the outparcel after development but do a land lease with a possible tenant.

Mr. Ihrig asked if Willard and Barry would be involved in the architecture and design of the site for the building constructed on the outparcel.

Barry said they would be involved and would reserve architectural approval. As owners of the shopping center and as developers of the entire James Landing Development they will be very sensitive as to what happens on the site. They know the neighbors will call if there are any problems and they will gladly address any problems.

Mr. Ihrig asked if the wall at Guilford College and Hilltop would change. Barry mentioned the wall would not change and that DOT originally designed the wall. Barry and Willard asked to put the stone on the

wall. Willard mentioned originally that DOT wanted to put a guard rail there and after many discussions with DOT they came to an agreement on the current wall design.

Barry shared with the group their plans:

- They are going to go ahead and give the city the rest of the write ups and required materials
- On March 18th they there is a public hearing with the planning board
- On April 22nd the rezoning goes to City Council, this is a public hearing as well.

Mr. Moore mentioned that the lighting was not as big as a concern to him anymore. He was still concerned if any additional trash would blow in front of his home.

Mr. Little said he was pleased with the personal approach to neighbors that Barry and Willard have and the area is very blessed to have them. Mr. Harding agreed.

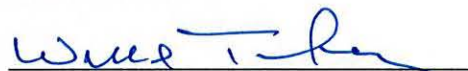
Barry wrapped up the meeting by saying that they will ask the City to look at the lights on Piedmont Parkway. Willard said they will be sensitive to the lighting of the outparcel site. Barry also mentioned they will control to make sure that our shopping center maintains the cleanliness of our site and will closely monitor the situation upon development of the outparcel.

Respectively submitted,

Barry Siegal

A handwritten signature in blue ink, appearing to read 'Barry Siegal', written over a horizontal line.

Willard Tucker

A handwritten signature in blue ink, appearing to read 'Willard Tucker', written over a horizontal line.

Lowes Shopping Center Rezoning

Citizens Information Meeting

February 22, 2011

NAME

ADDRESS

NEIGHBORHOOD

e-mail ADDRESS

PHONE NUMBER

ALFRED IHRIG 3143 HIGHBRIDGE CIR. THE HIGHLANDS

WILLIAM L. HARDING 6003 DEVONCOURT PIKE, JAMESTOWN, NE 67284

NANCY J. KENNON 3137 HIGHBRIDGE CIR THE HIGHLANDS

DOUGLAS A MOORE 1204 GUILFORD CIRCLE RD. JAMICESTOWN, NJ

CECIL S. LITTLE 2006 Guilford Avenue Rd

City of High Point Rezoning Case _____
Guilford Crossing at James Landing
Lowes Shopping Center
Conditional Zoning Permit
5+ Acres

Report

Meeting for Officers, Directors and Key Players of Nearby HOA for Highlands, Yorktown Pointe, The Peninsula and Akela Cove all part of the James Landing Development, and Barrington Place, Devonshire Court, and James Landing Office Park.

Meeting held Thursday, February 17, 2011

A meeting was held at the Jamestown Presbyterian Church on Thursday evening February 17, 2011, at 6:00 p.m. An invitation was extended for this meeting to the key players and officers and directors of the nearby HOA developments that have been active in neighborhood issues in the past years. An e-mail message was originally sent to fourteen (14) individuals on February 11, 2011 with a follow-up e-mail and a more detailed description of the purpose of the meeting being sent on February 14, 2011 (see attached series of e-mails).

An e-mail response from Bob Craven, of the James Landing Office Park was received on February 15, 2011 stated that they were OK with the rezoning (see attachment).

A telephone conversation with both Al Shring and Nancy Kennon of the Highlands occurred on February 15, 2011. They advised that they were having their Board of Directors meeting on Thursday evening and could not attend. They would come to the Citizens Information Meeting on February 22, 2011. At Nancy's request a copy of the letter being mailed to homeowners within 300 feet of the site was e-mailed to her.

The only individuals attending the meeting were Goodman and Judith Griffin and Cecil Little.

Cecil Little only sat in the meeting for several minutes since he was also attending to Church business which was going on at the same time.

Mr. & Mrs. Goodman did not appear to be supportive of the request. The concerns raised and discussed with them by both myself, Barry Siegal, and Willard Tucker, were as follows:

1. Lighting – The concern that the additional lighting associated with this outparcel development would impact their neighborhood, Barrington Place of which the closest house is located approximately 500 feet southwest of the site. Mr. Goodman expressed that the HOA has already spent significant dollars to plant trees to address the lighting issue which got worst as a result of the Day Care cutting trees on their property. We discussed the fact that the site was significantly below road level (approximately 10' in the front) and that the lighting in the site

would clearly not be as tall as the lighting in the Lowes Shopping parking center or the lights on Piedmont Parkway, which they complained about

2. Trash - Mr. and Mrs. Goodman expressed concern that a restaurant with a drive-thru would generate additional trash and that they and other members of their community are picking up trash. Mr. Tucker mentioned that even where he lives (in the "country") he is constantly picking up trash discarded by passing motorists. Mr. & Mrs. Goodman did acknowledge that folks buying food at this site if rezoned, would more than likely not discard their trash near them since they would not have had sufficient time to unwrap, eat and discard the trash before leaving the neighborhood.
3. They did not like the idea of having a restaurant with a drive thru. The initial discussion on this subject centered around the premise that "fast food" is not good food and not becoming to the neighborhood. The conversation quickly turned to the discussion that they personally did not like certain types of fast food and did not frequent those types of establishments. Mrs. Goodman apparently would not object to a Chick-Fil-A although she commented that Mr. Goodman did not like Chick-Fil-A. Both apparently thought highly of the Chinese restaurant in the Rush Center and commented that the owner was a very fine gentleman. It certainly appeared they personally would have less of a reservation having a restaurant with a drive-thru if the restaurant would serve the type of food they found acceptable.

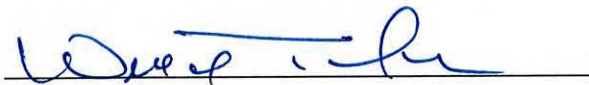
Mr. & Mrs. Goodman advised that they would share this discussion with the other homeowners in their community and would more than likely come to the February 22, 2011 Citizens Information Meeting.

Mr. Cecil Little returned at the end of the evening and after some discussion expressed his willingness to support the rezoning.

Respectfully Submitted



Barry S. Siegal



Willard Tucker

Dear Folks,

I want to take a few moments to follow-up on Willard's e-mail of last week with regard to the purpose of the meeting this Thursday evening, February 17th at 6:00 p.m. that we asked you and your fellow neighborhood representatives to attend. As pointed out by Willard, we have requested the City of High Point to amend the rezoning of the James Landing Shopping Center (the Lowes Shopping Center) to address the following two points.

1. To change the zoning district from CU-LB and CU-GOH to CZ-LB. Unfortunately, when the shopping center site was originally zoned the zoning line between the shopping center and the office condo's did not align with the property lines. This change will align the property lines with the zoning lines. Furthermore, the change from CU-LB to CZ-LB will bring the zoning classification in line with the City's current zoning categories.
2. To modify the zoning conditions imposed on the outparcel (the vacant lot at the corner of Guilford College Road and Piedmont Parkway - the Christmas Tree Lot). When we originally rezoned the shopping center tract this land was virtually "out in the country". Many significant changes have occurred in the past years in both road improvements and the surrounding development. At the time we originally rezoned this property we excluded the use of a drive-thru restaurant, this exclusion among others was made at the City's request because they felt drive-thru restaurants were more appropriately located on major roads. In addition, we had not yet prepared a grading plan for the site. As you know the outparcel is located below road level, which was not visualized at the time of rezoning.

Our request is to permit drive-thru restaurants to allow us to attract users that desire to establish a restaurant in this location but must have a drive-thru.

We hope that each of you will be able to meet with us this Thursday at 6:00 p.m. at the Jamestown Presbyterian Church. We would like to meet with you and ask your help in supporting our request to the City.

In compliance with City of High Point regulations, we will be sending a letter shortly to all of the neighbors that live within 300 feet of the Lowes Shopping Center giving them an opportunity to speak with us about our request. This meeting is scheduled for Tuesday, February 22, 2011 at 6:00 p.m. at the Jamestown Presbyterian Church as well.

Our rezoning request should be heard by the Planning and Zoning Commission on March 22, 2011 and go to the City Council on April 18th.

Please do not hesitate to contact me if you have any additional questions. We look forward to seeing each of you this Thursday, February 17th.

Thank you in advance for your support.

Barry Siegal

From: bscholding@aol.com (bscholding@aol.com)
To: amanda.siegal@yahoo.com;
Date: Tue, February 15, 2011 11:00:20 PM
Cc:
Subject: Fw: James Landing Shopping Center

Pls print out

Sent from my BlackBerry® wireless device

From: "Bob Craver" <rpcraver@triadbiz.rr.com>
Date: Tue, 15 Feb 2011 14:43:00 -0500
To: 'Barry Siegal' <bscholding@aol.com>
Subject: RE: James Landing Shopping Center

Barry,
We are Ok with the area rezoning.
We will not be able to attend the meeting.
Good luck!
Bob Craver

From: Barry Siegal [mailto:bscholding@aol.com]
Sent: Monday, February 14, 2011 10:20 PM
To: tuck1890@bellsouth.net; rpcraver@triadbiz.rr.com; cmiller166@triad.rr.com; csithc@gmail.com; dmoore@harristeeter.com; lackey@yahoo.com; griffin2@triad.rr.com; greg@allsportsgraphics.net; keithpierce@bellsouth.net; njkrd@aol.com; skylari@bellsouth.net; bramblegatehomeowners@yahoo.com; tslanier@bellsouth.net; sandsbrandi@yahoo.com
Cc: bob@freemancommercial.com
Subject: Re: James Landing Shopping Center

Dear Folks,

The file attached to this email provides more detail about the upcoming meeting on Thursday. I felt it was beneficial to provide more information prior to the meeting and am happy to answer any questions you may have. Look forward to seeing everyone this Thursday.

Barry Siegal
PO Box 8306
Greensboro, NC 27419
(336) 292-9010 (office)
(336) 587-3633 (cell)
(336) 632-0207 (fax)
bscholding@aol.com

-----Original Message-----

From: Willard Tucker <tuck1890@bellsouth.net>
To: Al Shirk <ihrig@aol.com>; Bob & Janet Craver <rpcraver@triadbiz.rr.com>; Carroll Miller <cmiller166@triad.rr.com>; Cecil Little <csithc@gmail.com>; Dwight Moore <dmoore@harristeeter.com>; Frances Lackey <lackey@yahoo.com>; Goodman & Judith Griffin <griffin2@triad.rr.com>; Greg Saylr <greg@allsportsgraphics.net>; Keith Pierce <keithpierce@bellsouth.net>; Nancy Kennon <njkrd@aol.com>; Nancy Kennon <njkrd@aol.com>; Skylari Jordan <skylari@bellsouth.net>; Stacy Bounda <bramblegatehomeowners@yahoo.com>; Stew Lanier <tslanier@bellsouth.net>; Ted Sands

<sandsbrandi@yahoo.com>
Cc: bscholding@aol.com; bob@freemancommercial.com
Sent: Fri, Feb 11, 2011 2:56 pm
Subject: James Landing Shopping Center

Re: James Landing Shopping Center
1236 Guilford College Rd.
Jamestown NC

Since we built the James Landing Shopping Center, High Point has updated the zoning type for Retail Use. Under the existing zoning we are unable to meet the guide lines we need to add a new building on our out parcel in front of the Lowes Shopping center. We have submitted our application for the new zoning reclassification and would like to show each of you our plans for this.

We have reserved a meeting room in the Jamestown Presbyterian Church on February 17, 2011 at 6:00 PM and also for the general public on February 22, 2011 at 6:00 PM.

Please call Barry Siegal or Willard Tucker for any questions prior to the meeting.

Willard Tucker
PO Box 19972
Greensboro, NC 27419
Office 336-632-8900
Fax 336-632-0834
Cell 336-207-0332

Barry Siegal
PO Box 19972
Greensboro NC 27419
Office 336.632.8900 336.292.9010
Fax 336.632.0207
Cell 336.587.3633

Lowes Shopping Center Rezoning

Neighborhood Meeting – Officers/Directors

Key Players of HOA

February 17, 2011

PHONE NUMBER

e-mail ADDRESS

NEIGHBORHOOD

ADDRESS

NAME

GOODMAN GRIFFIN 4741 BARRINGTON PLACE CT. BARRINGTON

[REDACTED]

AMEEN, WILLIAM O & MARION S
1309 GUILFORD COLLEGE RD
JAMESTOWN NC 27282

AMY & CO INC
4915-107 PIEDMONT PW
JAMESTOWN NC 27282

BAILEY, JACK M ; BAILEY, JERRY C ;
BAILEY, JIMMY G
3032 MAPLE BRANCH DR
HIGH POINT NC 27265

BUNN JACQUELINE M
4709 BARRINGTON PL
JAMESTOWN NC 27282

CAMPO HUGO R REVOCABLE LIVING
TRUST
3982 QUEENS GRANT CT
HIGH POINT NC 27265

CARR PROPERTIES LLC
1414 LONG ST
HIGH POINT NC 27262

CARRIER, LUCILLE F
1227 GUILFORD COLLEGE RD
JAMESTOWN NC 27282

COBLE, KERMIT J JR ; COBLE, JANICE R
6007 DEVONCOURT PL
JAMESTOWN NC 27282

CRAVER, ROBERT P & JANET L
4915-109 PIEDMONT PW
JAMESTOWN NC 272682

CUPANI CARMINE C & CATERINA M
4717 BARRINGTON CT
JAMESTOWN NC 27282

DIX, MICHAEL T & TRACY F
2436 LAKE OAK CT
HIGH POINT NC 27261

EGGLESTON CALVIN B & PEGGY W
122 DUCHESS CT
JAMESTOWN NC 27282

FIELDS, DOSHIA W
5602 HILLTOP RD
JAMESTOWN NC 27282

GARRETT CYNTHIA JOHNSON
9100 MARIONDALE DR
HIGH POINT NC 27265

GORRELL ROBERT LLC
PO BOX 33395
RALEIGH NC 27636

GRAHAM, WALTER A & MARYLYNN
2100 CHELSEA ACRES CT
JAMESTOWN NC 27282

GRIFFIN D H WRECKING COMPANY INC
PO BOX 7657
GREENSBORO NC 27417

GUILFORD CROSSING AT JAMES LANDING
LLC
PO BOX 19972
GREENSBORO NC 27419

HARDING, WILLIAM L & LINDA R
6003 DEVONCOURT PL
JAMESTOWN NC 27282

HDM ENTERPRISES
2990 BETHESDA PLACE SUITE 605C
WINSTON SALEM NC 27103

HIGHLANDS HOMEOWNERS ASSOCIATION
INC
PO BOX 9415
GREENSBORO NC 27429

J CARMEN ; ARREDONDO, SANTOS D
5701 RUFFIN RD
JAMESTOWN NC 27282

KIM, EUN H
4701 BARRINGTON PL
JAMESTOWN NC 27282

LANIER LISA L
4915 PIEDMONT PW SUITE 104
JAMESTOWN NC 27282

LANIER, PAUL J & ELIZABETH H
4705 BARRINGTON PLACE CT
JAMESTOWN NC 27282

LANIER, THOMAS S
4721 BARRINGTON PL CT
JAMESTOWN NC 27282

LONG DAVID J & KRISTEN A CHANG
4915 PIEDMONT PKWY STE 103
JAMESTOWN NC 27282

LONGWORTH PHILIP G & CAROL N
4713 BARRINGTON PL CT
JAMESTOWN NC 27282

MCFARLING COMMERCIAL PROPERTIES
LLC
5014 RENVILLE DR
GREENSBORO NC 27406

MITCHELL, BENITA G
1219 GUILFORD COLLEGE RD
JAMESTOWN NC 27282

MITCHELL, DOROTHY S
1262 LAKESIDE AVE EXT
BURLINGTON NC 27217

MOCK, KENNETH W & LINDA J
205 HIDDEN RIDGE DR
JAMESTOWN NC 27282

MONTGOMERY, DANIEL R & BONNIE R
2101 CHELSEA ACRES CT
JAMESTOWN NC 27282

MOORE, DON R & VIRGINIA M
1304 GUILFORD COLLEGE RD
JAMESTOWN NC 27282

MOORE, DWIGHT JR
6009 DEVONCOURT PL
JAMESTOWN NC 27282

PHOENIX ACQUISITION &TRADE INC
14537 W GRAND AVE SUITE 110
SURPRISE AZ 85374

ROBERTS GREGORY S
3002 SOUTHAMPTON DR
JAMESTOWN NC 27282

SAYLOR GREGORY D & ELIZABETH K
3004 SOUTHAMPTON DR
JAMESTOWN NC 27282

SCOTT, LESLIE I
3008 SOUTHAMPTON DR
JAMESTOWN NC 27282

SIMOS STAVROS N & STEVE N SIMOS
1004 HAVENRIDGE RD
HIGH POINT NC 27265

SMITH BELVIN G
PO BOX 9220
GREENSBORO NC 27429

SONYA ROBERTS HAMILTON PROP LL
4917 PIEDMONT PARKWAY STE 106
JAMESTOWN NC 27282

STEELE, DOROTHY B
1226 GUILFORD COLLEGE RD
JAMESTOWN NC 27282

STEINER, ROBERT B
4915-108 PIEDMONT PW
JAMESTOWN NC 27282

STRAUSS, PHILIP S & CYNTHIA A STRAUSS
TRUST
1229 GUILFORD COLLEGE RD
JAMESTOWN NC 27282

STRICKLAND, DANIEL & DAPHNE L
1223 GUILFORD COLLEGE RD
JAMESTOWN NC 27282

UNITARIAN UNIVERSALIST CHURCH OF
GREENSBORO
5605 HILLTOP RD
JAMESTOWN NC 27282

UNITARIAN UNIVERSALIST CHURCH OF
GREENSBORO
5603 HILLTOP RD
JAMESTOWN NC 27282

WEBB JAMES WESLEY SR
1417 TRAFALGAR DR
HIGH POINT NC 27262

WINE, ROBERT V JR & JUANITA W
2102 CHELSEA ACRES CT
JAMESTOWN NC 27282

WOOD RUSSELL WARREN
4704 BARRINGTON PLACE CT
JAMESTOWN NC 27282

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 2011/2012.

COMMENTS: Contract specifications allowed for four one-year extensions. One additional year remains 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

VENDOR NAME & ADDRESS **QTY** **ITEM** **UNIT PRICE** **TOTAL PRICE**

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

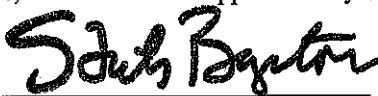
Otto Environmental	5000	MSD-95C	\$49.34	\$246,700.00
Attn: Judy Grist				
12700 General Drive	1000	MSD-95C	\$49.34	\$49,340.00
Charlotte, NC 28273				\$296,040.00

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 2011/2012 to **REHRIG PACIFIC CO.**, the lowest responsible and responsive bidder meeting specifications, in the amount of approximately **\$ 283,080.00**.

DATE OF RECOMMENDATION: April 12, 2011


Strib Boynton, CITY MANAGER

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

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

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

WHEREAS, public hearings were held before the High Point Planning and Zoning Commission on March 22, 2011, and before the City Council of the City of High Point on April 18, 2011, regarding this proposed amendment to said *Land Use Plan for the High Point Planning Area*:

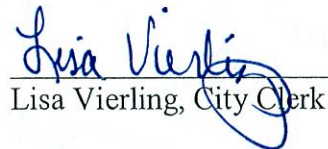
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

SECTION 1. That the *Land Use Plan for the High Point Planning Area* be amended by redesignating the 6.61 acre Guilford County Tax Parcel 0199858 from Medium Density Residential and Community/Regional Commercial to Office;

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.

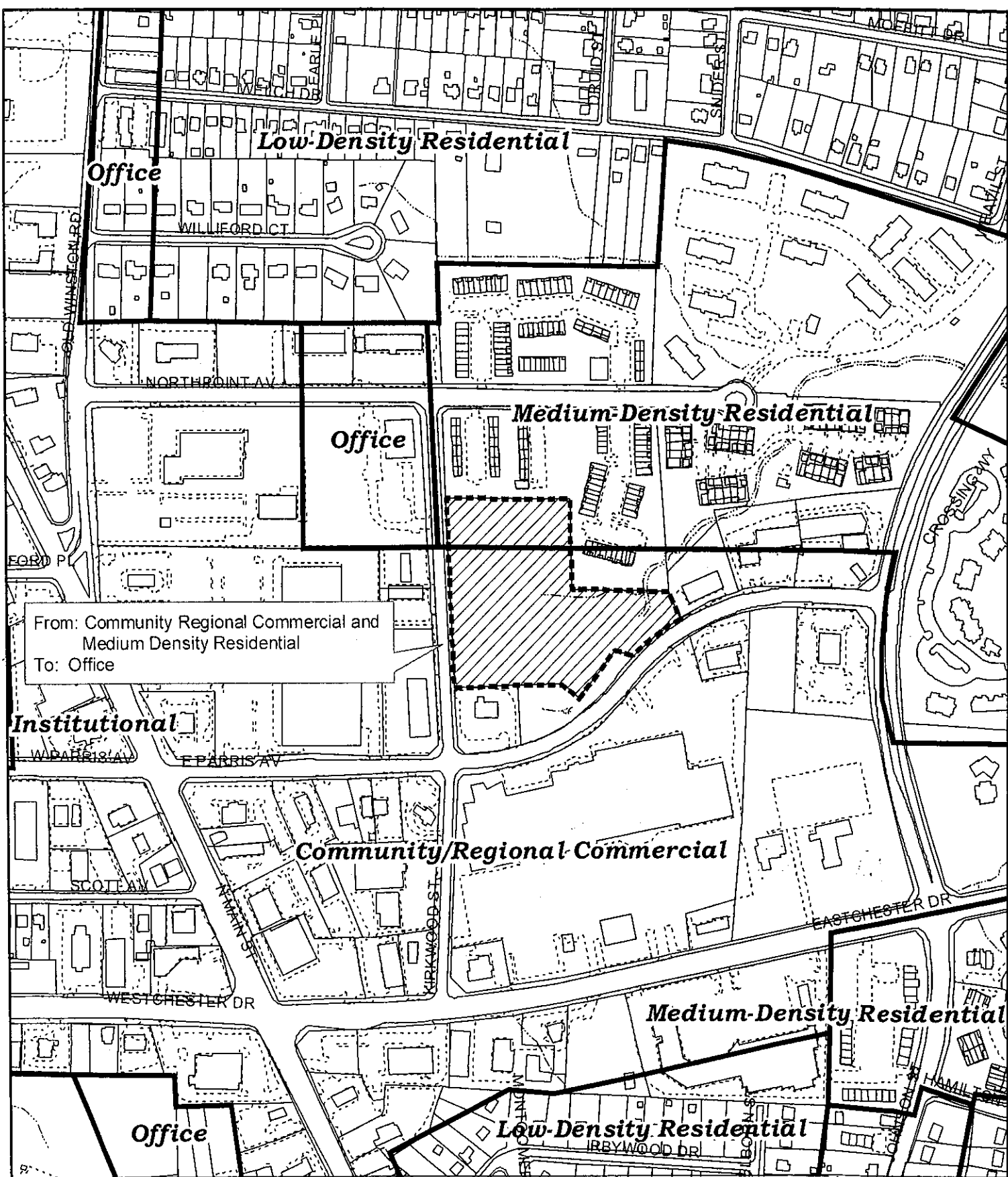
SECTION 3. This resolution shall become effective immediately upon adoption.

Adopted by City Council
this 18th day of April 2011


Lisa Vierling, City Clerk



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



PLANNING AND ZONING COMMISSION RECOMMENDATION

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

Chase Northcutt, VP RHA Housing Inc. Land Use Plan Amendment Case 11-01

A request by Chase Northcutt, VP RHA Housing Inc. to change the land use map designation for approximately 6.61 acres from Community Regional Commercial and Medium Density Residential to an Office land use designation. The site is generally located northeast of the intersection of E. Parris Avenue and Kirkwood Street.

AND

Chase Northcutt, VP RHA Housing Inc. Zoning Case 11-01 **Conditional Zoning General Office High Intensity (CZ GO-H) District.**

A request by Chase Northcutt, VP RHA Housing Inc. to rezone approximately 6.61 acres from the Shopping Center (SC) District to a Conditional Zoning General Office High Intensity (CZ GO-H) District. The site is located north of E. Parris Avenue on the east side Kirkwood Street.

Mr. Gregg Morris, Senior Planner, presented the Land Use Plan Amendment Case and Mr. Herbert Shannon, Senior Planner, presented the Zoning Case. The Planning & Development Department recommended approval of both cases as outlined in the staff report.

Speaking in favor of the Land Use Plan Amendment and Zoning Case was Mr. Scott Redinger of 4553 Technology Drive, Suite 3 in Wilmington, NC, representing RHA Housing and Mr. Eddie MacEldowney of 4341 Southern Oak Drive, High Point, NC, civil engineer of Davis-Martin-Powell, representing the applicant. Mr. Redinger provided a detailed overview of the company's proposal. Mr. MacEldowney addressed stormwater concerns and noted that staff has stated that due to frequent flooding downstream, a retention device will be required that will also provide stormwater treatment.

Speaking in opposition to the request were adjacent property owners to the north and northeast of the zoning site. These speakers were Mr. David Ogren of 244-D Northpoint Avenue, President of Northpoint Estates Homeowners Association; Ms. Megan Crnjak of 220-B Northpoint Avenue, resident of Gilwood North and Ms. Linda Hiatt of 204-L Northpoint Avenue, resident of Gilwood North. These speakers expressed concerns regarding density, traffic stormwater runoff and property values.

The Commission members had a lengthy discussion on the proposal pertaining to stormwater run-off, traffic and the requested zoning district. Commission member Cynthia Davis questioned if the bar at the corner of W. Parris Avenue and Kirkwood Street would become nonconforming if this request was approved since the applicant is proposing to develop a residential use. Mr. Shannon replied that approval of the request would not make the existing bar nonconforming. He stated that the Development Ordinance requires a 200 foot separation between a bar use and residential zoning districts and the applicants request was for an office zoning district.

The Planning & Zoning Commission recommended **approval** of Land Use Plan Amendment Case 11-01 and Zoning Case 11-01, by a vote of 6-2, with commission members Cynthia Davis and Keith McInnis dissenting. Member Cynthia Davis expressed concerns that the requested office zoning district was inappropriate since the applicant planned to develop a multifamily use.

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

**COMBINED STAFF REPORT
LAND USE PLAN AMENDMENT CASE 11-01, AND ZONING CASE 11-01
March 22, 2011**

Requests	
Applicant: Chase Northcutt, VP RHA Housing Inc.	Owner: DDG of High Point, LLC Doug Gilstrap, Manager
LUPA Proposal: To change the future land use designation for approximately 6.61 acres to an Office land use designation.	From: Community Regional Commercial and Medium Density Residential
	To: Office
Zoning Proposal: To rezone approximately 6.61 acres.	From: Shopping Center (SC) District
	To: Conditional Zoning General Office High Intensity (CZ GO-H) District

Site Information		
Location:	The site is located north of E. Parris Avenue on Kirkwood Street	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	0199858	Same
Site Acreage:	Plan Amendment	Zoning Request
	6.61 acres	Same
Current Land Use:	Plan Amendment	Zoning Request
	Vacant	Same
Physical Characteristics:	The site consists of open pasture land along its Kirkwood Street frontage and wooded toward the rear or eastern half of the site. A perennial stream runs along the southeast boundary of the site along E. Parris Avenue. The site is also wooded along this stream corridor.	
Water and Sewer Proximity:	An 8-inch City water line and sanitary sewer line runs along the site's Kirkwood Street frontage. In addition, a 15-inch sanitary sewer line runs along the stream which runs through the site.	
General Drainage and Watershed:	The site drains in an eastern direction from Kirkwood Street towards the stream at the southeastern boundary of the site. Development is subject to the Oak Hollow Lake GWA requirements. Engineered stormwater treatment measures are required for non-residential or multi-family development with a total impervious surface area greater than 24% of the site.	
Overlay District(s):	Oak Hollow Lake GWA	

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	E. Parris Avenue Kirkwood Street	Collector Street Local Street	190 ft. 590 ft.
Vehicular Access:	Two (2) points of access are allowed to Kirkwood Street. These access points must align with the existing driveways located on the west side of Kirkwood Street.		
Traffic Counts: (Average Daily Trips)	E. Parris Avenue Kirkwood Street	4,800 ADT (2005, 12-hour count) 5,300 ADT (2011, 24-hour count)	
Estimated Trip Generation:	Based upon information provided by the applicant this development will generate approximately 650 trips/day, 42 trips (entering & exiting) in the AM peak hour and 48 trips (entering & exiting) in the PM Peak hour		
Traffic Impact Analysis:	Required		Comment
	Yes	<u>No</u> X	None
Pedestrian Access:	This development is required to install sidewalks along Kirkwood Street and along its E. Parris Avenue frontage to meet the sidewalk requirements in the Development Ordinance.		

School District Comment				
Guilford County School District				
Local Schools:	Enrollment: (Fall 2010)	Capacity:	Mobile Classrooms:	Projected Additional Students:
Oak View Elementary School	499	570	7	34-36
Welborn Middle School	518	1008	0	17-19
High Point Central High School	1305	1360	0	22-24
School District Remarks:	None			

Adjacent Property Zoning and Current Land Use			
North:	RM-12	Multifamily-12 District	Multifamily development
South:	SC	Shopping Center District	Bank, vacant parcel and rear of shopping center complex
East:	RM-12 SC	Multifamily-12 District Shopping Center District	Multifamily development and automotive repair facility.
West:	CU-GB LB	Conditional Use General Business District Limited Business District	Restaurant, bar, multi-tenant retail building, car wash and City of High Point Parks & Recreational Department.

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

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement:	Goal 2: Improve High Point's older urban neighborhoods, while ensuring better future neighborhoods. Obj. 2G: Plan new neighborhoods based upon the principles of discernable boundaries, varied housing type options, both older and new housing, mixed use neighborhood centers, convenient parks and recreation facilities, sufficient and well-maintained sidewalks and infrastructure, and respect for the neighborhood's architectural character.
Land Use Plan Goals, Objectives & 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. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses;
Relevant Area Plan:	None
Zoning History:	The parcel along the opposite side of Kirkwood Street (northwest corner of E. Parris Avenue and Kirkwood Street) was granted a CU-GB District zoning in May 2010. Previous zoning activity in this area was in the late 1990s where parcels to the southwest, along E. Parris Avenue and Kirkwood Street, were rezoned to their current CU-GB District.
LUPA History:	There have been no land use plan amendments in this area in the recent past.

Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	• Medium-Density Residential: This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwelling units per gross acre. • 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 Proposal

The applicant desires to develop the northern half of this site with a multifamily development. The proposal is to develop 60 multifamily units and, depending upon future demand, an expansion of an additional 60 units for a total of 120 dwelling units, which would equal an overall density of 18 units per acre. The site currently has a commercial classification upon the

City's Land Use Map and a commercial zoning district. In order to allow multifamily uses, the applicant has submitted both Land Use Map Amendment and Zoning Map Amendment applications.

The land area along E. Parris Avenue, between N. Main Street and Johnson Street, consists of various commercial uses. Adjacent to the north and northeast of the site is an existing multifamily development. The zoning site forms a transitional area between commercial uses and multifamily uses. With limited development options along the E. Parris Avenue frontage due to the location of a perennial stream, development of the site would be oriented toward Kirkwood Street. Due to this being a transitional area, the requested CZ GO-H District zoning is compatible with adjacent uses as it would allow office uses, multifamily development and others uses that are compatible with surrounding uses.

Although the applicant is considering a multifamily development, staff recommended the applicant request GO-H District zoning. Thus, if the proposed multifamily development does not come to fruition, the site would also have the ability to develop with office uses.

Analysis of Land Use Plan Amendment Request

The applicant is requesting to amend the City's Land Use Map to change the site's land use classification from Community Regional/Commercial to an Office classification in order to allow multifamily uses. The requested Office land use designation is consistent with the accompanying requested zoning district, CZ GO-H, which will allow residential development of up to 26 units per acre as well as a range of professional, personal and business services and limited, small-scale commercial uses. The site is within a long-developed area featuring extensive multifamily housing to the north and east along with commercial development to the east, west and south. The land use designations on the property have remained the same since the early 1980s. There is an existing Office Land Use Map designation northwest of this site upon the opposite side of Kirkwood Street, for an existing office building, which also acts as a transitional area between commercial uses (car dealership) fronting along N. Main Street to multifamily developments along the south side of North Point Avenue. The requested Land Use Plan Amendment allowing a multi-family residential development is in keeping with the existing overall development pattern in the area and will add to the city's housing supply.

Zoning Request - Identified Issues

Major Issues:

❖ None

Minor Issues:

❖ None

Staff Review Comments

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

report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

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

Subject to approval of the requested Land Use Plan Amendment Case 11-01 for an Office designation, the zoning request is consistent with adopted plans.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	The site abuts an existing multifamily development along its northern and northeastern boundary. To ensure compatibility with this adjacent use, the applicant has offered to restrict building height and building mass so as to be compatible with the abutting multifamily development.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	The current SC District zoning upon the site allows significantly higher intensity development. To reduce conflict between vehicles turning into various parcels along this segment of Kirkwood Street, the applicant has offered to restrict vehicular access to Kirkwood Street to two access points which must be aligned with the existing driveways located on the west side of Kirkwood Street.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	There is a perennial stream which runs along the site's southeastern boundary. Watershed regulations require a 100 foot wide buffer, as measured from the top of the bank, along both sides of this perennial stream. Subject to obtaining required environmental permits from the City and State, a roadway or an access drive is permitted to cross this stream. To eliminate any impact to this stream, the applicant has offered to prohibit direct vehicular access to the site from its frontage along E. Parris Avenue.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;
	The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services.

Factor #5	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	Staff has not identified any adverse impacts upon adjacent properties that are not effectively mitigated by the conditions offered.

Changes in the Area:

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

The land area along E. Parris Avenue, between N. Main Street and Johnson Street, consists of various commercial/retail uses but there is limited opportunity for commercial development along the site's E. Parris Avenue frontage due to the location of a perennial stream that runs along the southeastern boundary of the site. Furthermore, there are more convenient commercial opportunities along the Eastchester Drive and N. Main Street commercial corridors, which are in close proximity to the site and they offer higher traffic volumes and better visibility. Since this area has been undeveloped for over 20 years and environmental constraints will force development towards the site's Kirkwood Street frontage, it is reasonable to suggest that commercial zoning is not the most appropriate zoning for this site and that the requested CZ GO-H District, with its option of permitting both multifamily and office uses, would be more appropriate for this transitional area.

Development Patterns:

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

The zoning site is located at a transitional area between commercial uses to the south along E. Parris Avenue and multifamily uses to the north. The requested CZ GO-H District permits less intensive uses than the current commercial zoning upon the site while allowing a wide variety of uses and development opportunities that will be compatible with the adjacent uses and development pattern in this area.

Reasonableness/Public Interest:

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

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) Subject to approval of Land Use Plan Amendment Case 11-01, the requested CZ GO-H District is consistent with adopted plans, 2) The request meets or addresses the review factors, 3) The request to permit additional office uses and higher intensity multifamily uses at this location is consistent Land Use Plan objectives that encourage infill, mixed use and higher residential densities at appropriate locations; and 4) The site is adjacent to commercial uses to the south, office uses to northwest and multifamily uses to the south, producing a transition of land uses.

Recommendation

Land Use Plan Amendment Case 11-01:

Staff recommends approval of the request to change the future land use designation for approximately 6.61 acres to an Office land use classification. The request meets the goals and

objectives of the Land Use Plan and will be in harmony with the land use pattern of the surrounding area.

Zoning Case 11-01:

Staff recommends approval of the request to rezone this 6.61 acre parcel to the CZ GO-H District. As conditioned, the requested CZ GO-H District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

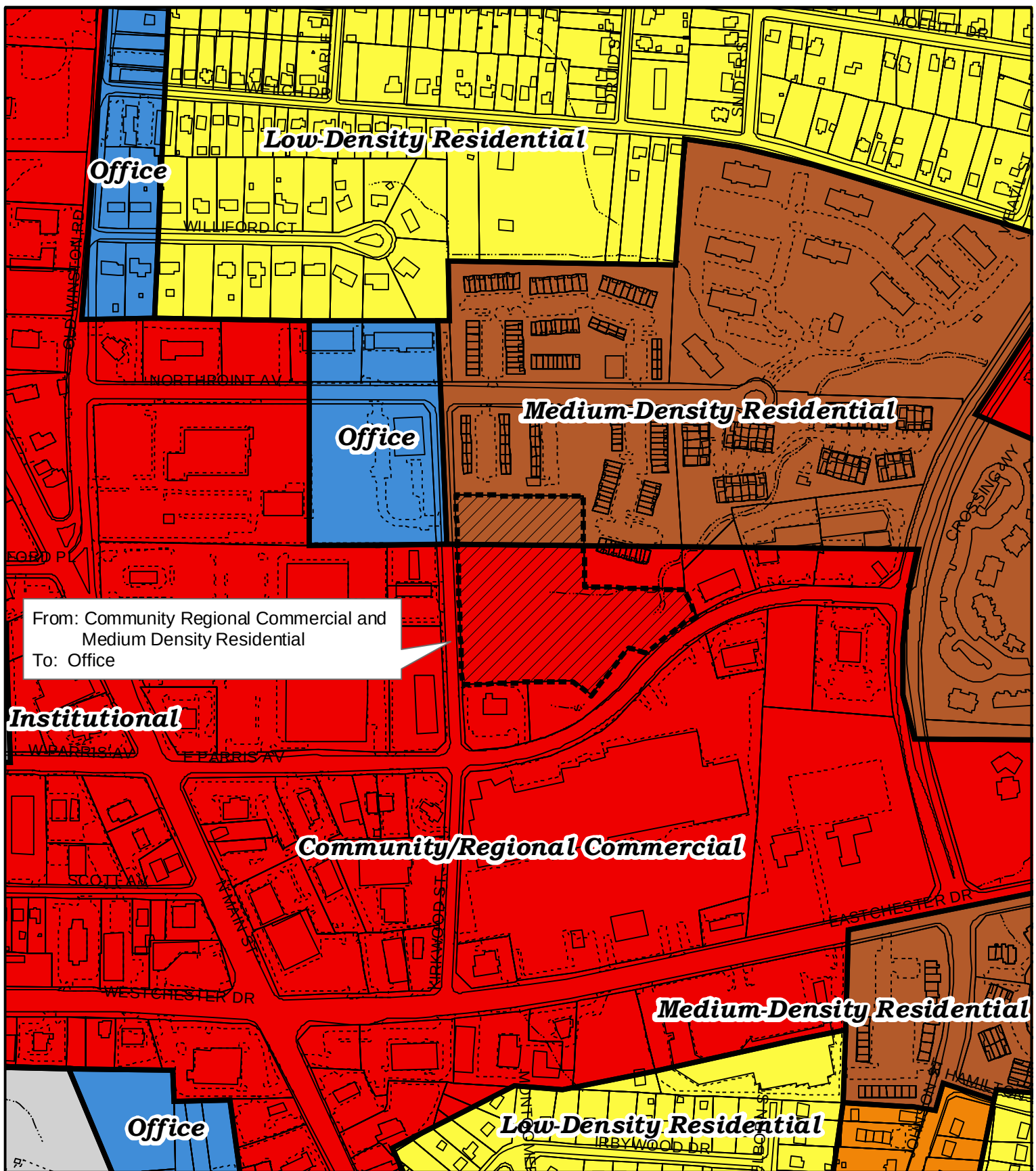
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission must place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the staff's statement or by adopting its own statement.

City Council:

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

Report Preparation

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



LAND USE PLAN AMENDMENT 11-01

Request: From: Community Regional Commercial and Medium Density Residential

To: Office

Existing Land Use Plan

Subject Property Boundary



**Planning & Development
Department**

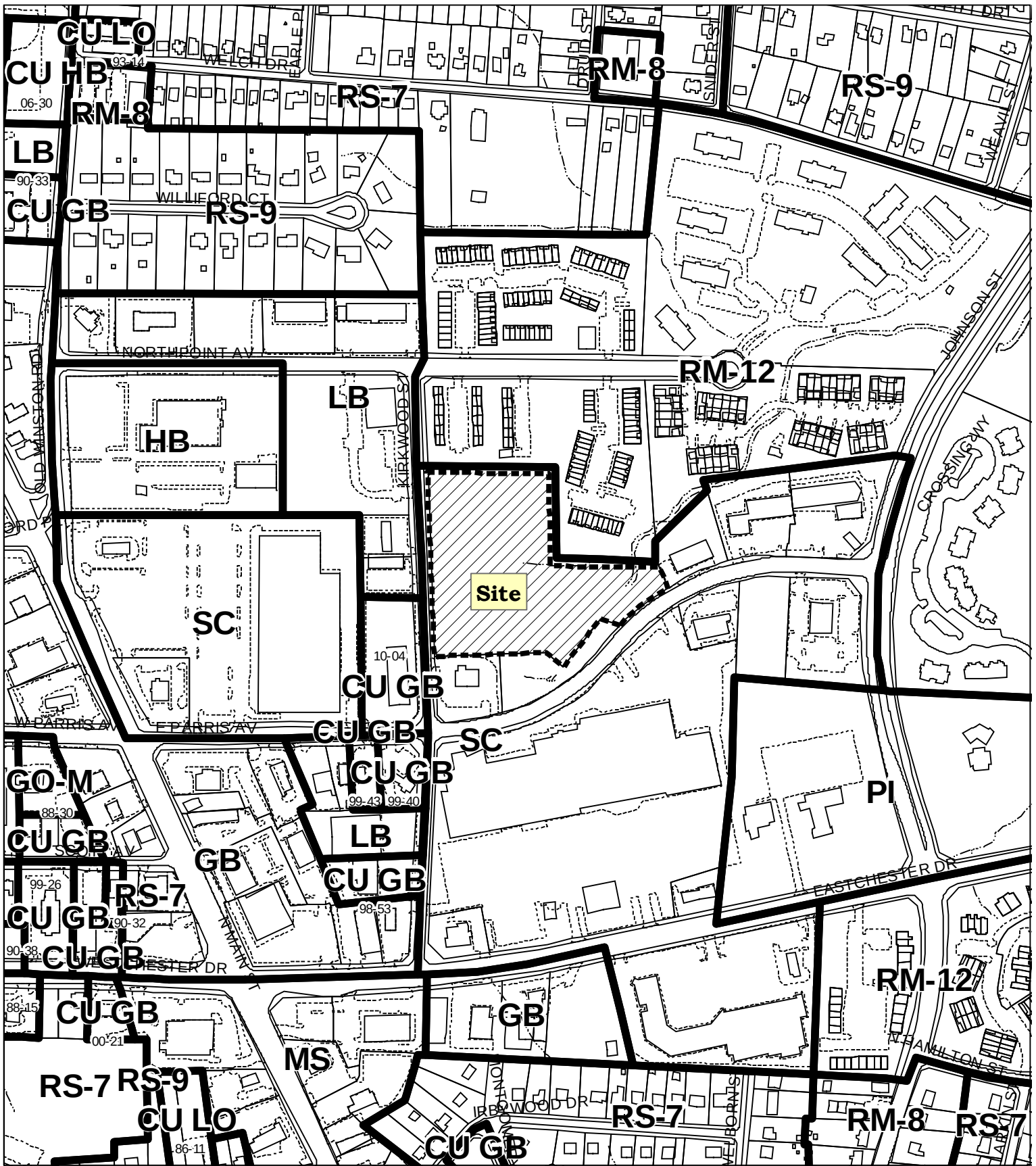
City of High Point

Date: March 14, 2011



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ZONING CASE 11-01

From: Shopping Center
To: Conditional Zoning General Office-High Intensity

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

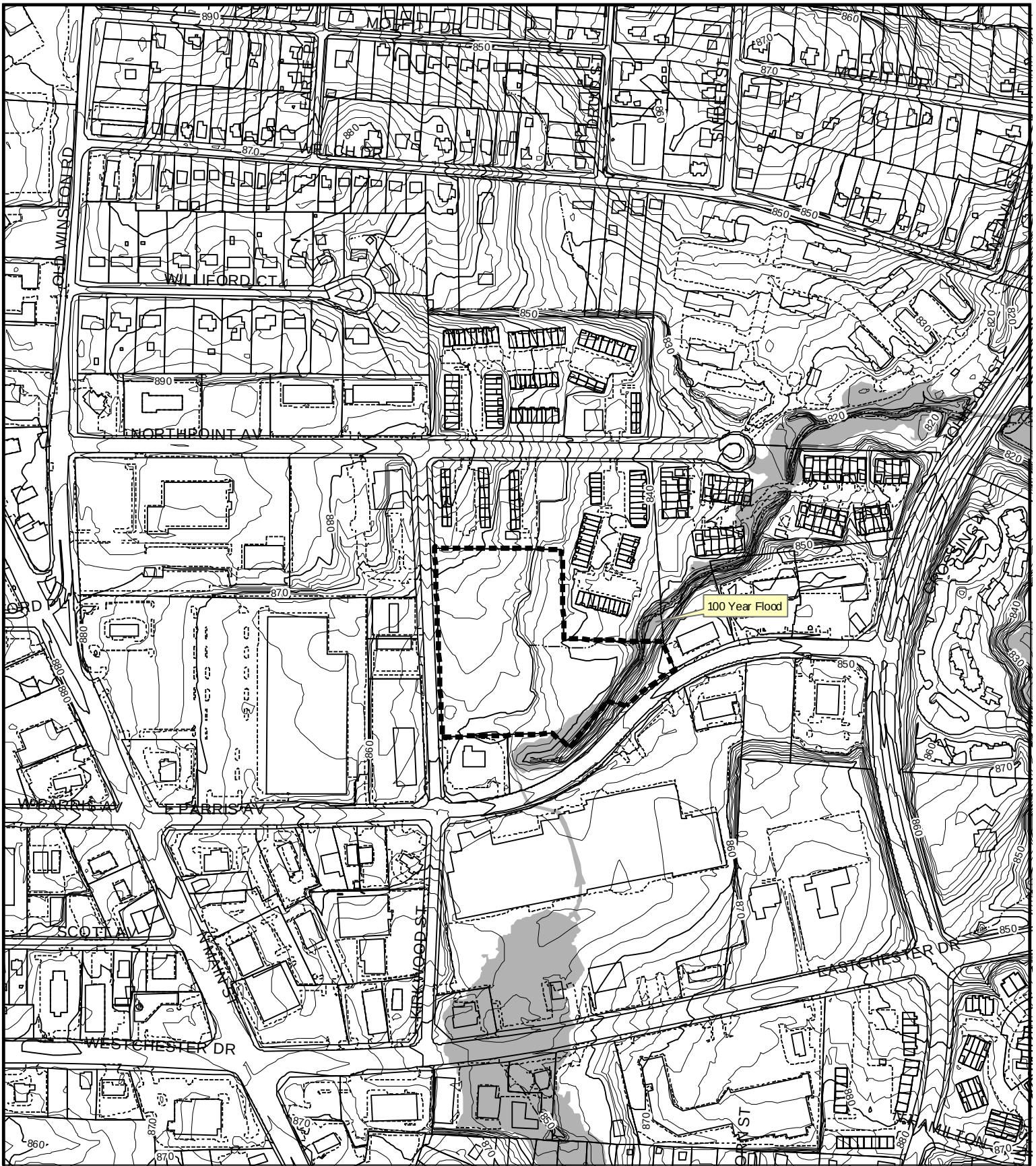
Planning & Development
Department

City of High Point

Date: March 4, 2011



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ZONING CASE 11-01

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

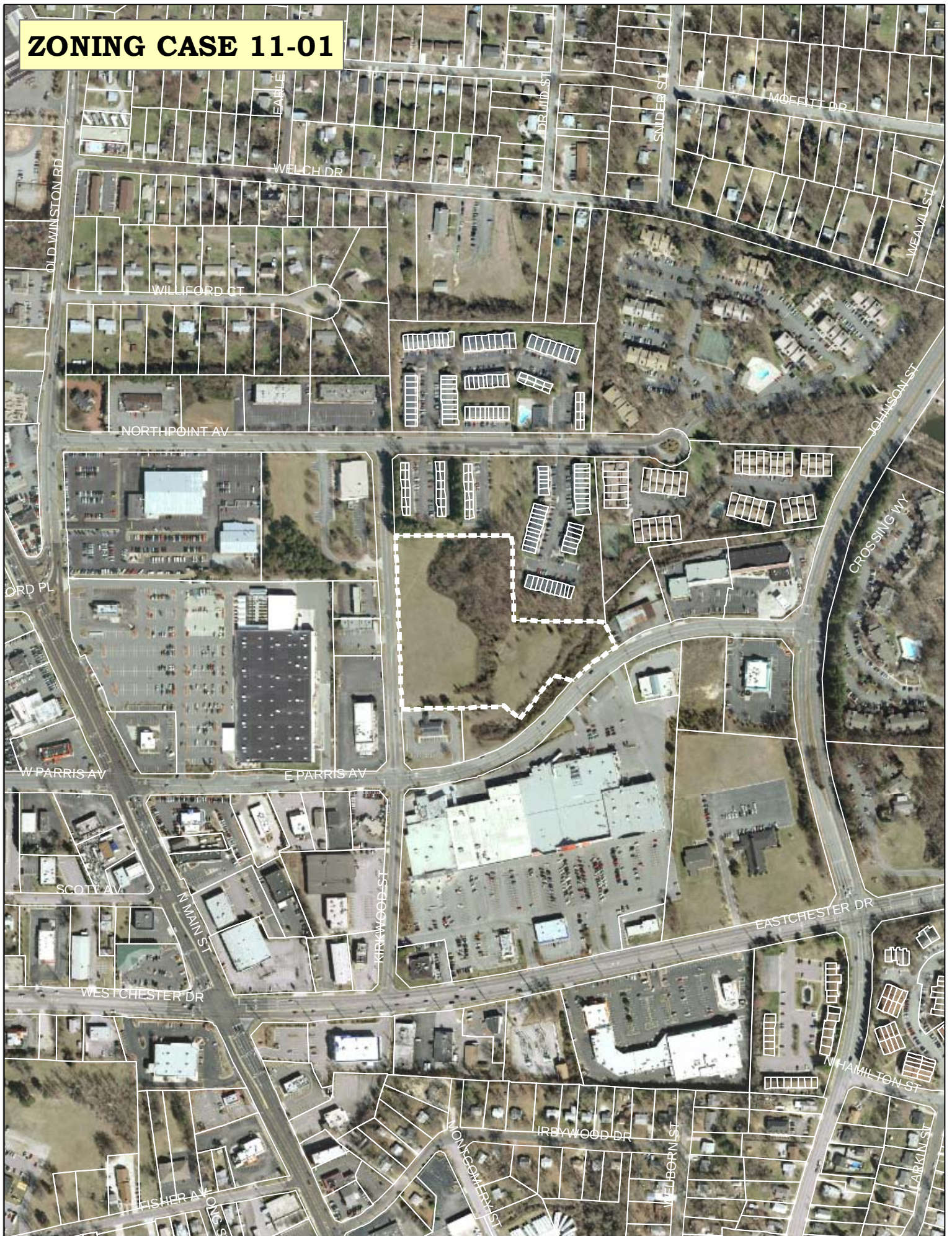
Date: March 4, 2011



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ZONING CASE 11-01



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

Zoning Case 11-01

Conditional Zoning General Office High Intensity (CZ GO-H) District

February 7, 2011
(Submitted)

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

Part I. USES: Any of the land uses allowed in the 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 Zoning Ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements: Within 80 feet of the northern boundary of the zoning site (area depicted upon Exhibit A), development shall be subject to the following dimensional restrictions:

1. Maximum building height shall be restricted to 50 feet.
2. Building footprint shall not exceed 6,500 square feet per structure.
3. In the event a structure is laying across this area (within and beyond the 80 foot area) only that portion of the structure within the 80 foot area, as depicted upon Exhibit A, shall be subject to the above noted restrictions.

B. Transportation Conditions:

1. Access:
 - a. Two (2) points of access shall be allowed to Kirkwood Street. These access points must align with the existing driveways located on the west side of Kirkwood Street.
 - b. No access shall be allowed to E. Parris Avenue.

DESCRIPTION OF PROPERTY: An approximately 6.61 acre parcel lying northeast of the intersection of E. Parris Avenue and Kirkwood Street. The property is also known as Guilford County Tax Parcel 0199858.

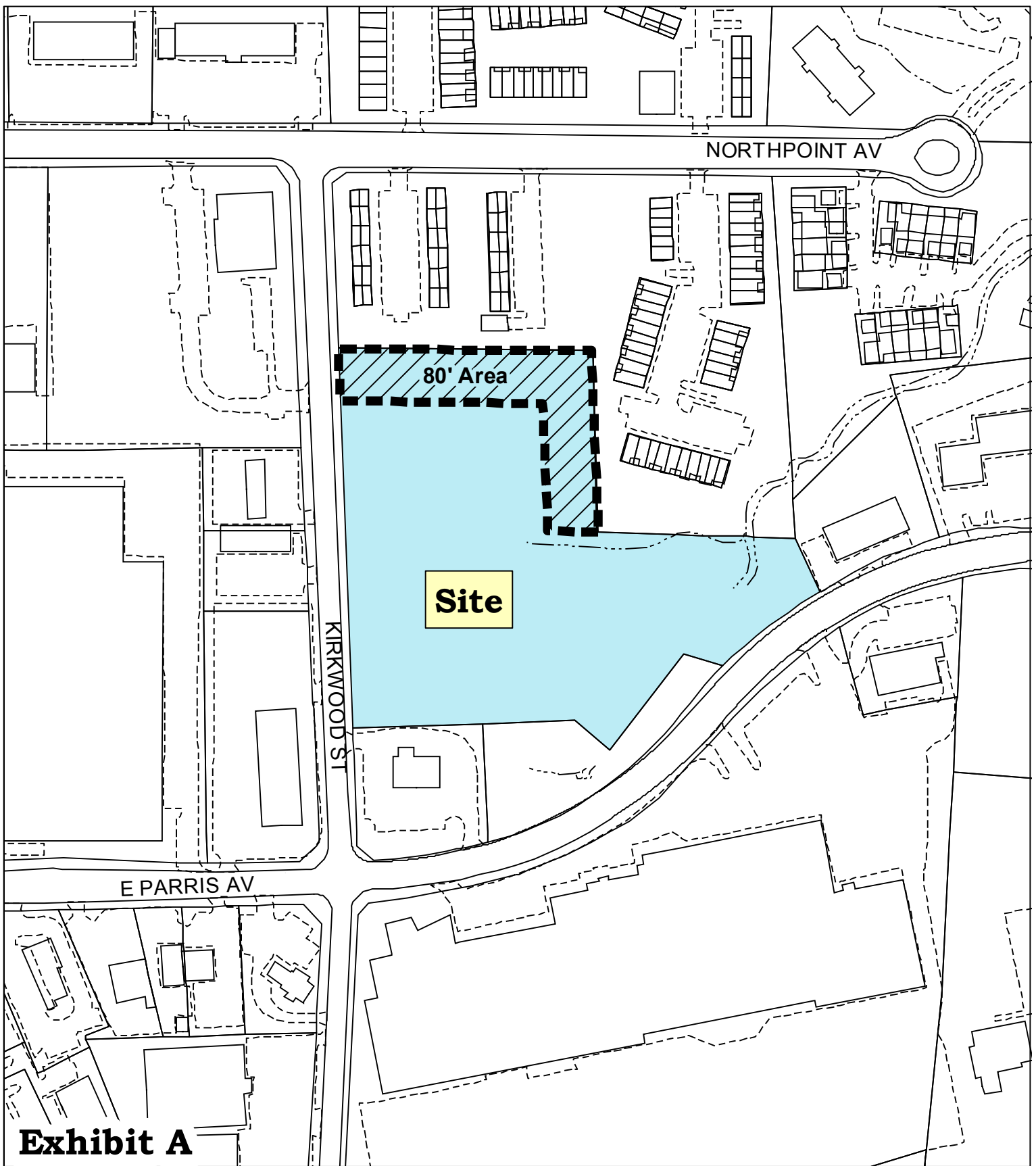


Exhibit A

ZONING CASE 11-01

From: Shopping Center
To: Conditional Zoning General Office-High Intensity

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

Planning & Development
Department

City of High Point

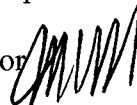
Date: March 4, 2011



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March 1, 2011

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: **Rezoning Case #11- 01**, Chase Northcutt, VP RHA Housing Inc. Property located northeast of the intersection of E. Parris Avenue and Kirkwood Street.

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

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

Access:

Two (2) points of access shall be allowed to Kirkwood Street. These access points must align with the existing driveways located on the west side of Kirkwood Street.

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

Citizens Information Meeting Report

Zoning Case 11-01

Submitted by: Scott Redinger and Caryl Mitchell on behalf
of Chase Northcutt, VP RHA Housing Inc.

Summary Notes from:

**Village at Kirkwood
Community Informational Meeting
Thursday February 24, 2011
7:00 pm**

The meeting was convened at 7:10 pm with 5 area residents, the REALTORS for both the buyer and the seller, the seller's civil engineer Eddie MacEldowney and Caryl Mitchell, Development Coordinator for the Consultant in attendance. (see the sign in sheet for resident info).

The following areas of concern were discussed:

1. The neighbors would like a **6 foot privacy fence around the property** to address concerns of residents in the neighborhood using their properties as a cut through. The neighbors stated that this property is already used as a shortcut to Raintree Apartments and they would welcome a privacy fence to reduce the foot traffic through their properties and ours.

- The owners are willing to provide that as long as it meets the city regulations

2. The neighbors wanted to know if we had any documentation regarding **crime statistics** of areas where the owner or consultant had developed LIHTC properties before. There was further discussion that police call records can be somewhat distorted and not always provide a clear picture of an area.

- Consultant responded that to our knowledge there is no cumulative database kept that tracks those types of statistics. However, the neighbors then asked us to provide names and locations of similar projects so that they could do their own research. Consultant agreed to discuss with owner and get back to the neighbors by mail.

3. Neighbors expressed concerns regarding the **water runoff to the creek** behind their properties. They requested that we do an underground bio retention pond for cosmetic and safety purposes. The engineer answered several questions for them. The neighbors also stated they would want to see our final site plans and have a voice in that regarding the buffers and retention pond when the time came.

- The engineer will discuss the concerns with the owner and the city as we move through this process. The consultant will keep those that inquired about this further informed as we go along.

4. Area residents wanted to know more details regarding the Village at Kirkwood **leases**. Seemed to be some concerns that lease would be too easy to break, too short or that management would run no deposit/two months free rent kinds of specials.

- Consultant agreed to research those questions further and if possible, provide a copy of an example lease

5. Neighbors wanted to know who the **management company** would be and if the manager would be **Full Time**. If not FT, then specifically what? Where are they based out of? Neighbors feel strongly that a Full Time manager is essential to ensuring that the Village at Kirkwood is a good neighbor by catching things early on.

- Consultant explained that all decisions had not been made yet, but that more than likely it would be a FT manager. In addition the client/owner has not chosen a management company but that as soon as we knew for sure who it would be, we would be happy to let them know.

6. Attendees wanted to know timetable of zoning application and funding application processes.

- Dates for both events were given to them

7. Neighbors also expressed a desire for Village at Kirkwood to be part of the neighborhood by participating in neighborhood watch programs, assisting with area issues such as traffic, water runoff, etc.

- As part of our desire to be a good neighbor, consultant stated that owner would also want to work together to better the neighborhood and assist in issues as needed.

8. Residents asked if traffic turn lanes or traffic study would be required. The concern is that people do not stop at the stop signs at Northpoint and Kirkwood intersection.

- Advised attendees that at this time a traffic impact study is not required, but that perhaps the stop sign issue could be addressed through a neighborhood action with the city at a later time.

Summary of Comments: Neighbors did not appear to have any concerns regarding the elevations or floor plans. Felt that the design would be very attractive and good for the area. They were all open to the development but looking for reassurances regarding the management of the property and the overflowing creek. Consultant believes that several will address their concerns at the P & Z meeting on March 22. Meeting was adjourned around 8:10pm.



SCOTT A. REDINGER, INC.
HOUSING CONSULTANT AND DEVELOPER

February 15, 2011

Dear Property Owner;

This letter is to invite you to attend an informational rezoning meeting regarding the proposed "**Village at Kirkwood**" apartments for families to be located on 2208 Kirkwood Street between Northpoint Avenue and E. Parris Avenue. The tract is currently zoned SC and we have submitted a conditional district rezoning application to request the zoning be changed to GOH. As developers of the proposed project, we feel it is important to take the time and meet with the area homeowners and businesses so that we can answer any questions you may have.

Enclosed you will find a site plan, elevation and a High Point Planning & Development Department mandated statement outlining the purpose of the informational meeting and the zoning process. Additional information will be available at the meeting.

Meeting Date, Time and Location:

**Thursday, February 24, 2011
7 pm-8pm
175 Northpoint Avenue
Suite 206**

If you have any questions, please feel free to give me a call at 910-793-2850. We look forward to seeing you at the meeting.

Sincerely,

SCOTT A. REDINGER, INC.

Caryl W. Mitchell,
Development Coordinator
Representative for RHA Housing, Inc.



The Village at Kirkwood

High Point, North Carolina

RHA
Housing, Inc.



SCOTT A. REDINGER, INC.
HOUSING CONSULTANT AND DEVELOPER

Development Partners

City of High Point, NC GIS



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

Map Scale:
1 inch = 200 feet

**Information Sheet
The Village at Kirkwood
2208 Kirkwood Street
High Point, NC**

The Village at Kirkwood

RHA Housing, Inc. from Atlanta Ga. hopes to develop The Village at Kirkwood, a 60 unit family apartment community with community space at 2208 Kirkwood Street. The Village at Kirkwood will have 8 one (1) bedroom units, 36 (2) bedroom units and 16 three (3) bedroom units.

Community Amenities

The units will have generous size rooms, washer/dryer hookups, and ample closet space. The two and three bedroom units will each have two baths. 10% of the units will be fully handicapped accessible. All apartments will be built to Energy Star standards to help keep down residential utility bills. The Village at Kirkwood will have a large community building with a large meeting room with attached kitchen for resident socializing, an exercise room, library/computer room, laundry facilities and a screened in porch. The property will be well landscaped and will include two playgrounds and a picnic shelter with tables and grill.

Purposes of The Village at Kirkwood

The purpose of The Village at Kirkwood is to provide a secure, affordable housing development for working families with incomes 60% or less than the Area Median Income (AMI).

Income and rents: The developers expect to receive funding from the North Carolina Housing Finance Agency Low Income Housing Tax Credit Program, which places income limits on residents.

The 2010 maximum income is currently:	<u>Income</u>
one person	\$24,360
two persons	\$27,840
three persons	\$31,320
four persons	\$34,800

Maximum rents are expected to be:	<u>Bedrooms</u>	<u>Rent</u>
	1	\$525
	2	\$650
	3	\$775

RHA Housing, Inc.

RHA Housing, Inc. is a Georgia based nonprofit corporation, whose purpose is to develop affordable housing for families, elderly and students. Since its incorporation RHA Housing has developed 23 apartment communities with 2,872 units.

Location of The Village at Kirkwood

The Village at Kirkwood is conveniently located on Kirkwood Street between E. Parris Avenue and Northpoint Avenue just east of Main Street behind the Home Depot. It offers employment opportunities, grocery stores, restaurants, banks and entertainment all within walking distance. In addition, bus stops are located directly in front of the apartments and on the two adjoining streets at the end of the blocks.

The Village at Kirkwood Design and Construction

RHA has selected Tise-Kiester Architects from Chapel Hill as the project architect. Don Tise, a principal in the firm, has a proven track record of designing attractive and well planned communities for families.

Weaver-Cooke Construction of Greensboro will serve as the general contractor for The Village at Kirkwood. This firm has an extensive background in building apartments, retirement communities, hotels, and nursing homes.

Ownership of The Village at Kirkwood

RHA will create a limited partnership to own The Village at Kirkwood. RHA will serve as the general partner.

Management of The Village at Kirkwood

RHA will select a management agent that is experienced in managing apartment communities.

Development Consultant of The Village at Kirkwood

Scott A. Redinger, Inc. (SAR) will serve as the development consultant of The Village at Kirkwood. SAR has developed over 40 apartment communities for senior citizens, families, and special needs populations.

If you have any questions concerning the Village at Kirkwood please call Caryl W. Mitchell, Development Coordinator with Scott A. Redinger, Inc. at (910) 793-2850 or Chase Northcutt, Vice-President of RHA Housing, Inc. at (404) 364-2937.

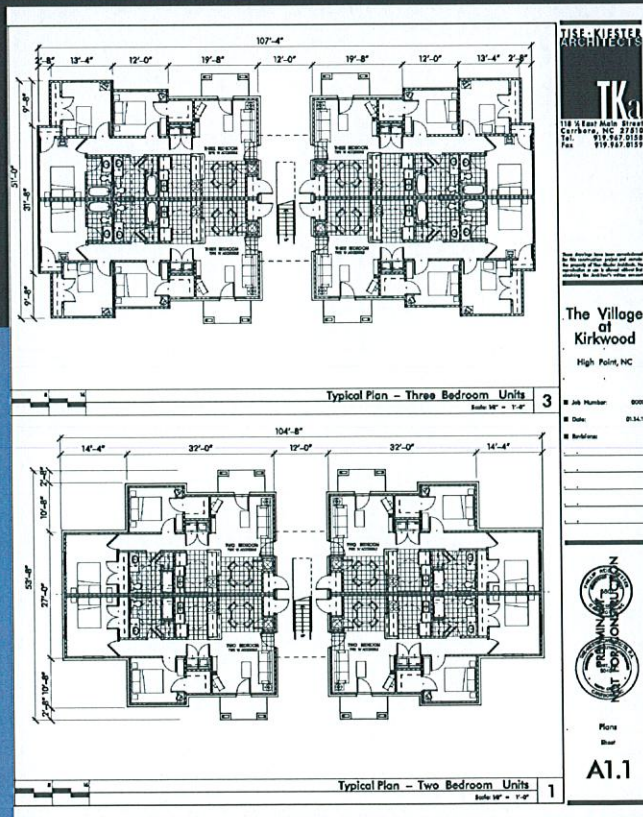
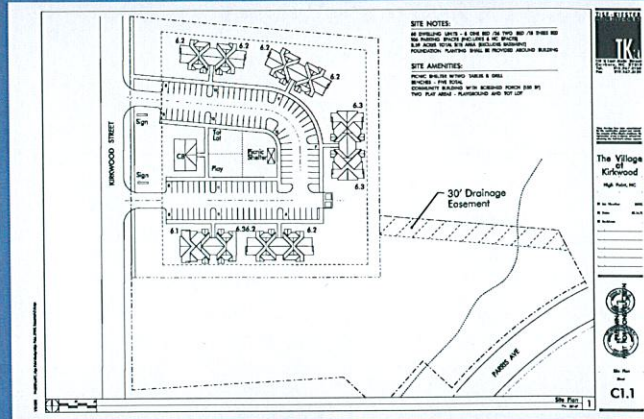
City of High Point, NC GIS



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Map Scale: 1 inch = 200 feet

The Village at Kirkwood Site Plan



The Village at Kirkwood Unit Floor Plans

The Village at Kirkwood

A Community for Families



60 unit apartment community for families

8 - one bedroom units

36 - two bedroom units

16 - three bedroom units

The Village at Kirkwood Amenities

I. Community Building

Laundry Facility
Exercise Room
Office/Storage Room
Laundry Facilities

Computer/Library Room
Large Meeting Room with Kitchen
Screened-in Porch

II. Apartments

10% Fully Handicap Accessible Units
Washer/Dryer hookups
36" Wide Doors
Energy Star Certified

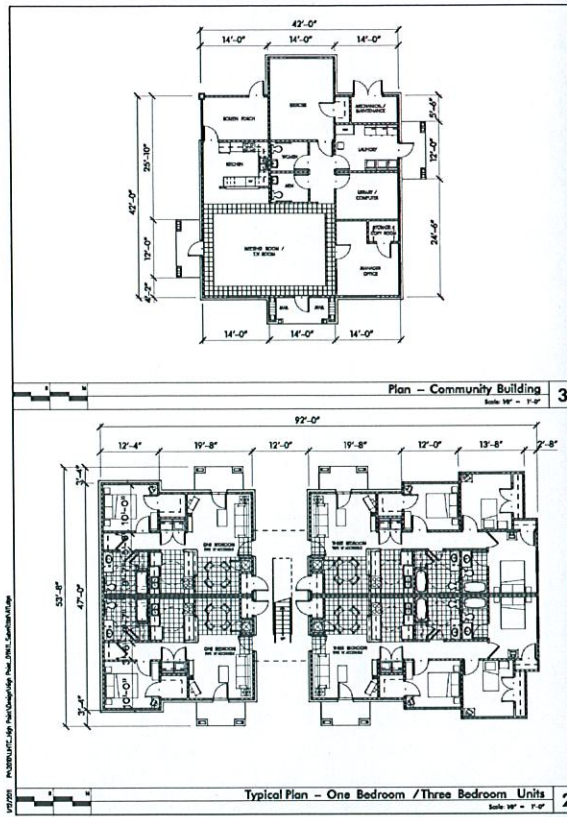
Grab Bars in Bathrooms
Front Control Appliances
Emergency Pull Cords

III. Outside

Picnic/Grilling Area
Public Transportation Avail.
Exterior Brick and Vinyl

Playground and Tot Lot w/benches
30 Yr Antifungal Shingles
Convenient to shopping, entertainment & work opportunities

The Village at Kirkwood Unit Floor Plans



RHA Housing, Inc. Atlanta, GA

- Affiliate of Resource Health Care of America
- Affordable Housing Developer
- Owns Healthcare Facilities, Nursing Homes and Group Homes for the Disabled
- Housing and Long Term Care Providers
- Non-profit Corporation

LaSalle at Lincoln Heights
Charlotte, NC



TISE-KIESTER
ARCHITECTS
TKa
TAYLOR SENIOR HOMES
WILMINGTON, NC



WWW.TISEKIESTER.COM



McCARTHY COURT SENIOR LIVING
NEW BERN, NC



WWW.TISEKIESTER.COM

Family Development in Georgia
developed by RHA Housing, Inc.



Clubhouse for Family Development
developed by RHA Housing, Inc.



Name	Property Address	Contact Number	Email
David Ogren	244-D Northpoint Ave	[REDACTED]	[REDACTED]
EDDIE SALCIN	201 D N POINT AVE	[REDACTED]	[REDACTED]
Meghan Crnjak	220 B Northpoint Ave	[REDACTED]	[REDACTED]
Sandy Blackburn	226-B Northpoint Ave	[REDACTED]	[REDACTED]
Bert Hayes	175-Northpoint Ave	[REDACTED]	[REDACTED]
Randy Davis	1711 Chestnut Glen Way	[REDACTED]	[REDACTED]
Dawn Sherrin	175 Northpoint Ave	[REDACTED]	[REDACTED]

David Ogren 244-D Northpoint Ave
EDDIE SALCIN 201 D NPOINT AVE
Meghan Crnjak 220 B Northpoint Ave
Sandy Blackburn 226-B Northpoint Ave
Bert Hayes 175-Northpoint Ave
Randy DAVIS 1711 Chestnut Glen way
Dwain STEVEN 175 Northpoint Ave

ANDERSON RAYMOND J
5641 LAKESIDE DR
PFAFFTOWN NC 27040

BAKER HIGH POINT LLC
PO BOX 105842
ATLANTA GA 30348

BALIC SERIF & VAHDETA
228-J NORTHPOINT AVE
HIGH POINT NC 27262

BASILE JOSEPH
304 SHADOWLAWN DR
JAMESTOWN NC 27262

BECK, JANET M
208-D NORTHPOINT AVE
HIGH POINT NC 27265

BENNINGTON RICHARD R & ESTIE
3707 BRANDON DR
HIGH POINT NC 27265

BLACKBURN SANDRA
226-E NORTHPOINT AVE
HIGH POINT NC 27262

BLANCHARD, KIRSTIN LYNN
234 NORTHPOINT AVE UNIT F
HIGH POINT NC 27262

BLOCK, VANETTE
208-G NORTHPOINT AV
HIGH POINT NC 27262

BRADIAN INVESTMENTS LLC
1222 EASTCHESTER DR
HIGH POINT NC 27265

BRYDEN PARTNERS LLC
2706 BARTRAM PL
WINSTON SALEM NC 27106

BUCKLEY JEAN-MARIE
2183 MEADOW RUN DR
GREENSBORO NC 27455

CAROLINA CONFERENCE ASSOC SEVENTH
DAY ADVENTIST INC
PO BOX 560339
CHARLOTTE NC 27256

CARTER, PARIS NICOLE
200-I NORTHPOINT AV
HIGH POINT NC 27262

CHELEDNIK JAMES
204-C NORTHPOINT AVE
HIGH POINT NC 27262

CILOVIC SEAD & SLAVICA
228-I NORTHPOINT AVE
HIGH POINT NC 27262

CITY OF HIGH POINT BOARD OF
ALCOHOLIC CONTROL
PO BOX 230
HIGH POINT NC 27261

CLODFELTER ROGER DALE JR
208 NORTHPOINT AVE UNIT F
HIGH POINT NC 27262

COLE, KENT P
226-A NORTHPOINT AV
HIGH POINT NC 27262

CONRAD SONDRRA M
228-C NORTHPOINT AVE
HIGH POINT NC 27262

CORRIAS, NIDDY M
234-E NORTHPOINT AV
HIGH POINT NC 27262

CRNJAK, ZDRAVKO
215-F NORTHPOINT AVE
HIGH POINT NC 27262

CRNJZK ZORAN
220-B NORTHPOINT AVE
HIGH POINT NC 27262

DAWSON TERRY WAYNE & ANN W
2102 MAST AVE
HIGH POINT NC 27265

DDG OF HIGH POINT LLC
PO BOX 5468
HIGH POINT NC 27262

DICKERSON, WAYNE E & VELVET B
45 LINDEN CT
CHRISTIANSBURG VA 24073

DYER DONALD J & NANCY M
106 ROYAL RD
JAMESTOWN NC 27282

ELLIS DONALD BAXTON
226 NORTHPOINT AVE UNIT D
HIGH POINT NC 27262

FIRST STATES INVESTORS
PO BOX 167129
IRVING TX 75016

FRIZZELL, KRISTIN P
224-G NORTHPOINT AVE
HIGH POINT NC 27262

GRUBB CARL W JR
3512 GARRELL ST
ARCHDALE NC 27263

GRUBB PROPERTIES INC
PO BOX 1420
LEXINGTON NC 27293

H P M LIMITED PARTNERSHIP
3618 MATTHEWS-MINT HILL RD
MATTHEWS NC 28105

HAMM ELLA SUE TRUSTEE
226-B NORTHPOINT AV
HIGH POINT NC 27262

HIATT LINDA
204-L NORTHPOINT AV
HIGH POINT NC 27262

HOLBROOK, BONNIE S
200-C NORTHPOINT AV
HIGH POINT NC 27265

HOULT, GEORGE I & SUSAN A
1324 FLORIDA ST
HIGH POINT NC 27262

IDOL HELEN CRAVEN
3827 JOHNSON ST
HIGH POINT NC 27265

IDOL ROBERT WENDELL
111 BEVERLY RD NE
ATLANTA GA 30309

KENNEDY HOLLAND WESLEY
3709 MULBERRY LN
HIGH POINT NC 27265

LANEY R BRUCE & NANCY W
1401 WESTMINISTER DR
HIGH POINT NC 27262

LOUIS, LUDGMY L & BRANDY J
224-B NORTHPOINT AVE
HIGH POINT NC 27262

MARION ELIZABETH CRAVEN
2203 AGNES ST
HIGH POINT NC 27265

MARTIN, ROSS M & ASHLEY M
224-C NORTHPOINT AV
HIGH POINT NC 27262

MATSUOKA TETSUO
2995 BETHESDA RD
WINSTON SALEM NC 27103

MCCOY SHANNON LYNN
228-D NORTHPOINT AVE
HIGH POINT NC 27262

METOYER BRYAN MIKKEL
224-J NORTHPOINT AVE
HIGH POINT NC 27262

MOSLEY, CLINTON E
6321 NORTHSHORE DR
WILMINGTON NC 28411

MSTA INVESTMENTS INC
136 E PARRIS AVE
HIGH POINT NC 27262

NASH MARTIN A
109 PRESIDIO POINTE
CHARLESTON WV 25313

NORTH CAROLINA TRUST CO HARRY D
ADAMS FAMILY TRUST
1301 GILBROOK CT
HIGH POINT NC 27262

NORTH POINT ESTATES HOMEOWNER
ASSOC INC
238 NORTHPOINT AVE
HIGH POINT NC 27262

NUNN, LARRY R
8116 THORNDIKE RD
GREENSBORO NC 27409

PATTERSON MARION S JR & RONDA H
506 DORADO DR
HIGH POINT NC 27265

PEELE FRED J
220 NORTHPOINT AVE APT F
HIGH POINT NC 27262

PEEPLES-HOPKINS TERESA H
3405 CHERRYBROOK DR
JAMESTOWN NC 27282

POSTON TERRI R
200 NORTHPOINT AVE UNIT A
HIGH POINT NC 27262

REDDICK, ADD DEWEY JR
204-B NORTHPOINT AV
HIGH POINT NC 27262

REGAL HOLDINGS LLC
4308 GELDING CT
HIGH POINT NC 27265

ROBBINS PROPERTIES LLC
120 WESTCHESTER DR
HIGH POINT NC 27262

RULE ROBERT A & BEATRICE H
1205 BROOKFIELD CT
HIGH POINT NC 27262

SALCIN, SEDIN S
201-D NORTHPOINT AVE
HIGH POINT NC 27262

SCHLICHER, JOSEPH S& TAMMY L
3426 CORVAIR DR
HIGH POINT NC 27265

SCHWARZ PROPERTIES LLC
PO BOX 1104
ASHEBORO NC 27204

SHELTON JOANN M
208 NORTHPOINT AVE APT K
HIGH POINT NC 27262

STANKOVIC, LJUBOMIR ; STANKOVIC,
BOSKO
5720 FRIENDSWOOD DR
GREENSBORO NC 27409

TEMPLE, HERBERT D
208-C NORTHPOINT AV
HIGH POINT NC 27262

THOMAS DONALD W
PO BOX 32
WENDELL NC 27591

THURMAN A BALLARD LIVING TRUST
5609 FARNAN ST
OMAHA NE 68132

TIMMONS, SAN JUAN & CHRISTINA
1513 COUNTRYSIDE DR
GREENSBORO NC 27405

TOWNSEND CHARLES DAVID
200-F NORTH POINT AVE
HIGH POINT NC 27262

TYREE, STEVEN W
1127 HAMPTON PARK DR
HIGH POINT NC 27265

VAY RENTAL PROPERTIES LLC
PO BOX 5668
HIGH POINT NC 27262

WALL JAMES H & MARY J
172 COMMUNITY BAPTIST CH RD
MAYODAN NC 27027

WEBSTER, JAMISON P & JENNIFER N
1707 BANOAK CT
HIGH POINT NC 27265

WHITE JANICE E
1013 ARTISAN AVE
CHESAPEAKE VA 23323

WILLIS CHARLES K & JEAN-MARIE R
3800 CROSSTIMBERS DR
GREENSBORO NC 27410

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

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

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

WHEREAS, public hearings were held before the High Point Planning and Zoning Commission on March 22, 2011, and before the City Council of the City of High Point on April 18, 2011 regarding this proposed amendment to said *Land Use Plan for the High Point Planning Area*:

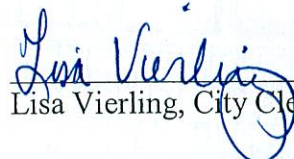
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA:

SECTION 1. That the *Land Use Plan for the High Point Planning Area* be amended by redesignating 7 acres: Guilford County Tax Parcels 0189988 thru 0189999 and 189921 thru 189931 from Low Density Residential to Institutional;

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.

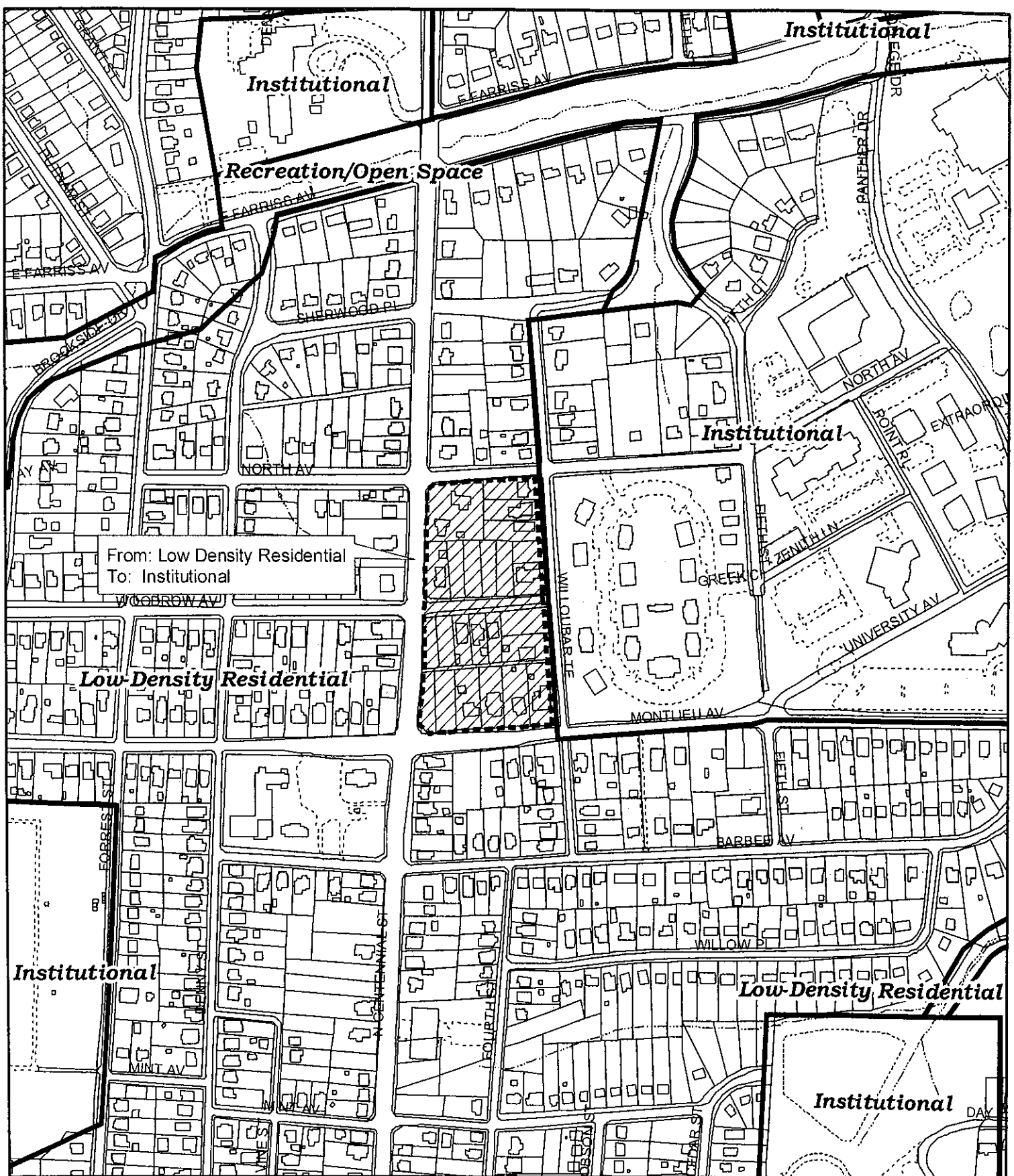
SECTION 3. This resolution shall become effective immediately upon adoption.

Adopted by City Council
this 18th day of April 2011


Lisa Vierling, City Clerk



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



LAND USE PLAN AMENDMENT 11-02

Request: From: Low Density Residential
To: Institutional

Existing Land Use Plan
Subject Property Boundary



Planning & Development
Department

City of High Point

Date: March 4, 2011



Scale: 1"=400'

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Community Development & Housing Department

2011 - 12 Annual Action Plan Public Hearing



Agenda

- Overview
- Proposed 2010-11 Action Plan
 - Program Administration
 - Community and Neighborhood Development Activities
 - Affordable Housing Activities



Primary Annual Funding Sources

- The Community Development Block Grant (CDBG) program provides funding to develop viable communities by:
 - providing decent housing,
 - a suitable living environment, and
 - opportunities to expand economic opportunities.
- HOME Investment Partnership (HOME) program provides funding only for affordable housing:
 - build, buy, and/or rehabilitate affordable housing for rent, or
 - homeownership, or
 - provide direct rental assistance to low-income people.



2011 Final Continuing Resolution Adjustments

- Changes in CDBG
 - Funding reduced by 16.4%.
 - Staff projected 15% cut so a further reduction of 1.4% or \$11,779.
- Changes in HOME
 - Funding was reduced by 11.9%
 - Staff projected no cut so HOME budgets reduced by \$59,145



Consolidated Plan Statutory Objectives

- Decent housing
 - increasing the availability of affordable permanent housing
 - retaining the affordable housing stock
- A Suitable Living Environment
 - improving the safety and livability of neighborhoods
 - eliminating blighting influences
- Expanded Economic Opportunities
 - establishment, stabilization & expansion of small businesses
 - provision of public services concerned with employment

HUD Income Guidelines

2010-11 INCOME LIMITS				
FAMILY SIZE	VERY LOW INCOME (30% MEDIAN)	LOW INCOME (50% MEDIAN)	MODERATE INCOME (80% MEDIAN)	MEDIAN
1	\$12,200	\$20,300	\$32,500	\$40,625
2	\$13,950	\$23,200	\$37,150	\$46,438
3	\$15,700	\$26,100	\$41,800	\$52,250
4	\$17,400	\$29,000	\$46,400	\$58,000
5	\$18,800	\$31,350	\$50,150	\$62,688
6	\$20,200	\$33,650	\$53,850	\$67,313
7	\$21,600	\$36,000	\$57,550	\$71,938
8	\$23,000	\$38,300	\$61,250	\$76,563



2011-12 Projected Action Plan Resources

Anticipated Funding & Sources:

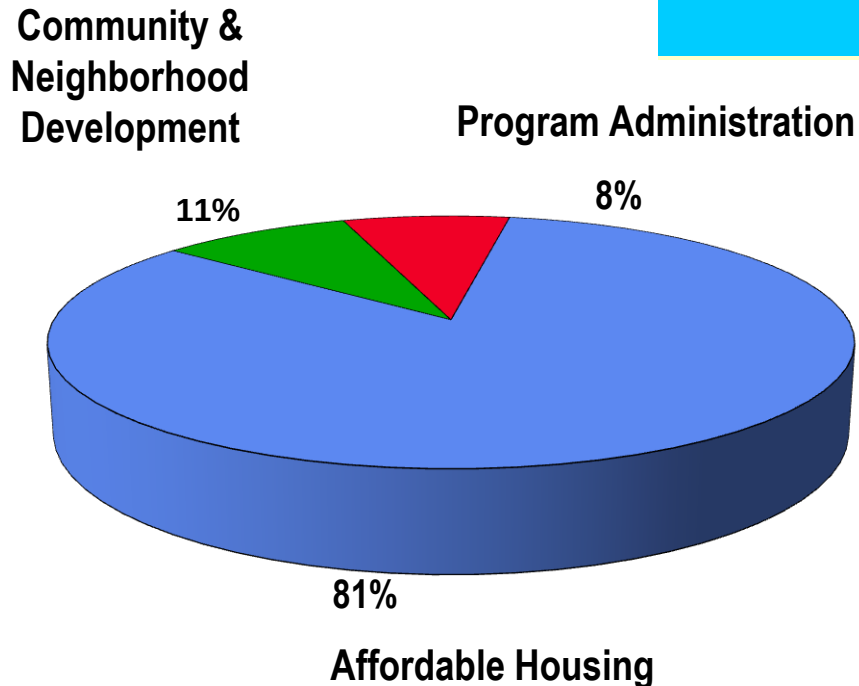
<u>Program</u>	<u>Amount</u>	<u>Percent</u>
CDBG Program Funds	\$707,959	26%
CDBG Program Income	135,000	5%
City Local Funds (HOME match)	124,590	5%
City Local Funds (EAC)	66,876	2%
Health & Human Services	40,000	1%
HOME Program Funds	935,991	34%
HOME Program Income	70,000	3%
Lead Hazard Control	200,000	7%
Neighborhood Stabilization Program Income	409,000	15%
Shelter Plus Care	<u>50,269</u>	<u>2%</u>
TOTAL	\$2,739,685	100%



2011-12 Action Plan Distribution of Resources

Expenditures by type:

Affordable Housing	\$2,227,476
Community & Neighborhood Development	298,018
Program Administration	<u>214,191</u>
Total	\$2,739,685



Program Administration

<u>Program Administration</u>	<u>HOME</u>	<u>CDBG</u>	<u>TOTAL</u>
Operating Costs	<u>\$45,599</u>	<u>\$168,592</u>	<u>\$214,191</u>
Total	\$45,599	\$168,592	\$214,191

- Salaries & benefits Director & CD Administrator;
- General Program Management and Administration
 - Preparation of required plans;
 - Prepare Analysis of Impediments to Fair Housing Choice; &
 - Performance reporting for activities to appropriate state and federal agencies.

Community & Neighborhood Development Programs

<u>Description</u>	<u>Cost</u>	<u>Type of Activity</u>
Program Delivery Costs	\$209,038	Personnel & operating costs
Shelter Plus Care	\$50,269	Provide housing to the chronic homeless
Public Service Grants	28,711	Assist public service agencies
Relocation Assistance	<u>10,000</u>	Minimum housing code enforcement
Total	\$298,018	





Recommended Public Service Grant Awards

<u>Applicant</u>	<u>Amount Requested</u>	<u>CAC Allocation</u>	<u>Activity</u>
Helping Hands Ministry	\$5,400	\$5,400	Provide emergency assistance (food, rent & utilities)
YWCA of High Point	\$12,500	\$5,094	After school programs for middle school youth
Carl Chavis YMCA	\$6,000	\$6,000	Health and wellness programs for seniors
Boys & Girls Clubs of GHP	\$10,900	\$7,267	Development programs for disadvantaged youth
High Point Heat Track & Field Club	<u>\$15,000</u>	<u>\$4,950</u>	Help l/m youths participate in AAU activities
Total	\$49,800	\$28,711	

- CAC received 13 public service grant applications totaling \$123,580.
- Funding awards reflects anticipated reduction in CDBG funds.
- If CDBG funding exceeds expectations, CAC may approve additional public service grants.



Affordable Housing Programs

<u>Description</u>	<u>Cost</u>	<u>Type of Activity</u>
Program Delivery Costs	390,994	Salaries/supplies/training
Emergency Repair Program	85,000	Major systems repair
Infill Housing	124,590	Buy properties for future development
Individual Development Accounts	57,500	Financial mgt for homeownership
Homebuyer Assistance	144,993	Assist homebuyer purchases
CHDO Activities	135,399	Homes built and sold
Neighborhood Stabilization	409,000	DPA, redevelopment, repair & acquisition
Lead Hazard Control	200,000	Lead remediation
Admiral Pointe elderly Housing	280,000	Participation in a LIHTC development
Park Terrace	250,000	Extend Grimes Ave to Asheboro St
Southside Revitalization	<u>150,000</u>	New construction/property acquisition
Total	\$2,227,476	

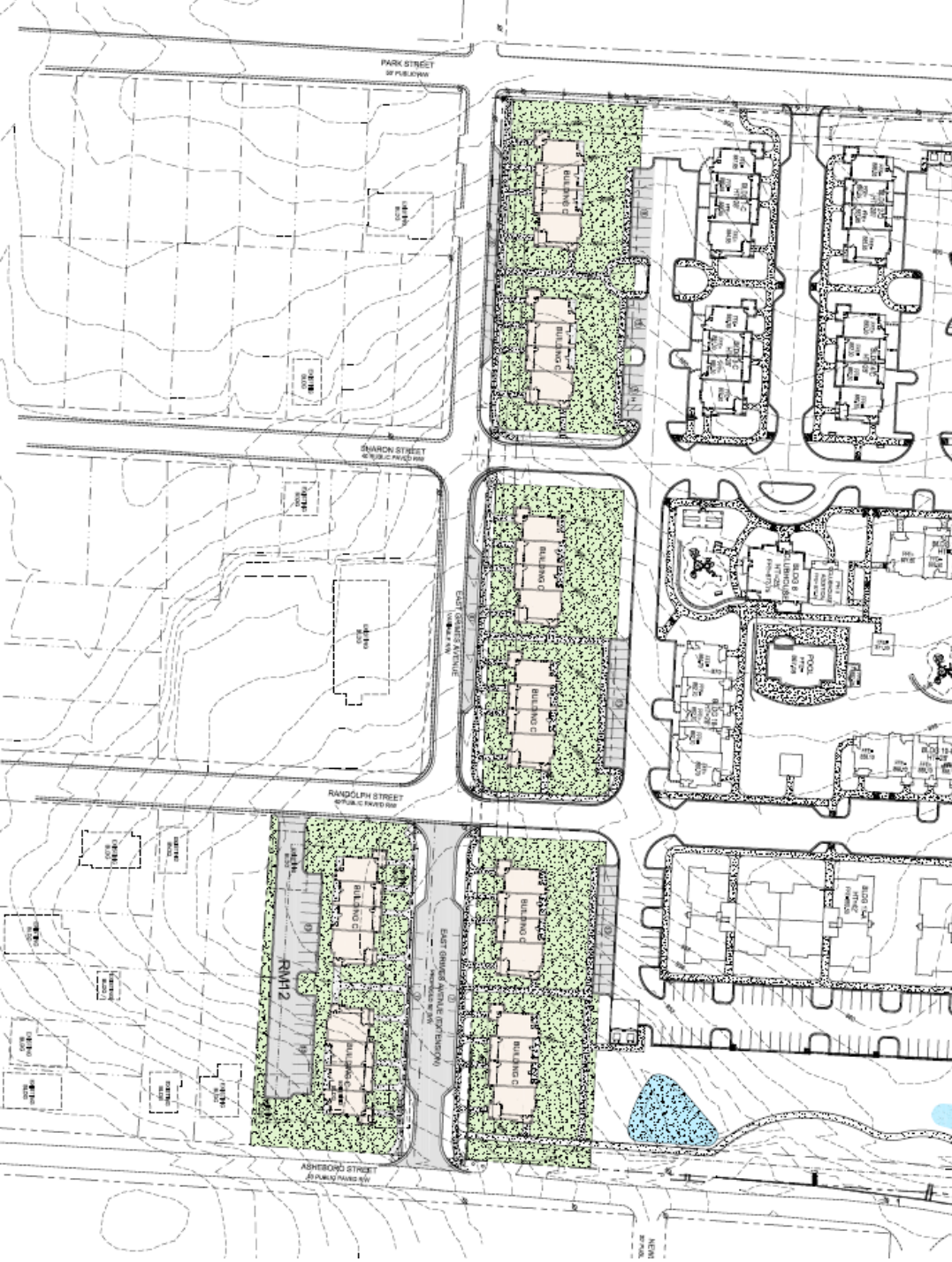
Affordable Housing Activities

- Affordable housing partners:
 - Habitat for Humanity
 - High Point Housing Authority
 - S.H.A.R.E. of NC
 - Triad EDC
 - Unity Builders



Park Terrace (Grimes Ave. Ext.)

- Joint project with HPHA
- Compliments phase 3 of Park Terrace development
- HPHA will build affordable rental units on land along Grimes.
- 1st phase is to connect Grimes to Asheboro



Park Terrace (Future Phases Along Grimes)



Admiral Pointe

- LIHTC development
- Est. funding = \$5,411,059:
 - LIHTC Equity 3,314,375
 - RPP (NCHFA) 840,000
 - CHP (HOME) 560,000
 - Bank Loan 546,864
 - Deferred Developer Fees 150,000
- 48-56 units of elderly rental housing (1&2 bedrooms);
- Rents from \$421 to \$595 based on # of bdrms & income
- Site is located on Admiral Drive off Samet Drive.

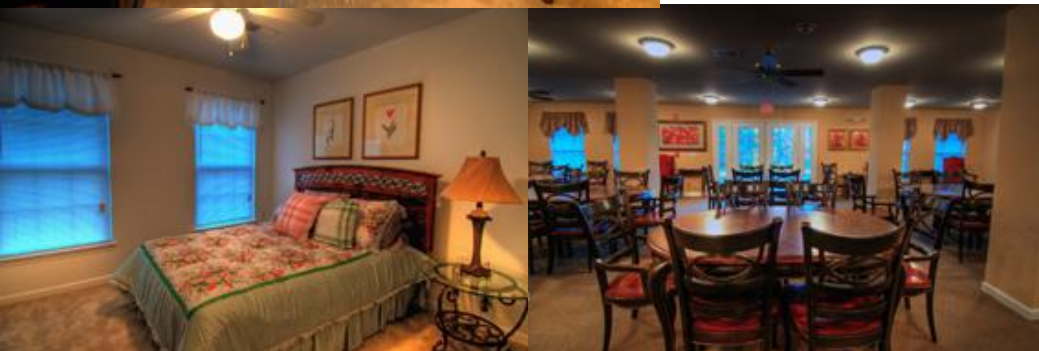




Harris Pointe in Eden, NC

Admiral Pointe Elderly Housing LIHTC Project

- Homes for 55 and older
- 1 and 2 Bedroom
- Computer Center
- TV Room
- Exercise Room
- Dishwasher and Disposal
- Reading Room
- Beauty Salon
- Medical Exam Room





2011-12 Action Plan Schedule

Washington Terrace	10-Feb-11
Public Library	17-Feb-11
CAC Retreat	3-Mar-11
Public Comment Period	March 14 thru April 12, 2011
Public Hearing-CAC	24-Mar-11
Public Hearing-Council	18-Apr-11
Submit to HUD	16-May-11



Community Development & Housing Department

Questions or comments:

- City Hall
 - Michael E. McNair, Director - 883-3676
 - Calvin Slade, Affordable Housing Manager - 883-3348
- Community & Neighborhood Development Center
 - Michelle McNair, Community Resource Manager - 883-3685

PLANNING AND ZONING COMMISSION RECOMMENDATION

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

High Point University

Street Abandonment Case 11-02

A request by High Point University to abandon an improved portion of Fifth Street between Zenith Lane (private) and North Avenue.

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

Speaking in favor of the request was Mr. Ron Guerra of 833 Montlieu Avenue in High Point, Director of Construction at High Point University. He advised the Commission that the University plans to build the School of Education in the general area of the current and previously abandon segment of Fifth Street, between Montlieu Avenue and North Avenue. Therefore, they are requesting the abandonment of Fifth Street up to North Avenue.

No one spoke in opposition.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 11-02, with the retention of a public utility easement over the entire right-of-way for the existing sanitary sewer, water, and electric utilities, by a vote of 6-2. Commission members Cynthia Davis and Keith McInnis were the dissenting votes; they desired that the request be tabled to the next meeting in order to allow time to review the University Area Plan.

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

**STAFF REPORT
STREET ABANDONMENT CASE 11-02
March 22, 2011**

Request	
Applicant: High Point University	Proposal: Abandonment of an improved portion of Fifth Street between Zenith Lane (private) and North Avenue.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Zenith Lane	Local Street (Private)	50 ft. right-of-way – 30 ft. curb & gutter
Fifth Street	Local Street	50 ft. right-of-way – 30 ft. curb & gutter
North Avenue	Local Street	50 ft. right-of-way – 39 ft. curb & gutter

Adjacent Property Zoning and Current Land Use		
North	Residential Single-Family-7 (RS-7)	Single-family residences
East	Conditional Use Public Institutional (CU PI)	University Campus
South	Conditional Use Public Institutional (CU PI)	University Campus
West	Conditional Use Public Institutional (CU PI)	University Campus (Greek Village)

Analysis

The right-of-way being considered for abandonment is approximately 0.44 acres in area, being approximately 50 feet in width by 390 feet in length. The right-of-way contains an improved section of Fifth Street. All abutting property is owned by High Point University. An abutting section of Fifth Street (between Montlieu Ave and Zenith Lane) was abandoned in 2008 with the retention of a public utility easement over the entire right-of-way. The university intends to keep the roadway open to provide access to existing and proposed campus improvements. Easements shall be retained for the existing utilities which includes water, sewer, and electric. If the area is redeveloped the utilities may be relocated and/or abandoned per City standards. Since this right-of-way only serves campus facilities, no property is denied reasonable ingress or egress.

Findings

The Technical Review Committee (TRC) reviewed this request on February 16, 2011 and identified no issues that would prevent its abandonment.

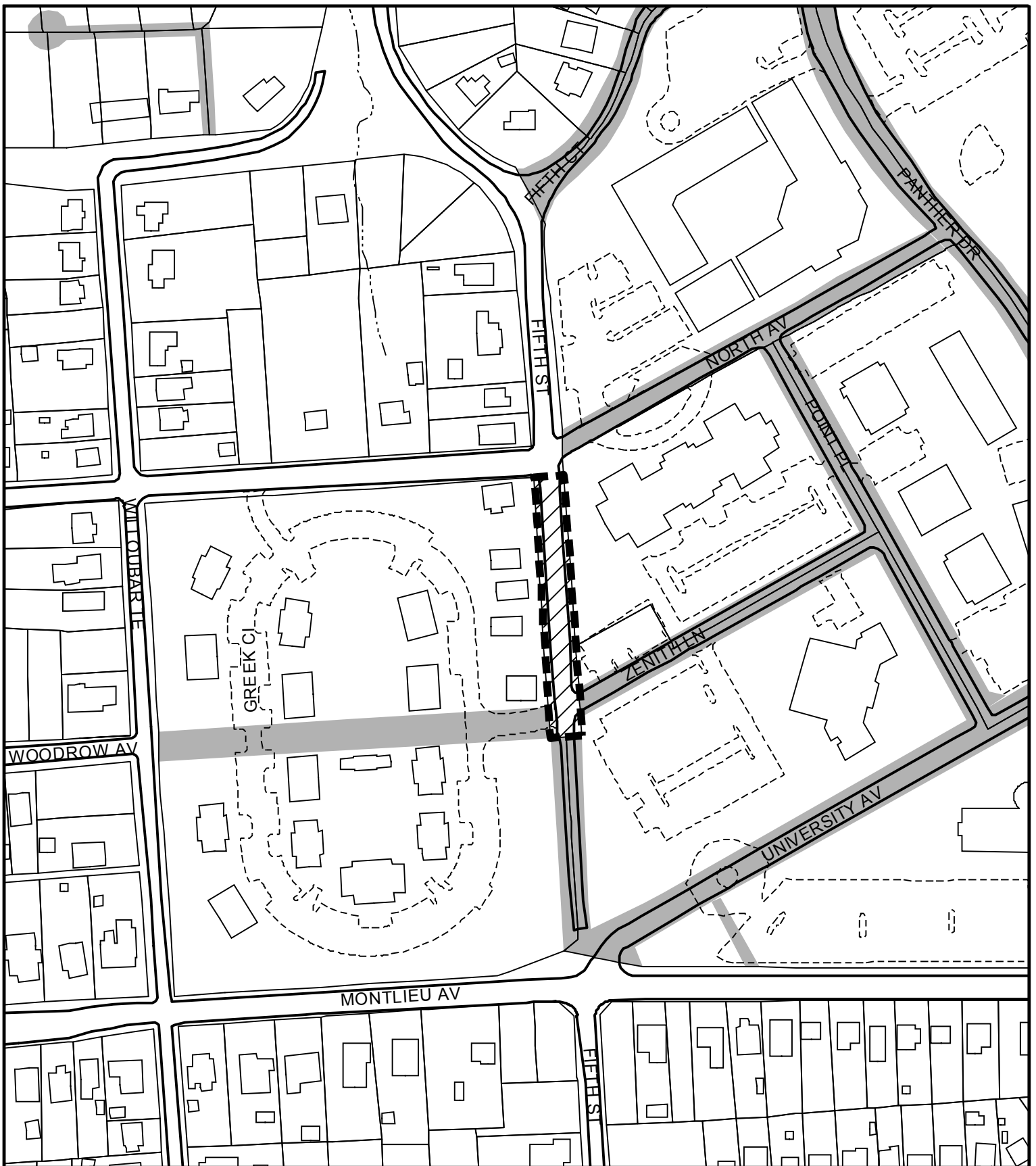
This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owner, High Point University, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive High Point University reasonable means of ingress and egress to its property.

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment with the retention of a public utility easement over the entire right-of-way for the existing sanitary sewer, water, and electric utilities 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 SA11-02

Applicant: High Point University

Area: 0.44 acres



Location of requested street abandonment



Previously abandoned right-of-ways

Planning & Development
Department

City of High Point

Date: February 8, 2011



Scale: 1"=200'

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Attachments: Photographs (March, 2011) and Aerial (February, 2008)

Looking north from Zenith Lane towards North Avenue.



Looking north from Fifth Street towards North Avenue.



Attachments: Photographs (March, 2011) and Aerial (February, 2008)

Looking south from Fifth Street. The intersection in the foreground is North Avenue.



Looking west down North Avenue from the Fifth Street/North Avenue intersection.



Attachments: Photographs (March, 2011) and Aerial (February, 2008)

Aerial with the abandonment area highlighted.



PLANNING AND ZONING COMMISSION RECOMMENDATION

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

Chase Northcutt, VP RHA Housing Inc. Land Use Plan Amendment Case 11-01

A request by Chase Northcutt, VP RHA Housing Inc. to change the land use map designation for approximately 6.61 acres from Community Regional Commercial and Medium Density Residential to an Office land use designation. The site is generally located northeast of the intersection of E. Parris Avenue and Kirkwood Street.

AND

Chase Northcutt, VP RHA Housing Inc. Zoning Case 11-01 **Conditional Zoning General Office High Intensity (CZ GO-H) District.**

A request by Chase Northcutt, VP RHA Housing Inc. to rezone approximately 6.61 acres from the Shopping Center (SC) District to a Conditional Zoning General Office High Intensity (CZ GO-H) District. The site is located north of E. Parris Avenue on the east side Kirkwood Street.

Mr. Gregg Morris, Senior Planner, presented the Land Use Plan Amendment Case and Mr. Herbert Shannon, Senior Planner, presented the Zoning Case. The Planning & Development Department recommended approval of both cases as outlined in the staff report.

Speaking in favor of the Land Use Plan Amendment and Zoning Case was Mr. Scott Redinger of 4553 Technology Drive, Suite 3 in Wilmington, NC, representing RHA Housing and Mr. Eddie MacEldowney of 4341 Southern Oak Drive, High Point, NC, civil engineer of Davis-Martin-Powell, representing the applicant. Mr. Redinger provided a detailed overview of the company's proposal. Mr. MacEldowney addressed stormwater concerns and noted that staff has stated that due to frequent flooding downstream, a retention device will be required that will also provide stormwater treatment.

Speaking in opposition to the request were adjacent property owners to the north and northeast of the zoning site. These speakers were Mr. David Ogren of 244-D Northpoint Avenue, President of Northpoint Estates Homeowners Association; Ms. Megan Crnjak of 220-B Northpoint Avenue, resident of Gilwood North and Ms. Linda Hiatt of 204-L Northpoint Avenue, resident of Gilwood North. These speakers expressed concerns regarding density, traffic stormwater runoff and property values.

The Commission members had a lengthy discussion on the proposal pertaining to stormwater run-off, traffic and the requested zoning district. Commission member Cynthia Davis questioned if the bar at the corner of W. Parris Avenue and Kirkwood Street would become nonconforming if this request was approved since the applicant is proposing to develop a residential use. Mr. Shannon replied that approval of the request would not make the existing bar nonconforming. He stated that the Development Ordinance requires a 200 foot separation between a bar use and residential zoning districts and the applicants request was for an office zoning district.

The Planning & Zoning Commission recommended **approval** of Land Use Plan Amendment Case 11-01 and Zoning Case 11-01, by a vote of 6-2, with commission members Cynthia Davis and Keith McInnis dissenting. Member Cynthia Davis expressed concerns that the requested office zoning district was inappropriate since the applicant planned to develop a multifamily use.

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

**COMBINED STAFF REPORT
LAND USE PLAN AMENDMENT CASE 11-01, AND ZONING CASE 11-01
March 22, 2011**

Requests	
Applicant: Chase Northcutt, VP RHA Housing Inc.	Owner: DDG of High Point, LLC Doug Gilstrap, Manager
LUPA Proposal: To change the future land use designation for approximately 6.61 acres to an Office land use designation.	From: Community Regional Commercial and Medium Density Residential
	To: Office
Zoning Proposal: To rezone approximately 6.61 acres.	From: Shopping Center (SC) District
	To: Conditional Zoning General Office High Intensity (CZ GO-H) District

Site Information		
Location:	The site is located north of E. Parris Avenue on Kirkwood Street	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	0199858	Same
Site Acreage:	Plan Amendment	Zoning Request
	6.61 acres	Same
Current Land Use:	Plan Amendment	Zoning Request
	Vacant	Same
Physical Characteristics:	The site consists of open pasture land along its Kirkwood Street frontage and wooded toward the rear or eastern half of the site. A perennial stream runs along the southeast boundary of the site along E. Parris Avenue. The site is also wooded along this stream corridor.	
Water and Sewer Proximity:	An 8-inch City water line and sanitary sewer line runs along the site's Kirkwood Street frontage. In addition, a 15-inch sanitary sewer line runs along the stream which runs through the site.	
General Drainage and Watershed:	The site drains in an eastern direction from Kirkwood Street towards the stream at the southeastern boundary of the site. Development is subject to the Oak Hollow Lake GWA requirements. Engineered stormwater treatment measures are required for non-residential or multi-family development with a total impervious surface area greater than 24% of the site.	
Overlay District(s):	Oak Hollow Lake GWA	

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	E. Parris Avenue Kirkwood Street	Collector Street Local Street	190 ft. 590 ft.
Vehicular Access:	Two (2) points of access are allowed to Kirkwood Street. These access points must align with the existing driveways located on the west side of Kirkwood Street.		
Traffic Counts: (Average Daily Trips)	E. Parris Avenue Kirkwood Street	4,800 ADT (2005, 12-hour count) 5,300 ADT (2011, 24-hour count)	
Estimated Trip Generation:	Based upon information provided by the applicant this development will generate approximately 650 trips/day, 42 trips (entering & exiting) in the AM peak hour and 48 trips (entering & exiting) in the PM Peak hour		
Traffic Impact Analysis:	Required		Comment
	Yes	<u>No</u> X	None
Pedestrian Access:	This development is required to install sidewalks along Kirkwood Street and along its E. Parris Avenue frontage to meet the sidewalk requirements in the Development Ordinance.		

School District Comment				
Guilford County School District				
Local Schools:	Enrollment: (Fall 2010)	Capacity:	Mobile Classrooms:	Projected Additional Students:
Oak View Elementary School	499	570	7	34-36
Welborn Middle School	518	1008	0	17-19
High Point Central High School	1305	1360	0	22-24
School District Remarks:	None			

Adjacent Property Zoning and Current Land Use			
North:	RM-12	Multifamily-12 District	Multifamily development
South:	SC	Shopping Center District	Bank, vacant parcel and rear of shopping center complex
East:	RM-12 SC	Multifamily-12 District Shopping Center District	Multifamily development and automotive repair facility.
West:	CU-GB LB	Conditional Use General Business District Limited Business District	Restaurant, bar, multi-tenant retail building, car wash and City of High Point Parks & Recreational Department.

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

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement:	Goal 2: Improve High Point's older urban neighborhoods, while ensuring better future neighborhoods. Obj. 2G: Plan new neighborhoods based upon the principles of discernable boundaries, varied housing type options, both older and new housing, mixed use neighborhood centers, convenient parks and recreation facilities, sufficient and well-maintained sidewalks and infrastructure, and respect for the neighborhood's architectural character.
Land Use Plan Goals, Objectives & 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. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses;
Relevant Area Plan:	None
Zoning History:	The parcel along the opposite side of Kirkwood Street (northwest corner of E. Parris Avenue and Kirkwood Street) was granted a CU-GB District zoning in May 2010. Previous zoning activity in this area was in the late 1990s where parcels to the southwest, along E. Parris Avenue and Kirkwood Street, were rezoned to their current CU-GB District.
LUPA History:	There have been no land use plan amendments in this area in the recent past.

Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	• Medium-Density Residential: This classification includes a variety of attached dwellings, generally including higher density townhouses and less land-intensive multi-family housing such as garden apartments. Development densities shall range from eight to sixteen dwelling units per gross acre. • 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 Proposal

The applicant desires to develop the northern half of this site with a multifamily development. The proposal is to develop 60 multifamily units and, depending upon future demand, an expansion of an additional 60 units for a total of 120 dwelling units, which would equal an overall density of 18 units per acre. The site currently has a commercial classification upon the

City's Land Use Map and a commercial zoning district. In order to allow multifamily uses, the applicant has submitted both Land Use Map Amendment and Zoning Map Amendment applications.

The land area along E. Parris Avenue, between N. Main Street and Johnson Street, consists of various commercial uses. Adjacent to the north and northeast of the site is an existing multifamily development. The zoning site forms a transitional area between commercial uses and multifamily uses. With limited development options along the E. Parris Avenue frontage due to the location of a perennial stream, development of the site would be oriented toward Kirkwood Street. Due to this being a transitional area, the requested CZ GO-H District zoning is compatible with adjacent uses as it would allow office uses, multifamily development and others uses that are compatible with surrounding uses.

Although the applicant is considering a multifamily development, staff recommended the applicant request GO-H District zoning. Thus, if the proposed multifamily development does not come to fruition, the site would also have the ability to develop with office uses.

Analysis of Land Use Plan Amendment Request

The applicant is requesting to amend the City's Land Use Map to change the site's land use classification from Community Regional/Commercial to an Office classification in order to allow multifamily uses. The requested Office land use designation is consistent with the accompanying requested zoning district, CZ GO-H, which will allow residential development of up to 26 units per acre as well as a range of professional, personal and business services and limited, small-scale commercial uses. The site is within a long-developed area featuring extensive multifamily housing to the north and east along with commercial development to the east, west and south. The land use designations on the property have remained the same since the early 1980s. There is an existing Office Land Use Map designation northwest of this site upon the opposite side of Kirkwood Street, for an existing office building, which also acts as a transitional area between commercial uses (car dealership) fronting along N. Main Street to multifamily developments along the south side of North Point Avenue. The requested Land Use Plan Amendment allowing a multi-family residential development is in keeping with the existing overall development pattern in the area and will add to the city's housing supply.

Zoning Request - Identified Issues

Major Issues:

❖ None

Minor Issues:

❖ None

Staff Review Comments

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

report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

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

Subject to approval of the requested Land Use Plan Amendment Case 11-01 for an Office designation, the zoning request is consistent with adopted plans.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	The site abuts an existing multifamily development along its northern and northeastern boundary. To ensure compatibility with this adjacent use, the applicant has offered to restrict building height and building mass so as to be compatible with the abutting multifamily development.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	The current SC District zoning upon the site allows significantly higher intensity development. To reduce conflict between vehicles turning into various parcels along this segment of Kirkwood Street, the applicant has offered to restrict vehicular access to Kirkwood Street to two access points which must be aligned with the existing driveways located on the west side of Kirkwood Street.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	There is a perennial stream which runs along the site's southeastern boundary. Watershed regulations require a 100 foot wide buffer, as measured from the top of the bank, along both sides of this perennial stream. Subject to obtaining required environmental permits from the City and State, a roadway or an access drive is permitted to cross this stream. To eliminate any impact to this stream, the applicant has offered to prohibit direct vehicular access to the site from its frontage along E. Parris Avenue.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;
	The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services.

Factor #5	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	Staff has not identified any adverse impacts upon adjacent properties that are not effectively mitigated by the conditions offered.

Changes in the Area:

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

The land area along E. Parris Avenue, between N. Main Street and Johnson Street, consists of various commercial/retail uses but there is limited opportunity for commercial development along the site's E. Parris Avenue frontage due to the location of a perennial stream that runs along the southeastern boundary of the site. Furthermore, there are more convenient commercial opportunities along the Eastchester Drive and N. Main Street commercial corridors, which are in close proximity to the site and they offer higher traffic volumes and better visibility. Since this area has been undeveloped for over 20 years and environmental constraints will force development towards the site's Kirkwood Street frontage, it is reasonable to suggest that commercial zoning is not the most appropriate zoning for this site and that the requested CZ GO-H District, with its option of permitting both multifamily and office uses, would be more appropriate for this transitional area.

Development Patterns:

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

The zoning site is located at a transitional area between commercial uses to the south along E. Parris Avenue and multifamily uses to the north. The requested CZ GO-H District permits less intensive uses than the current commercial zoning upon the site while allowing a wide variety of uses and development opportunities that will be compatible with the adjacent uses and development pattern in this area.

Reasonableness/Public Interest:

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

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) Subject to approval of Land Use Plan Amendment Case 11-01, the requested CZ GO-H District is consistent with adopted plans, 2) The request meets or addresses the review factors, 3) The request to permit additional office uses and higher intensity multifamily uses at this location is consistent Land Use Plan objectives that encourage infill, mixed use and higher residential densities at appropriate locations; and 4) The site is adjacent to commercial uses to the south, office uses to northwest and multifamily uses to the south, producing a transition of land uses.

Recommendation

Land Use Plan Amendment Case 11-01:

Staff recommends approval of the request to change the future land use designation for approximately 6.61 acres to an Office land use classification. The request meets the goals and

objectives of the Land Use Plan and will be in harmony with the land use pattern of the surrounding area.

Zoning Case 11-01:

Staff recommends approval of the request to rezone this 6.61 acre parcel to the CZ GO-H District. As conditioned, the requested CZ GO-H District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

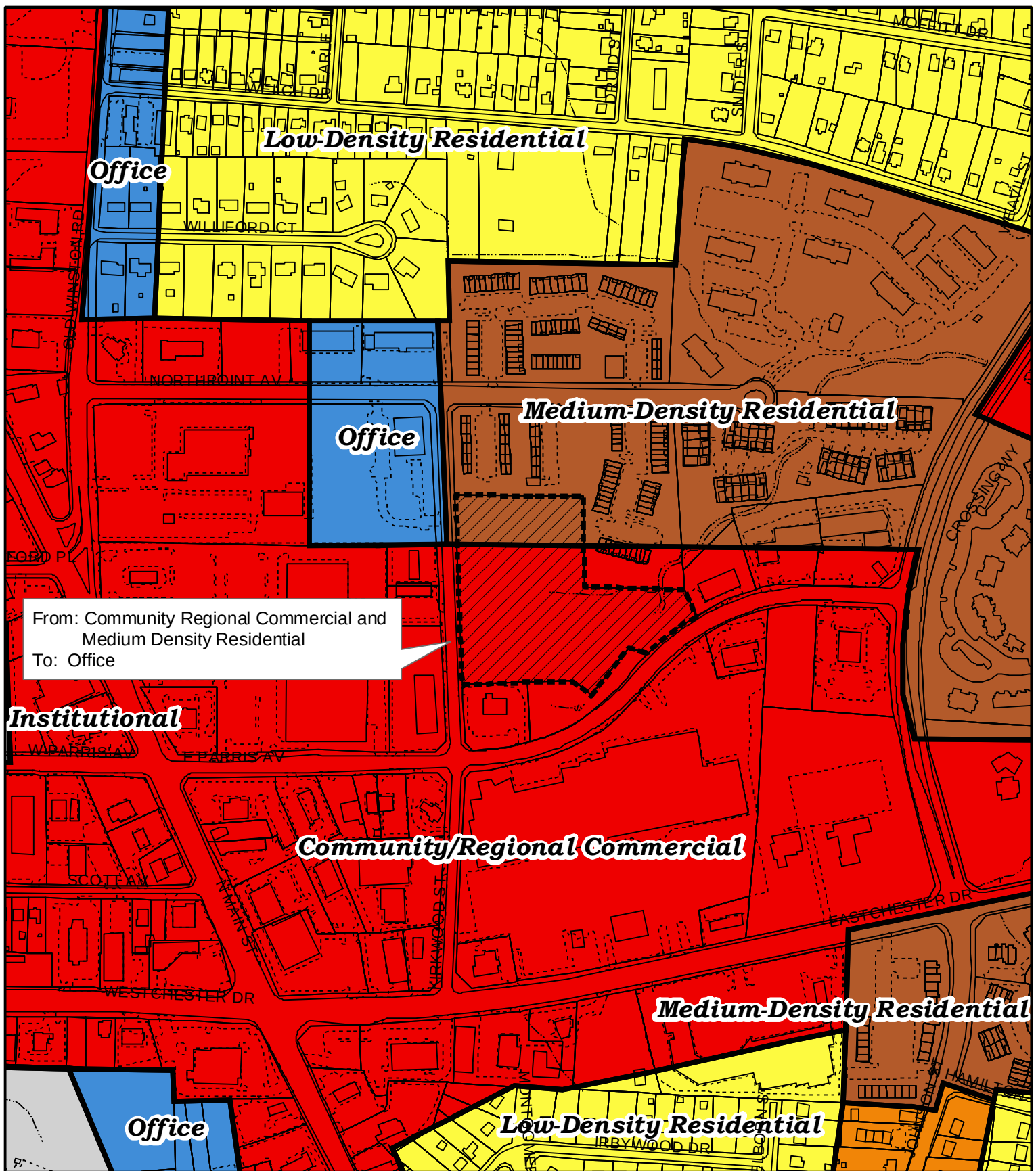
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission must place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the staff's statement or by adopting its own statement.

City Council:

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

Report Preparation

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



LAND USE PLAN AMENDMENT 11-01

Request: From: Community Regional Commercial and Medium Density Residential

To: Office

Existing Land Use Plan

Subject Property Boundary



**Planning & Development
Department**

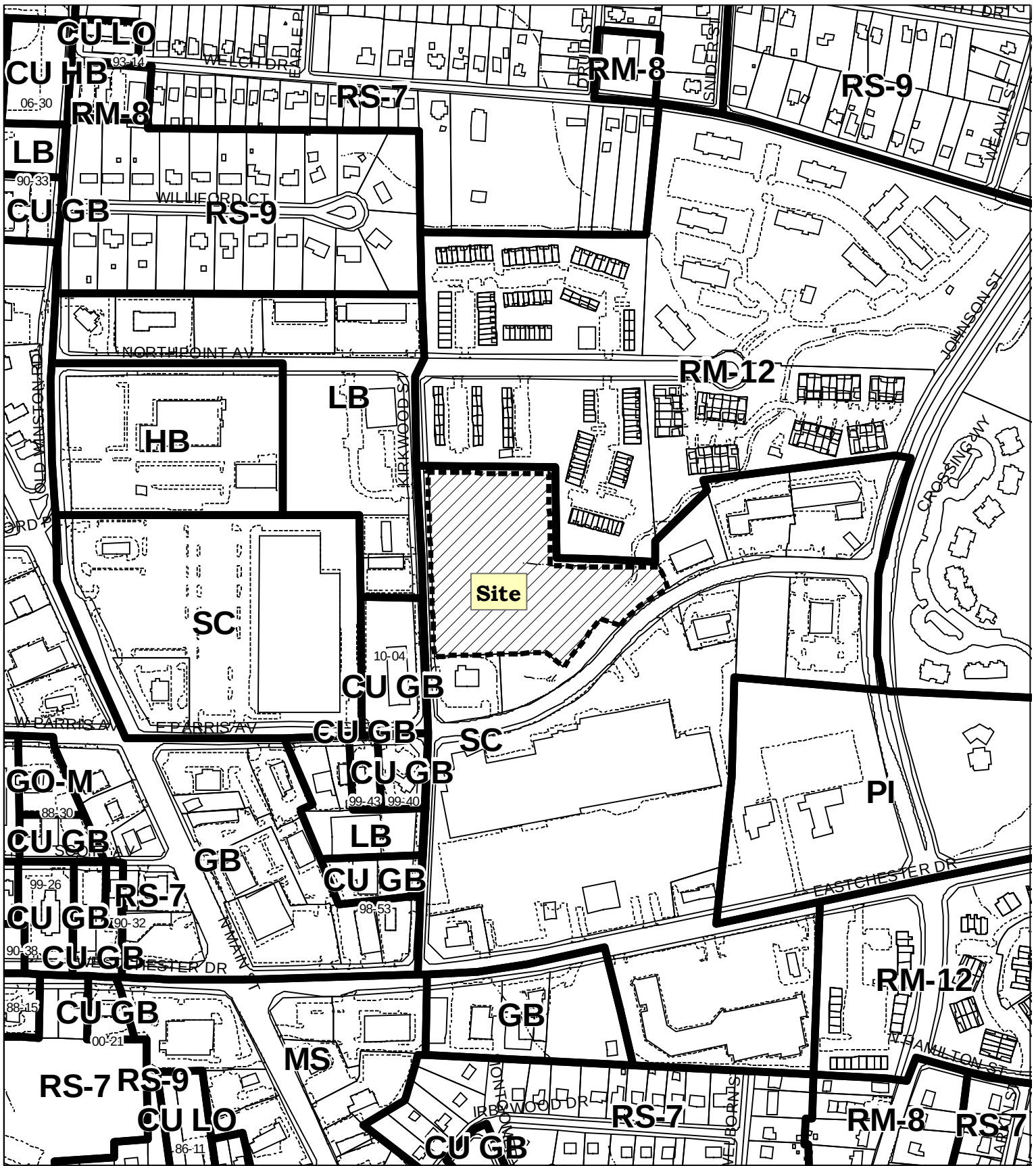
City of High Point

Date: March 14, 2011



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ZONING CASE 11-01

From: Shopping Center
To: Conditional Zoning General Office-High Intensity

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

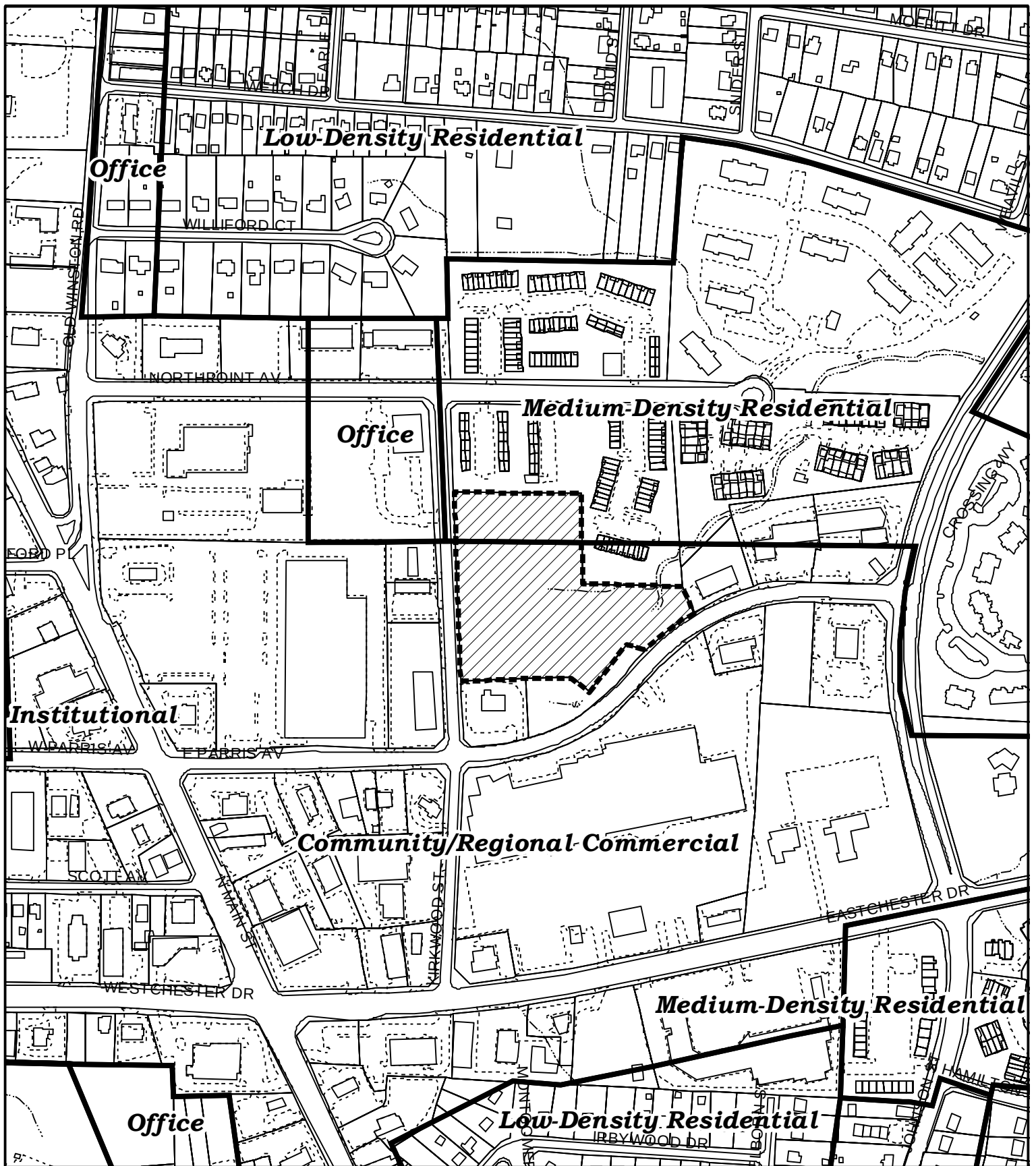
Planning & Development
Department

City of High Point

Date: March 4, 2011



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ZONING CASE 11-01

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



Planning & Development
Department

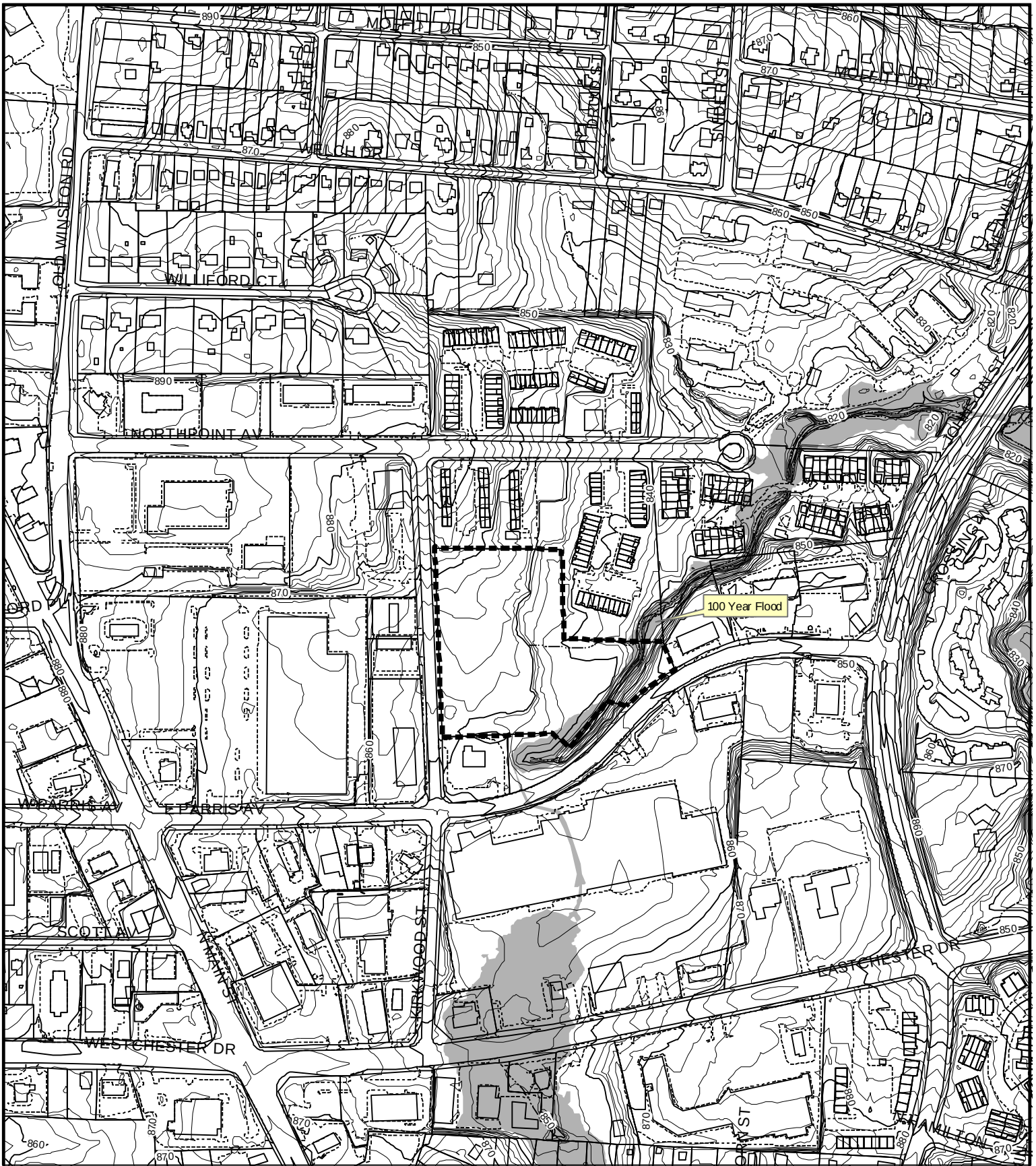
City of High Point

Date: March 4, 2011



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ZONING CASE 11-01

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

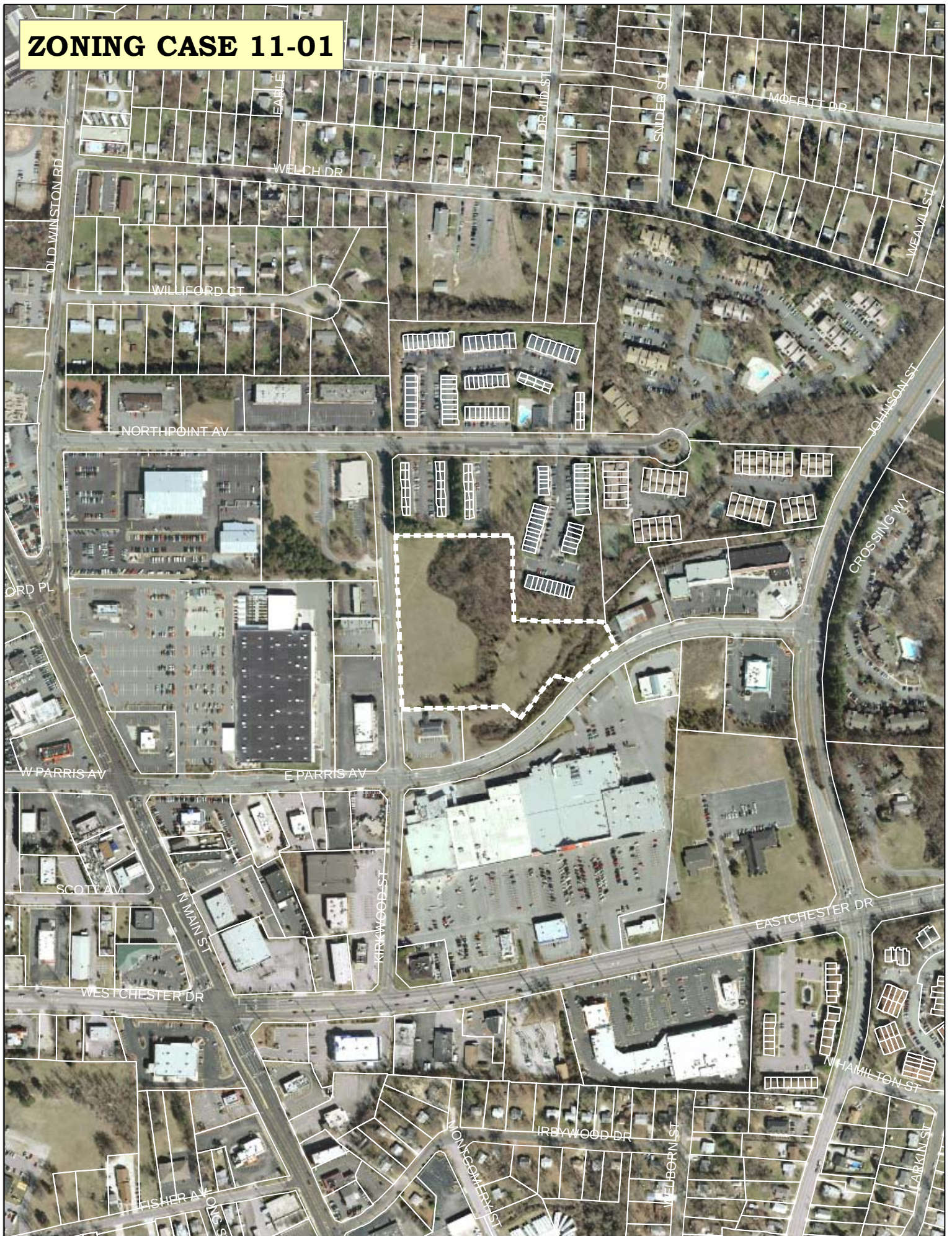
Date: March 4, 2011



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ZONING CASE 11-01



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

Zoning Case 11-01

Conditional Zoning General Office High Intensity (CZ GO-H) District

February 7, 2011
(Submitted)

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

Part I. USES: Any of the land uses allowed in the 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 Zoning Ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements: Within 80 feet of the northern boundary of the zoning site (area depicted upon Exhibit A), development shall be subject to the following dimensional restrictions:

1. Maximum building height shall be restricted to 50 feet.
2. Building footprint shall not exceed 6,500 square feet per structure.
3. In the event a structure is laying across this area (within and beyond the 80 foot area) only that portion of the structure within the 80 foot area, as depicted upon Exhibit A, shall be subject to the above noted restrictions.

B. Transportation Conditions:

1. Access:
 - a. Two (2) points of access shall be allowed to Kirkwood Street. These access points must align with the existing driveways located on the west side of Kirkwood Street.
 - b. No access shall be allowed to E. Parris Avenue.

DESCRIPTION OF PROPERTY: An approximately 6.61 acre parcel lying northeast of the intersection of E. Parris Avenue and Kirkwood Street. The property is also known as Guilford County Tax Parcel 0199858.

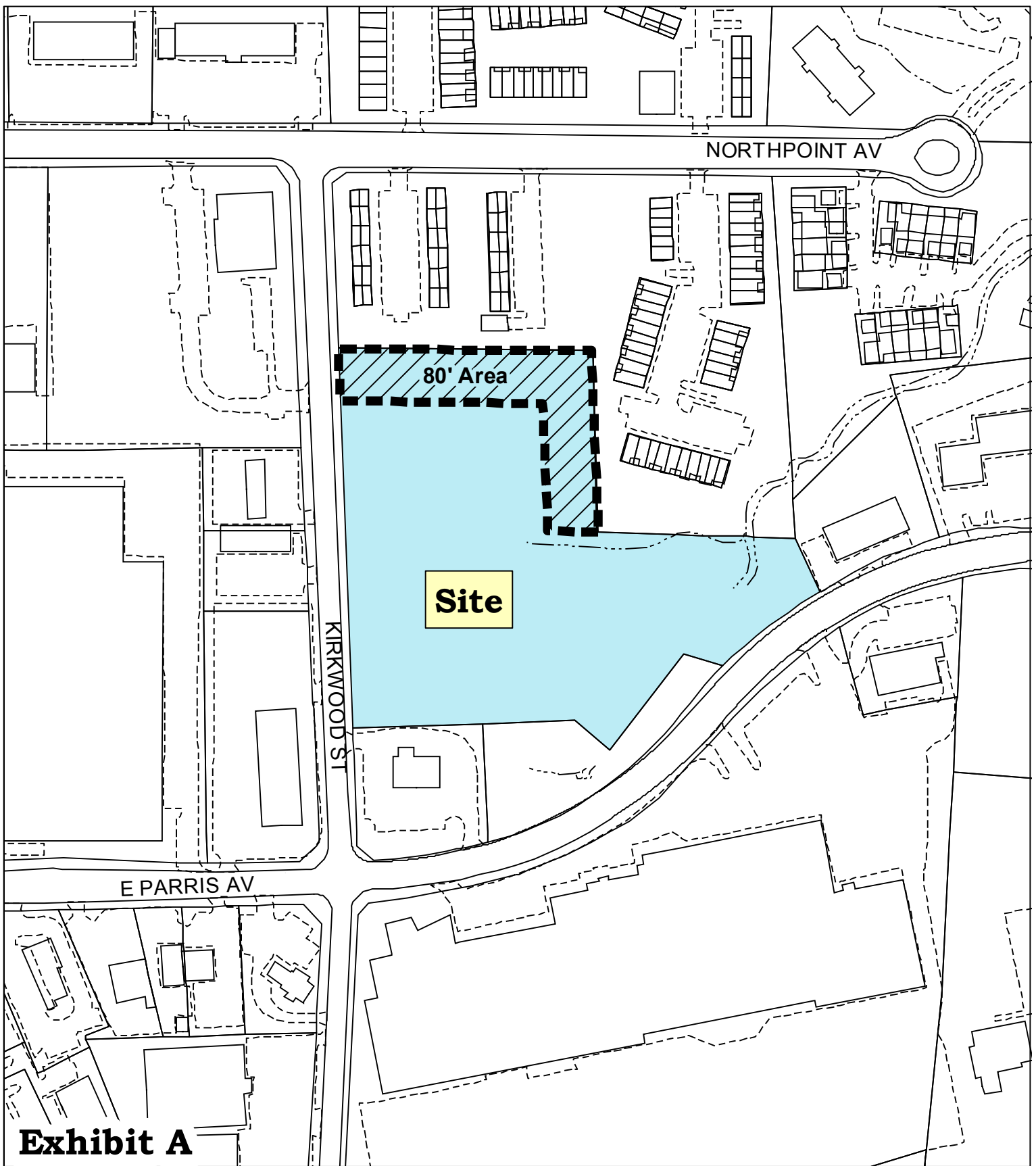


Exhibit A

ZONING CASE 11-01

From: Shopping Center
To: Conditional Zoning General Office-High Intensity

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

**Planning & Development
 Department**

City of High Point

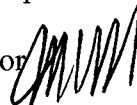
Date: March 4, 2011



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March 1, 2011

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: **Rezoning Case #11- 01**, Chase Northcutt, VP RHA Housing Inc. Property located northeast of the intersection of E. Parris Avenue and Kirkwood Street.

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

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

Access:

Two (2) points of access shall be allowed to Kirkwood Street. These access points must align with the existing driveways located on the west side of Kirkwood Street.

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

Citizens Information Meeting Report

Zoning Case 11-01

Submitted by: Scott Redinger and Caryl Mitchell on behalf
of Chase Northcutt, VP RHA Housing Inc.

Summary Notes from:

**Village at Kirkwood
Community Informational Meeting
Thursday February 24, 2011
7:00 pm**

The meeting was convened at 7:10 pm with 5 area residents, the REALTORS for both the buyer and the seller, the seller's civil engineer Eddie MacEldowney and Caryl Mitchell, Development Coordinator for the Consultant in attendance. (see the sign in sheet for resident info).

The following areas of concern were discussed:

1. The neighbors would like a **6 foot privacy fence around the property** to address concerns of residents in the neighborhood using their properties as a cut through. The neighbors stated that this property is already used as a shortcut to Raintree Apartments and they would welcome a privacy fence to reduce the foot traffic through their properties and ours.

- The owners are willing to provide that as long as it meets the city regulations

2. The neighbors wanted to know if we had any documentation regarding **crime statistics** of areas where the owner or consultant had developed LIHTC properties before. There was further discussion that police call records can be somewhat distorted and not always provide a clear picture of an area.

- Consultant responded that to our knowledge there is no cumulative database kept that tracks those types of statistics. However, the neighbors then asked us to provide names and locations of similar projects so that they could do their own research. Consultant agreed to discuss with owner and get back to the neighbors by mail.

3. Neighbors expressed concerns regarding the **water runoff to the creek** behind their properties. They requested that we do an underground bio retention pond for cosmetic and safety purposes. The engineer answered several questions for them. The neighbors also stated they would want to see our final site plans and have a voice in that regarding the buffers and retention pond when the time came.

- The engineer will discuss the concerns with the owner and the city as we move through this process. The consultant will keep those that inquired about this further informed as we go along.

4. Area residents wanted to know more details regarding the Village at Kirkwood **leases**. Seemed to be some concerns that lease would be too easy to break, too short or that management would run no deposit/two months free rent kinds of specials.

- Consultant agreed to research those questions further and if possible, provide a copy of an example lease

5. Neighbors wanted to know who the **management company** would be and if the manager would be **Full Time**. If not FT, then specifically what? Where are they based out of? Neighbors feel strongly that a Full Time manager is essential to ensuring that the Village at Kirkwood is a good neighbor by catching things early on.

- Consultant explained that all decisions had not been made yet, but that more than likely it would be a FT manager. In addition the client/owner has not chosen a management company but that as soon as we knew for sure who it would be, we would be happy to let them know.

6. Attendees wanted to know timetable of zoning application and funding application processes.

- Dates for both events were given to them

7. Neighbors also expressed a desire for Village at Kirkwood to be part of the neighborhood by participating in neighborhood watch programs, assisting with area issues such as traffic, water runoff, etc.

- As part of our desire to be a good neighbor, consultant stated that owner would also want to work together to better the neighborhood and assist in issues as needed.

8. Residents asked if traffic turn lanes or traffic study would be required. The concern is that people do not stop at the stop signs at Northpoint and Kirkwood intersection.

- Advised attendees that at this time a traffic impact study is not required, but that perhaps the stop sign issue could be addressed through a neighborhood action with the city at a later time.

Summary of Comments: Neighbors did not appear to have any concerns regarding the elevations or floor plans. Felt that the design would be very attractive and good for the area. They were all open to the development but looking for reassurances regarding the management of the property and the overflowing creek. Consultant believes that several will address their concerns at the P & Z meeting on March 22. Meeting was adjourned around 8:10pm.



SCOTT A. REDINGER, INC.
HOUSING CONSULTANT AND DEVELOPER

February 15, 2011

Dear Property Owner;

This letter is to invite you to attend an informational rezoning meeting regarding the proposed "**Village at Kirkwood**" apartments for families to be located on 2208 Kirkwood Street between Northpoint Avenue and E. Parris Avenue. The tract is currently zoned SC and we have submitted a conditional district rezoning application to request the zoning be changed to GOH. As developers of the proposed project, we feel it is important to take the time and meet with the area homeowners and businesses so that we can answer any questions you may have.

Enclosed you will find a site plan, elevation and a High Point Planning & Development Department mandated statement outlining the purpose of the informational meeting and the zoning process. Additional information will be available at the meeting.

Meeting Date, Time and Location:

**Thursday, February 24, 2011
7 pm-8pm
175 Northpoint Avenue
Suite 206**

If you have any questions, please feel free to give me a call at 910-793-2850. We look forward to seeing you at the meeting.

Sincerely,

SCOTT A. REDINGER, INC.

Caryl W. Mitchell,
Development Coordinator
Representative for RHA Housing, Inc.



The Village at Kirkwood

High Point, North Carolina

RHA
Housing, Inc.



SCOTT A. REDINGER, INC.
HOUSING CONSULTANT AND DEVELOPER

Development Partners

City of High Point, NC GIS



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

Map Scale:
1 inch = 200 feet

**Information Sheet
The Village at Kirkwood
2208 Kirkwood Street
High Point, NC**

The Village at Kirkwood

RHA Housing, Inc. from Atlanta Ga. hopes to develop The Village at Kirkwood, a 60 unit family apartment community with community space at 2208 Kirkwood Street. The Village at Kirkwood will have 8 one (1) bedroom units, 36 (2) bedroom units and 16 three (3) bedroom units.

Community Amenities

The units will have generous size rooms, washer/dryer hookups, and ample closet space. The two and three bedroom units will each have two baths. 10% of the units will be fully handicapped accessible. All apartments will be built to Energy Star standards to help keep down residential utility bills. The Village at Kirkwood will have a large community building with a large meeting room with attached kitchen for resident socializing, an exercise room, library/computer room, laundry facilities and a screened in porch. The property will be well landscaped and will include two playgrounds and a picnic shelter with tables and grill.

Purposes of The Village at Kirkwood

The purpose of The Village at Kirkwood is to provide a secure, affordable housing development for working families with incomes 60% or less than the Area Median Income (AMI).

Income and rents: The developers expect to receive funding from the North Carolina Housing Finance Agency Low Income Housing Tax Credit Program, which places income limits on residents.

The 2010 maximum income is currently:	<u>Income</u>
one person	\$24,360
two persons	\$27,840
three persons	\$31,320
four persons	\$34,800

Maximum rents are expected to be:	<u>Bedrooms</u>	<u>Rent</u>
	1	\$525
	2	\$650
	3	\$775

RHA Housing, Inc.

RHA Housing, Inc. is a Georgia based nonprofit corporation, whose purpose is to develop affordable housing for families, elderly and students. Since its incorporation RHA Housing has developed 23 apartment communities with 2,872 units.

Location of The Village at Kirkwood

The Village at Kirkwood is conveniently located on Kirkwood Street between E. Parris Avenue and Northpoint Avenue just east of Main Street behind the Home Depot. It offers employment opportunities, grocery stores, restaurants, banks and entertainment all within walking distance. In addition, bus stops are located directly in front of the apartments and on the two adjoining streets at the end of the blocks.

The Village at Kirkwood Design and Construction

RHA has selected Tise-Kiester Architects from Chapel Hill as the project architect. Don Tise, a principal in the firm, has a proven track record of designing attractive and well planned communities for families.

Weaver-Cooke Construction of Greensboro will serve as the general contractor for The Village at Kirkwood. This firm has an extensive background in building apartments, retirement communities, hotels, and nursing homes.

Ownership of The Village at Kirkwood

RHA will create a limited partnership to own The Village at Kirkwood. RHA will serve as the general partner.

Management of The Village at Kirkwood

RHA will select a management agent that is experienced in managing apartment communities.

Development Consultant of The Village at Kirkwood

Scott A. Redinger, Inc. (SAR) will serve as the development consultant of The Village at Kirkwood. SAR has developed over 40 apartment communities for senior citizens, families, and special needs populations.

If you have any questions concerning the Village at Kirkwood please call Caryl W. Mitchell, Development Coordinator with Scott A. Redinger, Inc. at (910) 793-2850 or Chase Northcutt, Vice-President of RHA Housing, Inc. at (404) 364-2937.

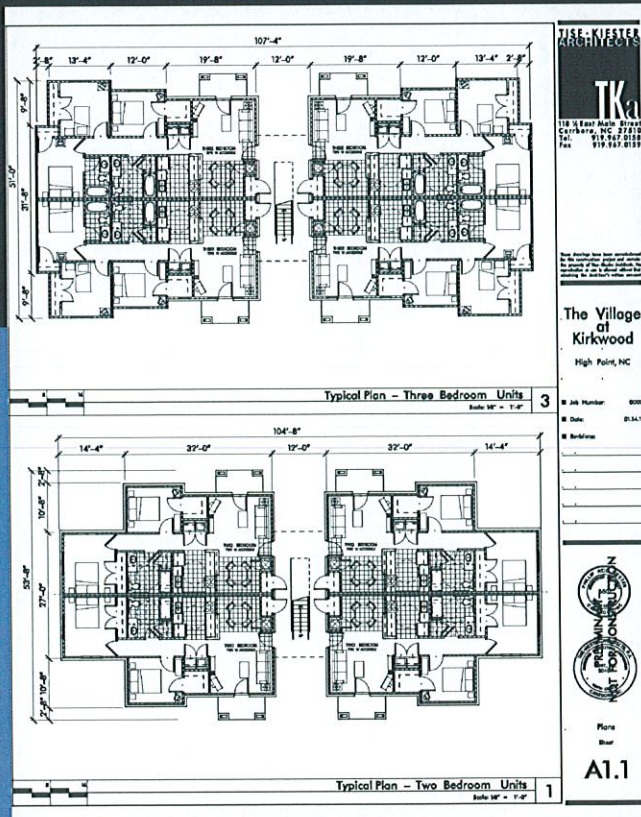
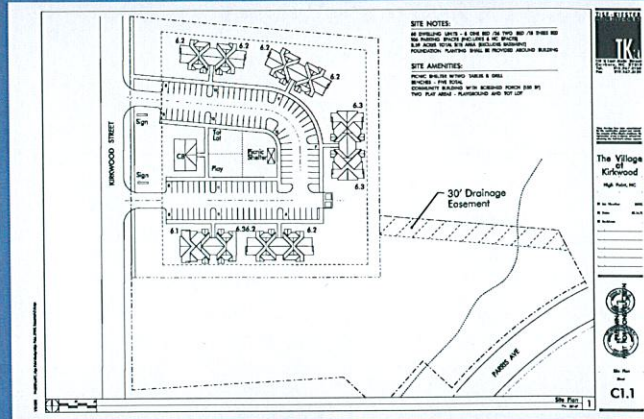
City of High Point, NC GIS



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Map Scale:
1 inch = 200 feet

The Village at Kirkwood Site Plan



The Village at Kirkwood Unit Floor Plans

The Village at Kirkwood

A Community for Families



"Modeled after Similar Development shown"

09/05/2008

60 unit apartment community for families

8 - one bedroom units

36 - two bedroom units

16 - three bedroom units

The Village at Kirkwood Amenities

I. Community Building

Laundry Facility
Exercise Room
Office/Storage Room
Laundry Facilities

Computer/Library Room
Large Meeting Room with Kitchen
Screened-in Porch

II. Apartments

10% Fully Handicap Accessible Units
Washer/Dryer hookups
36" Wide Doors
Energy Star Certified

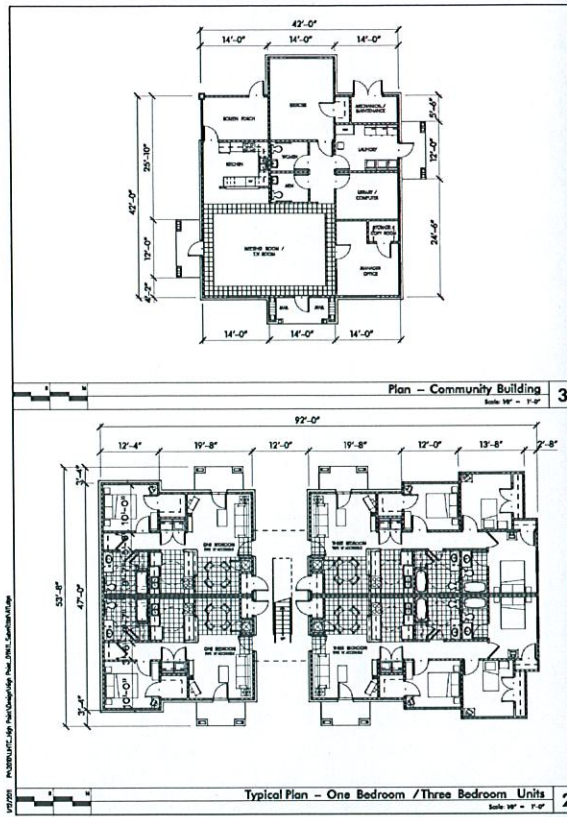
Grab Bars in Bathrooms
Front Control Appliances
Emergency Pull Cords

III. Outside

Picnic/Grilling Area
Public Transportation Avail.
Exterior Brick and Vinyl

Playground and Tot Lot w/benches
30 Yr Antifungal Shingles
Convenient to shopping, entertainment & work opportunities

The Village at Kirkwood Unit Floor Plans



RHA Housing, Inc. Atlanta, GA

- Affiliate of Resource Health Care of America
- Affordable Housing Developer
- Owns Healthcare Facilities, Nursing Homes and Group Homes for the Disabled
- Housing and Long Term Care Providers
- Non-profit Corporation

LaSalle at Lincoln Heights
Charlotte, NC



TISE-KIESTER
ARCHITECTS
TKa
TAYLOR SENIOR HOMES
WILMINGTON, NC



WWW.TISEKIESTER.COM



McCARTHY COURT SENIOR LIVING
NEW BERN, NC



WWW.TISEKIESTER.COM

Family Development in Georgia
developed by RHA Housing, Inc.



Clubhouse for Family Development
developed by RHA Housing, Inc.



Name	Property Address	Contact Number	Email
David Ogren	244-D Northpoint Ave	[REDACTED]	[REDACTED]
EDDIE SALCIN	201D NPOINT AVE	[REDACTED]	[REDACTED]
Meghan Crnjak	220 B Northpoint Ave	[REDACTED]	[REDACTED]
Sandy Blackburn	226-B Northpoint Ave	[REDACTED]	[REDACTED]
Bent Hayes	175-Northpoint Ave	[REDACTED]	[REDACTED]
Randy Davis	1711 Chestnut Glen Way	[REDACTED]	[REDACTED]
Dylan Skene	175 Northpoint Ave	[REDACTED]	[REDACTED]

David Ogren 244-D Northpoint Ave
EDDIE SALCIN 201D NPOINT AVE
Meghan Crnjak 220 B Northpoint Ave
Sandy Blackburn 226-B Northpoint Ave
Bert Hayes 175-Northpoint Ave
Randy DAVIS 1711 Chestnut Glen Way
Dwain STEVEN 175 Northpoint Ave

ANDERSON RAYMOND J
5641 LAKESIDE DR
PFAFFTOWN NC 27040

BAKER HIGH POINT LLC
PO BOX 105842
ATLANTA GA 30348

BALIC SERIF & VAHDETA
228-J NORTHPOINT AVE
HIGH POINT NC 27262

BASILE JOSEPH
304 SHADOWLAWN DR
JAMESTOWN NC 27262

BECK, JANET M
208-D NORTHPOINT AVE
HIGH POINT NC 27265

BENNINGTON RICHARD R & ESTIE
3707 BRANDON DR
HIGH POINT NC 27265

BLACKBURN SANDRA
226-E NORTHPOINT AVE
HIGH POINT NC 27262

BLANCHARD, KIRSTIN LYNN
234 NORTHPOINT AVE UNIT F
HIGH POINT NC 27262

BLOCK, VANETTE
208-G NORTHPOINT AV
HIGH POINT NC 27262

BRADIAN INVESTMENTS LLC
1222 EASTCHESTER DR
HIGH POINT NC 27265

BRYDEN PARTNERS LLC
2706 BARTRAM PL
WINSTON SALEM NC 27106

BUCKLEY JEAN-MARIE
2183 MEADOW RUN DR
GREENSBORO NC 27455

CAROLINA CONFERENCE ASSOC SEVENTH
DAY ADVENTIST INC
PO BOX 560339
CHARLOTTE NC 27256

CARTER, PARIS NICOLE
200-I NORTHPOINT AV
HIGH POINT NC 27262

CHELEDNIK JAMES
204-C NORTHPOINT AVE
HIGH POINT NC 27262

CILOVIC SEAD & SLAVICA
228-I NORTHPOINT AVE
HIGH POINT NC 27262

CITY OF HIGH POINT BOARD OF
ALCOHOLIC CONTROL
PO BOX 230
HIGH POINT NC 27261

CLODFELTER ROGER DALE JR
208 NORTHPOINT AVE UNIT F
HIGH POINT NC 27262

COLE, KENT P
226-A NORTHPOINT AV
HIGH POINT NC 27262

CONRAD SONDRA M
228-C NORTHPOINT AVE
HIGH POINT NC 27262

CORRIAS, NIDDY M
234-E NORTHPOINT AV
HIGH POINT NC 27262

CRNJAK, ZDRAVKO
215-F NORTHPOINT AVE
HIGH POINT NC 27262

CRNJZK ZORAN
220-B NORTHPOINT AVE
HIGH POINT NC 27262

DAWSON TERRY WAYNE & ANN W
2102 MAST AVE
HIGH POINT NC 27265

DDG OF HIGH POINT LLC
PO BOX 5468
HIGH POINT NC 27262

DICKERSON, WAYNE E & VELVET B
45 LINDEN CT
CHRISTIANSBURG VA 24073

DYER DONALD J & NANCY M
106 ROYAL RD
JAMESTOWN NC 27282

ELLIS DONALD BAXTON
226 NORTHPOINT AVE UNIT D
HIGH POINT NC 27262

FIRST STATES INVESTORS
PO BOX 167129
IRVING TX 75016

FRIZZELL, KRISTIN P
224-G NORTHPOINT AVE
HIGH POINT NC 27262

GRUBB CARL W JR
3512 GARRELL ST
ARCHDALE NC 27263

GRUBB PROPERTIES INC
PO BOX 1420
LEXINGTON NC 27293

H P M LIMITED PARTNERSHIP
3618 MATTHEWS-MINT HILL RD
MATTHEWS NC 28105

HAMM ELLA SUE TRUSTEE
226-B NORTHPOINT AV
HIGH POINT NC 27262

HIATT LINDA
204-L NORTHPOINT AV
HIGH POINT NC 27262

HOLBROOK, BONNIE S
200-C NORTHPOINT AV
HIGH POINT NC 27265

HOULT, GEORGE I & SUSAN A
1324 FLORIDA ST
HIGH POINT NC 27262

IDOL HELEN CRAVEN
3827 JOHNSON ST
HIGH POINT NC 27265

IDOL ROBERT WENDELL
111 BEVERLY RD NE
ATLANTA GA 30309

KENNEDY HOLLAND WESLEY
3709 MULBERRY LN
HIGH POINT NC 27265

LANEY R BRUCE & NANCY W
1401 WESTMINISTER DR
HIGH POINT NC 27262

LOUIS, LUDGMY L & BRANDY J
224-B NORTHPOINT AVE
HIGH POINT NC 27262

MARION ELIZABETH CRAVEN
2203 AGNES ST
HIGH POINT NC 27265

MARTIN, ROSS M & ASHLEY M
224-C NORTHPOINT AV
HIGH POINT NC 27262

MATSUOKA TETSUO
2995 BETHESDA RD
WINSTON SALEM NC 27103

MCCOY SHANNON LYNN
228-D NORTHPOINT AVE
HIGH POINT NC 27262

METOYER BRYAN MIKKEL
224-J NORTHPOINT AVE
HIGH POINT NC 27262

MOSLEY, CLINTON E
6321 NORTHSHORE DR
WILMINGTON NC 28411

MSTA INVESTMENTS INC
136 E PARRIS AVE
HIGH POINT NC 27262

NASH MARTIN A
109 PRESIDIO POINTE
CHARLESTON WV 25313

NORTH CAROLINA TRUST CO HARRY D
ADAMS FAMILY TRUST
1301 GILBROOK CT
HIGH POINT NC 27262

NORTH POINT ESTATES HOMEOWNER
ASSOC INC
238 NORTHPOINT AVE
HIGH POINT NC 27262

NUNN, LARRY R
8116 THORNDIKE RD
GREENSBORO NC 27409

PATTERSON MARION S JR & RONDA H
506 DORADO DR
HIGH POINT NC 27265

PEELE FRED J
220 NORTHPOINT AVE APT F
HIGH POINT NC 27262

PEEPLES-HOPKINS TERESA H
3405 CHERRYBROOK DR
JAMESTOWN NC 27282

POSTON TERRI R
200 NORTHPOINT AVE UNIT A
HIGH POINT NC 27262

REDDICK, ADD DEWEY JR
204-B NORTHPOINT AV
HIGH POINT NC 27262

REGAL HOLDINGS LLC
4308 GELDING CT
HIGH POINT NC 27265

ROBBINS PROPERTIES LLC
120 WESTCHESTER DR
HIGH POINT NC 27262

RULE ROBERT A & BEATRICE H
1205 BROOKFIELD CT
HIGH POINT NC 27262

SALCIN, SEDIN S
201-D NORTHPOINT AVE
HIGH POINT NC 27262

SCHLICHER, JOSEPH S& TAMMY L
3426 CORVAIR DR
HIGH POINT NC 27265

SCHWARZ PROPERTIES LLC
PO BOX 1104
ASHEBORO NC 27204

SHELTON JOANN M
208 NORTHPOINT AVE APT K
HIGH POINT NC 27262

STANKOVIC, LJUBOMIR ; STANKOVIC,
BOSKO
5720 FRIENDSWOOD DR
GREENSBORO NC 27409

TEMPLE, HERBERT D
208-C NORTHPOINT AV
HIGH POINT NC 27262

THOMAS DONALD W
PO BOX 32
WENDELL NC 27591

THURMAN A BALLARD LIVING TRUST
5609 FARNAN ST
OMAHA NE 68132

TIMMONS, SAN JUAN & CHRISTINA
1513 COUNTRYSIDE DR
GREENSBORO NC 27405

TOWNSEND CHARLES DAVID
200-F NORTH POINT AVE
HIGH POINT NC 27262

TYREE, STEVEN W
1127 HAMPTON PARK DR
HIGH POINT NC 27265

VAY RENTAL PROPERTIES LLC
PO BOX 5668
HIGH POINT NC 27262

WALL JAMES H & MARY J
172 COMMUNITY BAPTIST CH RD
MAYODAN NC 27027

WEBSTER, JAMISON P & JENNIFER N
1707 BANOAK CT
HIGH POINT NC 27265

WHITE JANICE E
1013 ARTISAN AVE
CHESAPEAKE VA 23323

WILLIS CHARLES K & JEAN-MARIE R
3800 CROSSTIMBERS DR
GREENSBORO NC 27410

BID INFORMATION AND RECOMMENDATION**BID #44-041609 (EXTENSION)****DATE OPENED:**

April 16, 2009

DESCRIPTION: Bulk Container Service**BID PACKAGES DISTRIBUTED:** 7**DEPARTMENT:** Public Services**SOURCE OF FUNDS:** 101712-527210**BUDGETED AMOUNT:** \$522,000.**RECOMMENDED AWARD**

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	Lot	17.24	487,685.12

PURPOSE: The Bulk Container Service contract was awarded by City Council May 4, 2009. This renewal is the 2nd of 5 allowed extensions. This contract provides garbage collection services to apartments, public housing, and City-owned facilities.

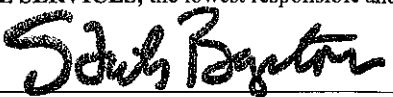
COMMENTS: This renewal represents a 3% price increase for FY 2011-2012 (2nd of 5 allowed extensions.) The original unit price was \$16.74. This price increase will begin July 1, 2011 thru June 30, 2012.

BID TABULATION

VENDOR NAME & ADDRESS	PRICE PER PICK-UP	TOTAL PRICE
Republic Waste Services 2875 Lowery Street Winston-Salem, NC 27101	17.24	487,685.12
Waste Industries, LLC 302 Grumann Road Greensboro, NC 27409-9737	17.68	500,131.84
Yates Disposal 2579B US Hwy 64 East Lexington, NC 27292	17.89	506,072.32
Waste Management 3303 N. Glenn Avenue Winston-Salem, NC 27105	21.95	620,921.60
Container Corp. of Carolina P O Box 219 Pineville, NC 28134	NO BID	
First Piedmont Co. Drawer 1069 Chatham, VA 24531	NO BID	
Piedmont McKinney, LLC 4140 Clemmons Rd., PMB 368 Clemmons, NC 27012	NO BID	

The **PURCHASING DEPARTMENT AND PUBLIC SERVICES DEPARTMENT** recommends that the contract for **BULK CONTAINER SERVICE** be awarded to **REPUBLIC WASTE SERVICES**, the lowest responsible and responsive bidder meeting specifications for the amount of \$487,685.12.

DATE OF RECOMMENDATION: April 7, 2011


Approved by: Strib Boynton, City Manager

Public Services Department

W. Chris Thompson, P.E.
DIRECTOR



MEMORANDUM

DATE: April 8, 2011
TO: Pat Pate, Assistant City Manager
FROM: W. Chris Thompson, PE, Director *W. Chris Thompson*
SUBJECT: Bulk Container Service Contract Extension

Public Services hereby request that the above referenced item be placed on the next Council agenda.

Republic Waste is our current bulk container contractor which provides garbage collection service to apartments, public housing, and City-owned facilities. They have requested a 3% increase for a one year renewal of the contract as allowed in the contract renewal clause. The increase raises the unit price per collection point from \$16.74 to \$17.24 which is still lower than the second lowest bid from the 2009 bid.

Public Services recommends the extension of the current contract for Bulk Container Service with Republic Waste to provide service for the 2011-2012 fiscal year for the amount of \$487,685.12 (\$17.24/collection point).

Public Services will be available for questions at the meeting. Thanks for your consideration and approval.

RECOMMENDATION

BID #	44-041609	DATE OF BID OPENING:	April 7, 2011
DESCRIPTION: Bulk Container Service			
DEPARTMENT: Public Services Department – Environmental Services Division			
SOURCE OF FUNDS: 101712-527210		BUDGETED AMOUNT: \$522,000	

PURPOSE:

This contract provides garbage collection services to apartments, public housing, and City-owned facilities for the 2011-12 fiscal year.

COMMENTS:

The contract service provider, Republic Waste Services, has requested a 3.0% rate increase for this renewal period (from \$16.74 to \$17.24 per collection). Republic did not request a rate increase last year. With this rate increase, the unit price per collection is still lower than second lowest bid from the 2009 bid.

RECOMMENDATION:

The Public Services Department recommends extending the current contract for Bulk Container Service Contract to Republic Waste Services in the amount of **\$487,685.12 (Unit Price of \$17.24 for 28,288collections)**, which includes a 3.0% increase. The Public Services Department is exercising the annual renewal clause in the contract and this contract is renewable for an additional two (2) years.

DEPARTMENT HEAD W. Chris Thompson, P.E.

DATE April 7, 2011

PLANNING AND ZONING COMMISSION RECOMMENDATION

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

High Point University

Zoning Case 11-03

Conditional Zoning Public & Institutional (CZ-PI) District.

A request by High Point University to rezone approximately 6 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site is bounded by Willoubar Terrace, North Avenue and Fifth Street.

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

Speaking in favor of the request were Mr. Ron Guerra, Director of Construction at High Point University and Mr. Don Scarborough Vice President for Institutional Advancement at High Point University, 833 Montlieu Avenue in High Point. The speakers stated that the University intends to place a temporary parking lot with approximately 50 spaces upon the zoning site. They noted that once a permanent use is determined for this area they will come back through the zoning process for approval of that future use, but they are in need of additional parking in this area for the upcoming fall 2011 school year.

The Commission members inquired as to the impact upon the two properties in this block not currently owned by the University. Mr. Scarborough advised the Commission that the one outstanding property along Fifth Street was just purchased by the University and due to the environmental constraints the proposed parking lot would be located along the southern portion of the site next to North Avenue.

No one spoke in opposition.

The Planning & Zoning Commission recommended ***approval*** of Zoning Case 11-03, by a vote of 6-2. Commission members Cynthia Davis and Keith McInnis were the dissenting votes; they desired that the request be tabled to the next meeting in order to allow time to review the University Area Plan.

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

**STAFF REPORT
ZONING CASE 11-03
March 22, 2011**

Request	
Applicant: High Point University	Owner: High Point University
Zoning Proposal: To rezone a portion of a city block.	From: RS-7 Residential Single Family-7 District
	To: CZ-PI Conditional Zoning Public & Institutional (C-Z PI) District

Site Information	
Location:	The zoning site consists of all but two parcels in the block bounded by Willoubar Terrace, North Avenue and Fifth Street.
Tax Parcel Numbers:	Guilford County Tax Parcels 0189876 thru 84 and 0189886 thru 92.
Site Acreage:	6 acres.
Current Land Use:	Single family detached dwellings and vacant parcels
Physical Characteristics:	The site has a moderate to severely sloping terrain. A perennial stream runs from south to north starting in the middle of this block. The site's steeper terrain is along this stream corridor.
Water and Sewer Proximity:	There are two City water lines (6-inch and a 16-inch) along North Avenue and a 6-inch water line within both the Willoubar Terrace and Fifth Street right-of-ways. An 8-inch City sanitary sewer line runs through the middle of this block, from south to north, along the stream corridor and there are 8-inch sanitary sewer lines within both the Willoubar Terrace and Fifth Street right-of-ways.
General Drainage and Watershed:	The site drains in a northern direction and development 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 developments with an impervious surface area that is greater than 24% or more of the site.
Overlay District(s):	City Lake General Watershed Area

Adjacent Property Zoning and Current Land Use			
North:	RS-7	Residential Single Family-7 District	Single family detached dwellings
South:	CU-PI	Conditional Use Public & Institutional District	Student housing associated with High Point University
East:	CU-PI	Conditional Use Public & Institutional District	Student housing associated with High Point University
West:	RS-7	Residential Single Family-7 District	Single family detached dwellings

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.
Land Use Plan Goals, Objectives & Policies:	Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.
Relevant Area Plan:	<i>University Area Plan:</i> Goal 3: Ensure compatibility between the edge of campus and the surrounding neighborhood. Policy 3.2: Maintain as many existing large mature trees as possible, on site during new construction. Policy 3.3: Where existing vegetation does not exist, provide landscaping that delineates the campus and residential properties and provides sufficient separation between the university and adjacent residential areas. Policy 3.6: New campus development should be contiguous to the existing campus and consist of an entire sub-area. However if a partial rezoning of a sub-area is requested, then a site plan must be submitted along with the rezoning request that demonstrates how the impacts on adjacent properties will be mitigated. Policy 3.7: Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests.
Community Growth Vision Statement:	Goal 1: Preserve and enhance High Point's most important natural and cultural resources. Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Zoning History:	Since 1998, High Point University has received 3 Land Use Plan Amendments and 13 zoning approvals for the area lying north of Montlieu Avenue and west of W. College Drive to accommodate the westward expansion of the University.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Willoubar Terrace	Local Street	440 ft.
	North Avenue	Local Street	600 ft.
	Fifth Street	Local Street	540 ft.
Vehicular Access:	Access shall be limited to streets where the adjacent property, lying along the opposite side of that street, is zoned Public & Institutional (PI), Conditional Use Public & Institutional (CU-PI) or Conditional Zoning Public & Institutional (CZ-PI) Districts.		
Traffic Counts: (Average Daily Trips)	Traffic counts are not available for Willoubar Terrace, North Avenue and Fifth Street.		

Estimated Trip Generation:	The trips generated from the proposed 50 parking spaces will not have a significant impact on the existing public streets.		
Traffic Impact Analysis:	Required		Comment
	Yes	NoX	None
Pedestrian Access:	N/A.		

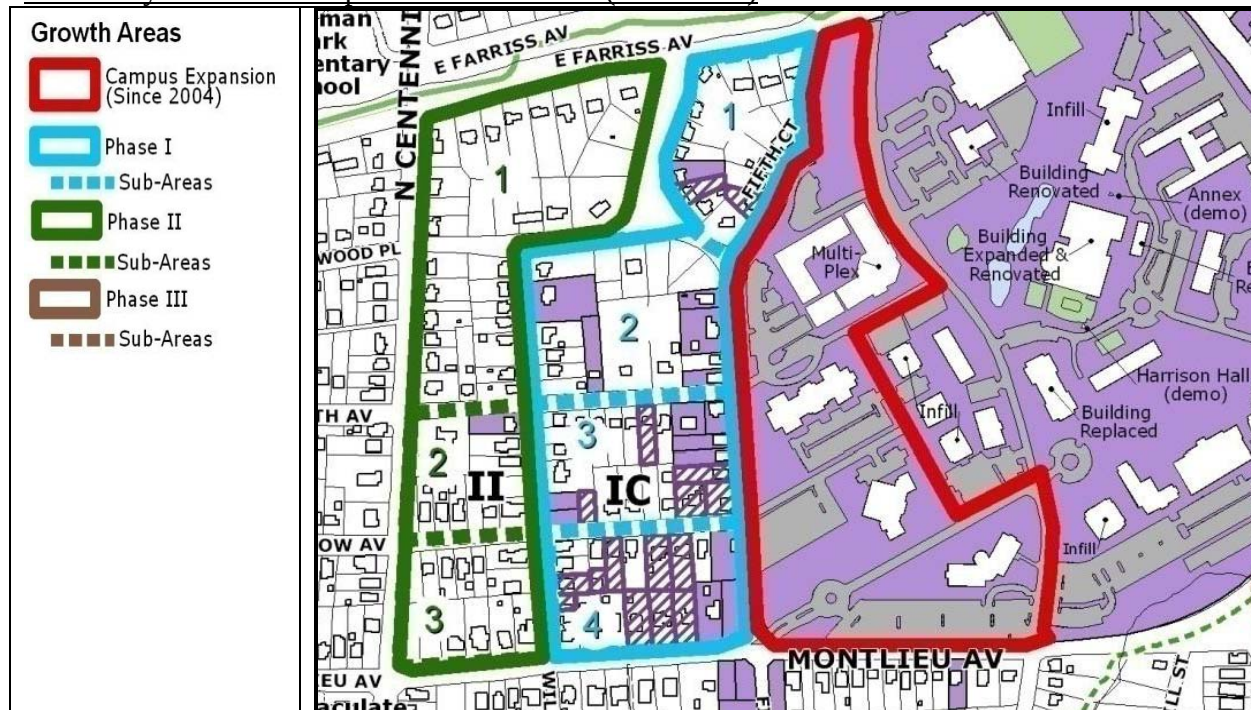
School District Comment

Not applicable to this zoning case.

Details of Proposal

The applicant is requesting to rezone this 6 acre area from its current RS-7 District to a CZ-PI District for future expansion of High Point University. The University has acquired all the property in the block associated with the zoning request except for one parcel off Fifth Street and one parcel off Willoubar Terrace. The area requested for rezoning is designated as Institutional on the Land Use Plan map and it is identified as Sub-area 2 of the Phase IC Growth Area in the University Area Plan. Sub-areas 3 & 4 of Phase IC have been acquired by the University, and were rezoned in 2009 for student housing (*Phase IC and its four sub-areas are outlined in blue on the map below*).

University Area Plan Map 4 – Growth Areas (Dec. 2009)



At this time the University does not have a permanent use or development proposal for this area. Due to environmental constraints on the site, it may be combined with abutting land areas for development. However, the University has an immediate need for additional parking and intends to use a portion of the site for parking until such time as a permanent use is identified. They have offered in their Conditional Zoning District to restrict use of the site to parking only. If the

request is approved, then a major amendment will be required in order to permit any use other than parking or allow additional development of the site.

Identified Issues

Major Issues:

- ❖ None.

Minor Issues:

- ❖ The University Area Plan states that if a partial rezoning of a sub-area is requested, then a site plan must be submitted along with the zoning request that demonstrates how the impacts on adjacent properties will be mitigated. There are two parcels in this sub-area not included with this request and a site plan has not been submitted. Because the University has not made a decision upon this site's permanent use but has expressed a need for additional parking, the University offered to condition the site to parking only until such time decisions are made. To mitigate potential impact upon adjacent property owners, the applicant has offered the following conditions:

- Restrict use of site – Only a parking lot is permitted.
- Restrict vehicular access – Access is restricted to those streets abutting the campus (currently North Avenue and Fifth Street).
- Higher landscaping standards – Standards for street yard (landscaping area next to street frontage of a site) has been increased. The width has been increase from 8 feet to 15 feet, 4 understory trees are to be planted every 100 feet where none are required, shrubs to be planted must be of an evergreen species and the amount increased from 17 to 33 shrubs every 100 linear feet.

The Development Ordinance already requires a Type B planting yard along the rear and sides of the two remaining residential parcels if a PI District use is developed next to them. Therefore, the applicant has mitigated impact to adjacent property owners thus eliminating the need to submit a site plan.

Staff Review Comments

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

Consistency with Adopted Plans:

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

The site has an Institutional Land Use Map designation and is subject to policies adopted by the City in the University Area Plan. Because the request does not include all the land area of this sub-area, the University Area Plan requires a site plan to be submitted that demonstrates how the impacts on adjacent properties will be mitigated. In this case the applicant has offered to restrict the use of the site to a single low intensive use, a parking lot. In addition, the applicant has offered conditions to restrict the location of driveway access points and to install a higher street

yard landscaping rate to mitigate impact upon abutting property owners. As conditioned, the request is in keeping with policies established for this area and a site plan is not warranted.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses; The applicant has purchased all properties in this block except for two parcels which contain single family dwellings. The Development Ordinance requires a Type B Planting Yard be established where PI District land uses abut residential uses. If the location of the proposed parking lot abuts either of these remaining dwellings, the planting yard will be required to have an average width of 30 feet and contain 8 trees and 25 shrubs every 100 linear feet. The width of this planting yard may be reduced by 10 feet if a 5-foot high opaque fence is installed.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; The applicant has offered to restrict the use of the site to a parking lot only, to provide a higher planting rate for landscaping along abutting street, to diffuse impact of headlights from vehicles, limit height of parking lot lighting and to restrict vehicle access to those roadways fronting the campus. All of these restrictions have been offered to minimize impact upon abutting property owners.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat; The applicant is not proposing to develop the entire site and most likely only the southern portion of the site will be used for parking due to the perennial stream and associated buffers. The site is within the City Lake General Watershed Area and development will be subject to watershed regulations.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and; The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties. The University owns all properties to the east and south where the limits of campus currently exist. To minimize impact upon adjacent property owners to the north and west the University has offered conditions to restrict the use of the site, to provide a higher standards for the street landscaping yard, to limit the height of exterior lighting, and to restrict the location of vehicle access to the site.

Changes in the Area:

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

Over the past 13 years High Point University campus has expanded westward from its historical W. College Drive boundary. Along with this expansion the majority of the public street network within that expansion area has either been abandoned in order to combine city blocks or converted to a private drive, and become part of the university's internal circulation network. The result of this expansion has changed the character of this area. This was recognized when the University Area Plan was adopted and the Land Use designation of this area was changed to Institutional.

Development Patterns:

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

One of the objectives of the University Area Plan was to establish an orderly growth pattern for expansions of High Point University and eliminate haphazard development that would adversely impact adjacent residential neighborhoods. This was done by establishing growth areas. The zoning site is in a growth area anticipated as being the next logical area of expansion as it abuts the existing campus boundary to south and east. Thus, the request promotes an orderly development pattern consistent with the objectives of the University Area Plan.

Reasonableness/Public Interest:

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

In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) The requested CZ-PI District is consistent with adopted plans, 2) The request meets or addresses the review factors, 3) The proposal limits use of the site, limits vehicular access to locations next to campus and contains higher landscaping requirements to mitigate impact on adjacent single family dwellings; and 4) The request is a logical and reasonable extension of the High Point University campus as it is contiguous to the University's main campus and is consistent with the University Area Plan's growth areas.

Recommendation

Staff Recommends Approval:

Staff recommends approval of the request to rezone this 6 acre area to the CZ-PI District. As conditioned, the requested CZ-PI District is compatible with the surrounding area and in conformance with the adopted plans.

Required Action

Planning and Zoning Commission:

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

City Council:

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

Report Preparation

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



ZONING CASE 11-03

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

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

**Planning & Development
 Department**

City of High Point

Date: March 4, 2011



Scale: 1"=400'
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ZONING CASE 11-03

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



Planning & Development
Department

City of High Point

Date: March 4, 2011



Scale: 1"=400'

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ZONING CASE 11-03

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

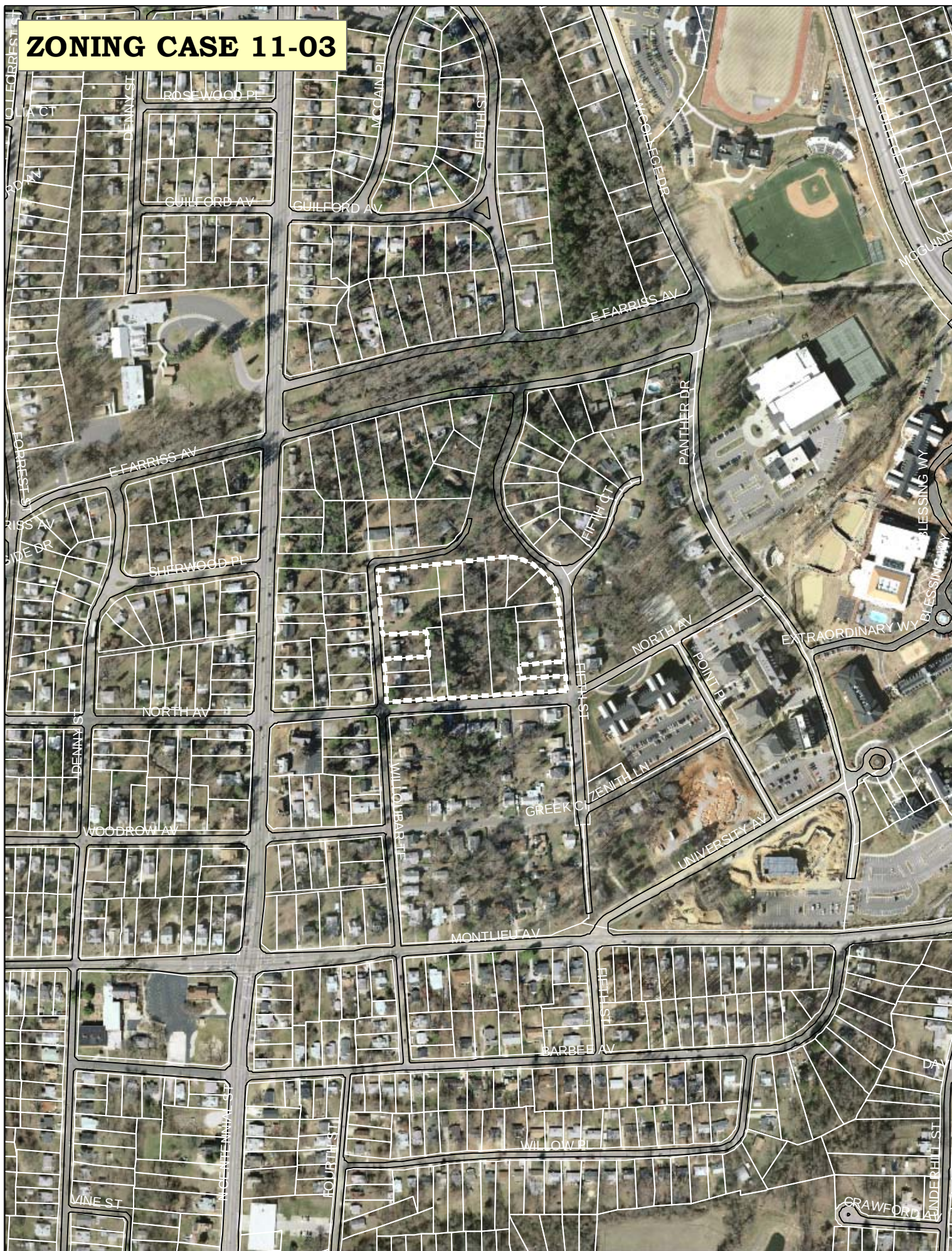
Date: March 4, 2011



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ZONING CASE 11-03



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

**Zoning Case 11-03
Conditional Zoning Public & Institutional (CZ-PI) District.**

February 7, 2011
(Submitted)

TO THE CITY COUNCIL OF THE CITY OF HIGH POINT:

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

Part I. USES:

- A. The zoning site shall be limited to surface parking use only.
- B. Development of the site shall be as allowed in the Public & Institutional (PI) District, subject to the development and dimensional requirements of the PI District and the specific conditions listed in this Conditional Zoning Ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

- 1. Lot combination: All parcels of the rezoning site shall be combined into one lot prior to development.
- 2. All exterior lighting shall be limited to twenty-five (25) feet in height. This lighting shall be directed inward towards the interior of the zoning site to minimize lighting spill-off/glare upon adjacent residentially zoned property.

B. Landscaping, Buffers and Screening.

Where land area upon the opposite side of a public street adjacent to the zoning site has a residential zoning designation the street planting yard standards shall be increased from 8 foot width to a minimum width of 15 feet, and the planting rate for understory trees shall be increased from none to a minimum of 4 per 100 linear feet, and 33 evergreen shrubs per 100 linear feet. Additionally, these shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting. This higher planting rate is intended to provide a low level screening of the off-street parking area.

C. Transportation

Access: Access to public streets shall be limited to streets where the adjacent property, lying along the opposite side of that street, is zoned Public & Institutional (PI), Conditional Use Public & Institutional (CU-PI) or Conditional Zoning Public & Institutional (CZ-PI) Districts.

DESCRIPTION OF PROPERTY: The zoning site consists of 17 parcels, totally approximately 5.65 acres, bounded by Willoubar Terrace, North Avenue and Fifth Street. The property is also known as Guilford County Tax Parcels 0189876 thru 84 and 0189886 thru 92 and currently addressed as 709, 711 & 715 North Avenue; 900, 902, 904, 912, 914, 1006, 1006 R1, 1008 & 1010 Willoubar Terrace; 817, 823, 825, 829 & 833 Fifth Street.

Citizens Information Meeting Report Zoning Case 11-03

Submitted by: Donald A. Scarborough on
behalf of High Point University



Friday, February 25, 2011

To: City of High Point, North Carolina
Planning and Development Office

From: Donald A. Scarborough, Ed.D. *DS*
Vice President for Community Relations

Re: Conditional Use District Zoning
Case 07-025
Community Meeting February 24, 2011

High Point University conducted a Citizens' Information Meeting in support of our application for three rezoning requests. The meeting was held in Norton Hall, Room 202, on the campus of High Point University. Letters of invitation were mailed to 113 citizens on February 15, 2011—67 invitations related to #1 below: 17 invitations related to #2 below, and 29 invitations to #3 below. Forty-two (42) people attended this meeting.

:

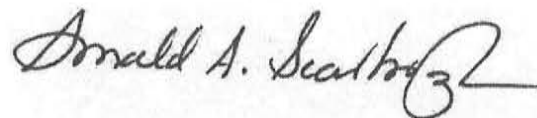
1. RS-7 to CZ-PI: 24 parcels of property adjacent to the main campus. The property totals approximately 7 acres--located on the two blocks bordered by Willoubar Terrace, Montlieu Avenue, North Centennial Street, and North Avenue. Twenty-eight (28) persons attended this meeting and registered with interest in this request.
2. LO to CZ-LB: 1124 East Lexington Avenue. Three (3) people attended this meeting and registered with interest in this request.
3. RS-7 to CZ-PI: 19 parcels of property adjacent to the main campus. The property totals approximately 6.09 acres—located on the block bordered by Fifth Street, North Avenue, and Willoubar Terrace. Eleven (11) people attended this meeting and registered with interest in this project.

A copy of the "City of High Point Conditional Use District Zoning, Citizen Information Meetings" and a copy of High Point University's "Development Proposal—Expansion North of the Main Campus" were distributed and viewed by all participants. A map was displayed outlining the campus master plan and proposed zoning changes. Dr. Donald A. Scarborough, Vice President for Institutional Advancement; Mr. Ron Guerra, Director of Construction and Renovation; and Mr. Dan Pritchett, Jamestown Engineering represented the University.

Most of the discussion centered on the scope and breath of the University's expansion program and then focused on the specific area listed above. It was a very positive meeting with questions related to traffic access to the property, boundary between the University's property and the residential areas, and the intended use of the property. Specific discussion focused on:

- Size and student capacity of the project;
- How the project would be bordered and protect the adjacent property owners;
- Current traffic issues on North Avenue;
- How much of Willoubar Terrace would be closed;
- Construction time frame;
- How construction traffic would be regulated;
- The anticipated boundaries of the University's future expansion plans; and
- The functions of various buildings, and
- Why does the City's University Area Plan not include the area between East Farriss Avenue, North Centennial Street, Lexington Avenue, and McCain Park.

Copies of the Sign-in Sheets for each of the cases are attached.

A handwritten signature in black ink, reading "Donald A. Scarbro" followed by a stylized flourish or number "32".

Sign-In Sheet

Citizens Information Meeting
Thursday, February 24, 2011
High Point University
RS-7 to CZ-PI

Rezoning Location:
Fifth/Willoubar/North

Name

Address

Phone No.

Jimmy C. Bull	711 Barbee Ave	[REDACTED]
Elizabeth Braune	810 E. Farriss Ave	[REDACTED]
Robby Barnes	1011 Willoubar Terr	[REDACTED]
James W. Blake	909 Barbee Ave	[REDACTED]
Delicia Williams	1004 N. Centennial St.	[REDACTED]
Yuthana Rotomphruk	819 5th St	[REDACTED]
Kathleen Guthrie	1217 5th St	[REDACTED]
Gena Schmidt	1215 5th St	[REDACTED]
Peggy Ingram	[REDACTED]	[REDACTED]
Joshua T. Brown	1006 N. Centennial St.	[REDACTED]
Ken Neugert	808 E. Farriss Ave. HP, NC 27262	[REDACTED]

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

ORDINANCE

REQUEST: Ordinance to Vacate

PROPERTY

ADDRESS: 302-A. Allred Street (duplex unit)

OWNER: Schwarz Properties L.L.C.

FIRST

INSPECTION:

2-14-2011

Number of Violations: Major 6 Minor 5

1) windows inoperable-painted or nailed shut

2) no operable smoke detectors

3) overloaded electrical service – 100 amp upgrade needed

4) gas heating unit could not be checked as tenant did not have gas service connected

5) leak under kitchen sink

HEARING

RESULTS:

2-28-2011

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. The inspection was in response to a complaint from the tenant. The dwelling was occupied by one adult at the time of the inspection and is still occupied. The ordinance is requested to allow the inspector to vacate, close and placard the dwelling in accordance with state statute.

ORDER(S)

ISSUED:

2-28-2011

Order to Repair 2-28-2011 with a compliance date of 3-30-2011

APPEALS:

No appeals to date.

OWNER

ACTIONS:

There have been no permits issued and repairs have not started.

EXTENSIONS:

None requested by owner.

CURRENT

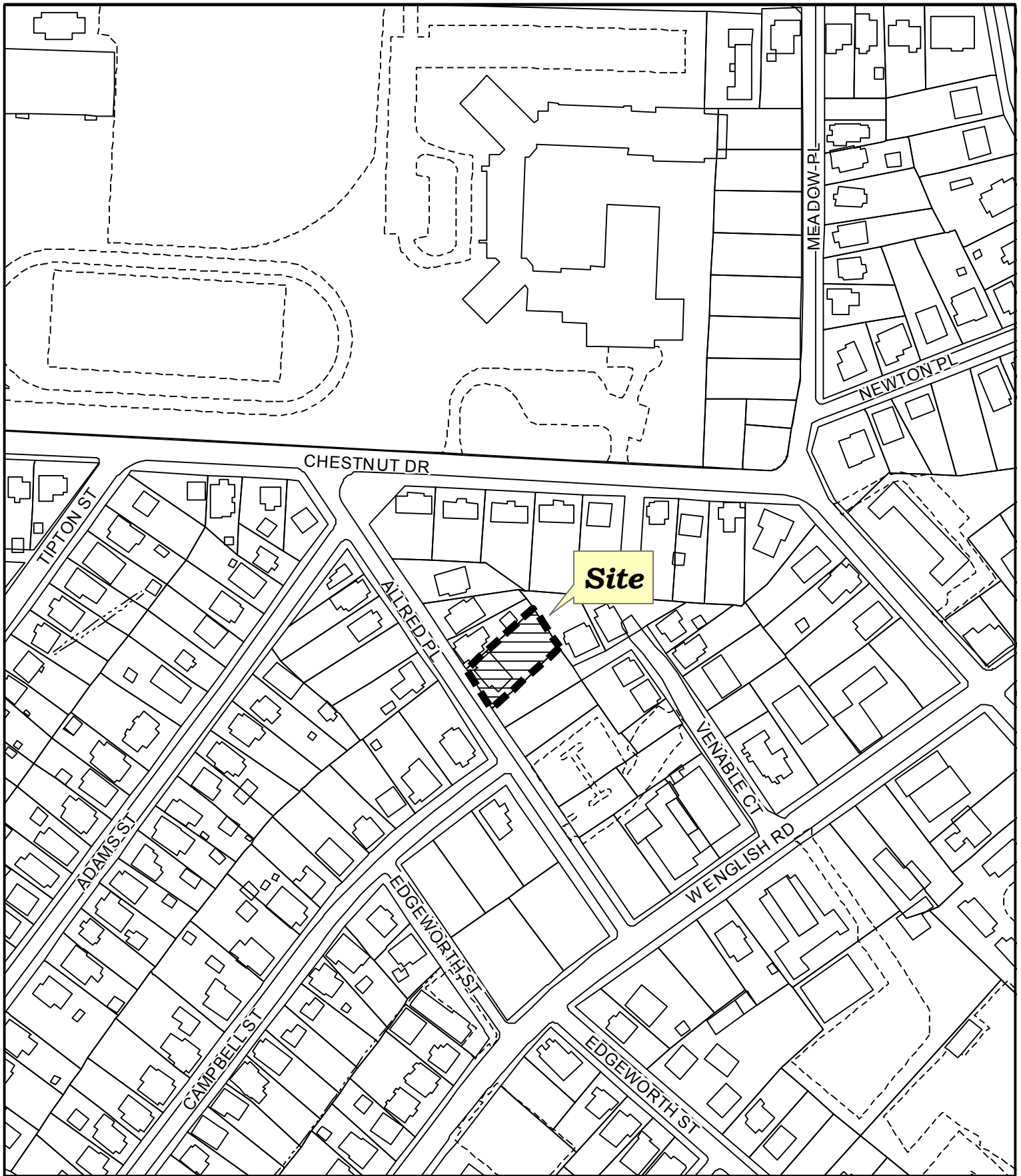
STATUS:

4-8-2011

Conditions still exist. Dwelling is occupied.

B-side of duplex was inspected and there were no violations found.

The B-side is vacant.



302-A Allred Place

Ordinance to Vacate/Close



Location of subject property

Department of Planning
and Development

City of High Point

Date: April 11, 2011



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



302 A Allred Street (duplex unit)

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

ORDINANCE

REQUEST: Ordinance to Vacate

PROPERTY

ADDRESS: 1610 Johnson Street

OWNER: Rossie & Ramona Gardner

FIRST

INSPECTION:

2-4-2011

Number of Violations: Major 7 Minor 21

- 1) rotted floor joist in bathroom area
- 2) leaking water lines in crawl space
- 3) broken plenum on house heater
- 4) bathroom floor rotted through to crawl space
- 5) incorrect wiring junctions in crawl space
- 6) broken electrical outlets in living room and dining room
- 7) smoke detectors missing

HEARING

RESULTS:

2-14-2011

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. The inspection was in response to a complaint from the tenant. The dwelling was occupied by two adults and four children at the time of the inspection. The dwelling is now vacant and a hold has been placed on utilities. The ordinance is requested to allow the inspector to vacate, close and placard the dwelling in accordance with state statute.

ORDER(S)

ISSUED:

2-14-2011

Order to Repair 2-14-2011 with a compliance date of 3-14-2011

APPEALS:

No appeals to date.

OWNER

ACTIONS:

There have been no permits and repairs have not started.

EXTENSIONS:

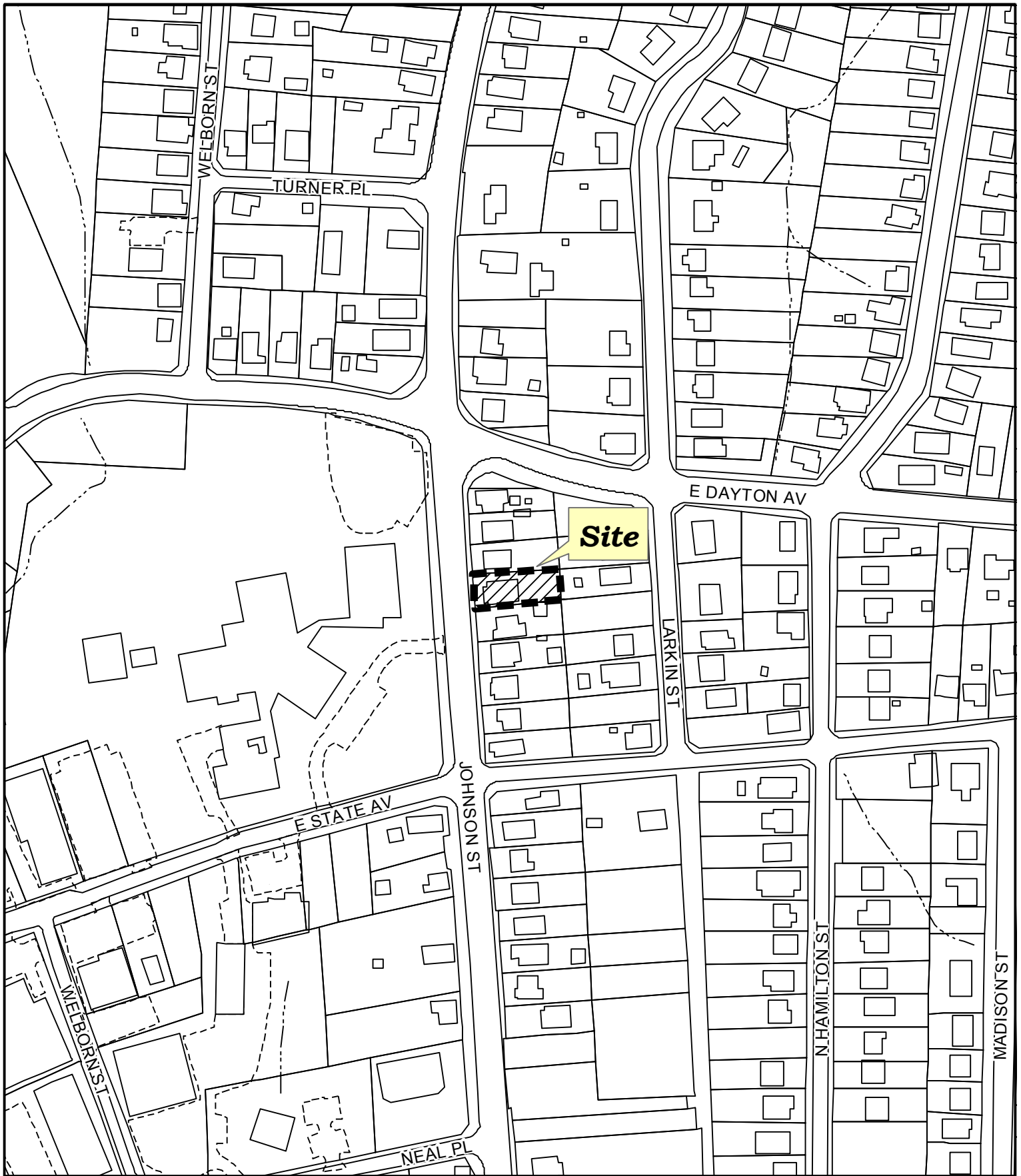
None requested by owner.

CURRENT

STATUS:

4-8-2011

Conditions still exist. Dwelling is vacant and secure.



1610 Johnson Street

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: April 11, 2011



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



1610 Johnson Street

PLANNING AND ZONING COMMISSION RECOMMENDATION

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

High Point University

Land Use Plan Amendment Case 11-02

A request by High Point University to change the land use map for approximately 7 acres from Low Density Residential to an Institutional land use designation. The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.

AND

High Point University

Zoning Case 11-04

Conditional Zoning Public & Institutional (CZ-PI) District.

A request by the High Point University to rezone approximately 7 acres from the Residential Single Family-7 (RS-7) District to a Conditional Zoning Public & Institutional (CZ-PI) District. The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.

Ms. Heidi H. Galanti, Planning Services Administrator, presented the Land Use Plan Amendment Case and Mr. Herbert Shannon, Senior Planner, presented Zoning Case. The Planning & Development Department recommended approval of both cases as outlined in the staff report.

Speaking in favor of both requests was Mr. Ron Guerra of 833 Montlieu Avenue in High Point, Director of Construction at High Point University. Mr. Guerra stated that the University is in need of more student housing and their intent is to construct a townhouse style student housing complex consisting of approximately 13 buildings that will accommodate up to 300 students. An individual townhome unit will accommodate six students and three to six townhome units will be attached together to make up an individual building. Mr. Guerra noted that the student housing will be developed around the perimeter of the site with the parking and clubhouse internal to the complex.

No one spoke in opposition.

The Commission questioned if the request for reduced setback would apply across the board for all CZ-PI zoned districts and would the setback reduction have to go before the Board of Adjustment for a variance. Mr. Shannon replied that the setback reduction is only for the site associated with this zoning case and part of the conditional zoning request.

The Planning & Zoning Commission recommended ***approval*** of Zoning Case 11-03, by a vote of 6-2. Commission members Cynthia Davis and Keith McInnis were the dissenting votes; they desired that the request be tabled to the next meeting in order to allow time to review the University Area Plan.

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

**COMBINED STAFF REPORT
LAND USE PLAN AMENDMENT CASE 11-02, AND ZONING CASE 11-04
March 22, 2011**

Requests	
Applicant: High Point University	Owner: High Point University, Michael & Patricia Bellocchio and City of High Point
LUPA Proposal: To change the future land use designation for approximately 7 acres.	From: Low Density Residential To: Institutional
Zoning Proposal: To rezone 2 city blocks totaling 7 acres.	From: RS-7 Residential Single Family-7 District
	To: CZ-PI Conditional Zoning Public & Institutional (CZ-PI) District

Site Information		
Location:	The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.	
Tax Parcel Numbers:	Plan Amendment Request	Zoning Request
	0189988 thru 0189999 and 189921 thru 189931	Same
Site Acreage:	Plan Amendment Request	Zoning Request
	7 acres	Same
Current Land Use:	Plan Amendment Request	Zoning Request
	Single-family dwellings, vacant parcels and a church	Same
Physical Characteristics:	The site has a moderately sloping terrain.	
Water and Sewer Proximity:	City sewer lines (8-inch lines) and water lines (6-inch, 8-inch & 16-inch lines) are both within the public streets abutting the site.	
General Drainage and Watershed:	The site drains in a western direction towards N. Centennial Street. Development 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 developments with an impervious surface area that is greater than 24% or more of the site.	
Overlay District(s):	City Lake General Watershed Area	

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Montlieu Avenue	Major Thoroughfare	420 ft.
	Centennial Street	Major Thoroughfare	750 ft.
	North Avenue	Local Street	350 ft.
	Willoubar Terrace	Local Street	780 ft.

Vehicular Access:	Montlieu Avenue and North Avenue		
Traffic Counts: <i>(Average Daily Trips)</i>	Montlieu Avenue		4,500 ADT (2009, 24-hour count)
	Centennial Street		6,900 ADT (2005, 12-hour count)
Estimated Trip Generation:	Based on the information provided by the applicant this development will generate less than 60 trips/day.		
Traffic Impact Analysis:	Required		Comment
	Yes	<u>No</u> X	
Pedestrian Access:	This development will be required to include sidewalks along N. Centennial Street and North Avenue to meet the sidewalk requirements in the Development Ordinance.		

School District Comment	
Not applicable to this zoning case.	

Adjacent Property Zoning and Current Land Use			
North:	RS-7	Residential Single Family-7 District	Single family detached dwellings
South:	RS-7	Residential Single Family-7 District	Single family detached dwellings
East:	CU-PI	Conditional Use Public & Institutional District	University Campus (student housing)
West:	RS-7	Residential Single Family-7 District	Single family detached dwellings

Adjacent Land Use Designations	
North:	Low Density Residential
South:	Low Density Residential
East:	Institutional
West:	Low Density Residential

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement:	Goal 1: Preserve and enhance High Point's most important natural and cultural resources. Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Goals, Objectives & Policies:	Goal #5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area. Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses;
Relevant Area Plan:	<u>University Area Plan:</u> <u>Policy 2.3:</u> Provide traffic circulation patterns with pedestrian safety as a priority. i. Improve pedestrian connections to and from campus, especially where they cross major thoroughfares (e.g. signalized crosswalks, stamped pavement, medians, etc.).

	ii. Improve pedestrian access to services within the study area by filling in missing sidewalks where needed to provide safe pedestrian access to area services such as the College Village Shopping Center. <u>Goal 3:</u> Ensure compatibility between the edge of campus and the surrounding neighborhood. <u>Policy 3.2:</u> Maintain as many existing large mature trees as possible, on site during new construction. <u>Policy 3.3:</u> Where existing vegetation does not exist, provide landscaping that delineates the campus and residential properties and provides sufficient separation between the university and adjacent residential areas. <u>Policy 3.5:</u> Transition the intensity of uses along the campus edge adjacent to existing residences. i. Decrease the bulk, mass and height of buildings, or increase setbacks. ii. Prevent the spillover of light and glare from outdoor lighting onto adjacent properties by limiting the height, illumination, and direction of outdoor lighting. iii. Locate parking areas internal to campus, where possible, to minimize visual impacts on adjacent residential properties. They should be screened from view, and access to the parking areas should be from internal campus driveways and not directly from local residential streets to minimize cut-through traffic in the residential neighborhood. iv. A combination of fencing and landscaping can be used to soften the edges, however solid fencing is typically discouraged along public streets. v. Placement of loading areas and mechanical equipment should be placed to minimize impact on adjacent properties. Screening shall be provided. vi. Consider reusing structures along the campus edges for housing, administrative offices, or other university uses. <u>Policy 3.6:</u> New campus development should be contiguous to the existing campus and consist of an entire sub-area. However if a partial rezoning of a sub-area is requested, then a site plan must be submitted along with the rezoning request that demonstrates how the impacts on adjacent properties will be mitigated. <u>Policy 3.7:</u> Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests.
Zoning History:	Since 1998, High Point University has received 3 Land Use Plan Amendments and 13 zoning approvals for the area lying north of Montlieu Avenue and west of W. College Drive to accommodate the westward expansion of the University.
LUPA History:	LUPA-00-03 - Land Use Plan Amendment case 00-03 came about as a result of rezoning case 99-48. The land use amendment included

	approximately 24 acres on the west side of W. College Drive, bounded on the west by Fifth Street, Fifth Court and the rear property lines of several lots fronting on W. College Drive. This request was approved by Council on April 11, 2001. LUPA- 08-03 - Approximately 31.36 acres along both sides of N. College Drive between its intersections with E. Lexington Avenue and N. Centennial Street. The site also included properties on the west side of Guyer St. south of Chatham Dr. from Low Density Residential, Moderate Density Residential and Medium Density Residential to Institutional on September 2, 2008. LUPA-09-01 – Approximately 39 acres were redesignated from Low Density Residential and Office to Institutional as a result of the University Area Plan recommendations on October 19, 2009. The amendments covered the following four areas: 1. <u>Phase IA, Sub-area 2 and a small portion of Phase IA, Sub-area 1</u> - lies in the northeast quadrant of W. College Dr. and E. Lexington Ave. 2. <u>Phase IC</u> - bounded on the north by E. Farriss Ave; on the east by Fifth St., Fifth Ct. and the eastside property lines of 1011 Fifth Ct. and 906 E. Farriss Ave.; on the south by Montlieu Ave.; and on the west by Willoubar Terr. and Fifth St. 3. <u>Unimproved right-of-way</u> - south of E. Farriss Ave. between Fifth St. and Willoubar Terr. 4. <u>University Parking Lot South of Montlieu Ave.</u> - bounded on the north by Montlieu Ave., on the east by N. College Dr., the south by Meadowbrook Blvd., and the west by Boundary Ave.
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Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Proposed Designation:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Details of Proposal

Overview of Zoning Request

The applicant desires to expand their campus to include this 2 block area to use for student housing. The proposal is to construct a townhouse style student housing consisting of approximately 13 buildings accommodating 300 students. The site currently has a residential classification upon the City's Land Use Map and single family residential zoning designation. In order to add this area to the campus and allow student housing, the University has submitted both a Land Use Map Amendment and Zoning Map Amendment application.

The applicant is requesting to rezone this 2 block area from RS-7 to a CZ-PI District. Along with their application, they have requested a Conditional Zoning Ordinance with conditions for development of the site. Key points of this ordinance are:

- Use of the site is restricted to townhouse style student housing (*a building consisting of attached dwelling units*) associated with a College or University use.
- Perimeter development standards limit the height of buildings to 50 feet and restrict the size of individual building footprints to 7,500 square feet.
- Standards are included for the screening of mechanical equipment, dumpsters and loading areas. The height of exterior lighting is limited.
- Buildings are to be located between the perimeter of the site (*specifically Montlieu Avenue, N. Centennial Street and North Avenue right-of-ways*) and any parking or vehicle circulation areas. In addition, all buildings shall have pitched roofs.
- Conditions for higher perimeter landscaping standards and the submittal of an alternate landscape plan in accordance with specific performance standards.
- Vehicular access is restricted to Montlieu Avenue and North Avenue.

Applicant's Request to Deviate from Standards of Development Ordinance

Section 9-3-13 subsection b&d of the Development Ordinance states that no rule, regulation or condition of a Conditional Zoning District shall have the effect of removing or amending any requirement of this Development Ordinance, with the exception of less restrictive dimensional, parking and landscaping requirements as authorized by the Ordinance and approved by the City Council.

The applicant has proposed a reduction in building and accessory structure setbacks from the perimeter streets that are less restrictive than the requirements of the Development Ordinance. Under the PI District, accessory uses are required to meet the same standards as principal building. Specific of this proposal are as follows:

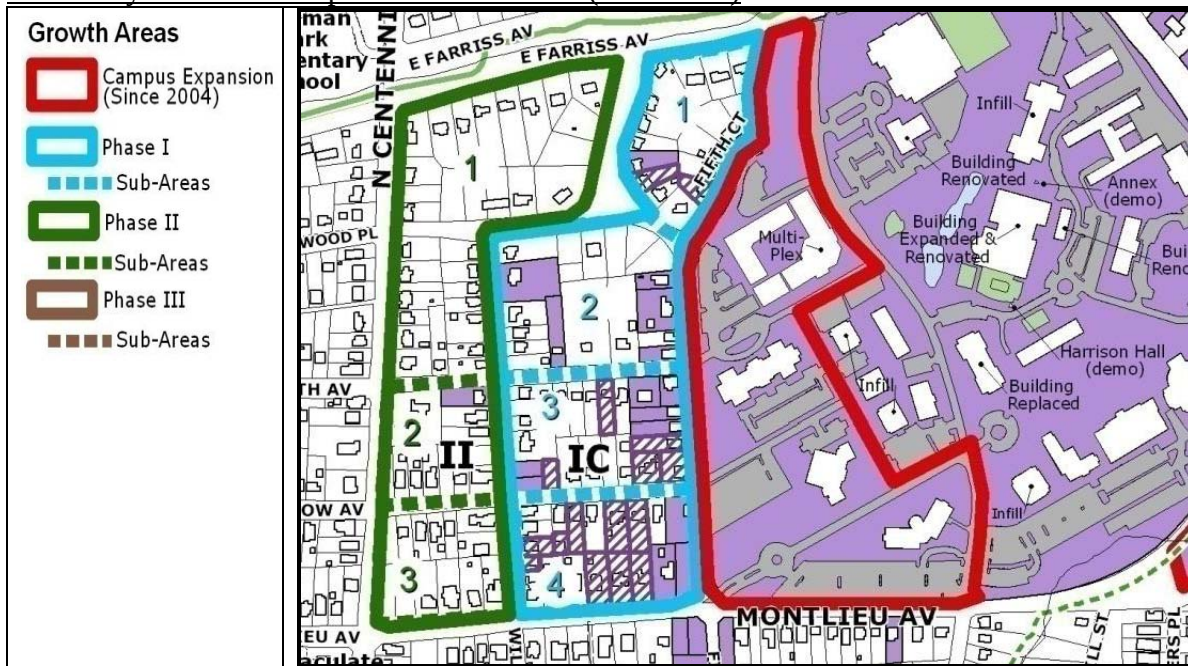
	Ordinance Requirement	Proposed Less Restrictive Requirements
Montlieu Ave.	50-feet from property line or 95 feet from center line of right-of-way, whichever is greater.	Allow 35 feet setback from property line for principal buildings and 25 feet for accessory structures.
N. Centennial St.	50-feet from property line or 95 feet from center line of right-of-way, whichever is greater.	Allow 30 feet setback from property line for principal buildings and 20 feet for accessory structures.
North Ave.	30-feet from property line or 55 feet from center line of right-of-way, whichever is greater.	Allow 25 feet setback from property line for principal buildings and 15 feet for accessory structures.

Analysis of Land Use Plan Amendment Request

The area requested for a land use plan amendment is designated as Low Density Residential on the Land Use Plan map and it is identified as Sub-areas 2 & 3 of the Phase II Growth Area in the University Area Plan (*see area outlined in green on map below*). The University has been actively working to develop areas within Phase I of the University Area Plan and they have reached a point of needing additional acreage to fill their needs. Except for two parcels along N. Centennial Street, one owned by the City of High Point and another that is under contract, the

university has acquired all of the properties within these two sub-areas associated with this current request.

University Area Plan Map 4 – Growth Areas (Dec. 2009)



The University Area Plan shows this area as a Transition Area (Permanent Edge). When redevelopment is considered within a Transition Area the new development should strive to maintain the existing setting of the area. Compatibility with the adjacent properties is of the utmost importance.

This land area lying east of N. Centennial Street, between E. Farris Avenue and Montlieu Avenue, is identified in the University Area Plan as Growth Areas IC and II. The intent of the plan was for Growth Area IC to develop prior to any proposal being considered in Growth Area II. The University owns almost all the land area in Growth Area IC and development is commencing for student housing and temporary parking lot (under Zoning Case 11-03) for sub areas 2, 3 & 4 of this growth area. Also, that portion of sub area 1 in Growth Area IC, along Fifth Court, is also student housing owned by the University. With the University controlling and using the majority of this growth area, a land use plan amendment for expansion into Growth Area II is consistent with the objectives of the University Area Plan.

Zoning Request - Identified Issues

Major Issues:

- ❖ None.

Minor Issues:

- ❖ Future Street Improvements on N. Centennial Street

As the University has continued to grow, the Transportation Department has expressed concerns that the cumulative total of the University's expansions over the past several years may begin to negatively impact traffic upon the perimeter City streets. The City requires

zoning applicants to make improvements that are linked to the impact of their development as part of a zoning request. This specific zoning request does not impact City streets to the point of requiring street improvements. However, depending on how the blocks lying north of this zoning site develop, future street improvements may be needed. Based upon existing development and known University plans, street improvements at the intersection of N. Centennial Street and North Avenue would likely be warranted. These improvements would consist of left and right turn lanes, including right-of-way, that would mitigate impacts from the University's main entrance on N. Centennial Street.

The situation is that when a zoning request is submitted for the block to the north, the anticipated street improvements would impact this current zoning site for right-of-way dedication and turn lanes. The Transportation Department recommends the University take this into consideration as they develop this site and plan ahead by locating sidewalks, fencing, landscaping and buildings so that if these future improvements are needed they will have minimal impact on this site. In addition, the Transportations Department is requesting the dedication of N. Centennial Street right-of-way with the associated street abandonment case (SA 11-01) to plan for these anticipated turn lanes.

❖ Setback Reductions

The Planning & Development Department does not object to a reduced building setback along perimeter streets of the zoning site which are similar to setbacks of adjacent residential uses. Reduced building setbacks are not a major concern along North Avenue as the University Area Plan describes this street as an interim edge area. These are areas between growth phases or sub-areas and they are expected to be relatively short-term. Setback reduction along Montlieu Avenue enables development of the site in a manner so that buildings, not large parking areas, are along the Montlieu Avenue frontage. Finally, the site is narrow in its east-west dimension and anticipated street improvements, including right-of-way dedication along N. Centennial Street, further restricts the internal layout of buildings. With the applicant limiting the height of buildings to the same standards as the surrounding residential neighborhoods, additional flexibility was needed along its N. Centennial Street frontage. To offset setback reductions impacts and provide for compatibility with the adjoining residential neighborhoods, the applicant offered to deviate from required street yards to better address the visual appearance along Montlieu Avenue and N. Centennial Street.

Staff Review Comments

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

Consistency with Adopted Plans:

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

The zoning site is within the scope of the adopted University Area Plan. One of the objectives of the University Area Plan is to designate growth areas for a more orderly expansion of the University and to discourage development that would adversely impact adjacent residential neighborhoods. The zoning site is located in the second growth area and the requested Land Use Plan amendment and zoning request are consistent with the University Area Plan and the City's Land Use Plan.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	Based upon conditions offered by the applicant that restricts the use of the site, limits building height, and dictates the manner in which the perimeter of the site must be constructed and landscaped, development of the site will be in harmony with the surrounding area.
	Subject to right-of-way dedication in conjunction with the proposed street abandonment (see Street Abandonment Case 11-01), the issue of street improvements on N. Centennial Street is addressed. With this dedication, setbacks will be from the new property line and building setbacks will be in character with the development pattern of the area.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	The applicant has offered conditions to screen loading areas from abutting roadways, limit height of lighting, and prohibit parking from being along the perimeter of the site.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat;
	Staff has not identified any environmental impacts based upon the proposed district; the site is within the City Lake General Watershed Area and development will be subject to watershed regulations.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and;
	The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services. Subject to the N. Centennial Street right-of-way dedication, future improvements to that street can be accomplished without impacting future buildings

	and other perimeter improvements to the site (i.e. fencing & landscaping).
Factor #5	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties.
	The applicant has offered to limit use of the site to student housing only and has offered conditions that development of this area be of character that is compatible with adjacent residential neighborhoods.

Changes in the Area:

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

Since 1999, the campus has expanded westward from its historical W. College Drive boundary. Along with this expansion, the majority of the public street network within the expansion area has either been abandoned in order to combine city blocks or converted to private drives to become part of the university's internal circulation network. The expansion of the campus along with changes to the public street network has changed the character of this area.

Development Patterns:

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

One of the objectives of the University Area Plan was to establish an orderly pattern for the expansion of High Point University and discourage haphazard development that would adversely impact adjacent residential neighborhoods. This was done by establishing growth areas. The zoning site is in Growth Area II. It was anticipated that no development would commence in this area until all of Growth Area IC, directly east of this site, was acquired. The University has acquired almost of the land in Growth Area IC and is currently developing half of this area for student housing (*The Greek Village student housing complex*). Thus, expansion into Growth Area II would be a logical expansion of the campus consistent with the objectives of the University Area Plan.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered 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 the approval of Land Use Plan Amendment Case 11-02, the requested CZ-PI District is consistent with the adopted plans, 2) The request meets or addresses the review factors, 3) The proposal limits use of site, limits vehicular access, limits building footprint size and building height, and prohibits parking from being located along the perimeter of the site all to further insure the request will be in harmony with adjacent single family neighborhoods; and 5) The University owns almost all of the land area within Growth Area IC which is directly east of this zoning request and they are currently constructing student housing in the portion of Growth Area IC directly east of the zoning. Therefore this is an orderly expansion of the campus consistent with the policies of the University Area Plan.

Recommendation

Land Use Plan Amendment Case 11-02:

Staff recommends approval of the request to change the future land use designation for approximately 7 acres to an Institutional land use classification. The request meets goals and objective of the Land Use Plan and will be in harmony with the land use pattern of the surrounding area.

Zoning Case 11-04:

Staff recommends approval of the request to rezone this 7 acre area to the CZ-PI District. As conditioned, the requested CZ-PI District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

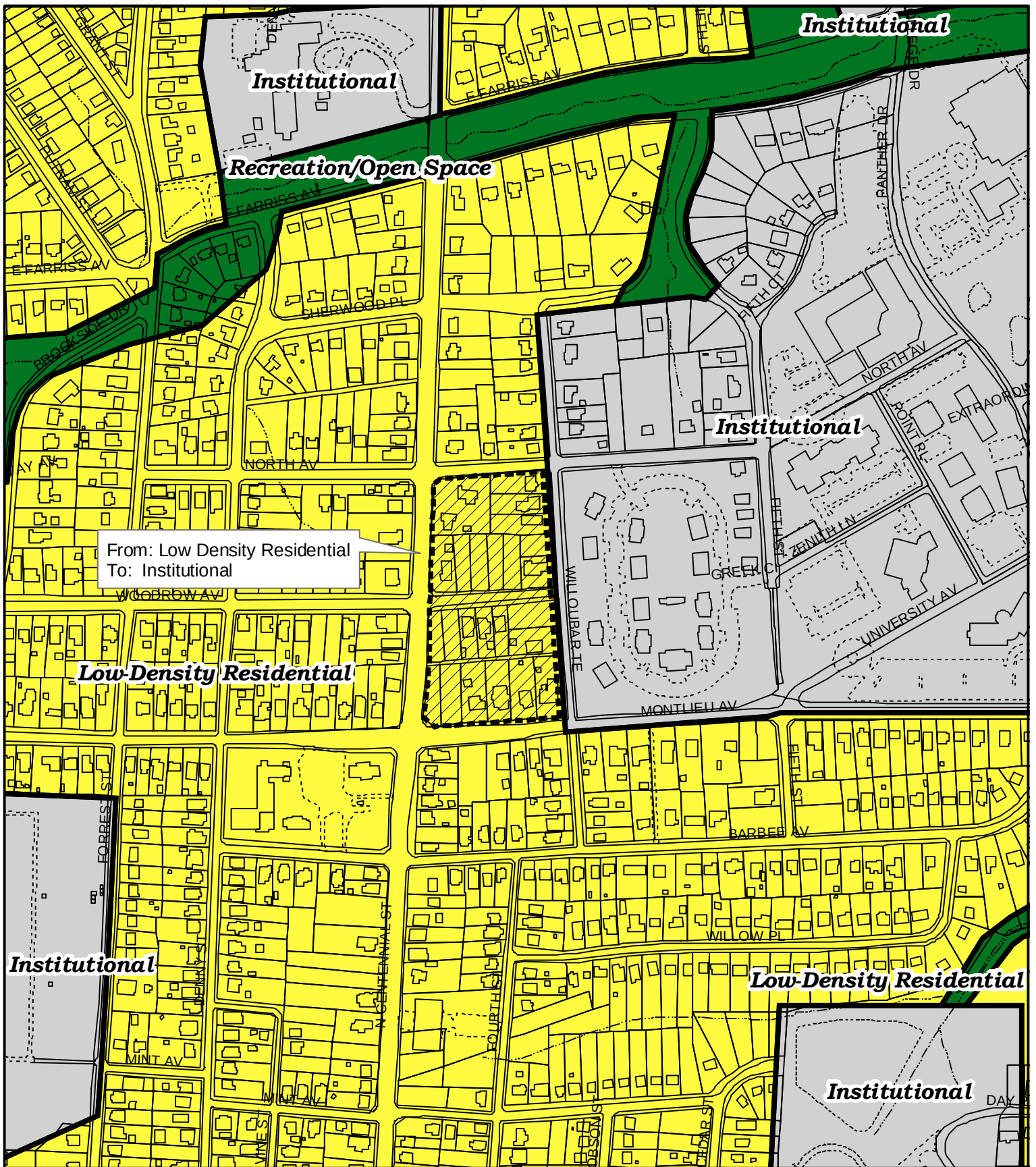
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission must place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the staff's statement or by adopting its own statement.

City Council:

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

Report Preparation

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



LAND USE PLAN AMENDMENT 11-02

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

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: March 14, 2011



Scale: 1"=400'

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ZONING CASE 11-04

From: Residential Single Family-7
To: Conditional Zoning Public Institutional

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

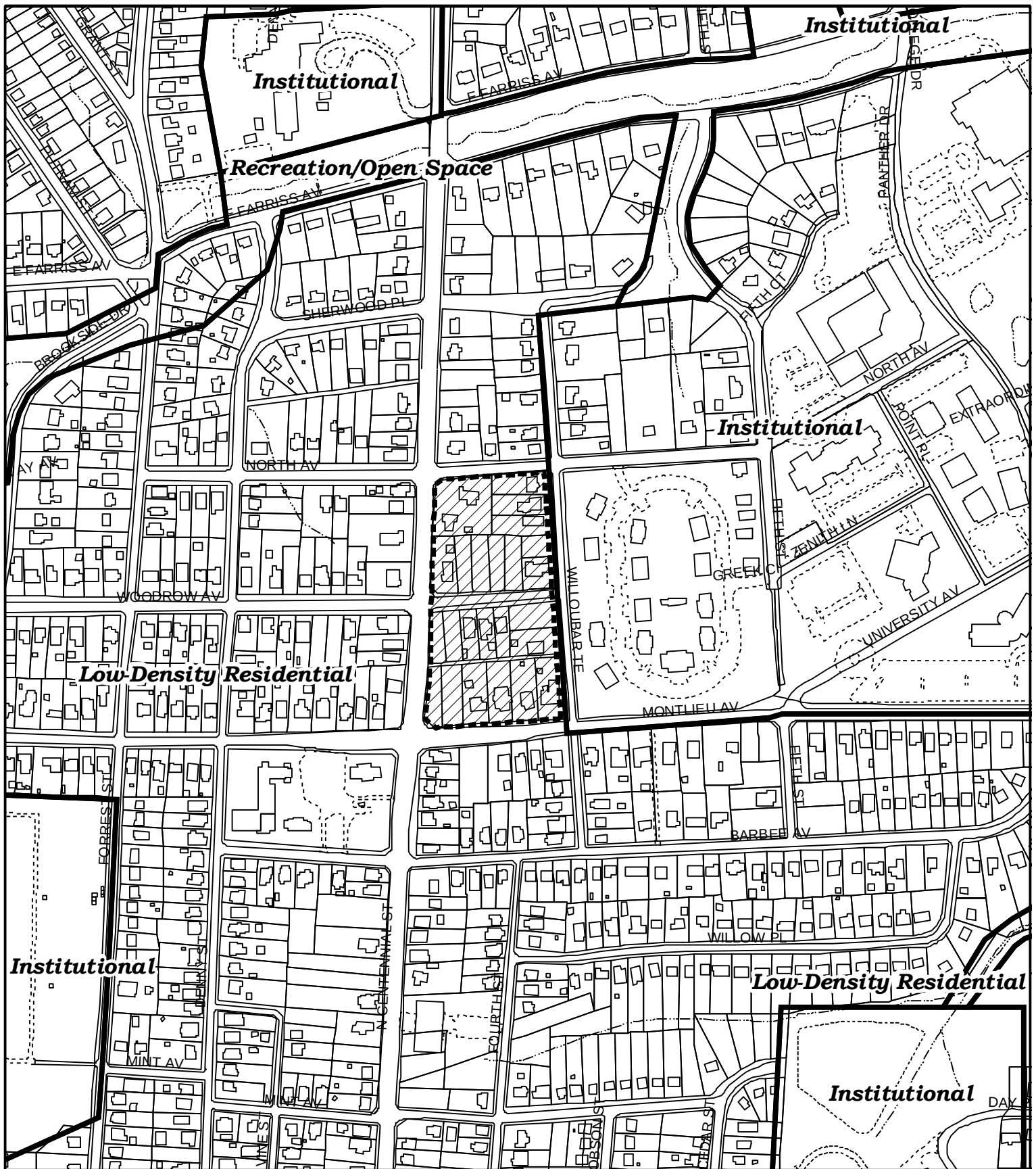
**Planning & Development
 Department**

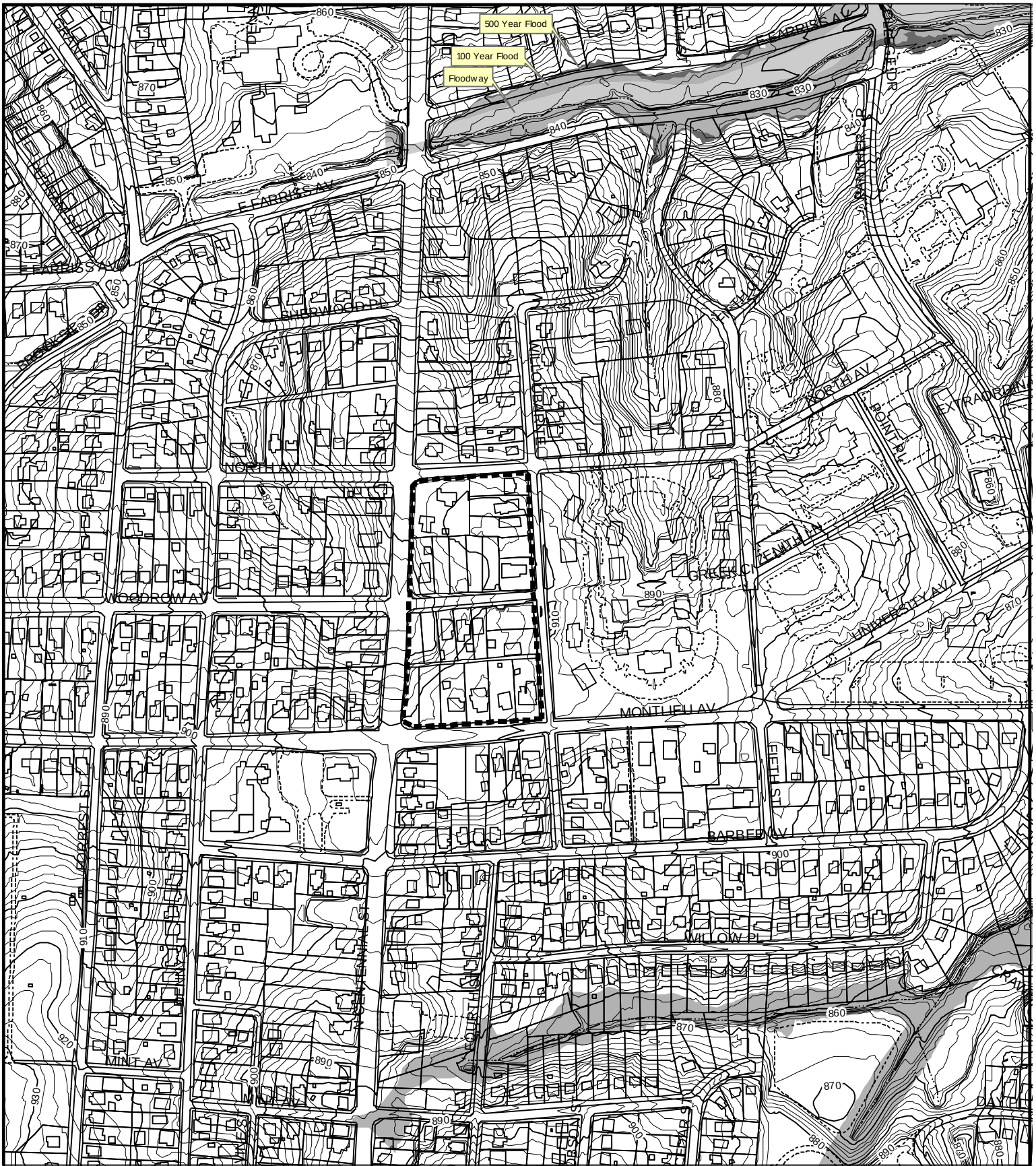
City of High Point

Date: March 4, 2011



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ZONING CASE 11-04

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

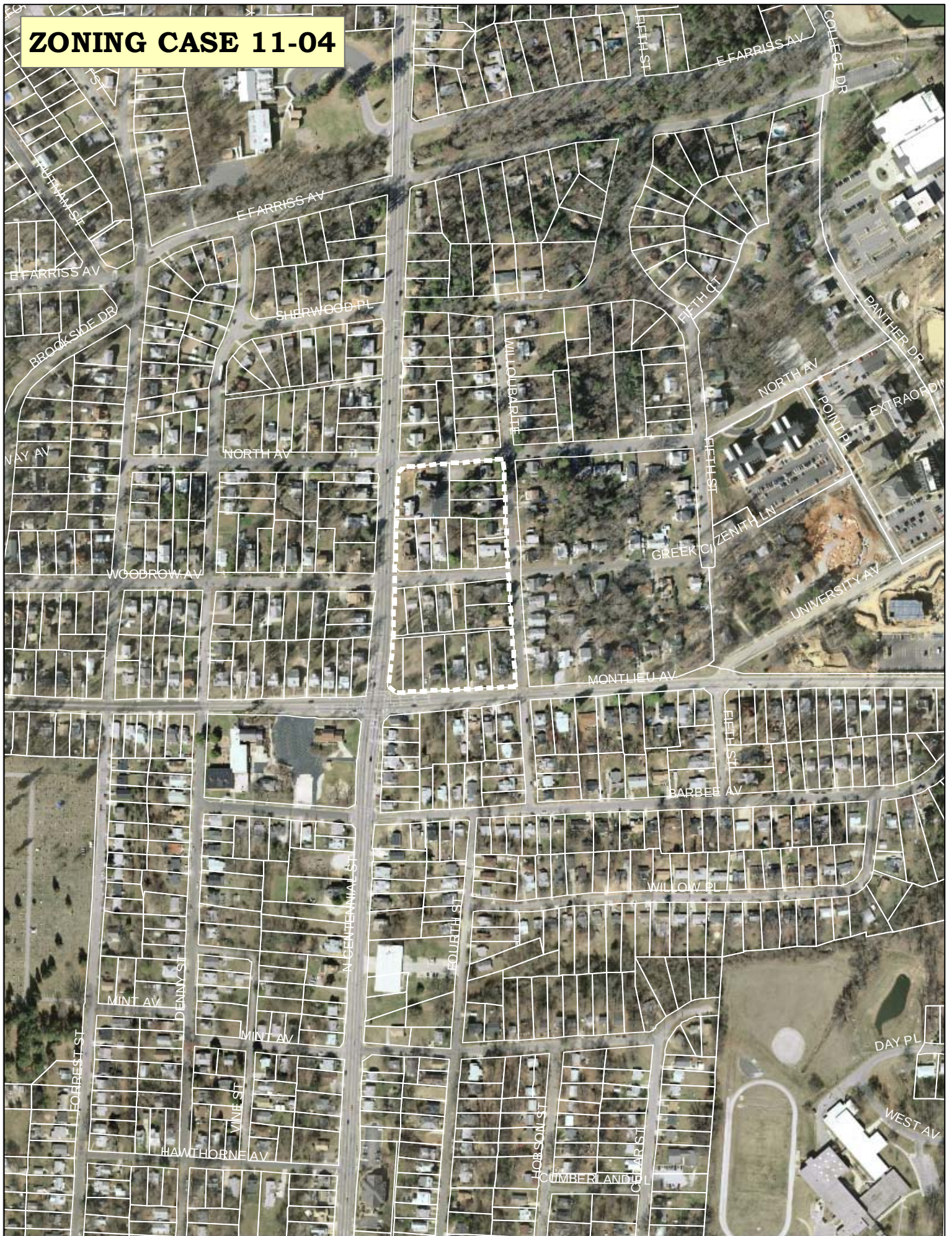
Date: March 4, 2011



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ZONING CASE 11-04



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

**Zoning Case 11-04
Conditional Zoning Public & Institutional (CZ-PI) District.**

February 7, 2011
(Submitted)

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

Part I. USES:

- A. Only townhouse style student housing (a building consisting of attached dwelling units) associated with a Colleges or Universities use (SIC 8220) and uses customary associated with this use shall be permitted.
- B. Development of the site shall be as allowed in the Public and Institutional (PI) District, subject to the development and dimensional requirements of the PI District and the specific conditions listed in this Conditional Zoning Ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1). General Standards

- a. Mechanical or electrical equipment, dumpsters, or other similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level, as seen from the centerline of any adjacent public street. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
- b. Within 100-feet of the Montlieu Avenue, N. Centennial Street and North Avenue right-of-way, loading areas for a building shall not be located on any side of a building that faces these road right-of ways. In regards to the North Avenue frontage of the zoning site, this standards shall only apply where land area upon opposite site of North Avenue has a residential zoning designation:
- c. Lot Combination - All parcels associated with the rezoning site shall be combined into one lot prior to development and re-subdivision.
- d. Within fifty (50) feet of the exterior perimeter of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height

where this tract is adjacent to residential zoning districts. This lighting shall be directed inwards towards the interior of the tract to minimize lighting spill-off/glare upon adjacent residentially zoned property.

2). Site Development Standards

- a. All buildings shall have a pitched roof.
- b. The size of each building adjacent to the Montlieu Avenue and N. Centennial Street roadways shall be limited to a maximum of six (6) dwelling units per building with a maximum building footprint of 7,500 square feet.
- c. Except for where approved vehicular access points are located, development shall occur in a manner so that buildings are located between the perimeter of the site (specifically Montlieu Avenue, N. Centennial Street and North Avenue right-of-ways) and any parking, and vehicle circulation areas.
- d. The maximum building height shall be fifty (50) feet for any building within 100 feet of the Montlieu Avenue and N. Centennial Street right-of-way.
- e. The following minimum setback from property line shall be permitted.
 - i. Each principal building(s) shall maintain the following minimum setbacks from adjacent right-of-way lines.
 - Montlieu Avenue 35 feet.
 - N. Centennial Street 30 feet.
 - North Avenue 25 feet
 - ii. Covered and uncovered porches, decks and patios, whether attached or unattached to a principal building, and any other accessory structures shall maintain the following minimum setbacks from adjacent right-of-way lines.
 - Montlieu Avenue 25 feet.
 - N. Centennial Street 20 feet.
 - North Avenue 15 feet

B. Landscaping, Buffers and Screening.

1. If fencing is installed along the Montlieu Avenue and N. Centennial Street frontage of the zoning site, the decorative perimeter fencing (brick & wrought iron/aluminum fencing) that generally outlines the boundary of the University shall be installed.
2. Within 100 feet of the Montlieu Avenue a tree protection plan shall be submitted and approved prior to issuance of a grading permit. Trees with a diameter at breast height (dbh) of 4-inches or greater that are preserved within the 100 foot wide planting area shall be credited toward the specified street yard at a rate of 2-canopy trees for each tree preserved. In the event a tree that is to be preserved dies within 2 years of completion of the development it shall be replaced, within

this 100 foot wide planting area, at a rate of 2 canopy trees for each tree lost. Replacement trees shall have a minimum caliper of 2-inch when planted.

3. In lieu of ordinance requirements for street planting yards, a landscaping plan shall be required to be submitted for review and approval by the Planning & Development Department prior to issuance of any building permit upon the site. The objective of this plan is to screen the rear of structures located along the Montlieu Avenue, N. Centennial Street and North Avenue frontages of the zoning site with an assortment of planting species, and to enhance the visual appearance of the permanent edge areas as identified in the University Area Plan. This plan shall at a minimum address the following:
 - a. This plan is specifically for the initial 75 feet of the site's Montlieu Avenue, N. Centennial and North Avenue frontages and should be designed to enhance the visual appearance of these corridors.
 - b. Through the use of an assortment of understory trees, canopy trees, shrubs, berms and other topography treatments, the exterior activity area at the rear of buildings shall be screened. The planting rate shall be sufficient to provide the desired screening effect within three (3) years of planting.
 - c. Fifty percent (50%) of trees and shrubs utilized on the plan along these roadways shall consist of evergreen species of planting material. These shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting.
 - d. Along with the landscaping plan, a depiction of the building elevations after landscaping, as viewed from the abutting roadways may be requested from the Landscape Architect to assist in assessing the effectiveness of the plan.

C. Transportation

1. Access:

- a. There shall be no access allowed to this rezoning site from N. Centennial Street.
- b. Access to North Avenue will be per the requirements of the Driveway Ordinance.
- c. One (1) point of access shall be allowed to Montlieu Avenue at the existing Willoubar Terrace intersection or as approved by the High Point Department of Transportation.

DESCRIPTION OF PROPERTY: A two block area totaling approximately 7 acres bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street. The property is also known as Guilford County Tax Parcels 0189988 thru 0189999 and 189921 thru 189931. The property is currently address as 808 N. Centennial Street; 601, 603, 605, 607, 609 and 611 Montlieu Avenue; 707, 711, 807, 809, 811, 813 Willoubar Terrace; 600, 602 thru 609 and 611 Woodrow Avenue.



February 17, 2011

To: Lee Burnette, Director of Planning and Development

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

Subject: **Rezoning Case #11-04**, High Point University. The site consists of a two (2) block area bounded by North Avenue, Willoubar Terrace, Montlieu Avenue and N. Centennial Street.

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

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

Access:

- There shall be no access allowed to this rezoning site from this rezoning site from Centennial Street and access to North Avenue will be per the requirements of the Driveway Ordinance.
- One (1) point of access shall be allowed to Montlieu Avenue at the existing Willoubar Terrace intersection.

Improvements:

Additional improvements on the High Point University Campus will require a northbound right turn and a southbound left turn lane at the intersection of Centennial Street and North Avenue. Provide right of way along Centennial Street to accommodate the construction of a northbound right turn lane with 100' storage and approximately 270' taper. The new right of way behind the curb must be wide enough to accommodate utilities and pedestrian facilities.

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

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

Citizens Information Meeting Report Zoning Case 11-04

Submitted by: Donald A. Scarborough on
behalf of High Point University



Friday, February 25, 2011

To: City of High Point, North Carolina
Planning and Development Office

From: Donald A. Scarborough, Ed.D. *DS*
Vice President for Community Relations

Re: Conditional Use District Zoning
Case 07-025
Community Meeting February 24, 2011

High Point University conducted a Citizens' Information Meeting in support of our application for three rezoning requests. The meeting was held in Norton Hall, Room 202, on the campus of High Point University. Letters of invitation were mailed to 113 citizens on February 15, 2011—67 invitations related to #1 below: 17 invitations related to #2 below, and 29 invitations to #3 below. Forty-two (42) people attended this meeting.

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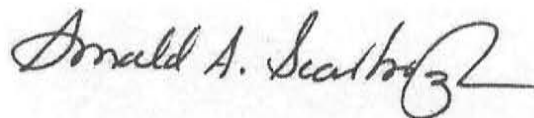
1. RS-7 to CZ-PI: 24 parcels of property adjacent to the main campus. The property totals approximately 7 acres--located on the two blocks bordered by Willoubar Terrace, Montlieu Avenue, North Centennial Street, and North Avenue. Twenty-eight (28) persons attended this meeting and registered with interest in this request.
2. LO to CZ-LB: 1124 East Lexington Avenue. Three (3) people attended this meeting and registered with interest in this request.
3. RS-7 to CZ-PI: 19 parcels of property adjacent to the main campus. The property totals approximately 6.09 acres—located on the block bordered by Fifth Street, North Avenue, and Willoubar Terrace. Eleven (11) people attended this meeting and registered with interest in this project.

A copy of the "City of High Point Conditional Use District Zoning, Citizen Information Meetings" and a copy of High Point University's "Development Proposal—Expansion North of the Main Campus" were distributed and viewed by all participants. A map was displayed outlining the campus master plan and proposed zoning changes. Dr. Donald A. Scarborough, Vice President for Institutional Advancement; Mr. Ron Guerra, Director of Construction and Renovation; and Mr. Dan Pritchett, Jamestown Engineering represented the University.

Most of the discussion centered on the scope and breath of the University's expansion program and then focused on the specific area listed above. It was a very positive meeting with questions related to traffic access to the property, boundary between the University's property and the residential areas, and the intended use of the property. Specific discussion focused on:

- Size and student capacity of the project;
- How the project would be bordered and protect the adjacent property owners;
- Current traffic issues on North Avenue;
- How much of Willoubar Terrace would be closed;
- Construction time frame;
- How construction traffic would be regulated;
- The anticipated boundaries of the University's future expansion plans; and
- The functions of various buildings, and
- Why does the City's University Area Plan not include the area between East Farriss Avenue, North Centennial Street, Lexington Avenue, and McCain Park.

Copies of the Sign-in Sheets for each of the cases are attached.

A handwritten signature in black ink, reading "Donald A. Scarbro" followed by a stylized flourish or number "32".

Sign-In Sheet

Citizens Information Meeting
Thursday, February 24, 2011
High Point University
RS-7 to CZ-PI

Rezoning Location:
Centennial/Mountlieu/Willoubar/North

Name

Address

Phone No.

Sarah M. Gray 607 North Ave

54-2636

Harvey Robinson 906 N.S Ave

Ava M. 901 N. Centennial St

528-7124

Peggy Ingram & Barbara 605 N Centennial St

418-1108

Mitzi McCollough 604 N. Centennial St

418-6504

Deacon Wally Hargraves ^{whaarsgaard@hcmchurch.org} Emmerich to Near Top of Mary's

54-5212

Yvonne R. Rappaport

54-9321

Glenn Alden 911 Willoubar Dr

52-2799

J. S. Cowan 515 MONTLIEU AVE

52-3532

Kathleen Guthrie 1217 Fifth St

910-4011

Ann Schmidt 1215 5th St

787-2891

Cathy Hutchins 515 Woodrow Ave

718-2738

Sasha Brown 606 N Centennial

54-357

~~Glenn Alden~~

Debra Laughon 1321 Fifth St

52-2246



April 13, 2011

MEMORANDUM

TO: Strib Boynton
City Manager

FROM: Louanne C. Hedrick
Budget & Evaluation Officer

SUBJECT: Agenda Item for City Council

On the next agenda, the Engineering Services Department has asked City Council to approve a final change order for the NCDOT Railroad Crossing Rehabilitation project to complete the rail corridor grade crossings.

State funds for this completion are estimated to be \$143,716. In order to appropriate the additional funds, I've attached is a Capital Project Budget Ordinance amendment for City Council approval. . The project is fully funded by NCDOT.

Keith Pugh or Jeff Moore will be available if you have any questions.

cc: Pat Pate
Randy McCaslin
Keith Pugh
Jeff Moore

Attachments: Budget Amendment

"A CAPITAL PROJECT ORDINANCE AMENDMENT
OF THE CITY OF HIGH POINT, NORTH CAROLINA FOR
NCDOT RAIL CORRIDOR PROJECT

Be it ordained by the City Council of the City of High Point, North Carolina,
as follows:

Section 1. The City has been approved for additional funding of \$143,716 from the NC Department of Transportation (NCDOT) for completion of the Rail Corridor grade crossings. The project is fully funded by the NCDOT at 100%

Section 2. The revenues that will be available to the City of High Point include:

(A) That the General Bond Projects Fund Revenues of the City of High Point, are hereby amended as follows:

State Grants (411610/413999)	\$143,716
------------------------------	-----------

(B) That the following General Bond Projects Fund expenditures be increased as follows:

General Bond Projects Fund Expenditures (411610/533701)	\$143,716
--	-----------

Section 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage."

Adopted this _____ day of April, 2011

Lisa B. Vierling, City Clerk

PLANNING AND ZONING COMMISSION RECOMMENDATION

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

High Point University

Street Abandonment Case 11-01

A request by High Point University to abandon an improved portion of Willoubar Terrace between Montlieu Avenue and North Avenue, an improved portion of Woodrow Avenue between N. Centennial Street and Willoubar Terrace, and an unimproved 10-foot alley between Willoubar Terrace and N. Centennial Street.

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

Speaking in favor of the request was Ron Guerra of 833 Montlieu Avenue in High Point, Director of Construction at High Point University. He advised the Commission that in order to build the new student housing complex associated with Zoning Case 11-04, the University is requesting the abandonment of Willoubar Terrace, Woodrow Avenue and the unimproved alley.

No one spoke in opposition.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 11-01 with the retention of a public utility easement over the entire right-of-ways for the existing sanitary sewer, water, electric and natural gas utilities, and inclusion of the additional right-of-way dedication along the east side of North Centennial Street, by a vote of 6-2. Commission members Cynthia Davis and Keith McInnis were the dissenting votes; they desired that the request be tabled to the next meeting in order to allow time to review the University Area Plan.

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

**STAFF REPORT
STREET ABANDONMENT CASE 11-01
March 22, 2011**

Request	
Applicant: High Point University	Proposal: Abandonment of an improved portion of Willoubar Terrace between Montlieu Avenue and North Avenue, an improved portion of Woodrow Avenue between N. Centennial Street and Willoubar Terrace, and an unimproved 10-foot alley between Willoubar Terrace and N. Centennial Street.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Willoubar Terrace	Local Street	50 ft. right-of-way – 24 ft. curb & gutter
Woodrow Avenue	Local Street	50 ft. right-of-way – 30 ft. curb & gutter
North Avenue	Local Street	50 ft. right-of-way – 39 ft. curb & gutter
N. Centennial Street	Major Thoroughfare	80 ft. right-of-way – 60 ft. curb & gutter
Montlieu Avenue	Major Thoroughfare	78 ft. right-of-way – 60 ft. curb & gutter

Adjacent Property Zoning and Current Land Use		
North	Residential Single-Family-7 (RS-7)	Single-family residences
East	Conditional Use Public Institutional (CU PI)	University Campus
South	Residential Single-Family-7 (RS-7)	Montlieu Avenue
West	Residential Single-Family-7 (RS-7)	N. Centennial Street

Analysis

The right-of-ways being considered for abandonment total approximately 1.26 acres in area. Woodrow Avenue and Willoubar Terrace are 50 feet in width. The alley is approximately 10 feet in width. Sections of Willoubar Terrace and Woodrow Avenue are improved, and the alley is unimproved. All abutting property is owned by High Point University with the exception of 600 and 603 Woodrow Avenue. City of High Point owns 600 Woodrow and it is a non-buildable parcel (High Point University has requested to purchase the property from the City). The other lot at 603 Woodrow will not be denied reasonable access because the property has direct access to N. Centennial Street via an existing concrete driveway.

The University intends to redevelop the blocks to the north and south of the Woodrow Avenue right-of-way as student housing. Easements shall be retained for the existing utilities which includes sanitary sewer, water, electric, and natural gas. At the time of redevelopment the utilities shall be relocated and/or abandoned per City standards. The adjacent public right-of-ways of North Avenue, Montlieu Avenue, and N. Centennial Street shall remain open and will provide adequate vehicular/pedestrian access along the boundaries of the High Point University campus.

Findings

The Technical Review Committee (TRC) reviewed this request on February 16, 2011 and identified no issues that would prevent the abandonment of these right-of-ways. The Transportation Department is requesting additional right-of-way along the eastern limits of N. Centennial Street to accommodate a future right turn lane(s) to North Avenue. This additional right-of-way request is in conformance with the Street Closing Policy adopted by City Council in February, 1985. The applicant has agreed to dedicate the additional right-of-way at the time of development plan submittal.

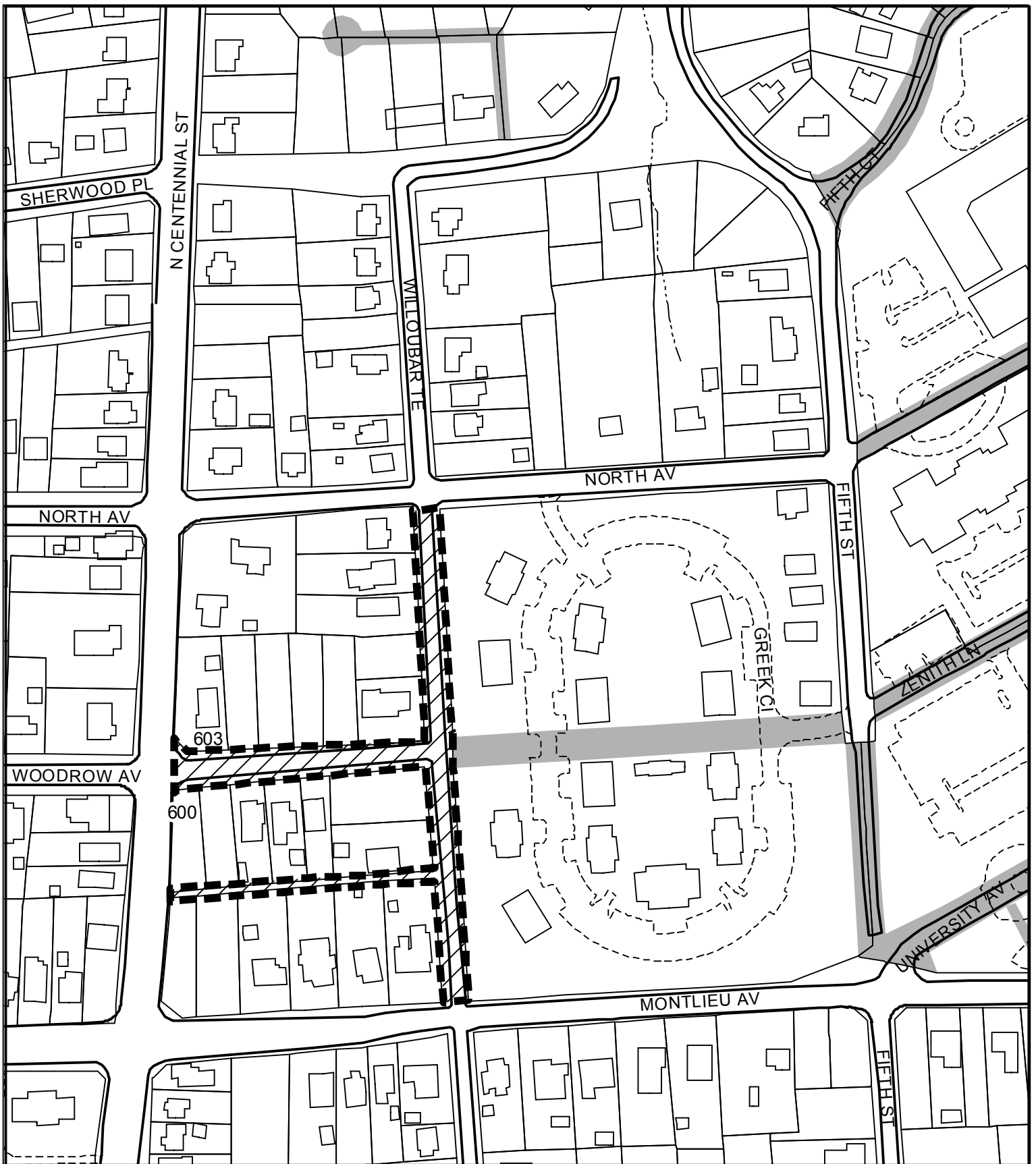
This abandonment of the public's interest and conveyance of these right-of-ways to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means 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 public utility easement over all the public right-of-ways (except the 10-foot alley) for existing sanitary sewer, water, electric, and natural gas utilities and the dedication of additional right-of-way along the eastern limits of N. Centennial Street. This recommendation is 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 SA11-01

Applicant: High Point University

Area: 1.26 acres



Location of requested street abandonment



Previously abandoned right-of-ways

**Planning & Development
Department**

City of High Point

Date: February 11, 2011



Scale: 1"=200'

y:/ba-pz/2011/pz/sa11-01.mxd

Attachments: Photographs (March, 2011) and Aerial (February, 2008)

Willoubar Terrace looking north from Montlieu Avenue.



Willoubar Terrace looking north from Woodrow Avenue.



Attachments: Photographs (March, 2011) and Aerial (February, 2008)

Woodrow Avenue looking east from N. Centennial Street.



Woodrow Avenue looking west from Willoubar Terrace.



Attachments: Photographs (March, 2011) and Aerial (February, 2008)

Aerial with the abandonment area highlighted.





MEMORANDUM

DATE: **April 13, 2011**

TO: Randy McCaslin, Assistant City Manager

FROM: Michael E. McNair, Director

SUBJECT: Public Hearing for the 2011-12 Annual Action Plan

The Community Development and Housing Department requests a public hearing for the 2011-12 Annual Action Plan at Council's regularly scheduled meeting on April 18th. The Department has completed necessary activities for preparation and submission of the 2011-12 Annual Action Plan to the Department of Housing and Urban Development (HUD). The final steps prior to submission are a public hearing and Council approval. A draft of the Annual Plan describing the activities and programs proposed for the 2011-12 program year has already been provided for Council's review. The plan must be submitted to HUD no later than May 16, 2011.

In accordance with recent budget reductions negotiated in the final continuing resolution currently before Congress, the 2011-12 Annual Plan budget will have to be reduced as well. As of this writing, we anticipate a total reduction of \$70,924 for CDBG (\$11,779) and HOME (\$59,145) programs. Staff will monitor progress of the final continuing resolution as it moves through the legislative process towards approval to confirm final budget amounts making adjustments as needed.

The Annual Action Plan is designed to implement strategies and programs that accomplish objectives identified in the City's five year Consolidated Plan. The goals and measurable objectives for the proposed projects in the Plan are consistent with federal regulatory requirements. The process to develop the Plan included the following:

- Two community meetings were held to discuss programs and seek citizen input;
- The Citizen Advisory Council (CAC) received presentations from public service grant applicants in February 2011;
- The CAC reviewed a draft of the proposed Plan during its March meeting;
- A draft of the proposed Plan was released for public comment from March 14th through April 12th; and
- The CAC conducted a public hearing for the Action Plan on March 25th and voted unanimously to recommend that Council approve the plan.

The proposed Annual Action Plan process has met HUD citizen participation requirements for action plan development such as public availability of the proposed Plan, public hearings on the Plan, and the public comment period. We ask that Council favorably consider approval of the 2011-12 One Year Action Plan.

PLANNING AND ZONING COMMISSION RECOMMENDATION

On March 23, 2011, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present.

Covenant Church United Methodist Inc.

Special Use Permit Case 11-03

A request by Covenant Church United Methodist Inc. for a Special Use Permit to allow an internally illuminated sign. The site is lying along the south side of Skeet Club Road, approximately 900 feet east of Braddock Road (*1526 Skeet Club Road*).

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

Speaking in favor of the request was Mr. Allan Tarbell of 2213 Setliff Avenue in High Point, a member of the church.

No one spoke in opposition.

The Planning & Zoning Commission recommended ***approval*** of Special Use Permit Case 11-03, by a vote of 8-0.

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

**STAFF REPORT
SPECIAL USE PERMIT 11-03
March 22, 2011**

Request	
Applicant: Covenant Church United Methodist Inc.	Owner: Covenant Church United Methodist Inc.
Proposal: A request to allow direct (internal) illumination of a sign for a non-residential use (church) in a residential zoning district in accordance with Section 9-5-16(e) and Table 5-16-2, of the Development Ordinance.	

Site Information	
Location:	The site is lying along the south side of Skeet Club Road, approximately 900 feet east of Braddock Road (1526 Skeet Club Rd).
Tax Parcel Numbers:	0217136 (Guilford County)
Site Acreage:	26.5 acres
Current Land Use:	Church
Physical Characteristics:	The site is developed with an approximately 31,700 square foot church facility. The northern 1/3 of the site is developed with this facility while the remaining area is undeveloped and wooded.
Water & Sewer Proximity:	Both a 16-inch City sanitary sewer line and 12-inch water line are lying adjacent to the site within Skeet Club Road.
General Drainage and Watershed:	The site drains in a southerly direction and development is subject to the Oak Hollow Lake Watershed Critical 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 is greater than 24% or more of the site and for single family residential developments with a density of 2 units per acre or greater.
Overlay Districts	Oak Hollow Lake Watershed Critical Area (WCA); Tier 4

Adjacent Property Zoning and Current Land Use			
North:	RS-12	Residential Single Family-12 District	Deep River Recreational Center & Park
South:	RS-12	Residential Single Family-12 District	Single family dwellings
East:	RS-12	Residential Single Family-12 District	Single family dwellings
West:	RS-12	Residential Single Family-12 District	Single family dwellings

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	Low-Density Residential: This classification is primarily intended for single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.

Land Use Plan Goals, Objectives & Policies:	Not applicable to this request
Relevant Area Plan(s)	Not applicable to this request
Zoning History:	There have been no recent zoning activities in this area. The surrounding residential subdivisions were annexed, granted City zoning and developed in the late 1980s and 1990s.

Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Skeet Club Road		Major Thoroughfare	880 ft.
Vehicular Access:	This church has two existing access points on Skeet Club Road.			
Traffic Counts: (Average Daily Trips)	Skeet Club Road		10,000 ADT (2006, 12-hour count)	
Estimated Trip Generation:	N/A			
Traffic Impact Analysis:	Required		Comment	
	Yes	NoX	None	
Pedestrian Access:	As part of the Skeet Club Road widening TIP project (U – 3615B), sidewalks will be constructed on both sides of Skeet Club Road.			

School District Information
Not applicable to this zoning case.

Details of Proposal

The applicant is requesting a Special Use Permit to allow a direct (internal) illuminated sign for a church in a residential zoning district. The current sign on this site is illuminated indirectly, with spot lights, and will be required to be moved in the near future due to the pending widening of Skeet Club Road from its current two-lane configuration to a four-lane roadway with a grass median. Because the current sign needs to be relocated, they desire that their new sign be internally illuminated.

The City's sign regulations permit two types of sign lighting:

1. Indirect illumination of signs - such signs are illuminated so that the light is reflected from the sign to the eyes of the viewer from the light source (*example: a spotlight shining onto a sign*). This type of sign is permitted at this site without a Special Use Permit.
2. Direct illumination of signs - such signs are illuminated so that the light is directed into the eyes of the viewer from the light source (*example: signs with internal lighting*). This type of sign requires Special Use Permit approval in residentially zoned areas.

Indirectly illuminated signs, when properly positioned, are generally less bright or intense since the light is being reflected off of the sign. However, directly illuminated signs may be very bright depending on the intensity of the internal light source and the design and color pattern of the sign. There are several non-residential uses that are permitted in residential zoning districts, some are directly abutting homes. To minimize impact upon adjacent residential property

owners, lit signs in residential districts may only be illuminated indirectly. A directly illuminated sign in a residentially zoned area requires a Special Use Permit approval so that City Council may analyze its impact to adjacent property owners. To apply for a Special Use Permit for such a sign, the following requirements must be met:

- the sign must be for a permitted non-residential use;
- the non-residential use and sign must front on a thoroughfare;
- illumination of the sign must be needed for identification of the non-residential use due to the use's non-daylight activities; and
- sign must be located outside public street right-of-way and outside any sight distance area.

The applicant has noted as justification for allowing this type of lighting the numerous evening activities during the week and weekend consisting of various church related meetings & functions. Also, the facility is used as a community meeting location by adjacent homeowners associations and is a Guilford County Board of Elections polling location.

Identified Issues

Major Issues:

❖ None

Minor Issues:

❖ None

Findings

A special use is an additional use to those permitted by right in a zoning district. Such a use requires analysis for its potential impact on the proposed site and its impact on surrounding properties. The purpose of the Special Use Permit process is to allow the Planning and Zoning Commission and City Council an opportunity to perform this analysis.

Section 9-3-14 of the Development Ordinance requires that certain findings be made before a Special Use Permit may be approved. Based on the applicant's submittal and other available information as of the date of this report, the Planning and Development Department offers the following comments relative to these required findings.

That the use will not materially endanger the public health or safety if located where proposed; staff finds

Compliance	❖ Staff has not identified any evidence to date that allowing the requested internally illuminated sign would pose a public safety concern.
------------	---

That the use meets all required standards, conditions and specifications of the Development Ordinance, and any additional restrictions imposed pursuant to Section 9-3-14(d) Greater Restrictions; staff finds

Compliance	❖ The proposed sign meets all required standards of the Development Ordinance.
------------	--

That the use will not substantially injure the value of adjoining or abutting property, or that it is a public necessity; staff finds

Compliance	❖ Based upon the following, staff finds that the request will not substantially injure the value of adjacent property owners: ➤ The site is located on a major thoroughfare that handles over 10,000 vehicular trips a day. This roadway is scheduled for widen to 4-lanes with a grass median. ➤ The church sign is not in a residential subdivision and the sign is over 500 feet from the nearest residential dwelling. ➤ Abutting residential lots on the same side of Skeet Club Road as the church are larger parcels (over 3 acres) with dwellings sitting a greater distance from common property lines.
------------	---

That the location and character of the use shall be in harmony with the area in which it is located and in general conformity with the plan of development of the city and its environs; staff finds

Compliance	❖ In regards to this request, staff finds that there will be minimal impact on any abutting residential dwellings based upon the following: ➤ <u>Size of the parcel and its location.</u> This is a 26.5 acre parcel with 880 feet of road frontage on a major thoroughfare and is located outside a residential subdivision. ➤ <u>Presence of other non-residential uses.</u> This site is located across the street from a 21 acre recreational center. The clustering of these two large non-residential uses provides sufficient separation from adjacent dwellings so as to reduce any negative effects. This ensures the requested internally lit sign will not impact adjacent residences.
------------	--

Recommendation

Staff Recommends Approval

Based upon the above noted preliminary findings, the Planning and Development Department finds that the request to allow an internally illuminated sign on the site in the Residential Single Family-12 District will not negatively impact adjacent properties and will be in harmony with the area. The Planning and Development Department recommends approval of the request and the accompanying Special Use Permit.

Report Preparation

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

EVENING ATTENDANCE AT COVENANT CHURCH

Sundays

Young Believers	55	
Youth	60	
Youth Music	20	
Women's Bible Study	30	
Prayer Shawl Ministry	10	
Staff-Parish Relations Team meeting (4 th Sunday)	11	[186]

Mondays

Boy Scout Troop 42	100	
Cub Scout Pack 24	55	
Cub Scout Pack meetings (4 th Monday)	75	
Brownie Troop #40371	14	
Brownie Troop #40392	16	
Finance Team meeting (2 nd Monday)	16	
Administrative Board (4 th Monday)	43	[319]

Tuesdays

Worship Planning Team	8	
Praise Team	28	
Cadette Troop #40454	12	
Cadette Troop #1842	12	
Girl Scout Junior Troop #1806	14	
Trustees Team meeting (1 st Tuesday)	11	
Weekday Ministries Team meeting (2 nd Tuesday)	10	
Sedgefield Garden Club (3 rd Tuesday)	15	[110]

Wednesdays

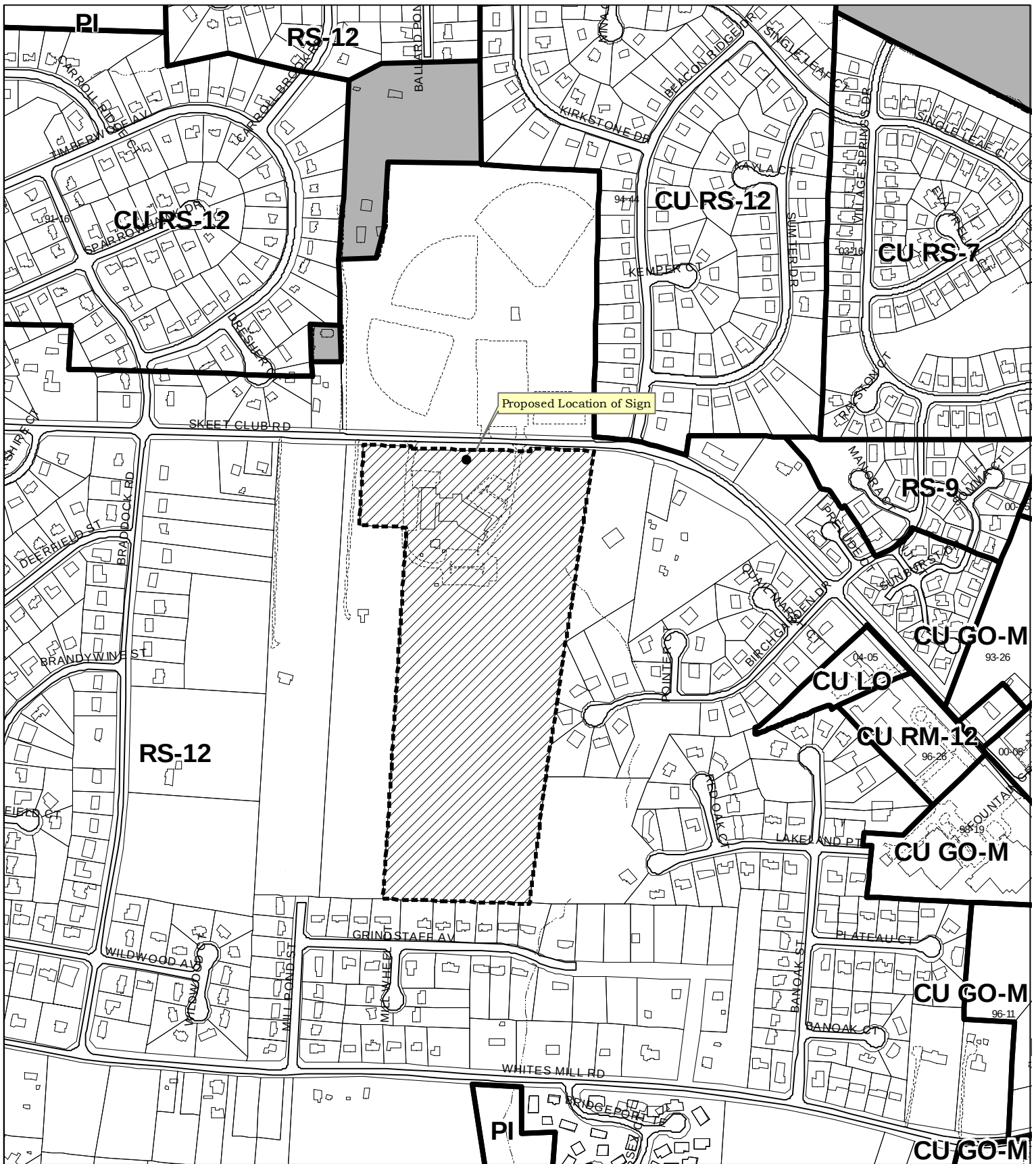
Wednesday Night Fellowship Meal	60	
Financial Peace University Study Group	31	
Puppets on a Mission	35	
Backpack Ministry	30	
Pastor's Bible Study	45	
Women's Bible Study	15	
Preschool Choir	30	
Kindergarten-2nd Grade Choir	30	
Grades 3-6 Choir	20	
Adult Handbell Choir	20	
Chancel Choir	60	
Girl Scout Troop #1860	14	
UMW - Genesis Circle meeting (3 rd Wednesday)	13	
Stewardship Team meeting (1 st Wednesday)	12	[415]

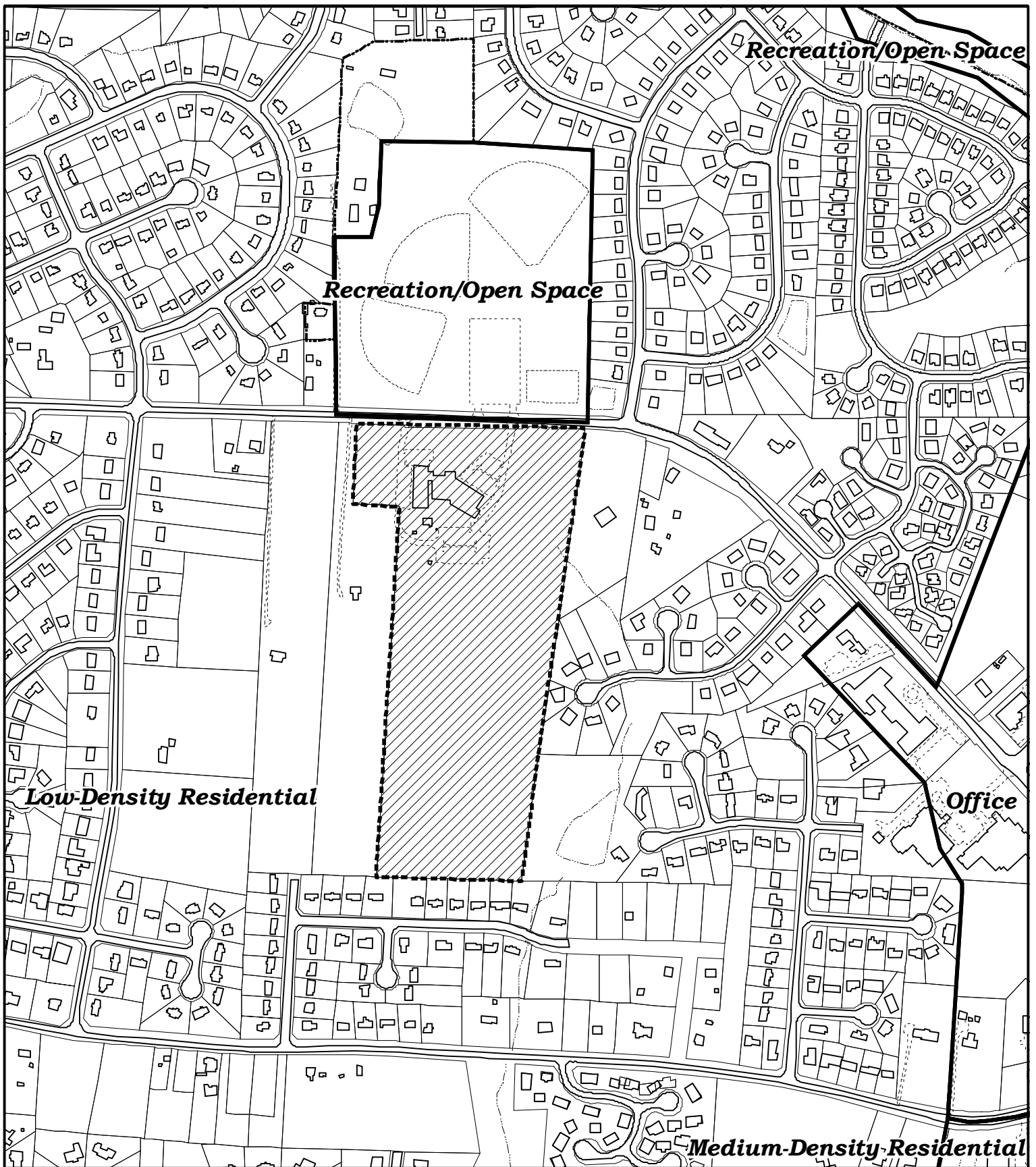
Thursdays

Daisy Troop #41730	15	
Daisy Troop #1963	18	
Education Team meeting (2 nd Thursday)	15	[48]

[1078]

- *Covenant has an After-school Program Monday-Friday that closes at 6:30 p.m. (60)
- *Plus other Ministry meetings not meeting on a regular monthly basis. (8-20 /week)
- *Many community homeowners associations have meetings here during the week. (20-50)
- *Spring Children's Musical Concert (325 people)
- *Christmas Cantata runs for 2 nights (1000 people)
- *Two Christmas Eve Services at night: 5:30 & 11:00 p.m (750 people)
- *Consignment Sales in spring and fall (1200+ people at each sale)
- *Special worship services at night during year: Ash Wednesday (150); Maundy Thursday (200)





SPECIAL USE PERMIT 11-03

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



Planning & Development
Department

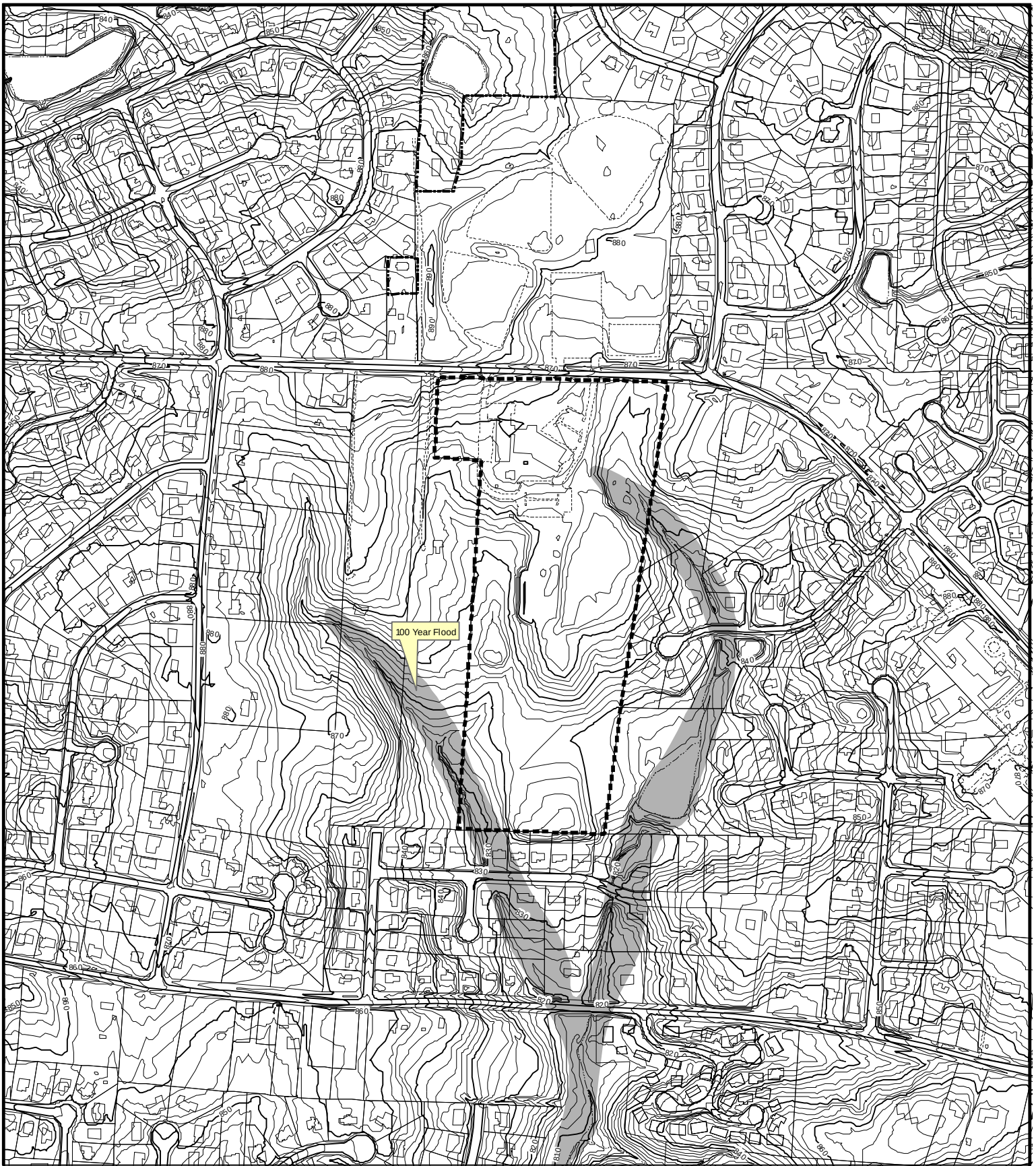
City of High Point

Date: March 4, 2011



Scale: 1"=500'

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SPECIAL USE PERMIT 11-03

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

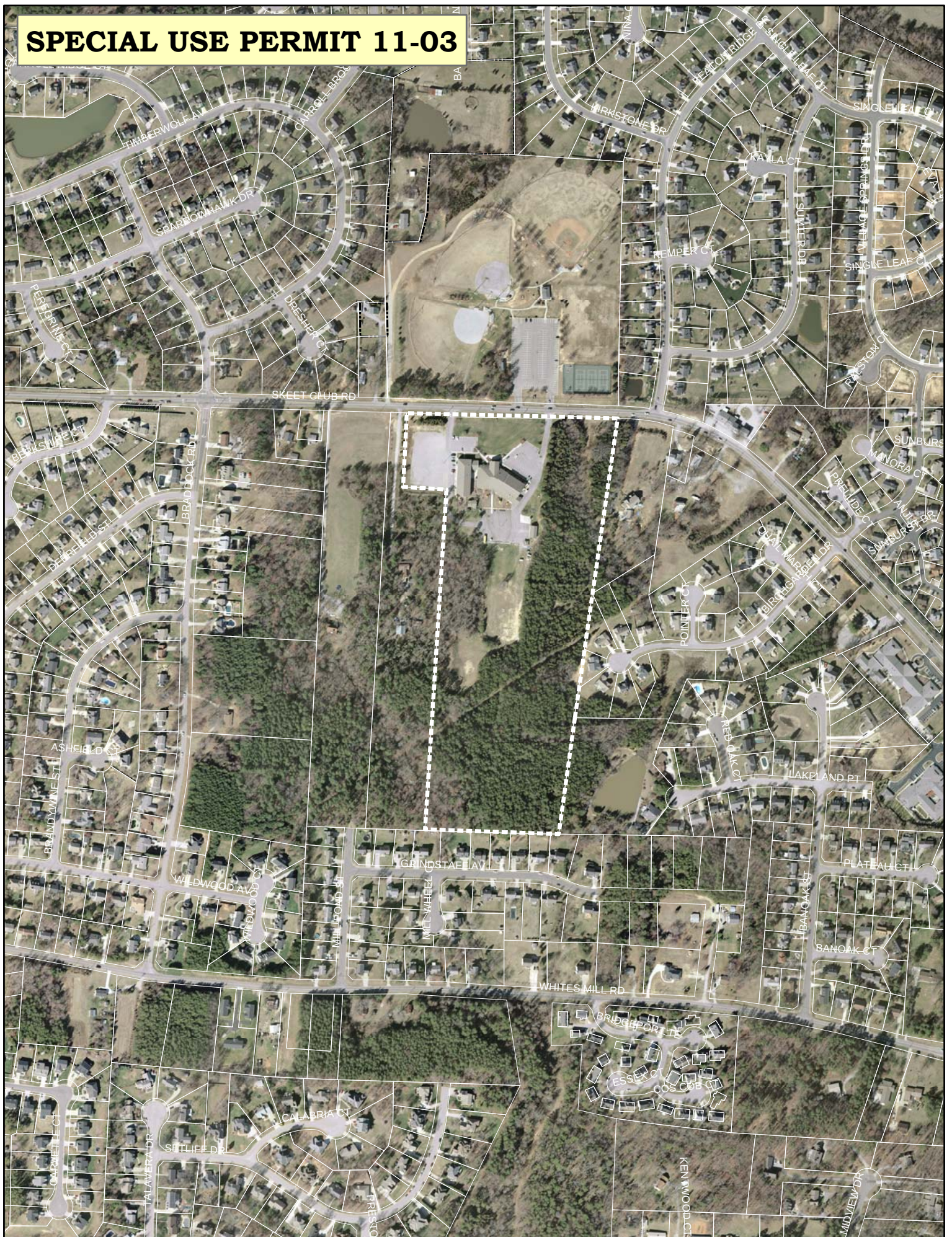
Date: March 4, 2011



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SPECIAL USE PERMIT 11-03



**SPECIAL USE PERMIT 11-03
CITY OF HIGH POINT, NORTH CAROLINA**

March 22, 2011.
(Submitted)

THE CITY OF HIGH POINT CITY COUNCIL, PURSUANT TO SECTION 9-3-14, SPECIAL USE PERMITS, OF THE CITY OF HIGH POINT DEVELOPMENT ORDINANCE, APPROVED A SPECIAL USE PERMIT AND SITE PLAN FOR THE FOLLOWING USE, SUBJECT TO THE FOLLOWING CONDITION(S):

USE: One (1) direct (internal) illuminated sign for a non-residential use (church) in a residential zoning district in accordance with Section 9-5-16(e) and Table 5-16-2, of the Development Regulations

CONDITIONS: The internal illumination sign shall comply with the attached exhibit "A".

DESCRIPTION OF PROPERTY: The sign is proposed to identify the non-residential use located at 1526 Skeet Club Road. The site is lying along the south side of Skeet Club Road, approximately 900 feet east of Braddock Road and also known as Guilford County Tax Parcel 0217136.

This Special Use Permit and approved site plan are perpetually binding upon the above-described property, unless subsequently amended as provided in the Development Ordinance or until a use otherwise permitted in the zoning district is established.

This Special Use Permit shall become void after eighteen (18) months from the date of City Council approval unless the Special Use authorized has begun and/or a footing inspection has been approved. If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced by a use otherwise permitted in the zoning district, then the Special Use shall be deemed abandoned and this Special Use Permit shall be null and void and of no effect. If for any reason any condition imposed this Special Use Permit is found to be illegal or invalid, then this Special Use Permit shall be null and void and of no effect.

The issuance of this Special Use Permit authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE PERMIT 11-03 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE ____ DAY OF APRIL, 2011.

Lisa B. Vierling
City Clerk

Date

16'

2'

12'

2'



DOUBLE FACES INTERNALLY ILLUMINATED SIGN
ID FACES ARE .080 ROUTED ALUMINUM BACKED
WITH WHITE ACRYLIC

SKIRT IS FABRICATED OF .063 MILL ALUMINUM
SIGN IS MOUNTED ON (2) 3" SCHEDULE 40 PIPE
THERE ARE 3 ROWS OF 6" CHANGEABLE COPY

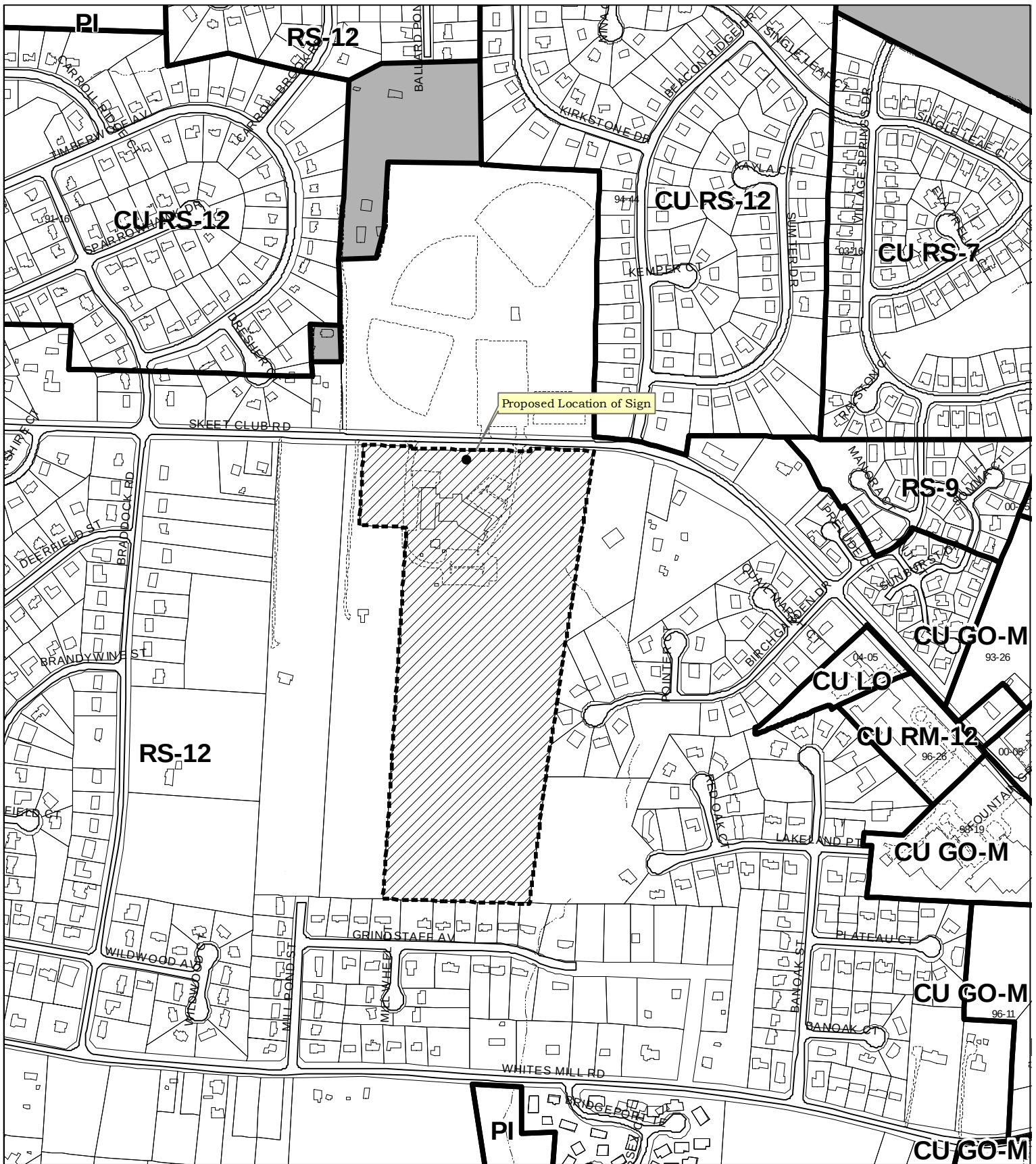


Superior Sign Company, Inc.

804 W. Main St. • PO Box 1082 • Jamestown, NC 27282
PH. 336-454-2226 • FAX 336-454-6563

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BY: ROSE DATE: 2/9/11
APPR. _____
W/ CHANGES: _____



Engineering Services Department

B. Keith Pugh, P.E.

DIRECTOR



Date: April 12, 2011

To: Pat Pate, Assistant City Manager

From: Keith Pugh, Engineering Services

BKP

Re: City Council Agenda – Final Adjusting Change Order (CO #2) for NCDOT – Rail Division Funded, Railroad Crossing Rehabilitation – Roadway Improvements – Y-4807A – City Contract ENG-2009-08

On Wednesday, November 4, 2009 the City of High Point received and opened bids for Contract ENG-2009-08, Railroad Crossing Rehabilitation. We received six bids. The contract was awarded to Yates Construction Company as the lowest responsive bidder at \$434,215.05. The contract bid price was well below the Engineer's Estimate for the contract work (\$800,000).

The contract is fully funded by NCDOT –Rail Division. The Rail Division has been involved in every aspect of this contract work including periodic construction inspection and oversight. During the performance of the work, the Contractor encountered several existing and unforeseen conditions which changed the scope of the contract work. The City worked hand in hand with the Contractor, NCDOT Rail and the NCDOT inspector assigned to the work to ensure the timely completion of these projects. By having this close coordination, NCDOT-Rail has agreed to fully fund the change order necessary to close out this construction contract.

The purpose of this construction contract was to implement various roadway improvements to ensure safe travel and adequate access to area businesses after closing the at-grade rail crossings on East Grimes Avenue and Taylor Avenue, east of Kivett Drive.

These projects include:

- Radius improvements at Grimes and E. Green and dead end treatments for Grimes

- Grade Separation improvements on Ward between English and Prospect

- Grade crossing approach improvements on Prospect between English and the railroad tracks

- Removal of the existing bridge, then re-connecting Taylor between Green and Millis

During construction, one change order in the amount of \$46,037.95 was processed to re-establish a water line connection on Taylor Avenue just east of Green Drive. This water line connection was lost many years ago due to the deteriorated condition of the water line itself and the bridge it was attached to. This water connection improves both water quality and water delivery in the general area. Change order number 1 was

Engineering Services Department

PAGE 2 OF 2

ROADWAY IMPROVEMENTS FOR RAILROAD

CROSSINGS – CHANGE ORDER #2

fully funded by the City in the amount of \$46,037.95, bringing the current contract value to \$480,253.00. We are pleased to note that the water line was built for less than the change order amount.

Engineering Services recommends that City Council approves the final adjusting change order (Change Order #2) which will allow us to process final payment and close out Contract ENG-2009-08 for Railroad Crossing Rehabilitation to Yates Construction Company as below:

<u>Acct Number</u>	<u>Bid Amount</u>	<u>Actual Cost</u>	<u>Net Change</u>	
411610-533701-411001008005-40202	\$ 38,476.40	\$ 36,602.21	- \$ 1,874.19	Grimes
411610-533701-411001008020-40202	\$ 64,385.00	\$ 80,322.34	\$15,937.34	Prospect
411610-533701-411001008040-40202	\$183,948.05	\$220,073.63	\$36,125.58	Taylor
411610-533701-411001008060-40202	\$147,405.60	\$240,932.86	\$93,527.26	Ward
421779-533701-421001022405-40202	<u>\$ 46,037.95</u>	\$ 38,125.00	- <u>\$ 7,912.95</u>	CO 1, Water
Total	\$480,253.00		net change	+\$135,803.04

Total contract amount after change order #2 = \$480,253.00 + \$135,803.04 = \$616,056.04

The City has received confirmation from the NCDOT-Rail Division that they will approve and reimburse the City for 100% of the additional costs of the rail crossing improvements above. All funding for the roadway improvements is coming from the NCDOT-Rail Division TIP (project Y-4807A). A project budget amendment is being prepared by the Budget Office that will provide for the additional funding from NCDOT for the rail crossing improvements in the amount of \$143,716.

/bkip

Ec: Mr. Jeff Moore, Finance Director
Mr. Bob Martin, Purchasing Division
Mr. Mark McDonald, HPDOT
Mrs. Lou Hedrick, Budget
Mr. Jahmal Pullen, NCDOT – Rail Division
Mr. Leon Adams, Adams and Clark Enterprises, Inc.