

City of High Point

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

Meeting Agenda

Monday, March 21, 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

110033 Contract - Auditing Services - Martin Starnes and Associates

City Council is requested to authorize the Mayor to execute a formal contract for Fiscal Year End June 30, 2011 through June 30, 2014 for financial and compliance audit of the City's financial operations with the firm of Martin Starnes & Associates at the proposed rate of \$60,000.00.

110035 Resolution - Authorizing Upset Bid Process - HPU

City Council is requested to adopt a Resolution authorizing upset bid process for the sale of city owned property located at 600 Woodrow Avenue. the city has received an offer to purchase from High Point University in the amount of \$15,000.00. If no upset bids are received, city staff is authorized to execute the instruments necessary to convey the property to High Point University.

110046 Contract - Bid No. 21 - Firefighting Protective Jackets and Trousers

Award of contract for Bid No. 21 for the purchase of Firefighting Protective Jackets and Trousers (turnout gear) for the Fire Department. Purchasing and the Fire Department recommends that contract be awarded to Piedmont Fire in the amount of \$158,812.00 which is the lowest responsible and responsive bidder meeting specifications.

110047 Change Order - Vecellio & Grogan, Inc. - Roadway Improvements - Deep River Road/Burton Avenue/Clinard Farms Road

City Council is requested to approve a final adjusting change order to the Vecellio & Grogan, Inc. contract for roadway improvements for Deep River Road, Burton Avenue and Clinard Farms Road (ARRA funded) in the amount of \$92,619.70.

110048 Contract Renewal - The Ferguson Group

Council is requested to approve and authorize the City Manager to execute a one-year extension (April 1, 2011 to March 31, 2012) with the Ferguson Group to assist in securing federal funds and related legislative matters of interest to the City. No increase in current fees of \$10,000 per month.

110049 High Point Convention & Visitors Bureau FY 09-10 Annual Audit

Council is requested to acknowledge receipt of the Audit for the High Point Convention & Visitors Bureau's FY 09-10.

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

Committee Members - Alexander, Douglas, Corey

110042 Ordinance - Vacate/Close Structure - 2405 Waverly Court

Council is requested to adopt an ordinance ordering the Inspector to effectuate the vacating and closing of a structure located at 2405 Waverly Court belonging to John A. Braica.

110043 Ordinance - Vacate/Close Structure - 507 Denny Street

Council is requested to adopt an ordinance ordering the Inspector to effectuate the vacating and closing of a structure located at 507 Denny Street belonging to Kenneth Wayne Lassiter.

110044 Ordinance - Vacate/Close Structure - 920 Marlboro Street

Council is requested to adopt an ordinance ordering the Inspector to effectuate the vacating and closing of a structure located at 920 Marlboro Street belonging to Bertha N. Perry.

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.

PLANNING, EDC & INFORMATION TECHNOLOGY COMMITTEE - Council Member Whitley, Chair

Committee Members - Sims, Henley, Moore

110036 Resolution of Intent - Street Abandonment 11-01 - High Point University

Approval of a resolution of intent that establishes a public hearing date of Monday, April 18, 2011 at 5:30 p.m. to consider a request 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.

110037 Resolution of Intent - Street Abandonment 11-02 - High Point University

Approval of a resolution of intent that establishes a public hearing date of Monday, April 18, 2011 at 5:30 p.m. to consider a request to abandon an improved portion of Fifth Street between Zenith Lane (private) and North Avenue.

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.

Pending Items**110032****City of High Point Incentives Policies**

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

- 1) City of High Point Industrial Incentives Policy (revised)
- 2) City of High Point Job Creation Incentives Policy (new)
- 3) City of High Point Incentives Map (revised)
- 4) City of High Point Retail Incentives Policy (new)

(A special meeting of Planning, Economic Development and Information Technology Committee will be held on Thursday, March 17th at 9:00 to discuss this item)

3/7/2011

Committee of the Whole referred

Planning , Economic Dev.
& Information
Technology Committee

PUBLIC HEARINGS ON ITEMS**Planning , Economic Development & Information Technology Committee****110039****Special Use Permit 11-01 - The Red Lion's Lair, LLC**

A request by The Red Lion's Lair, LLC for a Special Use Permit to allow a bar, with a capacity over 100 persons, in the Main Street (MS) District (Sub Area - A). The site is lying along the west side of N. Main Street, approximately 110 feet north of W. Dayton Avenue (1813 N. Main Street).

110040**Ordinance - Text Amendment 11-02 - City of High Point - Off Site Directional Signs**

A request by the City of High Point (City Manager's Office) to amend Note #4 of Table 5-16-2 of the Development Ordinance, regarding the length of time that an approved off-site directional sign may be permitted.

110041**Special Use Permit 11-02 - CHC Realty, LLC**

A request by CHC Realty, LLC to allow an off-site directional sign at 1744 Westchester Drive. The sign is to be located at 1744 Westchester Drive, an approximately 1.2 acre parcel lying at the northwest corner of Westchester Drive and Whittier Avenue.

ADJOURNMENT

BID INFORMATION AND RECOMMENDATION

BID # 21-030211

DATE OPENED: March 2, 2011

DESCRIPTION: Firefighting Protective Jackets and Trousers (Turnout Gear)

BID PACKAGES DISTRIBUTED: 8

DEPARTMENT: Fire Department

SOURCE OF FUNDS: 101352-520401

BUDGETED AMOUNT: \$ 160,000.00

RECOMMENDED AWARD

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
100	Turnout Gear	\$ 1,588.12	\$ 158,812.00

PURPOSE: To comply to OSHA and NFPA Standards for safety of firefighters when performing job responsibilities.

BID TABULATION

(Attached)

The **PURCHASING DEPARTMENT AND FIRE DEPARTMENT** recommends that the contract for **FIRE DEPARTMENT TURNOUT GEAR** be awarded to **PIEDMONT FIRE**, the lowest responsible and responsive bidder meeting specifications for the amount of **\$158,812**.

DATE OF RECOMMENDATION: March 21, 2011



Approved by:
Strib Boynton, CITY MANAGER

BID TABULATION

FIRE DEPARTMENT TURNOUT GEAR

BID #21-030211

VENDOR	QTY	JACKET		PANTS		OPTION 1		OPTION 2		OPTION 3		TOTAL
Piedmont Fire, Inc.	100	\$922.00	\$92,200.00	\$664.00	\$66,400.00	\$ 2.12	\$ 212.00	\$ -	\$ -	\$ -	\$ -	\$158,812.00
Fire Connections	100	\$923.10	\$92,310.00	\$638.05	\$63,805.00	\$ 10.16	\$ 1,016.00	\$ 63.98	\$ 6,398.00	\$ -	\$ -	\$163,529.00
Kair Inc.	100	\$952.29	\$95,229.00	\$686.47	\$68,647.00	\$ 13.99	\$ 1,399.00	\$ -	\$ -	\$ -	\$ -	\$165,275.00
MES (Municipal Emergency)	100	\$928.63	\$92,863.00	\$691.27	\$69,127.00	\$ 20.00	\$ 2,000.00	\$ -	\$ -	\$ 25.00	\$ 2,500.00	\$166,490.00
C.W. Williams Fire Equipment	100	\$932.75	\$93,275.00	\$702.00	\$70,200.00	\$ 7.00	\$ 700.00	\$ 32.75	\$ 3,275.00	\$ -	\$ -	\$167,450.00
Stevens Fire	100	\$979.71	\$97,971.00	\$705.33	\$70,533.00	\$ 14.60	\$ 1,460.00	\$ -	\$ -	\$ -	\$ -	\$169,964.00
Piedmont ESS, Inc.	100	\$1,041.98	\$104,198.00	\$644.80	\$64,480.00	\$ -	\$ -	\$ 38.76	\$ 3,876.00	\$ -	\$ -	\$172,554.00
Newtons Fire	100	\$980.00	\$98,000.00	\$705.00	\$70,500.00	\$ 10.00	\$ 1,000.00	\$ 36.00	\$ 3,600.00	\$ 20.00	\$ 2,000.00	\$175,100.00

PLANNING AND ZONING COMMISSION RECOMMENDATION

On February 22, 2011, a public hearing was held before the Planning and Zoning Commission regarding the requests described below. All members of the Commission were present.

The Red Lion's Lair, LLC

Special Use Permit Case 11-01

A request by The Red Lion's Lair, LLC for a Special Use Permit to allow a bar, with a capacity over 100 persons, in the Main Street (MS) District (Sub Area – A). The site is lying along the west side of N. Main Street, approximately 110 feet north of W. Dayton Avenue (*1813 N. Main Street*).

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

Speaking in favor of the request was Mr. Jay Wagner of 101 West Lexington Avenue, Suite 104, legal representative for Mr. Gary Redd, Manager of Red Lion's Lair, LLC. Mr. Wagner noted that Mr. Redd has operated two facilities for several years; he has closed them in order to consolidate them at this one location. He stated that this business meets several goals of the High Point Core City Plan and the Community Growth Vision Statement, such as more mixed use, rehabilitation and infill of an existing building, creating a more diverse and vibrant uptown area. Mr. Wagner also noted that he spoke with Major Derek Stafford of the High Point Police Department and there has never been any crime problems associated with Mr. Redd's establishments.

Commission members questioned staff as to how the second floor of the building will be secured and discussed at length if sufficient parking is being provided. It was explained that the second floor will be secured in the manner dictated by the NC Building Code. As to parking calculations, staff noted that the proposal meets the minimum parking criteria of the Development Ordinance.

The Planning & Zoning Commission recommended ***approval*** of Special Use Permit Case 11-01, by a vote of 5-3. Members Cynthia Davis, Carson Lomax, and Keith McInnis were the dissenting votes, who had expressed concerns regarding on-site parking.

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

**STAFF REPORT
SPECIAL USE PERMIT 11-01
February 22, 2011**

Request	
Applicant: The Red Lion's Lair, LLC (Gary W. Redd, Jr. – Manager)	Owner(s): Ladybones, LLC (James G. Stephens – Manager)
Proposal: A Special Use Permit request to allow a bar with a capacity over 100 persons in the Main Street (MS) District (Sub Area – A).	

Site Information	
Location:	Lying along the west side of N. Main Street, approximately 110 feet north of W. Dayton Avenue (<i>1813 N. Main Street</i>).
Tax Parcel Numbers:	0188782 and 0188785 (Guilford County)
Site Acreage:	0.57 acres
Current Land Use:	Vacant building.
Physical Characteristics:	The site is developed and has a relatively flat terrain.
Water & Sewer Proximity:	An 8-inch City sanitary sewer line is lying adjacent to the site along N. Main Street and W. Dayton Avenue. In addition, there is a 12-inch City water line adjacent to the site along N. Main Street.
General Drainage and Watershed:	The site drains in a northerly direction and 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 Districts	Oak Hollow Lake GWA

Adjacent Property Zoning and Current Land Use			
North:	MS	Main Street District (Sub Area - A)	Vacant parcel
South:	MS	Main Street District (Sub Area - A)	Restaurant
East:	MS	Main Street District (Sub Area - A)	Vacant parcel
West:	RM-26	Residential Multifamily 26 District	Apartment complex

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	<u>Goal 3:</u> Create more mixed use areas, while reinforcing existing ones, to minimize traffic, maximize the utilization of infrastructure, and so people can live, work, and play in one location. Obj.3A: Revitalize and expand existing mixed use areas through building rehabilitations and new infill development. <u>Goal 4:</u> Make Downtown High Point and its environs a vibrant, diverse and mixed use environment.

	Obj.4B: As a supplement or alternative to the existing Downtown core, develop North Main between approximately the main library and Eastchester as "Uptown" to function as a traditional downtown.
Land Use Plan Map Classification:	Community/Regional Commercial: This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
Land Use Plan Goals, Objectives & Policies:	None.
Relevant Area Plan(s): <i>Core City Plan</i>	The Core City Plan recognizes N. Main Street as a gateway corridor that acts as the figurative "front door" to the Core City. Because furniture showrooms have transformed Downtown High Point into something other than a conventional downtown, the plan advocates a mixed use pattern for the N. Main Street area to reinforce it as a de facto downtown, or uptown, for the city.
Zoning History:	This site and adjacent areas fronting along N. Main Street were rezoned to the recently created Main Street (MS) district in March 2008. This base zoning district replaced the previous commercial zoning and is primarily intended to foster a wide range of retail, service, and office uses, as well as to encourage a mixed-use, compact, pedestrian-oriented development.

Transportation Information					
Adjacent Streets:	Name		Classification		Approx. Frontage
	N. Main Street W. Dayton Avenue		Major Thoroughfare Collector Street		85 ft. 77 ft.
Vehicular Access:	This development will take access from the existing access points on N. Main Street and W. Dayton Avenue.				
Traffic Counts: (Average Daily Trips)	N. Main Street		25, 000 ADT (2009 NCDOT)		
Estimated Trip Generation:	Using the development data provided by the applicant, the total trips generated by this use are estimated to be less than 100 trips/day.				
Traffic Impact Analysis:	Required			Comment	
	☐ Yes	☐	<u>No</u> X	None	
Pedestrian Access:	Not applicable to this request.				

School District Information
Not applicable to this special use permit case.

Details of Proposal
The applicant is requesting a special use permit approval to allow a bar with a capacity over 100 persons within the Main Street (MS) District (sub-area "A"). A bar with a capacity of 100 persons or less is a permitted use in this zoning district, subject to meeting specific development standards. However, to ensure compatibility and to analyze the impact upon surrounding

properties, the Development Ordinance requires a bar with a capacity over 100 persons to obtain a special use permit from the City Council.

The site is currently developed with an existing two-story building with a gross area of 6,618 square feet (*1st floor – 4,278 sq. ft. and 2nd floor 2,340 sq. ft.*). The building is currently vacant and the applicant is proposing to establish a billiards parlor, which is a permitted use in the MS District, and a bar with a capacity over 100 persons on the 1st floor of the structure. At this time the 2nd floor is to remain vacant. The Development Ordinance requires the following standards to be met for a bar with a capacity over 100 persons in the MS District:

- Property Separation: No such establishment shall be located within 100 feet of a church or an elementary or secondary school.
- Orientation: The main entrance of the building shall be toward a street zoned predominantly for nonresidential uses.
- Screening: A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residences, but this does not permit a reduction in planting yard width.

The site has two existing vehicular access points that will be used to access a parking lot located to the rear of the building. One access point is from N. Main Street and will be an entrance only, the second access point is from W. Dayton Street and is a full movement access. Accompanying this application is a permit and site plan with the following conditions/restrictions for the bar use:

1. The proposed bar is limited to the 1st floor of the existing building. The 2nd floor cannot be used for a bar or any other use unless approved by the City of High Point Planning and Development Department in accordance with North Carolina Building Code.
2. Parking shall be installed (paved and striped upon the site) in compliance with the standards of the Development Ordinance prior to issuance of the certificate of occupancy.
3. The exterior façade of the building is to be maintained as a natural brick façade; or if painted, the use of high intensity colors, metallic colors, or fluorescent colors on any facade is prohibited.
4. The current driveway access to the site from N. Main Street is restricted to one-way access entering the site. On-site directional signage is to be installed.

Identified Issues

Major Issues:

- ❖ None

Minor Issues:

- ❖ Parking: Based upon information provided, the applicant has established a maximum occupancy of approximately 145 persons for the proposed billiards parlor and bar use. At this capacity a minimum of 38 parking spaces are required by the Development Ordinance. The site plan illustrates an area where three additional parking spaces will need to be paved and striped in order to meet minimum parking requirements.

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 proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these required findings.

That the use will not materially endanger the public health or safety if located where proposed; staff finds

Compliance	❖ The site is currently developed with existing access points from N. Main Street and W. Dayton Avenue. The applicant has offered to restrict the access point from N. Main Street to an entrance only. Given the trip generation information and site layout, the staff has found no evidence that suggests the requested use would negatively impact traffic circulation or public safety in this area.
------------	---

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	❖ Based upon the site plan provided with the permit, the site is able to meet the requirements 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	❖ Although this request is for a higher capacity bar, a bar use of less than 100 persons is currently allowed in this zoning district. ❖ The site is located upon a major commercial thoroughfare and abuts existing commercially zoned property and uses along its N. Main Street frontage. Subject to the installation of an opaque fence to the rear of the site next to the existing residential apartment use as required by the Development Ordinance, staff has found no evidence that suggests the requested use would substantially injure the value of adjoining property owners.
------------	---

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	❖ The site is located within an established commercial area that is designated upon the Land Use Map as Community/Regional Commercial which is intended for a wide range of retail or service uses. The request is consistent with the Land Use Map and will be in harmony with the area.
------------	---

Recommendation

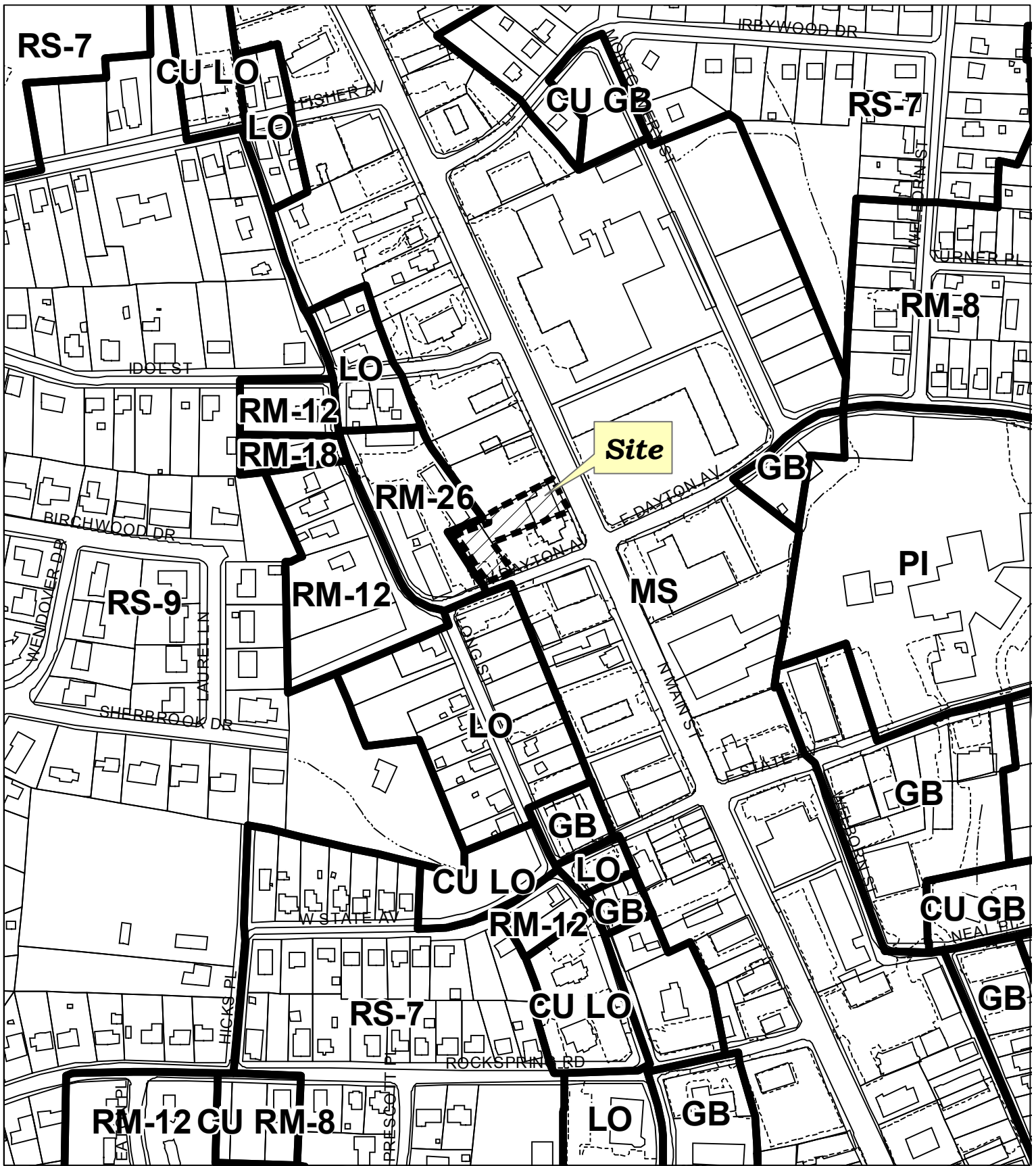
Staff recommends approval

Based upon the conditions in the attached Special Use Permit application and the preliminary findings of fact, staff finds that the request is generally consistent with the surrounding zoning and development in this area, and in compliance with the goals and objectives of the Land Use Plan.

The Planning and Development Department recommends approval of the Special Use Permit request to allow a bar with a capacity over 100 persons within the Main Street (MS) District, provided the additional required parking is provided.

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.



SPECIAL USE PERMIT 11-01

Request: To allow a bar with a capacity over 100 persons

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

**Planning & Development
Department**

City of High Point

Date: February 8, 2011



Scale: 1"=300'

y:/ba-pz/2011/pz/sup11-01.mxd



SPECIAL USE PERMIT 11-01

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
 Department**

City of High Point

Date: February 16, 2011



Scale: 1"=300'

y:/ba-pz/2011/pz/sup11-01.mxd

SPECIAL USE PERMIT 11-01

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

Date: February 16, 2011



Scale: 1'=300'

y:/ba-pz/2011/pz/sup11-01topo.mxd

SPECIAL USE PERMIT 11-01



**SPECIAL USE PERMIT 11-01
CITY OF HIGH POINT, NORTH CAROLINA**

January 25, 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: Bar (SIC Code 5813) with a maximum capacity over 100 persons.

CONDITIONS:

1. This Special Use Permit is limited to the 1st floor of the existing building at 1813 N. Main Street. The 2nd floor of the building cannot be used for a bar use nor any other use unless approved by the City of High Point Planning and Development Department in accordance with North Carolina Building Code.
2. Parking shall be installed (paved and striped upon the site) in compliance with the standards of the Development Ordinance prior to issuance of certificate of occupancy.
3. The exterior façade of the building shall be maintained as a natural brick façade; or if painted, the use of high intensity colors, metallic colors, or fluorescent colors on any facade is prohibited.
4. The current driveway access to the site from N. Main Street shall be used as a one-way access drive to enter the site from N. Main Street. On-site directional signage shall be installed designating this driveway as entrance and one-traffic direction from N. Main Street, and appropriate do enter status from the parking lot at the rear of the site.

DESCRIPTION OF PROPERTY: An approximately 0.57 acre parcel lying along the west side of N. Main Street, approximately 110 feet north of W. Dayton Avenue. The property is addressed as 1813 N. Main Street and also known as Guilford County Tax Parcels 0188782 and 0188785.

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 by 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 11-01 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE ____ DAY OF MARCH, 2010.

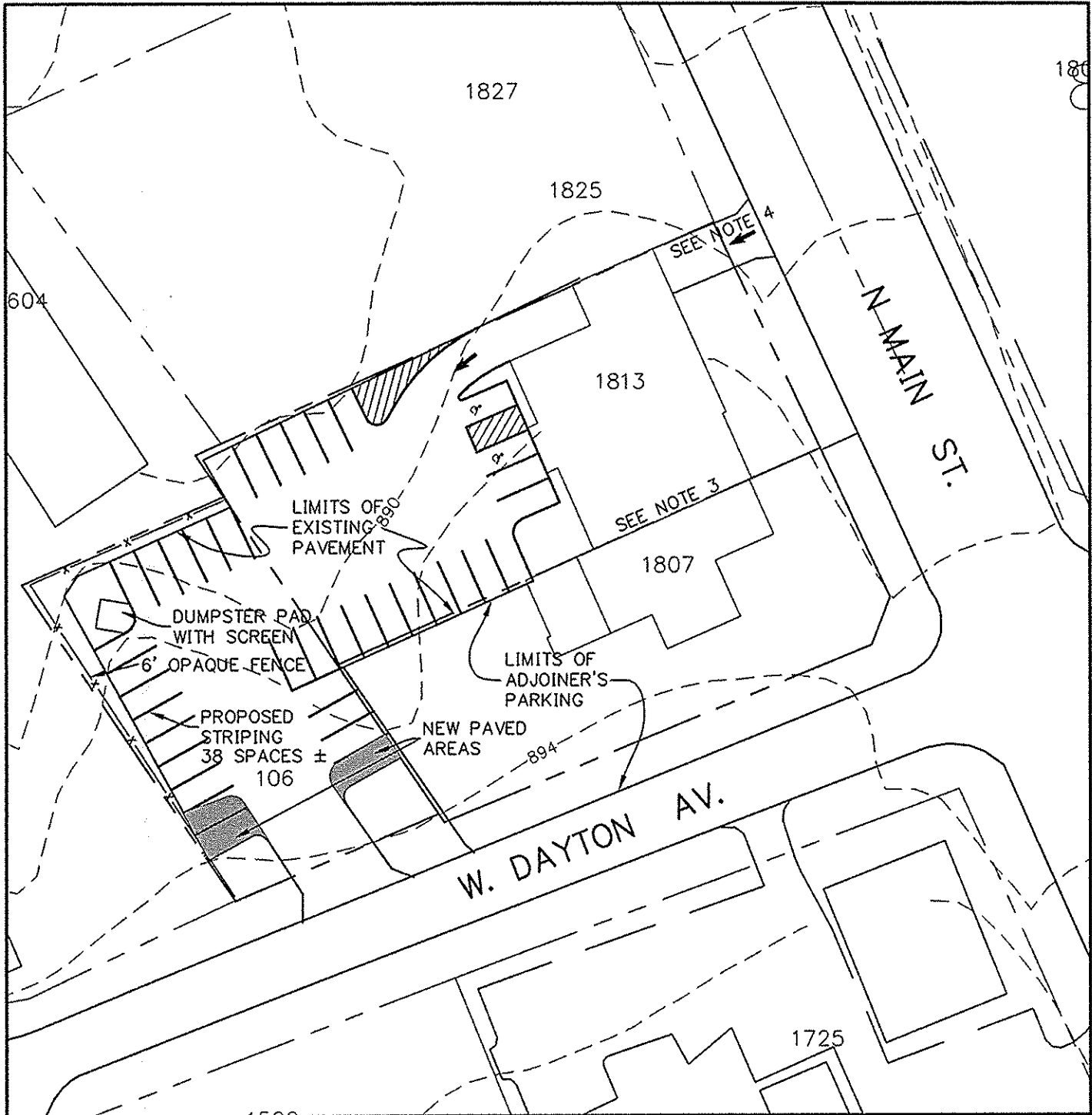
Lisa B. Vierling
City Clerk

Date

NOTES:

1. THIS IS NOT A SURVEY. NOT FOR RECORD SALES OR CONVEYANCE. NO SURVEY HAS BEEN DONE.
2. INFORMATION SHOWN ON THIS MAP HAS BEEN TAKEN FROM CITY OF HIGH POINT GIS AND AERIAL PHOTOGRAPHY.
3. PROPERTY LINES INDICATED ARE APPROXIMATE AND TAKEN FROM GIS AND RECORD SURVEYS.
4. ENTRANCE ONLY ACCESS POINT FROM N. MAIN ST. ONE WAY TRAFFIC ONLY.

**SPECIAL USE PERMIT
SITE PLAN
THE RED LIONS LAIR, LLC
CITY OF HIGH POINT
GUILFORD COUNTY, NC
JANUARY 2011**



SCALE: 1" = 50'

**SPECIAL USE PERMIT 11-01
CITY OF HIGH POINT, NORTH CAROLINA**

March 21, 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: Bar (SIC Code 5813) with a maximum capacity over 100 persons.

CONDITIONS:

1. This Special Use Permit is limited to the 1st floor of the existing building at 1813 N. Main Street. The 2nd floor of the building cannot be used for a bar use nor any other use unless approved by the City of High Point Planning and Development Department in accordance with North Carolina Building Code.
2. Parking shall be installed (paved and striped upon the site) in compliance with the standards of the Development Ordinance prior to issuance of certificate of occupancy.
3. The exterior façade of the building shall be maintained as a natural brick façade; or if painted, the use of high intensity colors, metallic colors, or fluorescent colors on any facade is prohibited.
4. The current driveway access to the site from N. Main Street shall be used as a one-way access drive to enter the site from N. Main Street. On-site directional signage shall be installed designating this driveway as entrance and one-traffic direction from N. Main Street, and appropriate do enter status from the parking lot at the rear of the site.

DESCRIPTION OF PROPERTY: An approximately 0.57 acre parcel lying along the west side of N. Main Street, approximately 110 feet north of W. Dayton Avenue. The property is addressed as 1813 N. Main Street and also known as Guilford County Tax Parcels 0188782 and 0188785.

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 by 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.

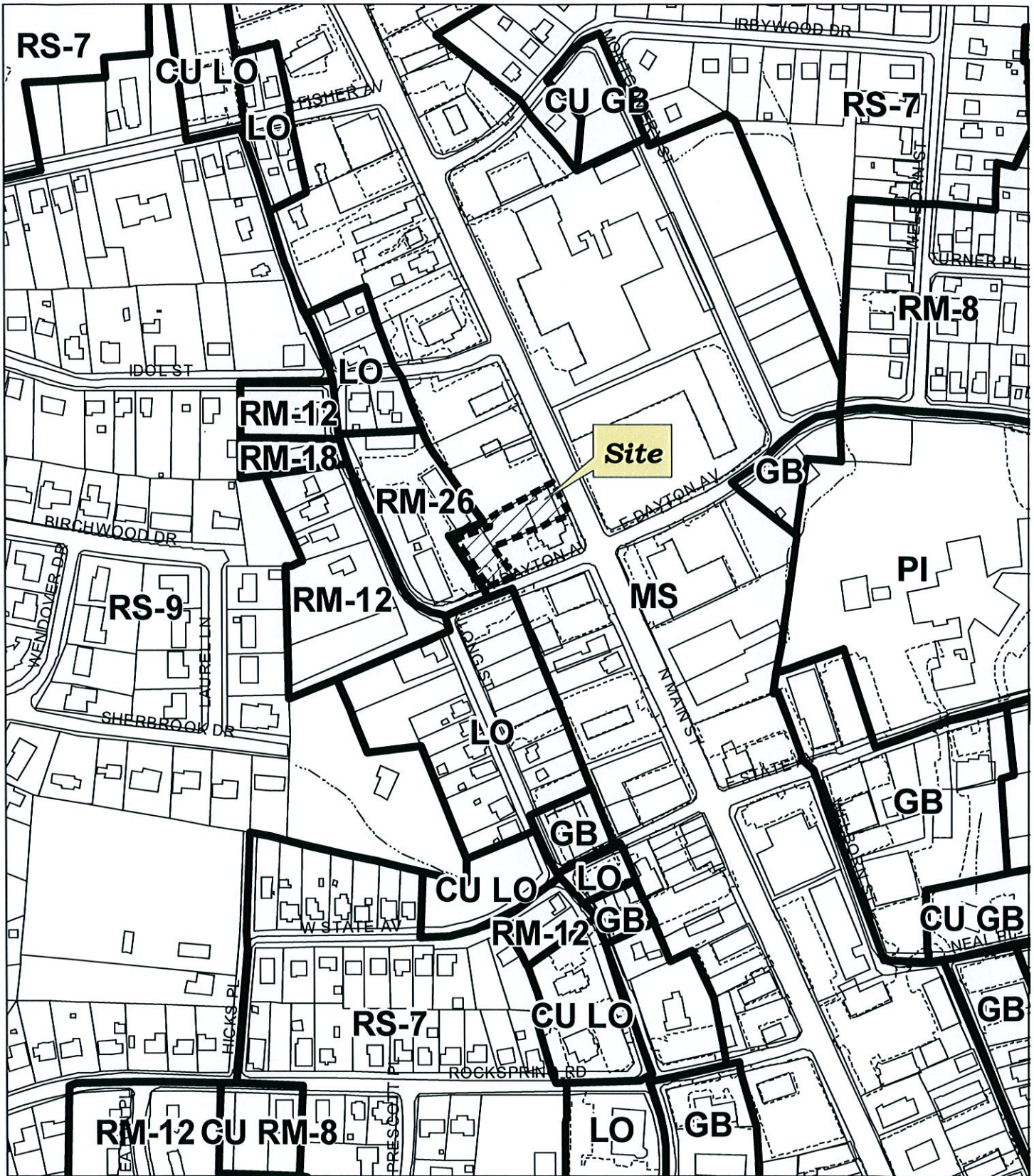
The issuance of this Special Use Permit authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE PERMIT 11-01 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE 21ST DAY OF MARCH, 2011.


Lisa B. Vierling
City Clerk



3-21-2011
Date



SPECIAL USE PERMIT 11-01

Request: To allow a bar with a capacity over 100 persons

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

**Planning & Development
 Department**

City of High Point

Date: February 8, 2011



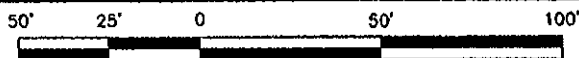
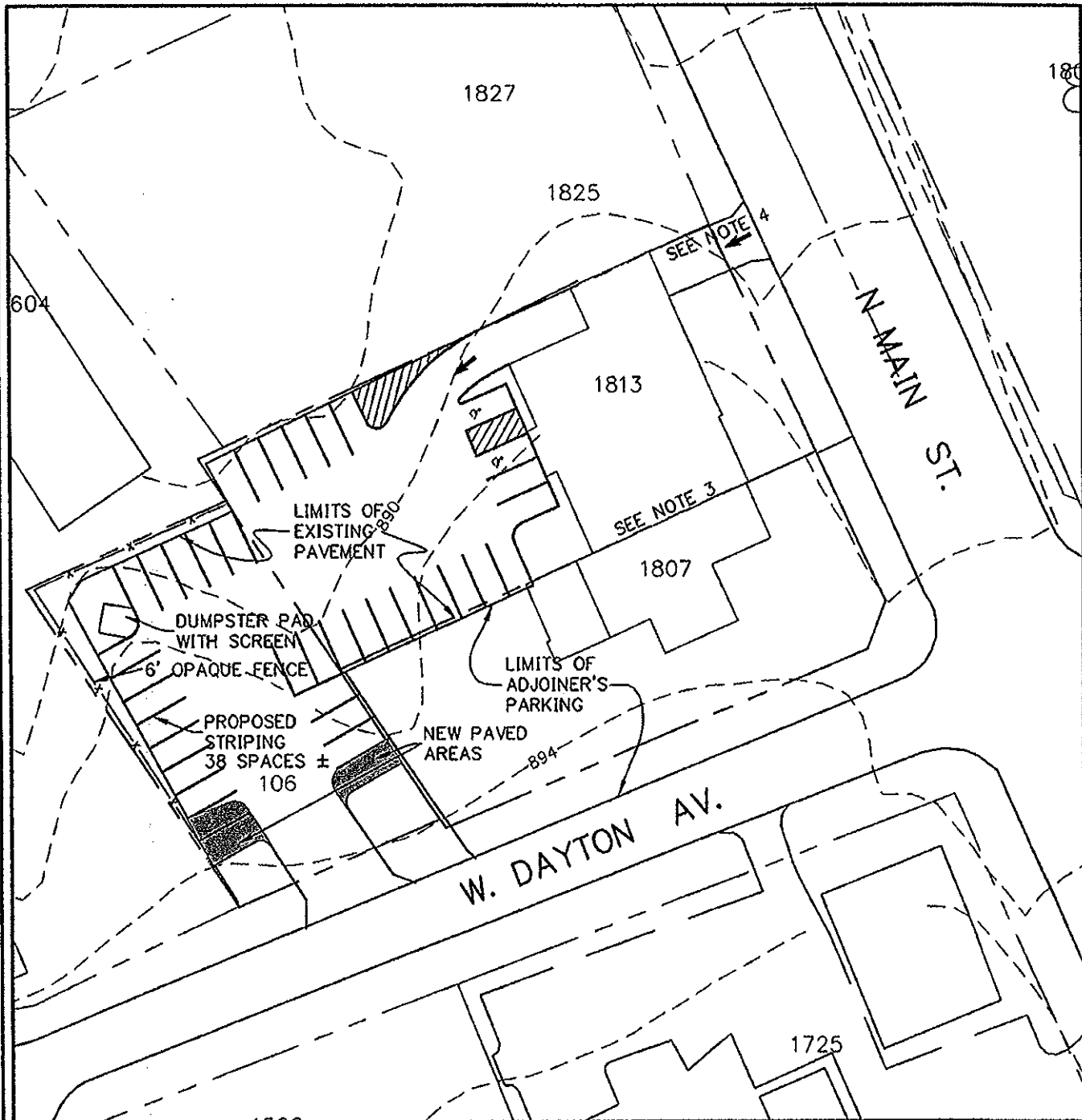
Scale: 1"=300'

y:\ba-pz\2011\pz\sup11-01.mxd

NOTES:

1. THIS IS NOT A SURVEY. NOT FOR RECORD SALES OR CONVEYANCE. NO SURVEY HAS BEEN DONE.
2. INFORMATION SHOWN ON THIS MAP HAS BEEN TAKEN FROM CITY OF HIGH POINT GIS AND AERIAL PHOTOGRAPHY.
3. PROPERTY LINES INDICATED ARE APPROXIMATE AND TAKEN FROM GIS AND RECORD SURVEYS.
4. ENTRANCE ONLY ACCESS POINT FROM N. MAIN ST. ONE WAY TRAFFIC ONLY.

**SPECIAL USE PERMIT
SITE PLAN
THE RED LIONS LAIR, LLC
CITY OF HIGH POINT
GUILFORD COUNTY, NC
JANUARY 2011**



SCALE: 1" = 50'

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

**ORDINANCE
REQUEST:**

Ordinance to Vacate

**PROPERTY
ADDRESS:**

920 Marlboro Street

OWNER:

Bertha N Perry

**FIRST
INSPECTION
1-18-2011**

Number of Violations: Major 5 Minor 12
1) cracks in foundation wall at front porch
2) no smoke detector
3) rotten roof sheathing at rear entrance
4) termite damaged rear porch railings and posts
5) nailed or painted shut windows in living room and bedroom

**HEARING
RESULTS:
2-4-2011**

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. At the time of the initial inspection, the dwelling was occupied by one adult. The unit is still occupied. The ordinance is requested to allow the inspector to vacate, close and placard the dwelling in accordance with State statutes.

**ORDER(S)
ISSUED:
2-4-2011**

Order to Repair with a compliance date of 3-4-2011

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

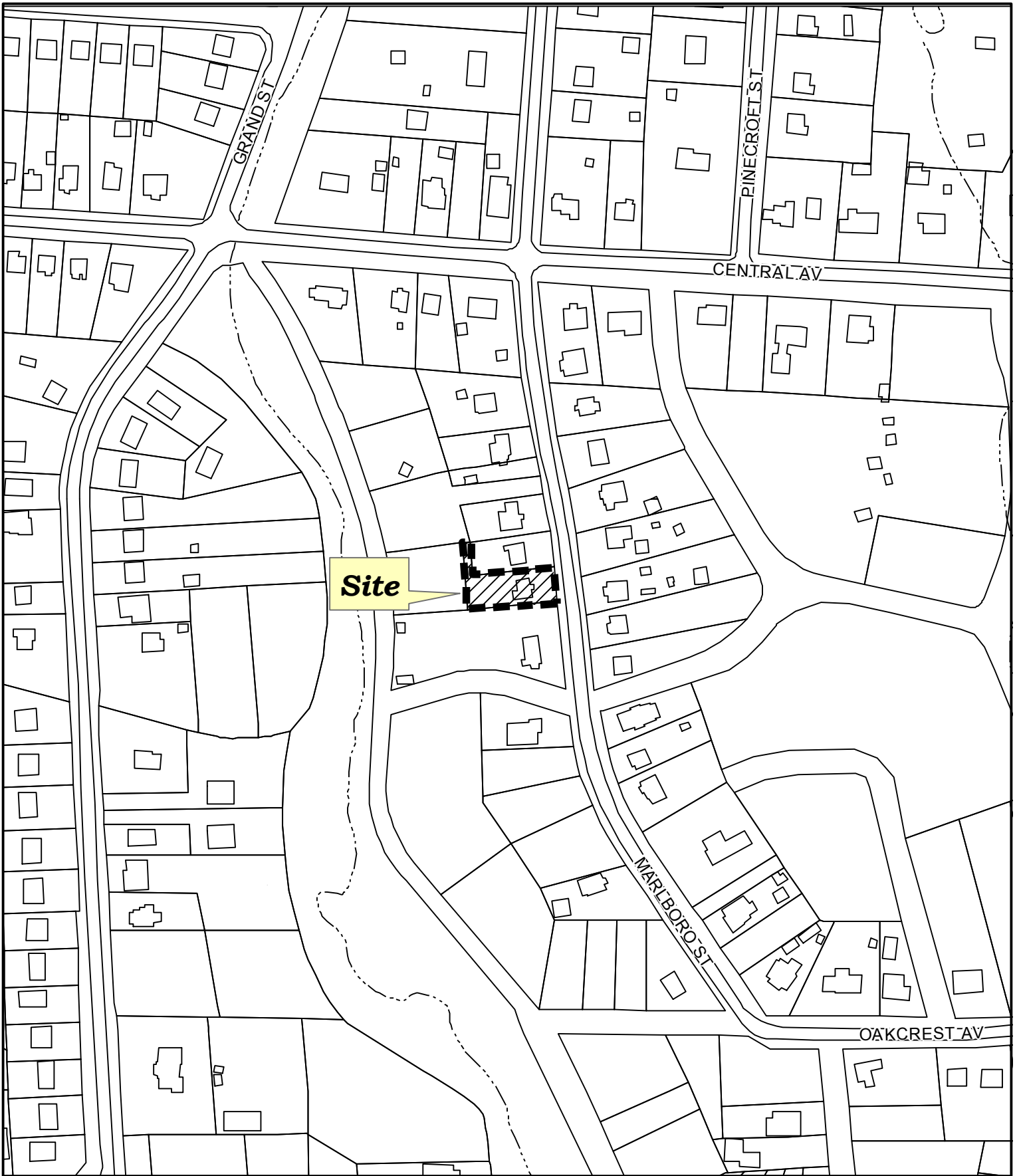
There have been no permits issued and repairs have not started.

EXTENSIONS:

Owner requested extension on 2-24-2011. Request was not approved as there has been no attempt to make repairs.

**CURRENT
STATUS:
3-9-2011**

Conditions still exist. Dwelling is still occupied.



920 Marlboro Street

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: March 14, 2011



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



920 Marlboro Street



920 Marlboro Street

HIGH POINT CONVENTION AND VISITORS BUREAU, INC.

HIGH POINT, NORTH CAROLINA

FINANCIAL STATEMENTS

YEARS ENDED JUNE 30, 2010 AND 2009

TABLE OF CONTENTS

	Page
Independent Auditor's Report	1
Financial Statements	
Statements of Assets, Liabilities, and Net Assets - Cash Basis	2
Statements of Revenue, Expenditures, and Changes in Net Assets - Cash Basis	3
Notes to Financial Statements	4 - 5
Supplementary Information	
Schedules of Cash Receipts and Disbursements	6

GARY D. WALKER

CERTIFIED PUBLIC ACCOUNTANT

706 WESTCHESTER DRIVE; HIGH POINT, NORTH CAROLINA

INDEPENDENT AUDITOR'S REPORT

Board of Directors
High Point Convention and Visitors Bureau, Inc.
High Point, North Carolina

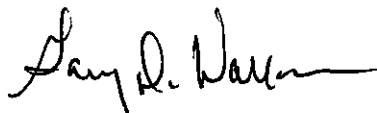
I have audited the accompanying statements of assets, liabilities and net assets - cash basis of High Point Convention and Visitors Bureau, Inc. as of June 30, 2010 and 2009, and the related statements of revenue, expenditures and changes in net assets - cash basis for the years then ended. These financial statements are the responsibility of the management of High Point Convention and Visitors Bureau, Inc. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Corporation's internal control over financial reporting. Accordingly, I express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audits provide a reasonable basis for my opinion.

As described in Note 2 to the financial statements, the accompanying statements are prepared on a modified cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In my opinion, the financial statements referred to above present fairly, in all material respects, the assets, liabilities and net assets of High Point Convention and Visitors Bureau, Inc. as of June 30, 2010 and 2009, and its revenue, expenditures and changes in net assets for the years then ended, on the basis of accounting described in Note 2.

My audits were conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The accompanying supplementary information is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in my opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.



February 4, 2011

HIGH POINT CONVENTION AND VISITORS BUREAU, INC.
 STATEMENTS OF ASSETS, LIABILITIES, AND NET ASSETS
 CASH BASIS
 June 30, 2010 and 2009

	<u>2010</u>	<u>2009</u>
ASSETS		
Cash	\$ 405,095	\$ 385,506
Collections, at cost	156,200	156,200
Prepaid expenses	23,500	-
Furniture, equipment and leasehold improvements	144,792	146,176
Accumulated depreciation	<u>(131,169)</u>	<u>(126,528)</u>
Total assets	\$ <u>598,418</u>	\$ <u>561,354</u>
LIABILITIES AND NET ASSETS		
Amounts withheld from employees	\$ 2,034	\$ 2,052
Total liabilities	<u>2,034</u>	<u>2,052</u>
Net assets - unrestricted	<u>596,384</u>	<u>559,302</u>
Total liabilities and net assets	\$ <u>598,418</u>	\$ <u>561,354</u>

See accompanying notes and independent auditor's report.

HIGH POINT CONVENTION AND VISITORS BUREAU, INC.

STATEMENTS OF REVENUE, EXPENDITURES, AND CHANGES IN NET ASSETS
CASH BASIS

Years Ended June 30, 2010 and 2009

	<u>2010</u>	<u>2009</u>
REVENUE		
Transient occupancy tax	\$ 1,144,394	\$ 1,262,417
Rents received	30,330	30,330
Interest income	<u>3,377</u>	<u>8,365</u>
Total revenue	<u>1,178,101</u>	<u>1,301,112</u>
EXPENDITURES		
Administrative and operating expenses	628,744	687,349
Convention promotion	320,762	364,238
Tourism promotion	37,330	78,661
Tourism grants	<u>171,658</u>	<u>210,211</u>
Total expenditures	<u>1,158,494</u>	<u>1,340,459</u>
Excess of revenue over (under) expenditures before adjustments	19,607	(39,347)
Principal payments on loan	-	305
Purchase of equipment	-	2,074
Prepaid expenses	23,500	-
Depreciation expense	<u>(6,025)</u>	<u>(6,673)</u>
Change in net assets	37,082	(43,641)
NET ASSETS - beginning of year	<u>559,302</u>	<u>602,943</u>
NET ASSETS - end of year	\$ <u>596,384</u>	\$ <u>559,302</u>

HIGH POINT CONVENTION AND VISITORS BUREAU, INC.

NOTES TO FINANCIAL STATEMENTS
Year Ended June 30, 2010 and 2009

NOTE 1 - NATURE OF ACTIVITIES

High Point Convention and Visitors Bureau, Inc. is a non - profit Corporation. The primary purpose of the Corporation is to promote tourism and convention activities within Guilford County and the City of High Point, North Carolina. The Corporation's principal source of revenue is derived from its share of a transient occupancy tax collected from hotels and other lodging establishments by Guilford County. The Corporation provides tourism and convention grants to assist organizations with activities, programs and events.

NOTE 2 - SIGNIFICANT ACCOUNTING POLICIES

BASIS OF ACCOUNTING AND FINANCIAL STATEMENT PRESENTATION

The Corporation maintains accounting records and prepares financial statements on a modified cash basis of accounting, under which only cash receipts and disbursements are recorded and reflected in the financial statements and certain assets and liabilities are recognized. Since all receivables, payables, and accrued and deferred revenue and expense items, which may be material in amount, are not reflected, the financial statements are not intended to present the overall financial position, results of operations, and cash flows in accordance with generally accepted accounting principles.

COLLECTIONS

The Corporation has acquired the Angela Peterson doll and dollhouse collection. The collection is protected, preserved and held for public inspection. It is the policy of the Corporation that any proceeds from the sale of collection items will be used to acquire other similar collection items; however, the Corporation has no current intentions to dispose of any items in the collection. Depreciation is not required for the collection.

PROPERTY AND EQUIPMENT

Property and equipment are carried at cost if purchased and at estimated fair values if received by donation. Major renewals and additions which materially extend the useful lives of assets are capitalized. Maintenance and repairs are expensed as incurred and depreciation is provided by the straight line method over five to ten years.

INCOME TAXES

The Corporation is exempt from income taxes under Section 501(c)(6) of the Internal Revenue Code and has been classified as a not-for-profit organization and not a private foundation by the Internal Revenue Service. The annual IRS report Form 990 filed by the Corporation is available for public inspection.

ESTIMATES

The preparation of financial statements requires management to use estimates and assumptions that could affect amounts and disclosures in the financial statements. Actual results could differ from those estimates.

ADVERTISING

Advertising costs are charged to expense as incurred.

SUBSEQUENT EVENTS

Subsequent events have been evaluated through February 4, 2011, the date on which these financial statements were available to be issued.

NOTE 3 - CASH

Cash balances consist of the following at June 30,

	2010	2009
Checking and money market accounts	\$ 279,893	\$ 119,673
Certificates of deposit	125,000	265,820
Petty cash	<u>202</u>	<u>13</u>
	<u>\$ 405,095</u>	<u>\$ 385,506</u>

Cash in excess of federally insured limits was approximately \$ 155,000 at June 30, 2010.

See independent auditor's report.

HIGH POINT CONVENTION AND VISITORS BUREAU, INC.

NOTES TO FINANCIAL STATEMENTS Year Ended June 30, 2010 and 2009

NOTE 4 - TOURISM AND CONVENTIONS COMMITMENTS

High Point Convention and Visitors Bureau, Inc. has approved tourism and conventions incentives for various groups and organizations through the year ended June 30, 2015. Liability for these incentives has not been accrued in the financial statements since High Point CVB incurs no expense until the events take place. At June 30, 2010, future commitments are as follows:

Year ended	June 30, 2011	\$	61,300
	June 30, 2012		58,200
	June 30, 2013		34,000
	June 30, 2014		22,000
	June 30, 2015		<u>22,000</u>
		\$	<u>197,500</u>

NOTE 5 - DEFERRED COMPENSATION

Salaried employees may participate in an employer sponsored Section 401(k) plan. The Corporation contributes 5% of eligible employee's compensation to the plan and employees may contribute up to 10% additional to the plan. Total plan contributions were \$ 12,661 and \$ 17,866 during the years ending in 2010 and 2009.

NOTE 6 - BUILDING LEASE

The Bureau leases office and exhibition space under a multi-year lease expiring January 31, 2014. The Bureau has an option to renew the lease for one additional term of five years. Total building lease expense was \$ 131,733 for the years ending in 2010 and 2009. The Bureau received sub-lease rental reimbursements of \$ 30,330 during the years ending in 2010 and 2009.

Future minimum lease payments are as follows at June 30, 2010:

Year ended	June 30, 2011	\$	114,318
	June 30, 2012		91,125
	June 30, 2013		93,860
	June 30, 2014		<u>55,700</u>
		\$	<u>355,003</u>

NOTE 7 - EQUIPMENT LEASES

The Bureau is obligated for the following operating equipment leases at June 30, 2010:

Copier equipment lease expiring May, 2014 at \$ 442 per month
Postal equipment lease expiring July, 2012 at \$ 966 per quarter

Total equipment lease payments were \$ 9,761 and \$ 10,629 during the years ending in 2010 and 2009.

Future minimum lease payments for equipment leases are as follows at June 30, 2010:

Year ended	June 30, 2011	\$	6,168
	June 30, 2012		7,236
	June 30, 2013		5,304
	June 30, 2014		<u>2,210</u>
		\$	<u>20,918</u>

See independent auditor's report.

HIGH POINT CONVENTION AND VISITORS BUREAU, INC.

SCHEDULES OF CASH RECEIPTS AND DISBURSEMENTS
Years Ended June 30, 2010 and 2009

RECEIPTS		2010	2009
Transient occupancy tax	\$	\$ 1,144,394	\$ 1,262,417
Rents received		30,330	30,330
Interest income		3,377	8,365
Total receipts		<u>1,178,101</u>	<u>1,301,112</u>
DISBURSEMENTS			
Administrative			
Salaries	328,693	380,862	
Payroll taxes, retirement, group insurance	<u>81,079</u>	<u>106,465</u>	487,327
Operating expenses			
Memberships	2,379	2,956	
Travel and entertainment	948	1,496	
Office operating expenses	37,801	38,298	
Postage	5,535	(2,570)	
Telephone	6,568	6,458	
Building rent and parking	133,653	133,653	
Committee and board expenses	5,153	6,545	
Equipment purchases, rentals and maintenance	<u>26,935</u>	<u>13,186</u>	<u>200,022</u>
Total administrative and operating expenses		628,744	687,349
Convention promotion			
Advertising	7,545	42,133	
Convention services and incentives	118,861	96,692	
Travel and entertainment	6,843	10,912	
Literature and printing	7,356	632	
Memberships and subscriptions	3,026	1,856	
Postage and shipping	880	1,202	
Special projects	19,311	3,832	
Trade shows	6,940	3,513	
Intern assistants	-	3,466	
International Home Furnishings Marketing Auth.	<u>150,000</u>	<u>200,000</u>	<u>364,238</u>
Tourism promotion			
Advertising	14,880	43,122	
Literature and printing	8,316	9,220	
Memberships	799	586	
Postage	2,206	7,437	
Travel	-	876	
Trade shows	250	350	
Special projects / VIC / Web	<u>10,879</u>	<u>17,070</u>	<u>78,661</u>
Tourism grants		<u>171,658</u>	<u>210,211</u>
Total disbursements		<u>1,158,494</u>	<u>1,340,459</u>
Excess of receipts over (under) disbursements		19,607	(39,347)
Cash, beginning of year		385,506	432,298
Purchase of carpet from reserves		-	(7,130)
Change in withheld payroll taxes, insurance and retirement		<u>(18)</u>	<u>(315)</u>
Cash, end of year		<u>\$ 405,095</u>	<u>\$ 385,506</u>

See accompanying notes and independent auditor's report.

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

**ORDINANCE
REQUEST:**

Ordinance to Vacate

**PROPERTY
ADDRESS:**

507 Denny Street

OWNER:

Kenneth Wayne Lassiter

**FIRST
INSPECTION
1-3-2011**

Number of Violations: Major 6 Minor 14

- 1) no smoke detectors
- 2) provide cover for electrical box in attic
- 3) room on second floor being used as a bedroom – does not meet the required room width of 7 feet to be used as a habitable room
- 4) no outside exit light at front and rear entrance
- 5) replace light fixture in bathroom – fixture can be reached from the tub
- 6) weak floor at rear porch due to over spanned floor joists

**HEARING
RESULTS:**

1-26-2011

The owner came to the hearing to discuss the violations in question. The details of each of the violations were explained to him in detail. Mr. Lassiter informed us at the hearing that he would be evicting the tenants and would not make any necessary repairs as long as the tenants occupied the dwelling. At the time of the initial inspection the dwelling was occupied by three adults and four minors. The dwelling is still occupied. The ordinance is requested to allow the inspector to vacate, close and placard the dwelling in accordance with State statutes.

**ORDER(S)
ISSUED:**

1-26-2011

Order to Repair with a compliance date of 2-28-2011

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

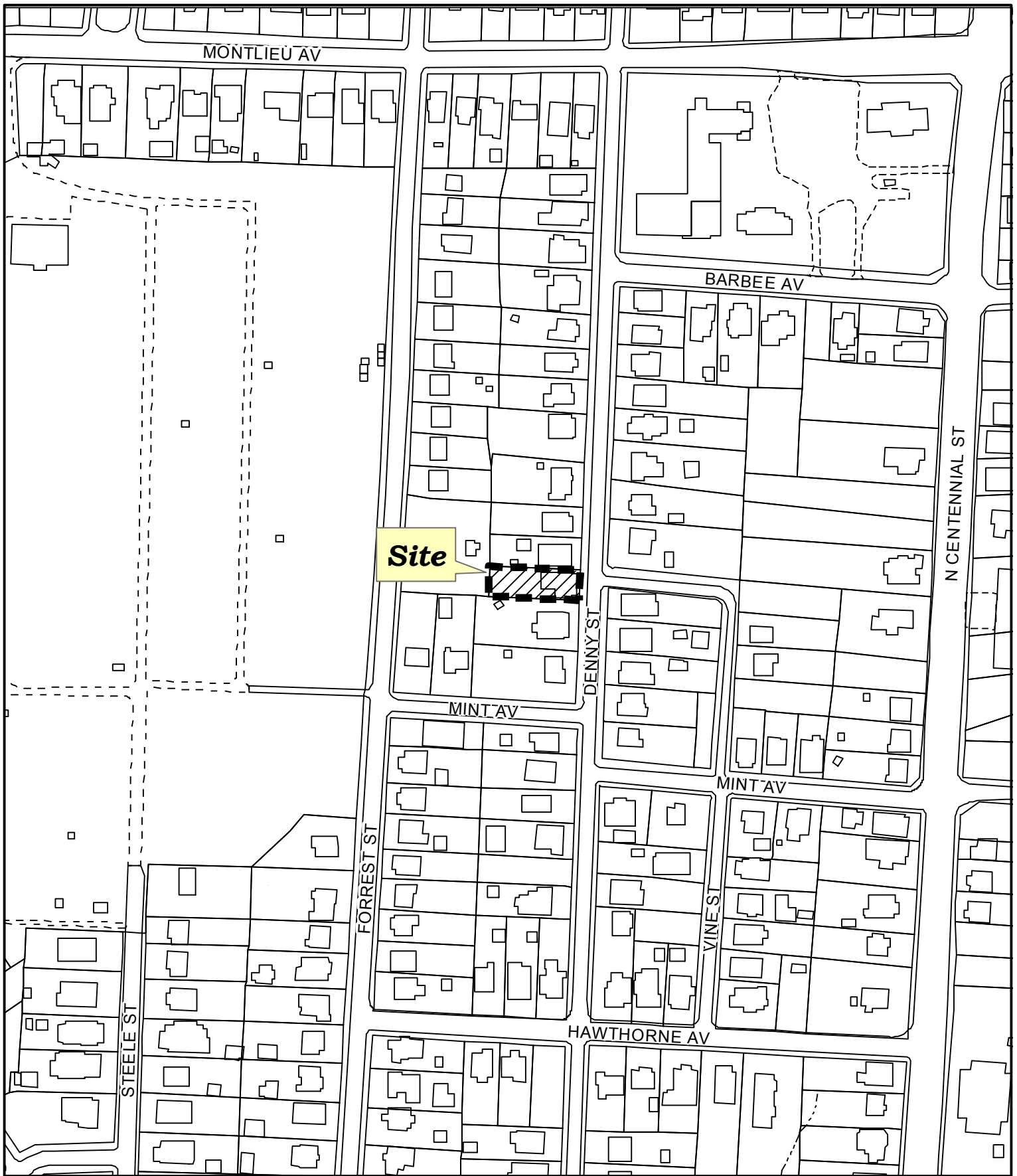
There have been no permits issued and repairs have not started.

EXTENSIONS:

None requested by the owner.

**CURRENT
STATUS:
3-9-2011**

Conditions still exist. The dwelling remains occupied.



507 Denny Street

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: March 14, 2011



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



507 Denny Street

PLANNING AND ZONING COMMISSION RECOMMENDATION

On February 22, 2011, a public hearing was held before the Planning and Zoning Commission regarding the requests described below. All members of the Commission were present.

CHC Realty, LLC

Special Use Permit Case 11-02

A request by CHC Realty, LLC to allow an off-site directional sign at 1744 Westchester Drive. The sign is to be located at 1744 Westchester Drive, an approximately 1.2 acre parcel lying at the northwest corner of Westchester Drive and Whittier Avenue.

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

Speaking in favor of the request was Mr. Duncan Chapman of 1814 Westchester Drive, Building and Grounds Director for Cornerstone Healthcare.

Mr. Chapman briefly explained the reason for the request, which originates from complaints by the business owner of the used car lot next to their site. Because of underground utility, the main entrance sign for the Cornerstone Healthcare facility sits far back on the property and is missed by southbound patrons. Patrons have been turning into the parking lot of this neighboring property and cutting through to enter the Cornerstone facility. Mr. Chapman requested a 50 year time period for the off-site directional sign to be permitted.

Also speaking in favor of the request was Mr. Carlis Vernon of 1765 Westchester Drive, Facilities Engineer for Providence Place. He noted that Cornerstone Health Care has been a good neighbor and agrees that their entrance drive is difficult to see.

No one spoke in opposition to Special Use Permit Case 11-02.

The Planning & Zoning Commission recommended **approval** (by a vote of 7-0) of Special Use Permit Case 11-02 with an expiration date of 50 years, contingent on approval of Text Amendment Case 11-02. Member Andrew Putnam recused himself from SUP 11-02 due to a potential conflict of interest.

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

**STAFF REPORT
SPECIAL USE PERMIT 11-02
March 15, 2011
(Revised)**

Request	
Applicant: Duncan M. Chapman, on behalf of CHC Realty, LLC.	Owner(s): Kirby Bryson, Kenneth Bryson, Robert Bryson and Ray Bryson
Proposal: A Special Use Permit request to allow an off-site sign. The sign is proposed to be located at the northwest corner of Westchester Drive and Whittier Avenue (1744 Westchester Drive) and will direct patrons to Cornerstone's Health Care facility driveway access at the terminus of Whittier Avenue. Subject to approval of Text Amendment Case 11-02 the applicant is requesting City Council allow the Special Use Permit for this off-site directional sign be permitted for 50 years.	

Site Information	
Location:	The sign is proposed to be located at the northwest corner of Westchester Drive and Whittier Avenue (1744 Westchester Drive).
Tax Parcel Numbers:	0185869 (Guilford County)
Site Acreage:	1.2 acres
Current Land Use:	Physical fitness facility.
Physical Characteristics:	The site is developed with a 10,824 square foot building which is surrounded by a parking lot. The site drains in a northerly direction where it abuts an intermittent stream.
Water & Sewer Proximity:	An 8-inch City sanitary sewer line and 8-inch water line is lying adjacent to the site's Westchester Drive and Whittier Avenue frontage. In addition, there is a 12-inch City water line within the Westchester Drive road right-of-way.
General Drainage and Watershed:	The site drains in a general northerly direction and development is subject to the Yadkin Pee-Dee 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 Districts	None

Adjacent Property Zoning and Current Land Use			
North:	GO-M	General Office-Moderate Intensity District	Office Use
South:	HB	Highway Business District	Restaurant
East:	CU-PDM	Conditional Use Planned Unit Development-Mixed District	Nursing home and retirement facility
West:	HB	Highway Business District	Undeveloped

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	None
Land Use Plan Map Classification:	Office: This classification includes professional, personal and business service uses.
Land Use Plan Goals, Objectives & Policies:	None
Relevant Area Plan(s):	None
Community Growth Vision Statement:	None
Zoning History:	There have been no rezoning activities on this site.

Transportation Information
Not applicable to this application.

School District Information
Not applicable to this application.

Details of Proposal
The applicant, Cornerstone Health Care, has a medical facility at 1814 Westchester Drive. This medical facility was constructed in 2007; it has 13 acres of land and a 4-story structure with 104,684 square feet of gross floor area which is sits approximately 700 feet from the site's Westchester Drive property line. The facility has its main vehicular access point from Westchester Drive where the site has approximately 174 feet of road frontage; it has a secondary access point from Whittier Avenue which terminates at the site in a cul-de-sac where the site has approximately 225 feet of frontage. The applicant is requesting a Special Use Permit to allow one (1) off-site directional sign. They are requesting to place this off-site directional sign at the northwest corner of Westchester Drive and Whittier Avenue (1744 Westchester Drive). The proposed off-site sign is intended to direct patrons to Cornerstone's Health Care facility secondary driveway access at the terminus of Whittier Avenue.

The Development Ordinance restricts directional signage to 8 square feet in area with a maximum height of 6 feet and requires them to be placed upon private property outside of the street right-of-way. In addition, the development regulations allows for the issuance of a Special Use Permit to erect any directional sign off-site and on another property, outside the public right-of-way. The applicant is required to demonstrate a need for the sign due to difficulty in accessing the establishment.

This ordinance provision was created in the mid-1980s to address directional problems to several businesses whose access was altered due to a public road improvement project. This rather unique sign provision provides a way to re-educate patrons on how to access the business. Because the need was viewed as temporary, the ordinance limits the duration of the Special Use Permit to two years, after which requires renewal should the applicant demonstrate the continued

need. This Special Use Permit request is preceded by a proposed text amendment that would allow the City Council the option to establish a longer time period for which the issued Special Use Permit remains valid. The applicant desires a longer time period for this permit.

The applicant has stated that the driveway location and limited line of sight, due to topography and other features along this segment of Westchester Drive, does not provide sufficient time for patrons to spot the driveway access from Westchester Drive. This is an issue only for traffic traveling southbound along Westchester Drive. Thus the applicant is requesting approval of an off-site directional sign at the intersection of Westchester Drive and Whittier Avenue. The intent of this sign will be to direct patrons to Cornerstone's driveway access at the terminus of Whittier Avenue and prevent patrons from missing the driveway access on Westchester Drive.

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 proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these required findings.

That the use will not materially endanger the public health or safety if located where proposed; staff finds

Compliance	❖ The intent of this off-site directional sign is to guide patrons to the Cornerstone Health Care secondary access point at the terminus of Whittier Avenue and prevent public safety problems when a patron misses the Westchester Drive access.
-------------------	---

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 off-site directional sign will meet the standards of the Ordinance. The sign will be 8 square feet in size (the maximum allowed) and 5 feet in height. The sign will be located outside of the public street right-of-way on private property at the corner of Whittier Avenue and Westchester Drive.
-------------------	--

That the use will not substantially injure the value of adjoining or abutting property, or that it is a public necessity; staff finds

Compliance	❖ The allowance for a directional sign at the proposed location will not substantially injure the value of adjoining or abutting property. The restaurant property at Whittier Avenue and Westchester Drive has an <u>on-site</u> directional sign on their property at the corner to direct patrons to their access on Whittier Avenue.
-------------------	--

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	❖ While the intent of this Special Use Permit provision was originally to address directional needs where the business access was altered involuntarily, it is not limited to only those situations. And, while in other situations where this provision was used were viewed as short term in need, this situation warrants longer duration of signage. This is based upon the following facts: ➤ The site has a secondary access point to Whittier Avenue; the requested sign is not advertising but directing patrons to this secondary access point. ➤ For such a large medical facility (13 acres and over 100,000 square feet of building area); it has limited frontage (174 feet) along its main entrance from Westchester Drive. It is not customary for a facility of this size to have such limited road frontage, the frontage they have is more customary to the smaller one acre parcels flanking the site. ➤ The topography of this segment of Westchester Drive along with the site's narrow street frontage offers limited reaction time for first time patrons to see the driveway and safely turn into the site. ➤ Based upon the size of the facility it was initially required to install a turn lane into the site from its Westchester Drive access point. This turn lane would have assisted in guiding patrons traveling southbound on Westchester Drive into the facility. However, the site did not have the required road frontage along Westchester Drive to install the required 450 foot long turn lane taper and stacking area. ➤ The site was limited in its ability to place a driveway in the most optimal location. Internally upon the site the driveway access from Westchester Drive runs along the site's southern boundary and makes an S-shape curve to the northern boundary of the site. This configuration was necessary due to the location of a major transmission line pole along Westchester Drive which may block visibility of cars exiting the site to the southbound traffic on Westchester Drive. In addition, the current driveway location toward the northern boundary of the site provided a greater, although not optimal, line-of-sight to see oncoming traffic coming up a hill along Westchester Drive.
-------------------	--

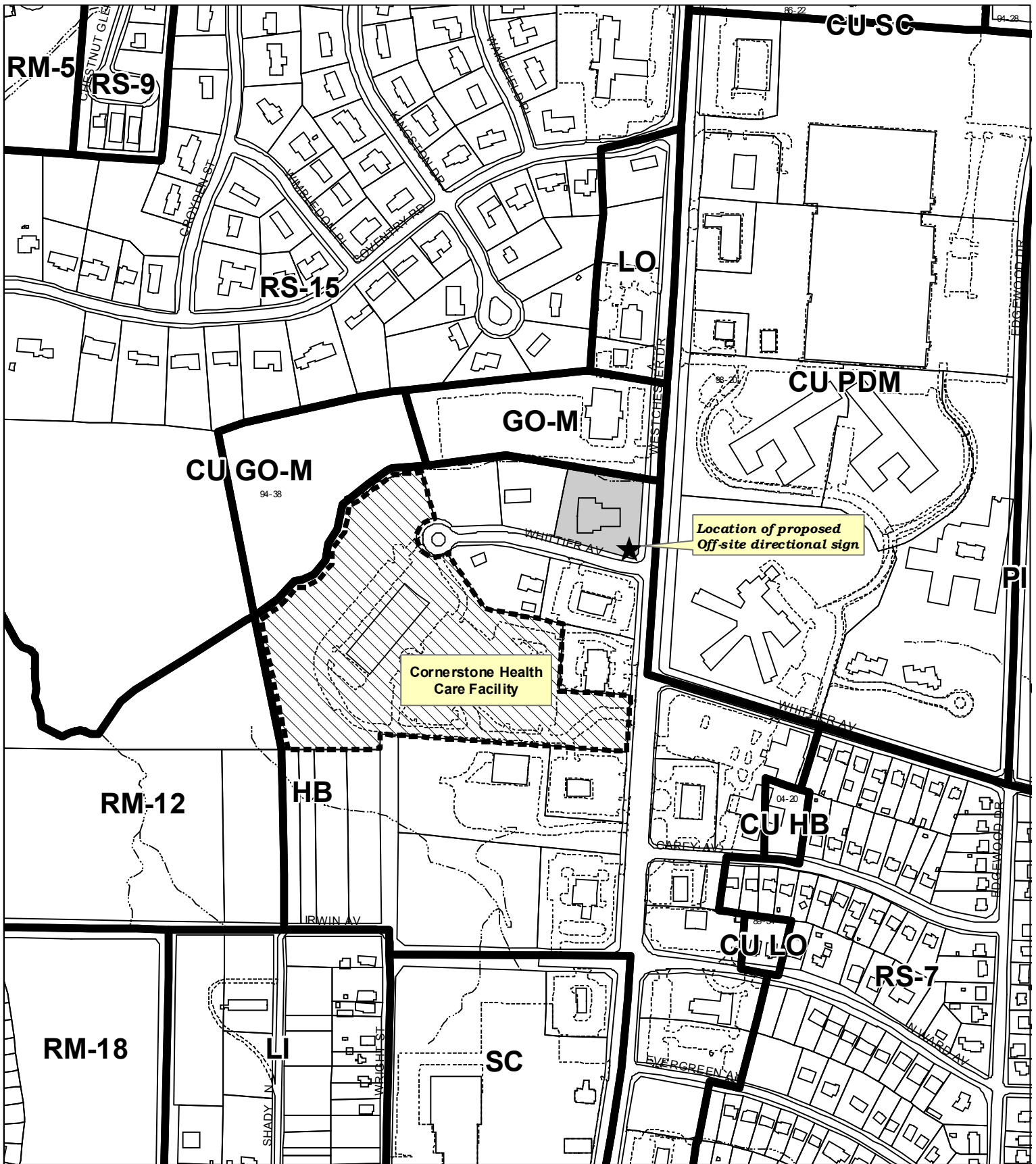
Recommendation

Staff Recommends Approval:

Based upon above noted preliminary findings, staff recommends approval of the Special Use Permit to allow one off-site directional signs in the Highway Business (HB) District to direct patrons to this major medical facility's secondary access point.

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.



SPECIAL USE PERMIT 11-02

Request by CHC Realty LLC to place an off-site direction sign at 1744 Westchester Dr for use at 1814 Westchester Dr

Existing Zoning Boundary
Subject Property Boundary

Planning & Development
Department

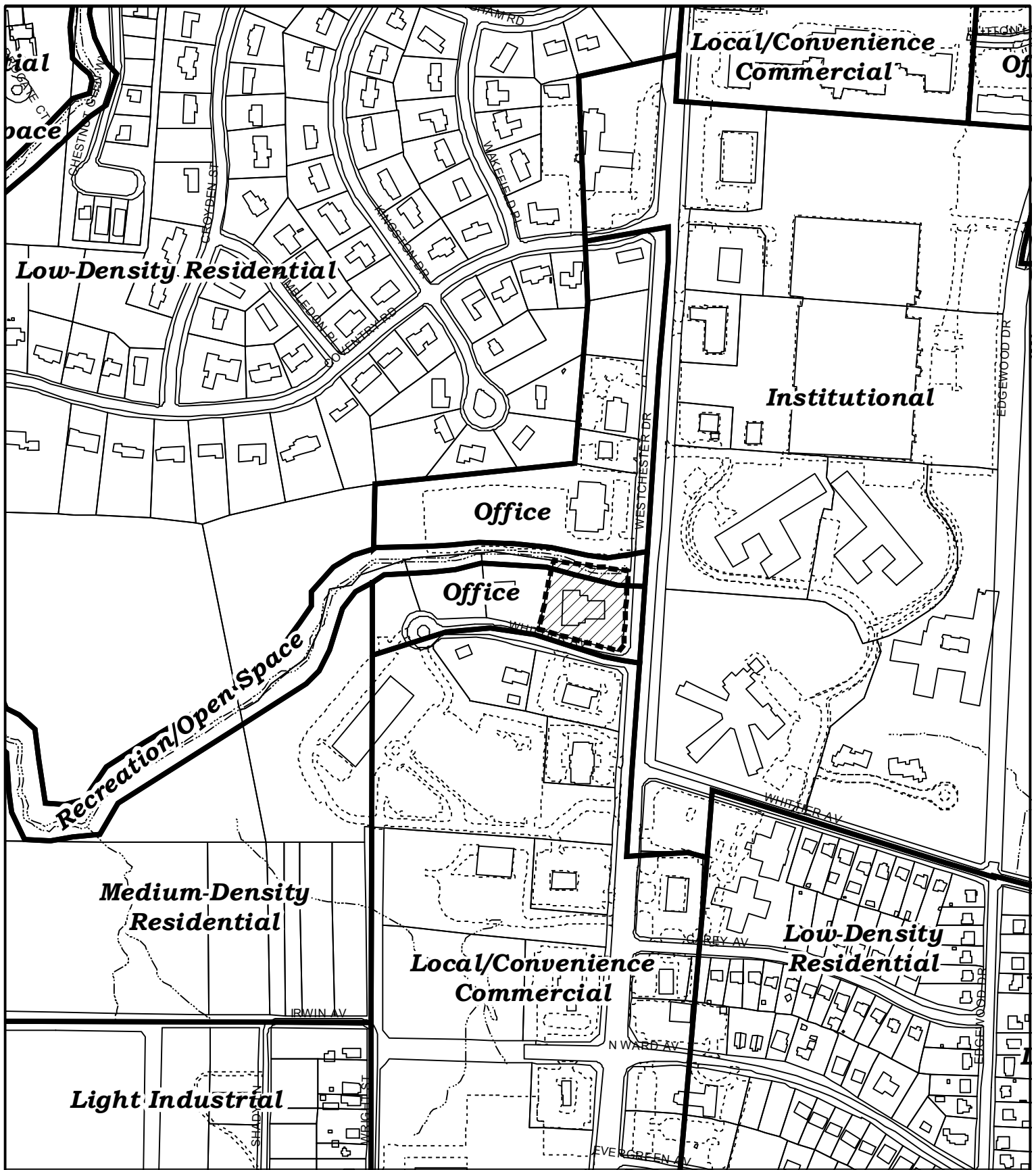
City of High Point

Date: February 8, 2011



Scale: 1"=400'

y:/ba-pz/2011/pz/sup/11-02.mxd



SPECIAL USE PERMIT 11-02

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Planning & Development
 Department**

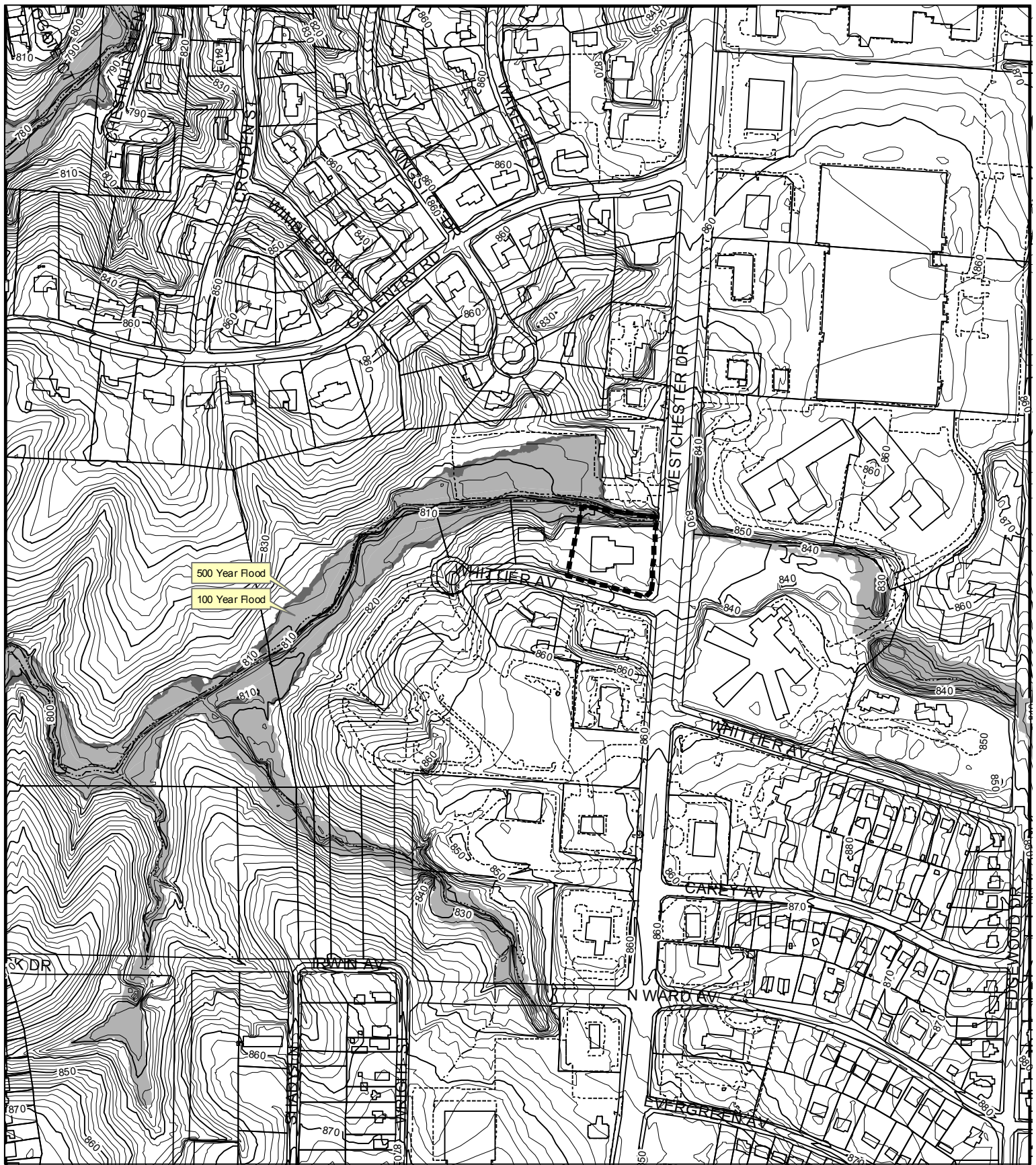
City of High Point

Date: February 16, 2011



Scale: 1"=400'

y:\ba-pz\2011\pz\sup11-02.mxd



SPECIAL USE PERMIT 11-02

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

Date: February 16, 2011



Scale: 1"=400'

y:/ba-pz/2011/pz/sup11-02topo.mxd

SPECIAL USE PERMIT 11-02



**SPECIAL USE PERMIT 11-02
CITY OF HIGH POINT, NORTH CAROLINA**

January 10, 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) off-site directional sign in accordance with Section 9-5-16(e) and Table 5-16-2, of the Development Ordinance.

CONDITIONS:

1. The sign shall state "Cornerstone Health Care Entrance" (see attached sign exhibit) and shall be located on the property of 1744 Westchester Drive (northwest corner of Westchester Drive and Whittier Avenue). The directional signs shall not be placed in the street right-of-way.
2. The sign shall direct patrons to Cornerstone's driveway access at the terminus of Whittier Avenue.

DESCRIPTION OF PROPERTY: The sign is to be located at 1744 Westchester Drive, an approximately 1.2 acre parcel lying at the northwest corner of Westchester Drive and Whittier Avenue (Guilford County Tax Parcel 0185869). The sign shall serve as a directional sign for Cornerstone Health Care facility located at 1814 Westchester Drive, an approximately 12.7 acre parcel lying along the west side of Westchester Drive, approximately 400 feet south of Whittier Avenue (Guilford County Tax Parcel 0185877).

This Special Use Permit and approved sign design and location 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 two (2) years from the date of City Council approval. If the business advertised upon the off-site directional sign is discontinued or replaced by a use otherwise permitted in the zoning district, then the Special Use Permit for the off-site sign 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 11-01 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE ____ DAY OF MARCH, 2010.

Lisa B. Vierling
City Clerk

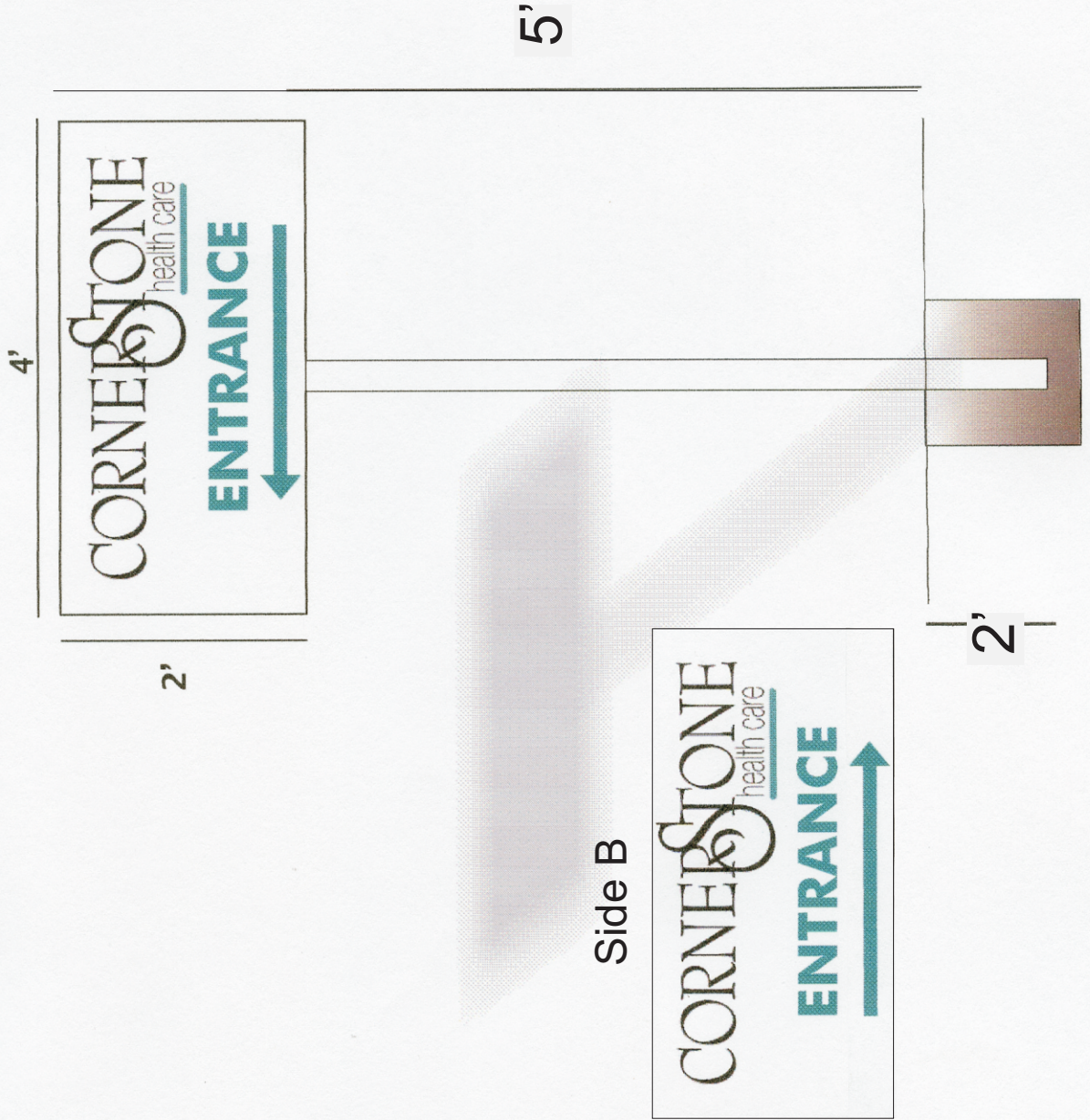
Date

CORNERSTONE

health care

ENTRANCE SIGNS

image
innovation
group

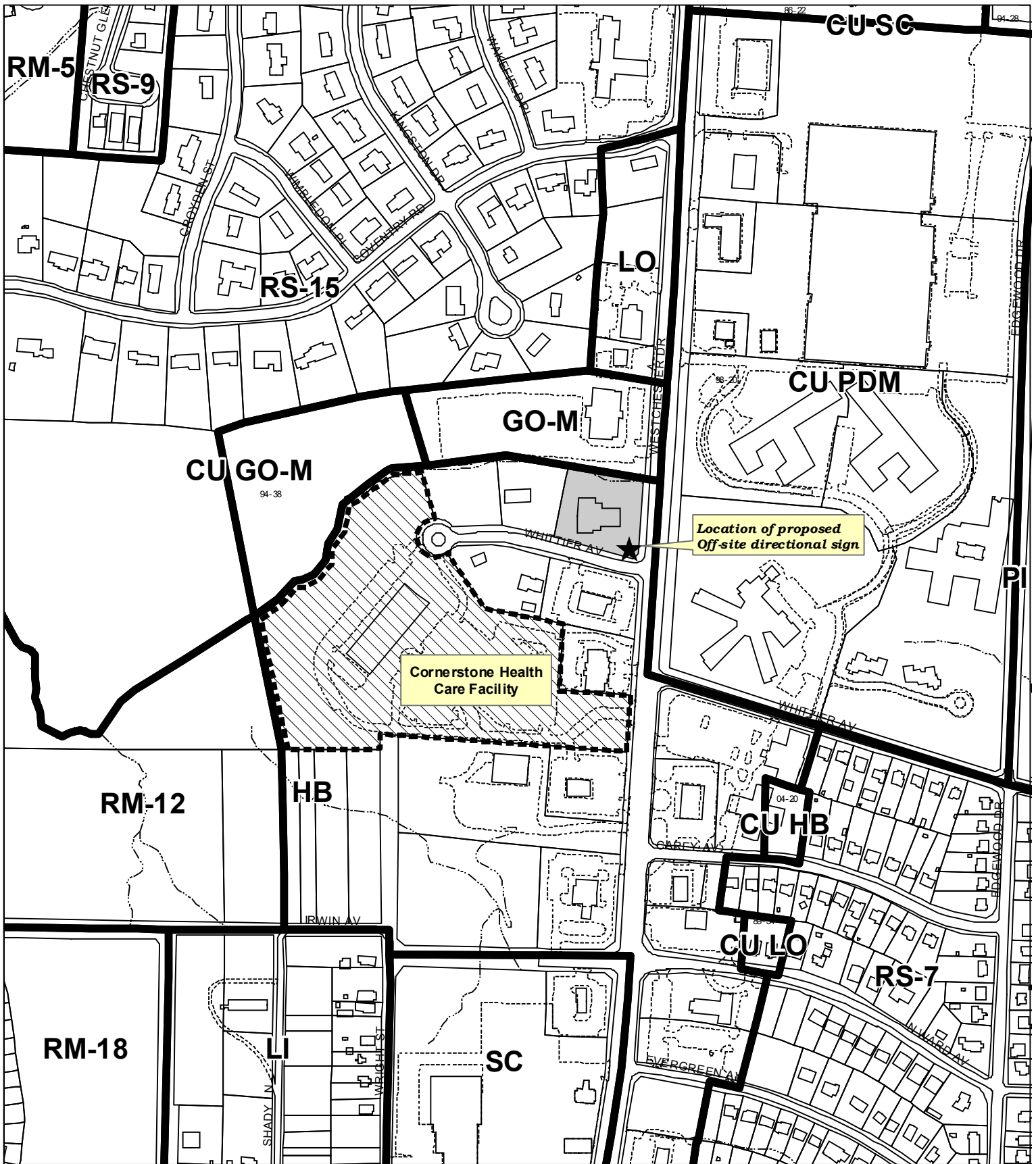


Sign Type: Post and Panel
of Faces: 2
Size: 2' x 4'
Square Ft: 8
Illuminated: no
Pane Material: 0.80 Aluminum
Material Color: White
Installation: Direct Burial

Project: Cornerstone
Location: High Point, NC
Date: 11/12/10
Sales Rep: Ermon Rush
Designer: Carey Benson

Drawing#: Cornerstone_Ent_ER_101210c

© Image Innovation Group. All rights reserved.
No part of this document may be
reproduced or utilized in any form
without prior written authorization from
the designer or Image Innovation Group.



SPECIAL USE PERMIT 11-02

Request by CHC Realty LLC to place an off-site direction sign at 1744 Westchester Dr for use at 1814 Westchester Dr

Existing Zoning Boundary
Subject Property Boundary

Planning & Development
Department

City of High Point

Date: February 8, 2011



Scale: 1"=400'

y:/ba-pz/2011/pz/sup/11-02.mxd

**SPECIAL USE PERMIT 11-02
CITY OF HIGH POINT, NORTH CAROLINA**

March 21, 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) off-site directional sign in accordance with Section 9-5-16(e) and Table 5-16-2, of the Development Ordinance.

CONDITIONS:

1. The sign shall state "Cornerstone Health Care Entrance" (see attached sign exhibit) and shall be located on the property of 1744 Westchester Drive (northwest corner of Westchester Drive and Whittier Avenue). The directional signs shall not be placed in the street right-of-way.
2. The sign shall direct patrons to Cornerstone's driveway access at the terminus of Whittier Avenue.

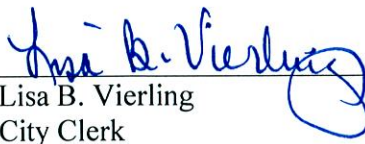
DESCRIPTION OF PROPERTY: The sign is to be located at 1744 Westchester Drive, an approximately 1.2 acre parcel lying at the northwest corner of Westchester Drive and Whittier Avenue (Guilford County Tax Parcel 0185869). The sign shall serve as a directional sign for Cornerstone Health Care facility located at 1814 Westchester Drive, an approximately 12.7 acre parcel lying along the west side of Westchester Drive, approximately 400 feet south of Whittier Avenue (Guilford County Tax Parcel 0185877).

This Special Use Permit and approved sign design and location 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 fifty (50) years from the date of City Council approval (March 21, 2061). If the business advertised upon the off-site directional sign is discontinued or replaced by a use otherwise permitted in the zoning district, then the Special Use Permit for the off-site sign 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.

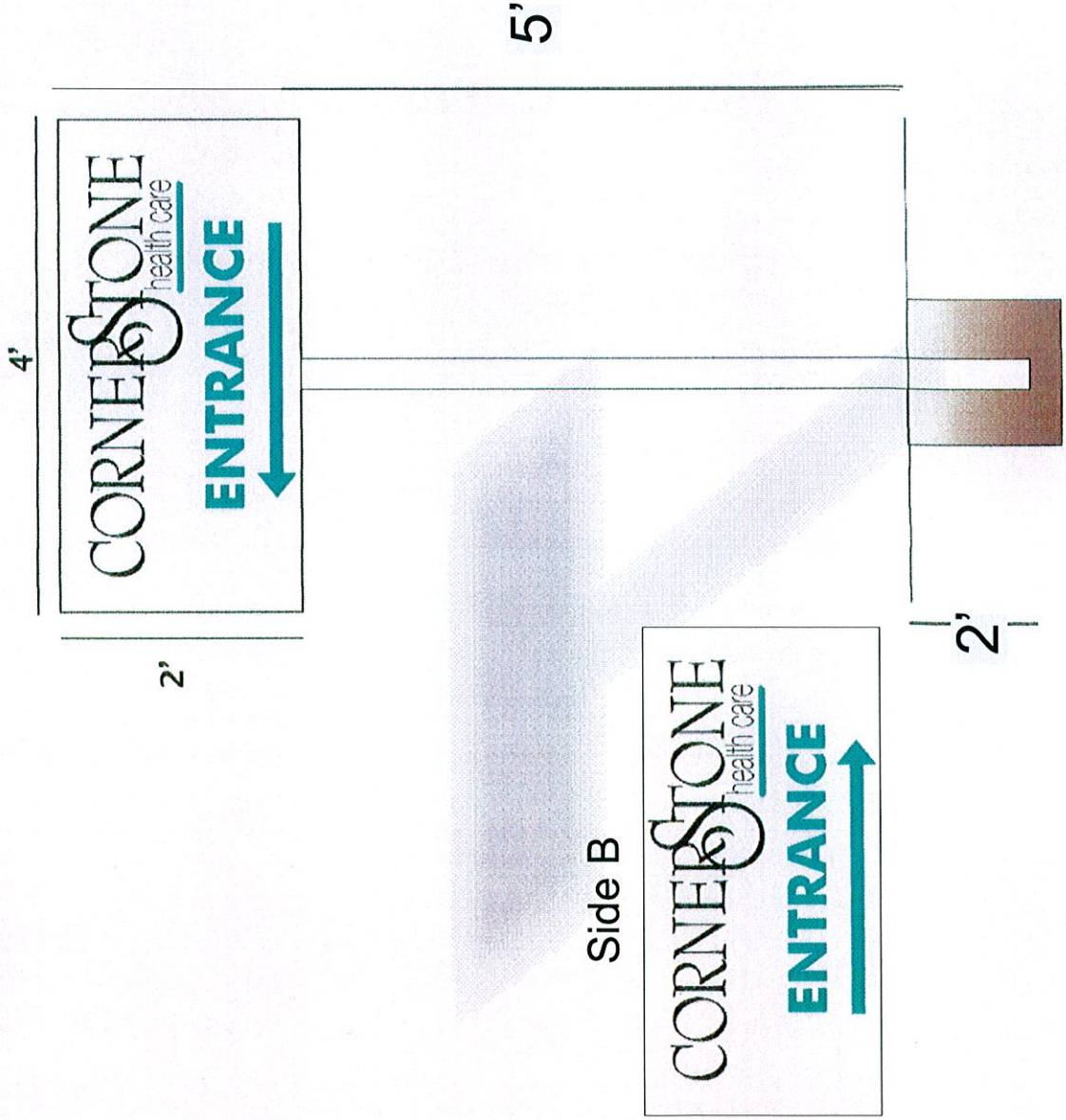
The issuance of this Special Use Permit authorizes the filing of an application for a building permit, site plan, subdivision or other development approval as required by the Development Ordinance.

SPECIAL USE PERMIT 11-02 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE 21ST DAY OF MARCH, 2010.


Lisa B. Vierling
City Clerk



3-21-2011
Date



Sign Type: Post and Panel
of Faces: 2

Size: 2' x 4'

Square Ft: 8

Illuminated: no

Pane Material: 0.80 Aluminum

Material Color: White

Installation: Direct Burial

Project: Cornerstone

Location: High Point, NC

Date: 11/12/10

Sales Rep: Ermon Rush

Designer: Carey Benson

Drawing#: Cornerstone_Ent_ER_101210c

Engineering Services Department

B. Keith Pugh, P.E.

DIRECTOR



Date: March 15, 2011

To: Pat Pate, Assistant City Manager

From: Keith Pugh, Engineering Services *BKP*

Re: City Council Agenda – Final Adjusting Change Order for ARRA Funded, Roadway Improvements - Deep River Road U-5185, Burton Avenue U-5156A and Clinard Farms Road U-5156B – City Contract ENG-2009-09

On Tuesday, November 10, 2009 the City of High Point received and opened bids for Contract ENG-2009-09, Roadway Improvements. The contract was awarded to Vecellio & Grogan, Inc. at the contract bid price of \$1,651,833.38. Since the contract award, there has been one change order approved in the amount of \$53,156.72, bringing the total contract value to \$1,704,990.10. The Engineer's Estimate for the construction work was \$2,187,000.00.

All contract work was finished prior to the completion date of November 30, 2010. We now respectfully ask for approval of contract Change Order #2 which will allow us to process final payment for the work and close out the contract.

The purpose of this change order is to cover the cost of line item overruns, the cost of concealed conditions and to un-encumber funds associated with the Burton Avenue improvements and the Clinard Farms Road improvements. The line item overruns and the concealed conditions are associated with the Deep River Road Realignment project.

Specifically, the line items for borrow material and foundation conditioning exceeded contract quantities due to poor soil conditions encountered during construction. Simply stated, the contractor encountered very good topsoil on this project. Unfortunately, topsoil contains too much organic material to be used as good backfill material when building a road or laying pipes in trenches. The unsuitable material had to be removed and replaced with appropriate backfill.

The other overruns are in the stone and asphalt quantities. These ran over estimate due to additional work associated with intersection overlays (requested by NCDOT) and an additional turn lane approved with Supplemental Agreement #2. The supplemental agreement was approved by NCDOT and the City of High Point. This agreement established the additional pay items associated with construction of a new turn lane and a median island. However, this agreement did not contain the necessary additional quantities for stone and asphalt associated with this additional work. These items were intended to overrun the contract

Engineering Services Department

PAGE 2 OF 2

ARRA ROADWAY IMPROVEMENTS – FINAL CHANGE
ORDER

quantities at the existing contract unit prices. The total change order amount needed for Deep River Road is \$128,338.03.

This change order also contains reductions for Clinard Farms Road and for Burton Avenue. Each of these projects were completed for less money than the contract allowed. Thus, this change order contains a reduction of \$25,578.12 for the Clinard Farms Road improvements and a reduction of \$10,140.21 for the Burton Avenue improvements.

The Deep River Road water line improvements are complete and the contract shows a \$0 balance for this work. No changes are necessary to close out this project.

The roadway projects are being funded through the American Recovery and Reinvestment Act. We anticipate reimbursement for the roadway expenses within 60 days of submittal to NCDOT. We will submit for this reimbursement once final payment has been made to our contractor.

Engineering Services recommends that City Council approves Change Order #2 in the amount of \$92,619.70 for Contract ENG-2009-09. This will allow us to process final payment and close out this ARRA funded contract. The final contract amount will be \$1,797,609.80.

Change Order funding is available in the following accounts:

411610-533701-411001007081-40202	add	\$ 128,338.03	Deep River Road
421779-533701-421001014705-40201		\$ 0.00	Deep River Road water
411610-533701-411001007902-40202	subtract	\$ 25,578.12	Clinard Farms Road
411610-533701-411001007901-40202	subtract	\$ <u>10,140.21</u>	Burton Avenue
Change Order #2 Total:		\$ 92,619.70	

NOTE - The final construction cost for each project is:

\$1,415,530.97	Deep River Road Realignment
\$ 77,765.30	Deep River Road Water Line
\$ 262,558.30	Burton Road
\$ <u>41,755.23</u>	Clinard Farm Road
\$1,797,609.80	Total Contract Cost

/bkp

Cc: Mr. Jeff Moore, Finance Director
Mr. Bob Martin, Purchasing Division
Mr. Mark McDonald, HPDOT
Mr. John Hunsinger, NCDOT – Division 7
Mr. Leon Adams, Adams and Clark Enterprises, Inc.

PLANNING AND ZONING COMMISSION RECOMMENDATION

On February 22, 2011, a public hearing was held before the Planning and Zoning Commission regarding the requests described below. All members of the Commission were present.

City of High Point

Text Amendment Case 11-02

A request by the City of High Point (City Manager's Office) to amend Note #4 of Table 5-16-2 of the Development Ordinance, regarding the length of time that an approved off-site directional sign may be permitted.

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

No one spoke in favor or in opposition to the text amendment.

The Planning & Zoning Commission recommended ***approval*** of Text Amendment Case 11-02, by a vote of 8-0.

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

**STAFF REPORT
TEXT AMENDMENT CASE 11-02
February 22, 2011**

Request	
Applicant: City of High Point City Manager's Office	Affected Ordinance Sections: Amendment will change footnote 4 of Table 5-16-12 entitled <i>Specifications For Accessory Freestanding Signs Requiring A Permit</i> .
Proposal: To amend the provision that allows off-site directional signs so as to allow the applicant to request and City Council to approve an expiration period that varies in length.	

Background

This amendment was requested by the City Manager's Office and is associated with the pending Special Use request for an off-site directional sign to serve Cornerstone Health Care's facility located off of Westchester Drive.

Details of Proposal

The City's Development Ordinance provides for the use of an off-site directional sign, allowed only by Special Use Permit, to address directional problems to sites. At the time the provision was created in the mid-1980s, several businesses had their primary road access altered due to a public road project. This rather unique sign provision provided a way to re-educate patrons on how to access these businesses. Because the need was viewed as temporary, the ordinance provision limits the duration of the Special Use Permit to two years. After this two year period, should an applicant still desire the sign, the Special Use Permit must be renewed, requiring review and approval by the Planning and Zoning Commission and City Council. This proposed amendment would allow an applicant to request that such a sign remain in place for a longer period of time, thus eliminating the renewal of the Special Use Permit every two years.

Analysis

The amendment would not alter the initial process to obtain an off-site directional sign, as a Special Use Permit (including a review of the required Findings of Fact) would still be required. This amendment would make it feasible however for an applicant to place such a sign for a period longer than two years, as it would require only one initial review and approval instead of a review and approval every two years. The approval of a longer time period is at the discretion and approval of City Council.

Recommendation

Staff recommends approval.

The amendment as proposed would make it feasible for off-site directional signs to be used for longer than two years.

Staff suggests that these changes are not inconsistent with the City's Land Use Plan.

Required Action

Planning and Zoning Commission:

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

City Council:

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

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) the amendment would make it more feasible for an off-site directional sign to be placed for a period of more than two years. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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

DRAFT TEXT AMENDMENT 11-02

PROPOSED AMENDMENT TO THE CITY OF HIGH POINT

DEVELOPMENT ORDINANCE

(This text amendment allows for the modification of the period of time for which an off-site sign is permitted.)

SECTION 1.

Part 1.

Note #4 of Table 5-16-2, which is entitled *Specifications For Accessory Freestanding Signs Requiring A Permit*, shall be amended as follows:

4) The number of ~~off-premise~~ **off-site** directional signs permitted shall be determined through the Special Use Permit process by recommendation of the Planning and Zoning Commission and City Council approval, and shall be based on the need for the signs(s) and the difficulty of access to the establishment. Where two (2) or more establishments at the same location receive approval of directional signs, such signs shall share the same support structure. The Special Use Permit shall expire after two (2) years and shall be subject to re-approval **unless a different expiration period is requested by the applicant and is approved by City Council. The Special Use Permit may be re-approved for a subsequent period(s) of time by the City Council upon request and review of need.**



Memo To: Mayor Smothers and City Council Members

From: Strib Boynton

Date: March 17, 2011

Subject: Washington Agenda

As we review our suggested 2012 Washington Agenda, I think it is good to also review our successes since we retained The Ferguson Group (TFG) in 2004 to represent us.

The relationship with TFG is clearly one of the best investment decisions the City has made. The relationship works, as outlined below.

2004-2011 Federal Lobbying Successes

In 2004 we retained TFG to represent us in efforts to secure federal authorizations, appropriations and grants, and importantly to assist us in relations with our Congressional offices as well as with federal agencies.

TFG actively assists and participates and works with Congressional Members and their offices in drafting of legislation. In addition, and importantly, TFG has provided invaluable assistance to us in successfully navigating and negotiating access to the briefing, funding and contract approval processes within the Departments of Transportation, Justice, Energy, and HUD.

Working with our Congressional Members and their staffs, TFG has assisted us in successfully securing more than \$39,552,208 special Congressional authorizations, appropriations, loans, grants and other assistance since 2004. Attached is a summary of results since 2004.

We have paid TFG \$778,500 since 2004, for a bottom line return of \$50.81 in Federal dollars for every \$1.00 paid for their assistance (\$39,552,208 divided by \$778,500 = \$50.81). That is a terrific bottom line return of 50:1 on our investment.

2012 Washington Agenda

As you know, our Washington Agenda evolves as needs change and opportunities arise during the lobbying process. We are currently requesting \$61.0 million in 2012 SAFETEA-LU and WRDA reauthorizations, and \$103.6 million in various Federal grants and/or other assistance. The \$103.6 million includes the \$61.0 SAFETEA and WRDA requests under grant requests in the event Congress does not reauthorize funding of SAFETEA and WRDA, as well as \$42.6 million in various other grant requests. A copy of our 2012 Washington Agenda is also attached for your review.

Renewal of TFG's contact for 2011-2012, at current the current rate of \$10,000 per month (\$120,000 annually), is recommended for approval at your March 21, 2011 meeting.

A handwritten signature in blue ink, appearing to read "Strib", is written over the bottom right portion of the footer text.

SUMMARY OF HIGH POINT FEDERAL LOBBYING SUCCESSES 2004 TO PRESENT

\$39.5 million Approved and Received in Federal Funds Since 2004

Federal Authorizations and Appropriations:

High Point Greenway	\$95,000	
High Point Police Department's Firing Range Training Facility	502,500	
Naturalist Education Garden at Piedmont Environmental Center	200,000	
International Furniture Market Transportation Terminal	6,216,000	
Airport Area Roadway Network (Sandy Ridge)	8,140,000	
I-74/US311 Bypass	10,000,000	
Total Authorizations and Appropriations		<u>\$25,153,500</u>

Federal Grants:*

High Point Greenway	\$515,200	
Lead Based Paint Hazard Control Grant	3,000,000	
Assistance to Firefighter Grant	521,166	
Safe Adequate Fire and Emergency Response Grant	10,100	
Total Federal Grants		<u>\$4,046,466</u>

Federal Loans:

HUD Section 108 Small Business Loan Pool	\$3,900,000	
Total Federal Loans		<u>\$3,900,000</u>

Approved/Received American Recovery and Reinvestment Act Funds (ARRA), Energy Efficiency Block Grant (EECBG), and extra Community Development Block Grant (CDBG):

Energy Efficient and Conservation Block Grant (EECBG)	\$998,600	
Community Development Block Grant (CDBG)	208,721	
Police Cars/Mobile Data Terminals	322,921	
Transit Shelters/Vehicle	623,500	
Sewer Rehab	1,498,500	
Deep River Road	1,800,000	
Widen Burton Road	450,000	
Clinard Farm Road	150,000	
NC68/US311 Feasibility Study	400,000	
ARRA Total		<u>\$6,452,242</u>

Total Received 2004-2011

\$39,552,208

*Note: Federal Grant total excludes the average \$1,560,300 in recurring annual CDBG (\$830,300), HOME (\$463,500), Weed & Seed (191,500), and Byrne JAG (\$75,000) grants.

2011-2012 Washington Agenda Opportunities

Fiscal Year 2011 Earmarks Approved But Not Received Due to Earmark Moratorium:

Police Focused Deterrence Program	\$200,000	
Police Domestic Violence Initiative	200,000	
Total Approved but Not Received		\$400,000

SAFETEA-LU and WRDA Reauthorization Requests Fiscal Year 2012:

Airport Area Roadway Network – Sandy Ridge (SAFETEA)	\$24,000,000	
I-74/NC68 Interchange (SAFETEA)	20,000,000	
Downtown Stormwater Flood Control Improvements (WRDA)	15,000,000	
High Point Greenway (SAFETEA)	2,000,000	
SAFETEA and WRDA Requests		\$61,000,000

Current and Potential Federal, State and/or Foundation Grant Requests (as soon as solicitations are released) – in event SAFETEA and WRDA not reauthorized, and in light of Earmark Moratorium:

Job Training and Placement Services/Focused Deterrence Program	\$ 200,000	
Domestic Violence Initiative	200,000	
Richfork Creek Stream Mitigation	1,500,000	
Washington Street Revitalization	4,200,000	
North Main Revitalization	20,000,000	
Regional Radio System Upgrade	15,000,000	
Emergency Traffic Signal Preemption	1,500,000	
High Point Greenway	2,000,000	
Airport Area Roadway Network – Sandy Ridge	24,000,000	
I-74/NC68 Interchange	20,000,000	
Downtown Stormwater and Flood Control Improvements	15,000,000	
Possible Federal, State and/or Foundation Requests		\$103,600,000

AGREEMENT
CITY OF HIGH POINT, NORTH CAROLINA
AND THE FERGUSON GROUP, L.L.C., WASHINGTON, DC

Pursuant to this Agreement, the City of High Point, NC (hereinafter referred to as "the client") and The Ferguson Group, L.L.C., (TFG) agree to assume the following obligations:

1. OBLIGATIONS OF TFG

TFG will:

- A. act as the Washington Representative to the client in Washington, D.C., focusing on securing federal funds for the client's projects;
- B. represent the client regarding legislative and appropriations matters impacting the client specifically;
- C. confer with the client and its designees at the times and places mutually agreed to by the client and TFG. This will be done on all organizational planning and program activity related to the Federal Agenda and that which has a bearing on the ability of the client to make the best use of federal program resources;
- D. coordinate with the client and its designees to develop a comprehensive strategic plan for legislative appropriations;
- E. review federal legislation under consideration, federal executive proposals, proposed administrative rules and regulations and other federal developments for the purpose of advising the client of those items that may have a bearing on the client's policies or programs;
- F. notify the client of opportunities for federal funding and relay information necessary for securing those funds;
- G. secure and furnish such detailed information as may be available on federal issues in which the client indicates an interest;
- H. review and comment on proposals of the client, which are being prepared for submission to federal agencies, when requested to do so by the client;
- I. assist the client in drafting legislation and congressional testimony;
- J. identify, develop, and cultivate on-going relationships with key congressional officials and staff members;
- K. assist the congressional delegation in any matter that is in the best interest of the client and in the same manner as any other member of the client's staff might render assistance;

- L. counsel with the client and prepare briefing materials and/or conduct briefings for the client's representatives who are preparing to meet with Members of Congress, testify before congressional committees and administrative agencies, and conduct other client business, or attend national conferences;
- M. review and assist in developing the client's Federal Agenda;
- N. consult the client's elected officials and government affairs team on federal legislative affairs;
- O. alert the client to relevant federal and foundation competitive grant opportunities;
- P. cultivate relations with federal agencies, garner congressional support, and provide every other level of support in general needed to improve the client's ability to obtain competitive grants;
- Q. assist with drafting legislation;
- R. arrange appointments (and accommodations when requested) for the client's officials to facilitate the efficient and effective performance of the client's business while in Washington, D.C.;
- S. submit periodic reports providing the latest information on issues of interest to the client; and
- T. provide an annual report giving an overview of TFG's work over the past year and a forecast of issues to be faced in the upcoming year.

2. OBLIGATIONS OF THE CLIENT

The client will:

- A. pay TFG \$10,000 per month one month in advance for professional services;
- B. reimburse TFG for expenses, not to exceed \$5,000 annually, as described in paragraph 2, subparagraphs F, G and H, payable within thirty (30) days of submission of invoice and acceptance by the client;
- C. advise TFG of the name or names of persons authorized to request service by TFG and the person or persons to be kept advised by TFG;
- D. supply TFG with a summary of all federal issues in which the client has interests and advise TFG of any new developments, together with the pertinent details as to the substance of such developments;
- E. supply TFG with copies of budgets, planning documents, and regular reports of the client's agenda and proceedings, newspapers and other materials to assist TFG in keeping current on

the client's policies and programs;

F. reimburse TFG for: (1) all travel expenses incurred pursuant to paragraph 1, subparagraph B; (2) all travel and incidental expenses for attendance at meetings by TFG outside Washington, D.C. or North Carolina at the request of/approval of the client; (3) all incidental Washington expenses incurred in the course of conducting the client's business;

G. reimburse TFG for all long distance telephone expenses; and

H. reimburse TFG for the costs of document production.

3. THE CLIENT AND TFG CONCUR THAT THE FOLLOWING EXCLUSIONS SHALL APPLY TO THIS AGREEMENT.

TFG will not:

- A. represent the client before formal congressional committee hearings or in any judicial or quasi-judicial hearing conducted by boards or examiners of federal agencies or commissions;
- B. perform any legal, engineering, accounting or other similar professional services; and
- C. represent any other governmental client in Guilford, Davidson or Randolph Counties unless otherwise approved in advance by the City of High Point.

4. EITHER PARTY MAY TERMINATE THIS AGREEMENT AT ANY TIME BY GIVING THE OTHER AT LEAST THIRTY (30) DAYS' NOTICE IN WRITING OF SUCH TERMINATION.

5. TERM OF AGREEMENT:

This agreement is for the period beginning on April 1, 2010 and ending on March 31, 2011. Contractual time may be extended upon written mutual consent of the parties.

IN WITNESS WHEREOF, the parties hereto, or their duly authorized agents or officers, have executed this Agreement effective as of the day and year first above written.

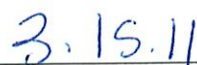
CITY OF HIGH POINT, NC

THE FERGUSON GROUP, L.L.C.

By _____
STRIB BOYNTON, CITY MANAGER


JENNIFER L. IMO, PARTNER

Date _____



Publish four (4) consecutive weeks: **March 31, April 1, 8, & 15, 2011**

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA11-02)

WHEREAS, the City Council is requested to abandon an improved portion of Fifth Street between Zenith Lane (private) and North Avenue.

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to abandon the street and calling a public hearing on the question;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the street above described and sets Monday, April 18, 2011, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building, High Point, on the abandonment of said street.

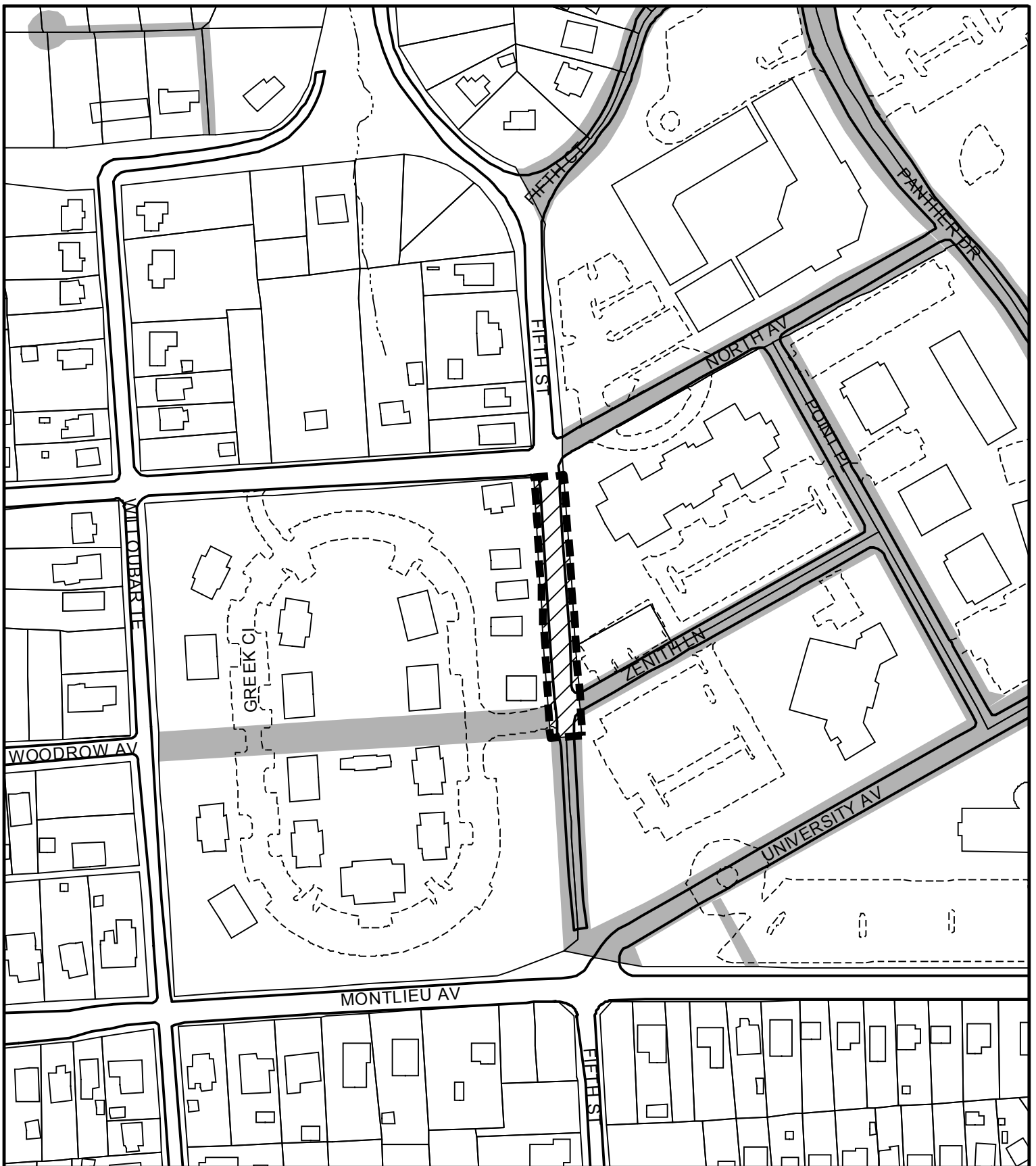
Persons wishing to be heard either for or against the said street abandonment are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call 336/883-3298 or TDD# 336/883-8517.

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

By Order of the City Council
This the 21st day of March, 2011.

Lisa B. Vierling, City Clerk

Petition Submitted By: High Point University



STREET ABANDONMENT REQUEST SA11-02

Applicant: High Point University
Area: 0.44 acres



Location of requested street abandonment

**Planning & Development
 Department**

City of High Point

Date: February 8, 2010



Scale: 1"=200'
 y:\ba-pz\2011\pz\sa11-02.mxd

RESOLUTION OF HIGH POINT CITY COUNCIL
AUTHORIZING UPSET BID PROCESS

WHEREAS, The City of High Point owns certain property, 600 Woodrow Avenue, High Point, North Carolina; and

WHEREAS, North Carolina Statute §160A-269 permits the city to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, The City has received an offer to purchase the property described above, in the amount of \$15,000.00, submitted by High Point University ("HPU") and

WHEREAS, HPU has paid the required five percent (5%) deposit on their offer;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of High Point, North Carolina:

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The city clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 and five percent (5%) of the remainder of the offer. Such upset bid(s) shall be submitted to the office of the city clerk within 10 days after the notice of sale is published.
4. If a qualifying higher bid is received, the city clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day notice period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.
5. The city reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
6. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. City staff is authorized to execute the instruments necessary to convey the property to High Point University.

Adopted by the High Point City Council
This _____ day of March, 2011

Lisa B. Vierling, City Clerk

Right of Way

Henry T. Moon, III
RIGHT OF WAY AGENT



MEMO

March 10, 2011

To: Fred Baggett

From: Henry T. Moon

Henry T. Moon

Re: 600 Woodrow Ave.

The City has received an offer to purchase 600 Woodrow Ave. from High Point University. The offer is in the amount of \$15,000 which is the tax value and in line with other sales of vacant land in the area. TRC has reviewed this request and sees no need to retain same. High Point University has provided the appropriate deposit.

Please seek Council approval for the sale and to proceed with advertising for upset bids.

If you have any questions, please advise. Cindy has the Council map for this.

Cc: Pat Pate

Cindy Smith ✓

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

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

WOODROW AV.

504

506

508

510

512

514

713

711

709

705

N CENTENNIAL ST.

VICINITY MAP : NOT TO SCALE



CITY OF HIGH POINT
NORTH CAROLINA

SALE OF
SURPLUS LAND

ENGINEERING SERVICES
DEPARTMENT

PROPERTY OF CITY OF HIGH POINT
600 WOODROW AVENUE
APPROXIMATELY 0.17 ACRES
TM 180002250001200004

SCALE: N.T.S.

BY: MBN

PROJECT: 2455 DATE: MAR. 2011

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

**ORDINANCE
REQUEST:**

Ordinance to Vacate

**PROPERTY
ADDRESS:**

2405 Waverly Court

OWNER:

John A Braica

**FIRST
INSPECTION:
1-3-2011**

Number of Violations: Major 4 Minor 9
1) exposed wires on stove outlet
2) no operable smoke detectors
3) leaking shed roof at rear of house, near kitchen area.
4) cracked foundation wall at rear of house

**HEARING
RESULTS:
1-18-2011**

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 dwelling was occupied by one adult at the time of the initial inspection. The tenant moved from the dwelling on 1-7-2011. The utilities have been placed on hold. The ordinance is requested to allow the inspector to vacate, close and placard the dwelling in accordance with State statutes.

**ORDER(S)
ISSUED:
1-18-2011**

Order to Repair 1-18-2011 with a compliance date of 2-11-2011

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

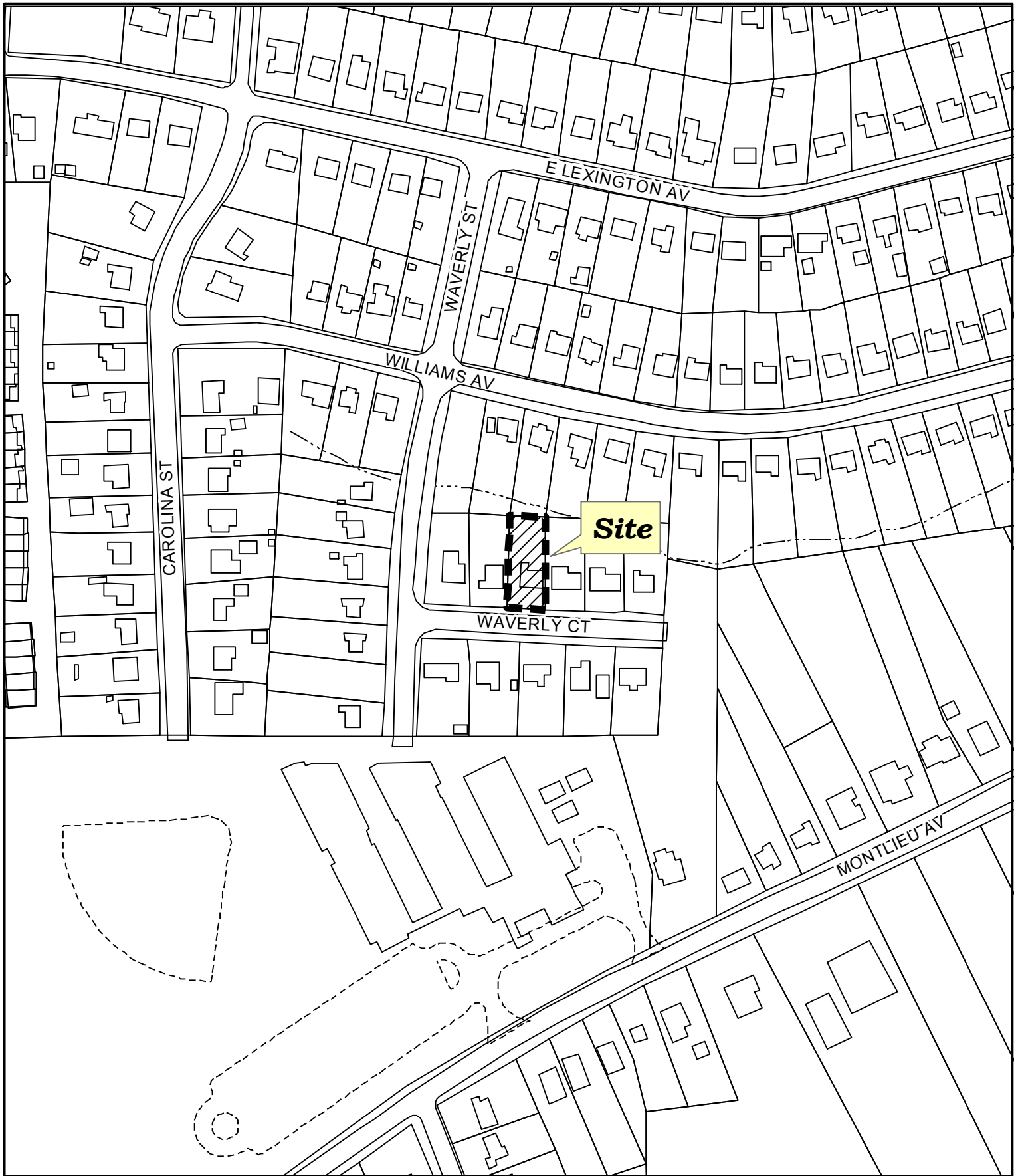
There have been no permits issued and repairs have not started.

EXTENSIONS:

None requested by owner.

**CURRENT
STATUS:
3-8-2011**

Conditions still exist. Dwelling is vacant.



2405 Waverly Court

Ordinance to Vacate/Close



Location of subject property

Department of Planning
and Development

City of High Point

Date: March 14, 2011



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



2405 Waverly Court



MEMORANDUM

February 28, 2011

MEMO TO: Strib Boynton, City Manager

FROM: Jeffrey A. Moore, Financial Services Director

SUBJECT: Recommendation of Auditor for Fiscal Years Ending June 30, 2011 - 2014

The Financial Services Staff solicited proposals from qualified CPA firms to provide the financial and compliance audit of the City's financial operations. The City's current auditors were approved by City Council in the last proposal process completed in February 2001. City Council approved last year's audit contract with McGladrey & Pullen with the intent that the City would conduct a Request for Audit Services following the completion of the June 30, 2010 audit.

The Request for Proposal (RFP) was mailed to 17 accounting firms, including all local firms as well as regional and national firms in our area who perform governmental audit services. In addition, we made our proposal available on the City's website. Smith Leonard LLP of High Point notified us that they were unable to respond to our bid request. Proposals were due by February 21, 2011 and made by the following firms:

Cherry Bekaert & Holland	Raleigh, NC
Clifton Gunderson LLP	Raleigh, NC
Dixon Hughes	High Point, NC
Martin Starnes and Associates	Hickory, NC
McGladrey & Pullen	Greensboro, NC

Proposals were submitted in two sections. The first section primarily described the audit firm's prior governmental experience and qualifications of the firm and its personnel in performing governmental audits. The second section principally dealt with the audit approach, organization of the audit team, a tentative schedule for completing the audit within the guidelines previously established by the City, and the estimated cost for each year's audit. Only the cost for the fiscal year June 30, 2011 is binding.

The proposals were reviewed by Kelly Latham, Accounting Manager, Heather Forrest, Senior Accountant, and myself. The proposals were evaluated with significant weight given to the technical qualifications of each of the personnel assigned to the audit and the number and type of governmental clients the local office performed.

Accounting
336.883.3240

Internal Audit
336.883.3122

Purchasing
336.883.3219

Treasury Services
336.883.3230

City of High Point, P.O. Box 230, 211 South Hamilton Street, High Point, NC 27261 USA
Fax: 336.883.8572 Phone: 336.883.3237 TDD 336.883.8517

In reviewing qualifications, we did not open the cost section for Clifton Gunderson's proposal because their local office had no experience with units of North Carolina local government. The remaining proposing firms are capable of performing the audit. Consequently, the City is able to select the audit firm which more closely meets the City's needs in recent governmental experience and preference for audit approach with limited emphasis on the proposed price. All cost proposals evaluated met minimum requirements and were less than last year's audit fees of \$84,200. The list below is order of qualification points ranking:

1	Martin Starnes & Associates PA	\$	60,000
T2	Cherry Bekaert & Holland LLP	\$	60,000
T2	McGladrey & Pullen LLP	\$	62,000
4	Dixon Hughes PLLC	\$	55,000

The objective of Staff is to present to City Council audit firms who are capable of performing the City's financial and compliance audit. We believe that our evaluations and reference checks demonstrate that the four firms from whom the above proposals received are capable of performing our audit. The audit contract is between City Council and the auditor. Staff has evaluated the proposals with the intent to recommend to City Council the best qualified audit firm as evidenced by recent governmental experience of proposed staff on our audit team, the firm's recent and similar sized governmental clients, approach to the audit, and references provided from current and/or previous auditees for the lowest cost to the City of High Point.

It is Staff's opinion the City's needs are most closely met by the audit firm of Martin Starnes & Associates. The firm's audit team is composed of highly qualified individuals who have in depth recent and relevant governmental audit experience. The firm provides audit services to 37 counties, 44 municipalities, and other governmental agencies for a total of 115 governmental audits across North Carolina. The firm has invested a significant amount of resources in professional education in governmental accounting, auditing, and financial reporting. Their specific experience with several other ElectriCities (Gastonia, Lexington, Rocky Mount, and Wilson to name a few) is an additional credit in our recommendation. Martin Starnes & Associates is one of the leading auditing firms in North Carolina and specializes in the governmental sector. Extremely low turnover at the firm means the likelihood of returning experienced staff to the City. Finally, references expressed nothing but confidence and praise for the firm's dedication, experience and professionalism and with their professional audit teams.

Although Martin Starnes & Associates did not propose the lowest initial audit cost, the evaluation team's overall rating for the proposal from Dixon Hughes received the fewest cumulative points primarily because the firm does not have recent similar sized NC governmental experience. Most of the firm's governmental experience is focused on smaller local governments. Additionally, we were concerned with the limited time anticipated by Dixon Hughes for audit planning and preliminary fieldwork as compared to the other audit firms.

I therefore recommend the City Council designate Martin Starnes & Associates as the City's auditors for the fiscal years ending June 30, 2011 - 2014. Their proposal meets or exceeds the qualifications of the City's audit requirements and we believe more closely meets our needs as compared to the other firms submitting proposals. Additionally, their fees are reasonable to provide the quality of service the City needs from its selected auditor.

At the next meeting of City Council, I will submit an agenda item to recommend the Council authorize the Mayor to execute a formal contract for the Fiscal Year End June 30, 2011 Audit with the firm of Martin Starnes & Associates at their proposed fee of \$60,000.

I will be pleased to answer any questions you may have concerning the evaluation team's recommendation, the proposal process, or any other matters concerning the selection of the City's auditor.

Publish four (4) consecutive weeks: **March 31, April 1, 8, & 15, 2011**

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA11-01)

WHEREAS, the City Council is requested 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.

WHEREAS, G.S. 160A-299 requires the Council to first adopt a resolution declaring its intent to abandon the street and calling a public hearing on the question;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the streets above described and sets Monday, April 18, 2011, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building, High Point, on the abandonment of said streets.

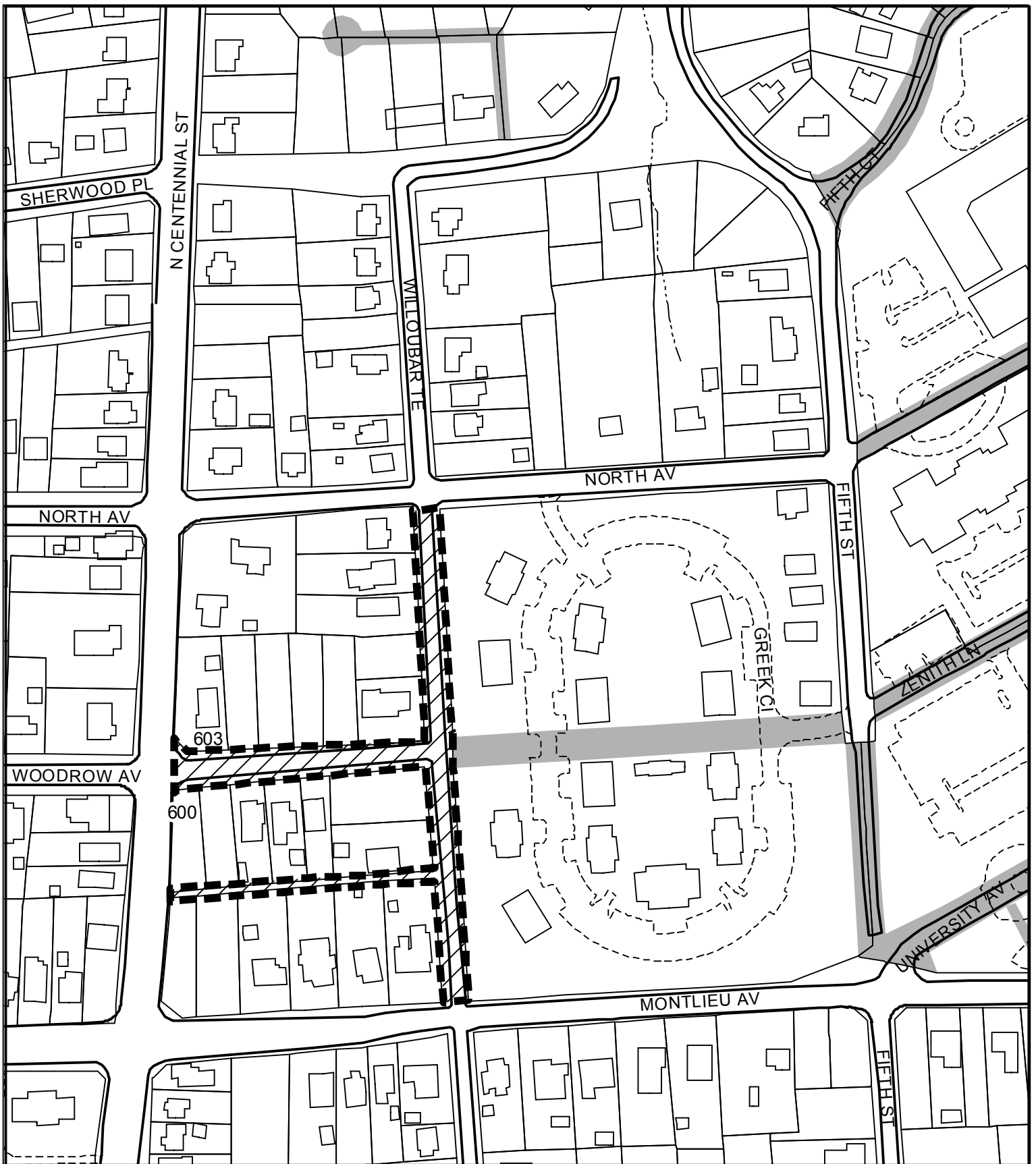
Persons wishing to be heard either for or against the said street abandonment are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call 336/883-3298 or TDD# 336/883-8517.

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

By Order of the City Council
This the 21st day of March, 2011.

Lisa B. Vierling, City Clerk

Petition Submitted By: High Point University



STREET ABANDONMENT REQUEST SA11-01

Applicant: High Point University
Area: 1.26 acres



Location of requested street abandonment

Planning & Development
Department

City of High Point

Date: February 11, 2010



Scale: 1"=200'

y:\ba-pz\2011\pz\sa11-01.mxd