

City of High Point

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

Meeting Agenda

Monday, February 20, 2012

4:45:00 PM

Council Chambers

Committee of the Whole

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

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

Committee Members - Whitley, Smothers, Corey

120028**Bid No. 64 - Aluminum Sulfate for Ward WTP. Eastside WWTP & Westside WWTP**

Approval for award of contract for Bid No. 64 for Aluminum Sulfate for Ward WTP, Eastside WWTP and Westside WWTP. Purchasing and Public Services recommends that contract be awarded to General Chemical in the amount of \$586,190.00 which is the lowest responsible and responsive bidder meeting specifications.

120029**Contract - Bid No. 65 - Sodium Hydroxide**

Approval of contract awarding Bid No. 65 for Sodium Hydroxide for Ward WTP, Eastside WWTP & Westside WWTP. Purchasing and Public Services recommends that contract be awarded to Brenntag Southeast in the amount of \$201,152.48 which is the lowest responsible and responsive bidder meeting specifications.

120030**Bid No. 19 - Liquid Sodium Hypochlorite**

Approval of contract extension for Bid No. 19 for the purchase of Liquid Sodium Hypochlorite for the Ward WTP. Purchasing and Public Services recommends that contract with Univar USA, Inc. be extended through February 13, 2013 at the current price of \$.84 per gallon for a total contract amount of \$158,340.00. This is the lowest responsible and responsive bidder meeting specifications.

120039**Budget Ordinance Amendment - Whitestone Subdivision Infrastructure Improvements Bond**

Adoption of a Budget Ordinance amending the 2011-2012 Budget Ordinance to amend the Street Maintenance operating budget for Whitestone Subdivision settlement funds in the amount of \$75,000.00.

120040**Budget Ordinance Amendment - HUD Community Challenge Planning Grant**

Adoption of an ordinance amending the 2011-2012 Budget Ordinance to appropriate funds in the amount of \$120,000 for the HUD Community Challenge Planning Grant.

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

Committee Members - Alexander, Douglas, Corey

120031**Ordinance - Demolition of Structure - 624 Cable Street**

Adoption of an ordinance ordering the inspector to effectuate the demolition of a structure located at 624 Cable Street belonging to George Freelan Turner (heirs).

120032**Ordinance - Demolition of Structure - 1315 Vernon Place**

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

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

Committee Members - Sims, Henley, Moore

120033**Resolution Amending the Schedule of Fees - Planning Development & Inspection Services**

Resolution amending the planning, development and inspection services fee schedule providing for a partial permit fee rebate for tankless water heaters.

120034**Minor Amendment to Conditional Use Permit 00-26 - High Point University**

A request by High Point University to amend Conditional Use Permit 00-26 in regards to the landscaping standards along the Fifth Street boundary of the zoning site. The request also proposes to amend various conditions pertaining to lot combination, landscaping and vehicular access for developed portions of the site which are no longer applicable due to expansion of the High Point University campus.

Pending Items**120014****Ordinance - Rezoning Case 11-15 - City of High Point**

A request by the City of High Point City Council to amend the Airport Overlay District based on information provided in the Piedmont Triad International Airport FAR Part 150 Study. The Airport Overlay District boundaries are recommended to change in two areas. One is the Western Area, which is west of Sandy Ridge Road/Kendale Road; the other is the Eastern Area, which is generally east of NC 68.

1/17/2012 Committee of the Whole referred

**Planning , Economic Dev.
& Information
Technology Committee**

120015**Ordinance - Text Amendment 11-10 - City of High Point**

A request by the City of High Point Planning & Development Department to amend Section 9-4-4(d) of the Development Ordinance, entitled Airport Overlay Districts; primarily being an amendment to reference the FAR Part 150 Study for Piedmont Triad International Airport as the basis for the four overlay zones.

1/17/2012 Committee of the Whole referred

Planning , Economic Dev.
& Information
Technology Committee

MISCELLANEOUS**120038****Resolution - Setting Fee for the 2012 Municipal Election - High Point City Council**

Pursuant to NCGS 163-294.2(e), Council must set the filing fees for the upcoming municipal election to be held on Tuesday, November 6, 2012. The filing fee must be set no later than the day before candidates are permitted to begin filing notices of candidacy. The filing period will begin on Monday, July 6th at 8:00 a.m. and will end on Friday, July 20 at 12 Noon. Filing fee for the 2010 election was \$96.00.

PUBLIC HEARINGS ON ITEMS - 5:30 P.M.**Planning, Economic Development & Information Technology Committee - Council Member Whitley, Chair****120035****Ordinance - Annexation Case 12-01 - Vernon & Lonnie Wilson**

A request by Vernon and Lonnie Wilson to consider a voluntary contiguous annexation of approximately 0.417 acres located in the City's extraterritorial jurisdiction. The area to be annexed is lying approximately 175 feet south of E. Kivett Drive and S. Scientific Street, and consists of the southern portion of Guilford County Tax Parcel 0185907.

120036**Resolution - Street Abandonment Case 12- 01 - Paul Morse - Ardmore Circle**

A request by Paul Morse to abandon a portion of the Ardmore Circle right-of-way abutting 209 Edgedale Drive.

120037**Amendment to Zoning Case 11-03 - High Point University**

A request by High Point University to amend a Conditional Zoning Public & Institutional (CZ-PI) District (CZ Ordinance 11-03) to 1) rezone abutting Residential Single Family-7 (RS-7) District parcels to the CZ-PI District; 2) to amend conditions pertaining to permitted uses, lot combination and lighting; and 3) to allow less restrictive dimensional standards in regards to building setbacks and building height. The site is bounded by E. Farriss Avenue, Fifth Court, Fifth Street, North Avenue and Willoubar Terrace.

ADJOURNMENT



MEMORANDUM

Date: February 10, 2012

To: Pat Pate, Asst. City Manager

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

Re: Agenda Item

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

Acceptance of bids submitted for Water and Sewer Chemicals for 12 months

Public Services is recommending that the following bids be accepted:

Ward Water Plant	(Account: 621758-526103)	
Chemical	Bidder	Amount
Aluminum Sulfate	General Chemical	\$ 365,000.00
Sodium Hydroxide	Brenntag Southeast	\$ 117,695.60

Eastside WWTP	(Account: 621752-526103)	
Chemical	Bidder	Amount
Aluminum Sulfate	General Chemical	\$ 127,750.00
Sodium Hydroxide	Brenntag Southeast	\$ 51,358.08

Westside WWTP	(Account: 621753-526103)	
Chemical	Bidder	Amount
Aluminum Sulfate	General Chemical	\$ 93,440.00
Sodium Hydroxide	Brenntag Southeast	\$ 32,098.80

Cc: W. Chris Thompson
Jeff Moore
Patty Sykes
Tracey Adams
Robert Pickett
John Hodges
File



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Public Services**

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

BID NO.: **65-020112** CONTRACT NO.: DATE OPENED: **Feb 1, 2012**

DESCRIPTION:

Sodium Hydroxide (Caustic 50%) - Ward WTP, Eastside WWTP & Westside WWTP

PURPOSE:

Water Treatment Chemical for pH control and Wastewater Treatment to remove odor in the Odor Control System.

COMMENTS:

Contract will be awarded for a one-year period beginning March 1, 2012 and ending February 28, 2013, with the option to renew for two additional one (1) year periods if terms and pricing are agreeable to both parties.

RECOMMEND AWARD TO: **Brenntag Southeast** AMOUNT: **\$201,152.48**

JUSTIFICATION:

Apparent low bidder, \$ 534.98/ton.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
621752	526103		Eastside	\$ 51,358.08
621753	526103		Westside	\$ 32,098.80
621758	526103		Ward	\$ 117,695.60
TOTAL BUDGETED AMOUNT				\$ 201,152.48

DEPARTMENT HEAD: **Terry Houk** Digitally signed by Terry Houk
DN: cn=Terry Houk, o=City of High Point, ou=Public Services, email=terry.houk@highpointnc.gov, c=US
Date: 2012.02.06 16:19:08 -0500 DATE: **Feb 6, 2012**

The Purchasing Division concurs with recommendation submitted by the **Public Services Dept. and recommends award to the lowest responsible, responsive bidder **Brenntag Southeast** in the amount of \$ **201,152.48**.**

PURCHASING MANAGER: **Patricia H. Sykes** Digitally signed by Patricia H. Sykes
DN: cn=Patricia H. Sykes, o=City of High Point, ou=Purchasing, email=patty.sykes@highpointnc.gov, c=US
Date: 2012.02.06 17:05:57 -0500 DATE: **Feb 6, 2012**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: **Jeffrey Moore** Digitally signed by Jeffrey Moore 2012.02.10 11:05:33-0500
DN: cn=Jeffrey Moore, o=City of High Point, ou=City Manager, email=jmoore@highpointnc.gov, c=US
Date: 2012.02.10 11:05:33 -0500 DATE: **Feb 6, 2012**

CITY MANAGER: **Strib Boynton** Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=City of High Point, ou=City Manager, email=strib.boynton@highpointnc.gov, c=US
Date: 2012.02.10 11:05:33 -0500 DATE: **Feb 10, 2012**

	Ward		Westside		Eastside		
	220		60		96		
	TN		TN		TN		
	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	GRAND TOTAL
BRENNTAG	\$ 534.98	\$ 117,695.60	\$ 534.98	\$ 32,098.80	\$ 534.98	\$ 51,358.08	\$ 201,152.48
GENERAL CHEMICAL	\$ 710.00	\$ 156,200.00	\$ 710.00	\$ 42,600.00	\$ 710.00	\$ 68,160.00	\$ 266,960.00
GEO SPECIALTY	No Bid		No Bid		No Bid		No Bid
HARCROSS	\$ 585.00	\$ 128,700.00	\$ 585.00	\$ 35,100.00	\$ 585.00	\$ 56,160.00	\$ 219,960.00
JCI JONES	\$ 569.00	\$ 125,180.00	\$ 569.00	\$ 34,140.00	\$ 569.00	\$ 54,624.00	\$ 213,944.00
KA STEEL CHEMICALS	\$ 600.00	\$ 132,000.00	\$ 597.00	\$ 35,820.00	\$ 600.00	\$ 57,600.00	\$ 225,420.00
KEY CHEMICAL	\$ 547.90	\$ 120,538.00	\$ 547.90	\$ 32,874.00	\$ 547.90	\$ 52,598.40	\$ 206,010.40
UNIVAR	\$ 539.00	\$ 118,580.00	\$ 539.00	\$ 32,340.00	\$ 539.00	\$ 51,744.00	\$ 202,664.00

PLANNING AND ZONING COMMISSION RECOMMENDATION

On December 13, 2011, a public hearing was held before the Planning and Zoning Commission regarding the requests described below. All members of the Commission were present except Mr. Keith McInnis.

City of High Point

Zoning Case 11-15

A request by the City of High Point City Council to amend the Airport Overlay District based on information provided in the Piedmont Triad International Airport FAR Part 150 Study. The Airport Overlay District boundaries are recommended to change in two areas. One is the Western Area, which is west of Sandy Ridge Road/Kendale Road; the other is the Eastern Area, which is generally east of NC 68.

&

City of High Point

Text Amendment Case 11-10

A request by the City of High Point Planning & Development Department to amend Section 9-4-4(d) of the Development Ordinance, entitled Airport Overlay Districts; primarily being an amendment to reference the FAR Part 150 Study for Piedmont Triad International Airport as the basis for the four overlay zones.

Mr. Douglas Loveland, Senior Planner presented the request and recommended approval as outlined in the staff reports.

No one spoke in support of the request.

Speaking in opposition to the request were Elizabeth Ermis, of 1464 Cantwell Court; Steve Showers, of 3703 Water Oak Court; Marilyn Durage of Wateview Court; and Steven Bovenkerk, of 4512 Wayland Court. These speakers noted the following concerns:

- Being required to provide notification to a potential buyer of property located within the Airport Overlay District might affect the ability to resell their property.
- The impact an Airport Overlay designation may have upon values of their homes.
- The proposal is premature as it is based upon anticipated aircraft noise levels, not actual noise levels today. Recommend the commission wait until actual impacts occur before adopting this change.

After the public hearing was closed the Commission members had a lengthy discussion. Key issues discussed were:

- Potential buyers should be able to make informed decisions when buying a home. Several commission members supported requiring notification to potential buyers.
- Some Commission members noted that it is reasonable to adopt the items at this time, even if they are based upon anticipated noise levels, as plans are often adopted based upon anticipated impacts.
- Some Commissioners stated concerns about adopting the proposed items at this time, since the anticipated aircraft noise is not yet impacting the residents of these areas at the anticipated levels. May be more appropriate to adopt the rezoning and text amendment after the noise impacts are more noticeable.

The Planning & Zoning Commission voted 4-4 on separate motions to approve the two items. Because a majority vote was unable to be obtained, Zoning Case 11-15 and Text Amendment Case 11-10 are both forwarded to Council without a recommendation.

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

**STAFF REPORT
ZONING CASE 11-15
December 13, 2011**

Request	
Applicant: City of High Point City Council	Owner(s): Various
Zoning Proposal: A request to amend the Airport Overlay District based on information provided in the Piedmont Triad International Airport FAR Part 150 Study.	From: Airport Overlay District
	To: Airport Overly District

Site Information	
Location:	Western Area boundary change: Generally this area is west of Sandy Ridge Road and Kendale Road. Eastern Area boundary change: This area is generally east of NC 68.
Tax Parcel Number:	N/A
Site Acreage:	The current Airport Overlay District is approximately 8,800 acres in total area. The Western Area boundary change adds approximately 1,390 acres, and the Eastern Area boundary change adds approximately 1,640 acres.
Current Land Use:	N/A
Physical Characteristics:	N/A
Water and Sewer Proximity:	N/A
General Drainage and Watershed:	Oak Hollow General Watershed Area and Watershed Critical Areas City Lake General Watershed Area
Overlay District(s):	Airport Overlay District

Adjacent Property Zoning and Current Land Use		
North:	N/A	N/A
South:	N/A	N/A
East:	N/A	N/A
West:	N/A	N/A

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	This request neither promotes nor conflicts with the goals and objectives of the Community Growth Vision Statement.

Land Use Plan Map Classification:	The area is designated for various uses, including residential commercial, office, and industrial uses.
Land Use Plan Goals, Objectives & Policies:	Goal #1 Encourage development that enhances and preserves established neighborhoods; Obj. #2 Protect and preserve environmentally sensitive locations including designated open space and watershed critical areas from inappropriate development. Obj. #8 Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations.
Relevant Area Plan:	<i>Northwest Area Plan.</i> The primary policy from the <i>Northwest Area Plan</i> that applies in this case is its Land Use Plan, which was responsive to concerns about aircraft noise impacts.
Zoning History:	The Airport Overlay District was established in 1992, with the adoption of the Development Ordinance. It covered a comparatively small area and simply limited residential development to lots of one or more acres. The more relevant existing High Point Airport Overlay Zoning District was adopted in 2003 (Zoning Case 03-12 and LUPA 03-02). The district's boundaries were based on the best information available at the time, which was derived from the Environmental Impact Statement for the proposed FedEx Air Cargo Sorting Hub and accompanying third runway at Piedmont Triad International Airport (PTIA). This Airport Overlay District covered approximately 8,800 acres. In the interim, a Part 150 Study was completed, which developed information on potential noise impacts from the air cargo hub when it reaches full operation. The proposed new district boundaries are based on an analysis of this new information. A text amendment (TA11-10) has been prepared in conjunction with this map amendment request, with the primary purpose of referencing the Part 150 Study as the basis for the four overlay zones.

Transportation Information					
Adjacent Streets:	Name			Classification	Approx. Frontage
	N/A				
Vehicular Access:	N/A				
Traffic Counts: <i>(Average Daily Trips)</i>	N/A				
Estimated Trip Generation:	N/A				
Traffic Impact Analysis:	Required			Comment	
		<u>Yes</u>		<u>No</u> X	N/A
Pedestrian Access:	N/A				

School District Comment

Not applicable to this zoning case.

Staff Analysis

The Part 150 Airport Noise Compatibility Study, which was prepared on behalf of PTIA, recommended modifications to the nighttime noise mitigation measures, including changes to flight patterns. These measures will result in an increase in nighttime aircraft noise for certain areas of northern High Point.

Following the release of the Part 150 Study, the Planning and Development Department prepared the Part 150 Assessment, which analyzed the results of the Part 150 and recommended changes to the existing Airport Overlay District based upon the Study. The Planning and Zoning Commission was briefed on the Assessment in January of this year and recommended it's approval in February. City Council was briefed on the Assessment in September and, as a result, initiated this zoning map amendment.

This map amendment modifies the existing boundary of Airport Overlay District as well as makes some adjustments to individual zones. Zones 2, 3 and 4 are based upon the NA (Number of Events Above) noise metric, which provides a better measure of nighttime noise impacts.

The Planning and Development Department held two community open house sessions on November 7th and 8th to give the public an opportunity to review the proposed changes and ask questions. Notice of the open house session was mailed to owners of property located within the area of change and within 300 feet of the boundary, which is the same scope of notice given to the Planning and Zoning Commission and City Council public hearings.

Recommendation

Staff Recommends Approval:

The purpose of the Airport Overlay District is to minimize aircraft noise impacts upon land uses. The boundaries of the districts zones should be adjusted to more accurately fit anticipated nighttime aircraft noise levels based upon flight patterns recommended by the Part 150 Study. These changes will better enable the overlay district to achieve its purpose.

Required Action

The NC General Statutes requires the Planning & Zoning Commission upon making its recommendation and the City Council upon rendering its decision must place in the official record a statement of consistency with the City's adopted plans. In addition, the City Council must also explain why the action taken is reasonable and in the public's interest.

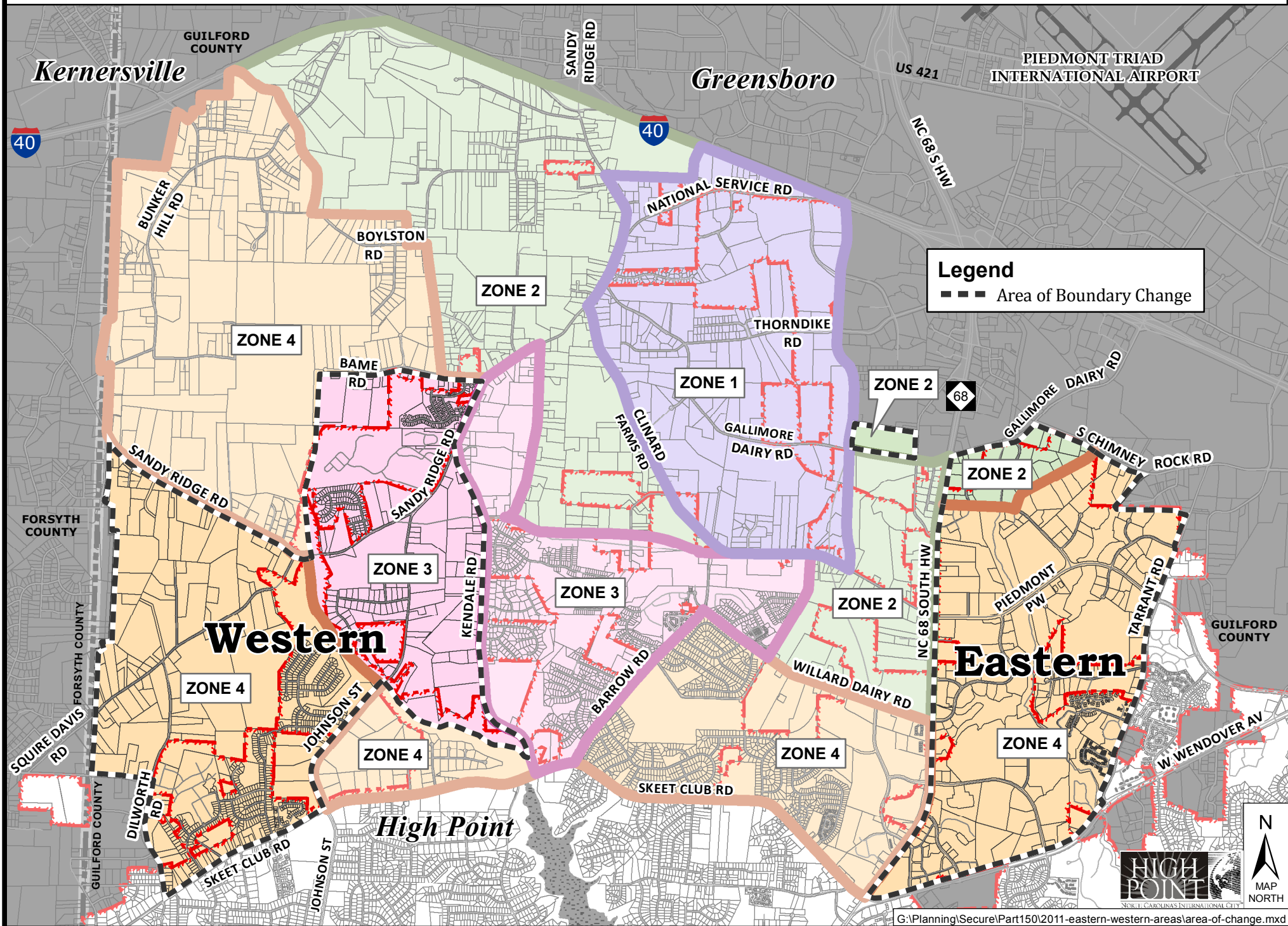
In this case, staff suggests that the approval of the amendment is reasonable and in the public interest because: alteration of the boundaries of the district will more accurately fit anticipated nighttime aircraft noise levels as directed by the Part 150 study.

The Planning and Zoning Commission and the City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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

AIRPORT OVERLAY DISTRICT AREA OF BOUNDARY CHANGE



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

**STAFF REPORT
TEXT AMENDMENT CASE 11-10
December 13, 2011**

Request	
Applicant: City of High Point Planning and Development Department	Affected Ordinance Sections: Section 9-4-4(d), entitled <u>Airport Overlay Districts</u>
Proposal: A request by the City of High Point Planning & Development Department to amend Section 9-4-4(d) of the Development Ordinance, entitled Airport Overlay Districts; primarily being an amendment to reference the FAR Part 150 Study for Piedmont Triad International Airport as the basis for the district.	

Background

The Airport Overlay District was adopted in 2003 in response to anticipated noise impacts from flight events related to the operation of the Fed Ex cargo hub from nearby Piedmont Triad International Airport (PTIA). The recently completed Part 150 Airport Noise Compatibility Study for PTIA recommends alterations in the flight operations at the airport that would affect the areas impacted by aircraft noise. As a result the City is amending the Airport Overlay District as a response to these amended flight operations. The proposed changes to the Airport Overlay District are comprised mainly of map amendments. However, Planning and Development staff identified a few necessary revisions to the text of the Overlay District.

Details of Proposal

First, the Airport Overlay text references the noise contours that the four zones are based upon. The overlay zones are presently based upon noise contours developed by either the Environmental Impact Statement (for zone 1) or the Wyle Report (for zones 2, 3 and 4). The revised overlay zones are now based on noise contours developed by the FAR Part 150 Study.

Next, this text amendment would remove the requirement for a windows closed environment (WCE) for houses located in zone 4. The WCE provision requires that a dwelling have central heating and air conditioning so that occupants may comfortably close the windows at any given time in order to reduce impacts from outside noise.

Lastly, the amendment corrects several instances where the Planning and Development Department is referenced by incorrect nomenclature, being noted as the Department of Planning and Development as presently written.

Analysis

The only regulatory change in the proposed amendment relates to the elimination of the requirement for a windows closed environment for all new residential uses located in zone 4. Planning and Development staff has found the WCE design standard to be unnecessary, as typical construction practice is to build to that standard regardless of the requirement. Therefore staff suggests that this is an unnecessary requirement, and that it only adds to the regulatory complexity of the District.

Recommendation

Staff recommends approval of the text amendment. The proposed text amendment reflects the Part 150 Study as the source for the noise contours that are the basis of the revised overlay zone boundaries.

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 amendment is reasonable and in the public interest because: the amended ordinance will reference the Part 150 study as the basis of the revised overlay district. 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.

TEXT AMENDMENT 11-10

PROPOSED AMENDMENT TO THE CITY OF HIGH POINT

DEVELOPMENT ORDINANCE

(An amendment pertaining to Section 9-4-4 (d) – Airport Overlay Districts)

SECTION 1.

Section 9-4-4 (d) (2), entitled *Zone Boundaries*, shall be amended as follows:

Zone Boundaries:

The Airport Overlay District is divided into the four zones in order to manage the development of land uses that are sensitive to and incompatible with certain levels of daytime and nighttime aircraft noise and to mitigate adverse noise impacts to the public, where possible.

- a. Zone 1: Zone 1 is based on the 65 Ldn noise contour developed by the ~~Federal Aviation Administration in conjunction with the Final Environmental Impact Statement for Proposed Runway 5L/23R, Proposed New Overnight Express Air Cargo Sorting and Distribution Facility, and Assorted Developments~~ **FAR Part 150 Study for Piedmont Triad International Airport**. The intent of Zone 1 is to prevent the development of land uses sensitive to objectionable noise resulting from daytime and nighttime aircraft flights and those land uses that could pose safety hazards to aircraft.
- b. Zone 2: Zone 2 is based on the NA90(1) contour developed by ~~Wyle Laboratories, Inc. as set forth in its Wyle Report 03-04, Nighttime Noise Criteria and Land Use Guidelines for the City of High Point~~ **the FAR Part 150 Study for Piedmont Triad International Airport**. The intent of Zone 2 is to prevent the development of land uses sensitive to objectionable noise resulting from nighttime aircraft flights.
- c. Zone 3: Zone 3 is also based on the NA 90(1) contour developed by ~~Wyle Laboratories, Inc. as set forth in its Wyle Report 03-04, Nighttime Noise Criteria and Land Use Guidelines for the City of High Point~~ **the FAR Part 150 Study for Piedmont Triad International Airport**. The intent of Zone 3 is to protect residential uses and their residents by reducing the interior level of objectionable noise resulting from nighttime aircraft flights.
- d. Zone 4: Zone 4 is based on the NA85(2) contour developed by ~~Wyle Laboratories, Inc. as set forth in its Wyle Report 03-04, Nighttime Noise Criteria and Land Use Guidelines for the City of High Point~~ **the FAR Part 150 Study for**

Piedmont Triad International Airport. The intent of Zone 4 ~~is to protect residential uses and their residents by reducing the interior level of objectionable noise resulting from nighttime aircraft flights,~~ **along with the other three zones, is to provide public notification of potential night time aircraft noise impacts.**

SECTION 2.

Table 4-4-2, entitled *Aircraft Noise Mitigation Requirements*, shall be amended to remove in its entirety the column entitled *WCE NLR*. The amended table shall appear thusly:

Zone	Notification	Waiver of Claim	Prohibited Uses	NLR Design Standard (30 db NLR)
1	X	X	X	
2	X	X	X	
3	X	X	X	X
4	X	X		

SECTION 3.

Section 9-4-4 (d) (4), entitled *Public Notification of Potential Aircraft Noise Impacts*, shall be amended as follows:

(4) Public Notification of Potential Aircraft Noise Impacts

- a. Where public notification statements are required or provided for property within the district, the following statement shall be used: "This property is located within the City of High Point Airport Overlay District and is subject to aircraft overflights and to aircraft noise that may be objectionable dependent upon the use and location of the property. Please refer to the city's Airport Overlay District regulations and the ~~Department of Planning & Development~~ **Department** for more information on potential noise impacts."

Subsection b and c remain unchanged.

- d. The ~~Department of Planning & Development~~ **Department** shall provide notification of potential aircraft noise impacts to the owners of lots that are located within the Airport Overlay District. After the district is made effective upon a lot, such notice shall be given once by first class mail to the lot owner at the address listed on the county tax abstracts.

SECTION 4.

Section 9-4-4 (d) (7), entitled *Noise Level Reduction Design*, shall be amended as follows:

Noise Level Reduction Design:

- a. ~~Zone 3 — 30 db Noise Level Reduction (NLR) Standard:~~ Within Zone 3, all new residential uses shall be designed to achieve an outside to inside noise reduction level of at least 30 decibels (dB). This performance measure may be achieved by any suitable combination of building design, building materials and construction standards so as to reduce the interior noise levels from overhead aircraft flights. Prior to the issuance of a building permit for a residential use, a qualified acoustical professional satisfactory to the ~~Department of Planning & Development~~ **Department** shall certify that the design standards, construction methods and materials used to construct the residential use will achieve at least a 30 dB noise level reduction.
- b. ~~Zone 4 — Windows Closed Environment (WCE) Standard:~~ Within Zone 4, all new residential uses shall be designed with a mechanical ventilation system sufficient to enable the closure of windows within the structure during all climate conditions. Prior to the issuance of a building permit for a residential use, the permit applicant shall certify that the residential use shall be constructed in accordance with approved plans that meet this performance measure.

SECTION 5.

Section 9-4-4 (d) (9), entitled *Noise Impact Information*, shall be amended as follows:

(9) Noise Impact Information

The ~~Department of Planning & Development~~ **Department** shall maintain and provide district information depicting potential aircraft noise impacts which shall be available to the public and other interested parties.

The noise level reduction design standards and waiver of claim provisions of this ordinance shall not apply to lots of record created prior to the effective date of this ordinance, to lots created by a valid preliminary subdivision plat that was approved prior to the effective date of this ordinance and to residential uses

depicted on a valid site plan or group development plan that was approved prior to the effective date of this ordinance.



February 14, 2012

MEMORANDUM

TO: Strib Boynton
City Manager

FROM: Glenda S. Barnes
Budget Analyst

SUBJECT: Agenda Item for City Council

The Planning & Development Department has received a grant award from the US Department of Housing and Urban Development (HUD) for the 2011-12 Community Challenge Planning grant in the amount of \$239,141 which is included in the 11-12 Special Grants Fund. The City's cash match budget of \$120,000 is available in the General Fund and will be transferred to the Special Grants Fund for a total budget of \$359,141 in Federal funding and City match.

This grant will be used to rewrite the City's Development Ordinance in accordance with the Code Assessment that was completed in June 2009.

The purpose of this budget amendment is to appropriate available funds from the General Fund - GASB #54 Fund Balance Assigned Projects for use in the Special Grants Fund - 301520 Planning Grants. The department will submit contract arrangements for Council consideration in the next few weeks for expending these funds.

Lee Burnette or Heidi Galanti will be available if you have any questions.

cc: Pat Pate
Randy McCaslin
Jeff Moore
Lee Burnette
Heidi Galanti
Louanne Hedrick

Attachment: Budget Amendment

"AN ORDINANCE AMENDING THE 2011-2012 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
HUD COMMUNITY CHALLENGE PLANNING GRANT

Be it ordained by the City Council of the City of High Point, North Carolina,
as follows:

Section 1. The Planning & Development Department received notice from HUD that the City has received approval for HUD Community Challenge Planning Grant for the update to the High Point Development Ordinance rewrite project. The purpose of the grant is to rewrite the City's Development Ordinance in accordance with the Code Assessment that was completed in June 2009. The City's cash match is \$120,000 and requires appropriation for use.

Section 2. This amendment reclassifies these funds in the current fiscal year to the Special Grants Fund:

- (A) That the General Fund Revenues be amended for the City's Match:
Transfer from Assigned Fund Balance – Planning \$ 120,000
(101931/590520)
- (B) That the General Fund Expenditures be amended:
Transfer to Special Grants Fund \$ 120,000
(101911/582301)
- (C) That the Special Grant Fund expenditures be increased:
Grants – Planning & Development \$ 120,000
(301520/527101)
- (D) That the Special Grant Fund revenues be increased:
Transfer from General Fund (301520/482101-match) \$ 120,000

Section 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage.

Approved by City Council

February 20, 2012

RESOLUTION**Amending the Schedule of Fees for Planning, Development & Inspection Services**

BE IT RESOLVED by the City Council of the City of High Point, North Carolina that pursuant to the provisions of NCGS 160A-414 and Section 9-3-21 of the High Point Development Ordinance, the City Council hereby amends the following schedule of fees adopted on August 7, 2003, and subsequently amended, pertaining to planning, development and inspection services by adding the following item to Schedule IX.

**Schedule IX
Energy Efficiency Rebates**

Existing Residential or Commercial Structures	
Tankless Hot Water Heating	Electrical Fee: 50% Rebate (not to exceed \$40 residential or \$80 commercial)
	Mechanical Fee: 50% Rebate (not to exceed \$40 residential or \$80 commercial)
	Plumbing Fee: 50% Rebate (not to exceed \$40 residential or \$80 commercial)

Approved and effective this 20th day of February 2012 by the High Point City Council.

ATTEST:


Lisa B. Vierling, CMC





MEMORANDUM

To: Honorable Mayor and City Council
From: G. Lee Burnette, AICP, Director
Subject: **Zoning Case 11-15 & Text Amendment 11-10**

On January 17, 2012, the City Council held a public hearing and heard public comments on the zoning case and text amendment proposed to amend the City's existing Airport Overlay District. These amendments resulted from changes in departure flight tracks at PTI Airport as recommended by PTIA's Part 150 Airport Noise Compatibility Study.

At the conclusion of the public hearing, City Council sent the two cases to the Planning, Economic Development & Information Technology Committee for review and recommendation.

On February 21st, the Committee met to review the two cases. After discussion and consideration, the Committee voted to forward both cases to the full Council with favorable recommendations.

Please contact me if you have any questions.

cc: Strib Boynton, City Manager
Randy McCaslin, Assistant City Manager
Lisa Vierling, City Clerk

Administration
336.883.3328

Planning Services
336.883.3328

Development Services
336.883.3328

Inspection Services
336.883.3151

City of High Point, P.O. 230, 211 South Hamilton Street, High Point, NC 27261 USA
Fax: 336.883.3056 www.high-point.net/plan Permit Fax: 336.883.8518 TDD 336.883.8517

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

**STAFF REPORT
MINOR AMENDMENT TO CONDITIONAL USE PERMIT 00-26
February 20, 2012**

Request	
Applicant: High Point University	Owner: High Point University
Proposal: A request to amend Condition II.B.2 of Conditional Use Permit 00-26 as it pertains to landscaping conditions along the Fifth Street frontage of the zoning site. The applicant is also proposing to amend various conditions within the permit that are no longer applicable due to expansion of the High Point University campus.	

Site Information	
Location:	Lying between Montlieu Avenue & E. Farriss Avenue and between Panther Drive & Fifth Street and Willoubar Terrace.
Site Acreage:	Approximately 36.2
Current Land Use:	The site is developed with University related uses (<i>academic buildings, student dormitories/housing, cafeterias, student union and parking</i>).

Details of Proposal
The applicant is requesting to delete conditions requiring higher landscaping standards along the Fifth Street frontage of the zoning site in order to accommodate more efficient use of the land and to develop a pedestrian mall area. Over the years there have been numerous zoning cases that have expanded this segment of the High Point University Campus. Fifth Street, once the western edge of the campus, is now an internal area of the campus and several of the conditions of CUP00-26 are no longer applicable. Along with various rezoning approvals over the past decade, the University also has requested and received approval to abandon several public streets in this area. Some of the streets were abandoned in order to combine city blocks; others are being used as private drives for internal campus circulation. The result of the rezonings and street abandonments over the past decade is the establishment of N. Centennial Street as the western boundary of the campus. Due to the fact all of Fifth Street, from Montlieu Avenue to E. Farris Avenue, has now been abandon and is private property internal to the campus, the landscaping conditions that were intended to protect adjacent single family dwellings are no longer applicable. Therefore, this minor amendment application has been requested to amend Condition II.B2 of the permit.

As a part of the review of this application, staff examined all conditions of the permit and suggested to the applicant additional conditions that should also be modified or deleted as a part of this minor amendment request. The additional amendments are as follows:

- Amend Condition II.C.1 to delete conditions pertaining to lot combination, vehicular access and fencing along Willoubar Terrance which has been abandon (*area between Greek Village and new Townhome Student Housing project that is under construction*).

- Amend Condition II.C.3 to delete higher street landscaping standards along segment of Willoubar Terrance and North Avenue which has been abandon (*area lying west and north of Greek Village*).
- Amend Condition II.D.1 to clarify that one point of access is permitted to Montlieu Avenue and to delete conditions prohibiting vehicle access to Fifth Street and Fifth Court. Both Fifth Street and Fifth Court have been abandoned and the University owns all property on both sides of the street were they abut CUP00-26.

Analysis

Conditional zoning became effective January 1, 2011. Afterward, any major amendment to an existing Conditional Use Permit (CUP) requires a rezoning to a new Conditional Zoning district. Minor amendments to existing CUPs may still be considered by the City Council until January 1, 2014. The minor amendment process allows limited changes to existing CUPs which result in equal or better performance and which do not alter the objective and purpose of the original requirements and conditions of the Permit.

As Fifth Street is no longer the edge of campus, the removal of higher landscaping conditions, will not negatively impact adjacent single family property owners. The other conditions proposed to be amended are no longer applicable due to the westwards expansion of the University, the single family property owners these conditions were intended to protect are gone and those areas are now part of the internal area of the campus. The removal of these conditions will allow more efficient use of land and allow higher concentrations of development upon internal areas of the campus. Staff finds that the request will result in better performance and will not alter the intended purpose or objectives of the remaining conditions within CUP00-26.

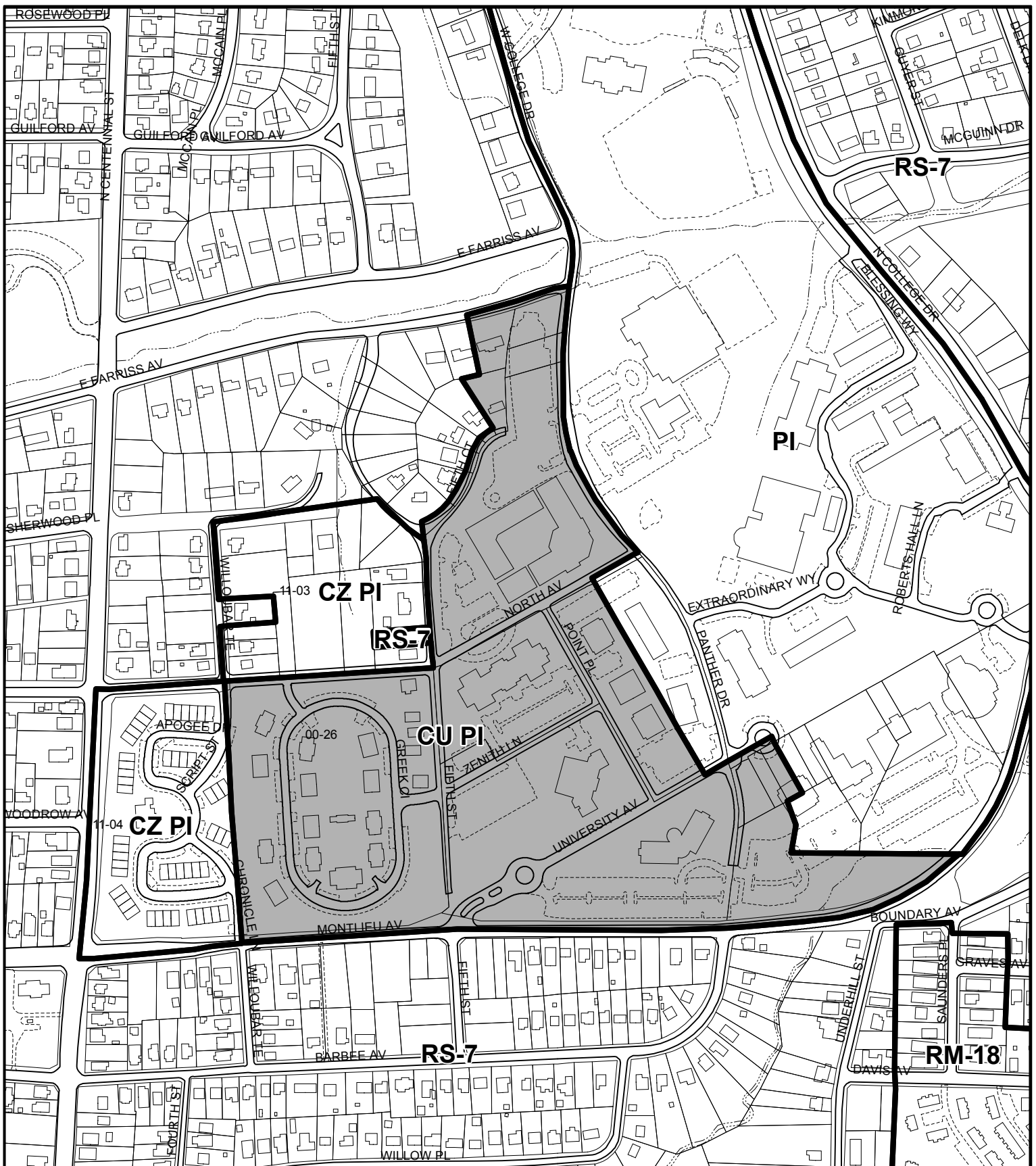
Recommendation

Staff Recommends Approval:

The higher landscaping standards, access and fencing conditions were intended to protect or mitigate impact upon adjacent single family property along the edge of the campus. With the purchase, rezoning and development of the campus up to N. Centennial Street; those conditions outlined in this report are no longer applicable. Staff recommends approval of minor amendment to Conditional Use Permit 00-26 as noted in the attached permit.

Report Preparation

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



MINOR AMENDMENT CUP00-26

(Feb. 2012)

Existing Zoning Boundary
Subject Property Boundary



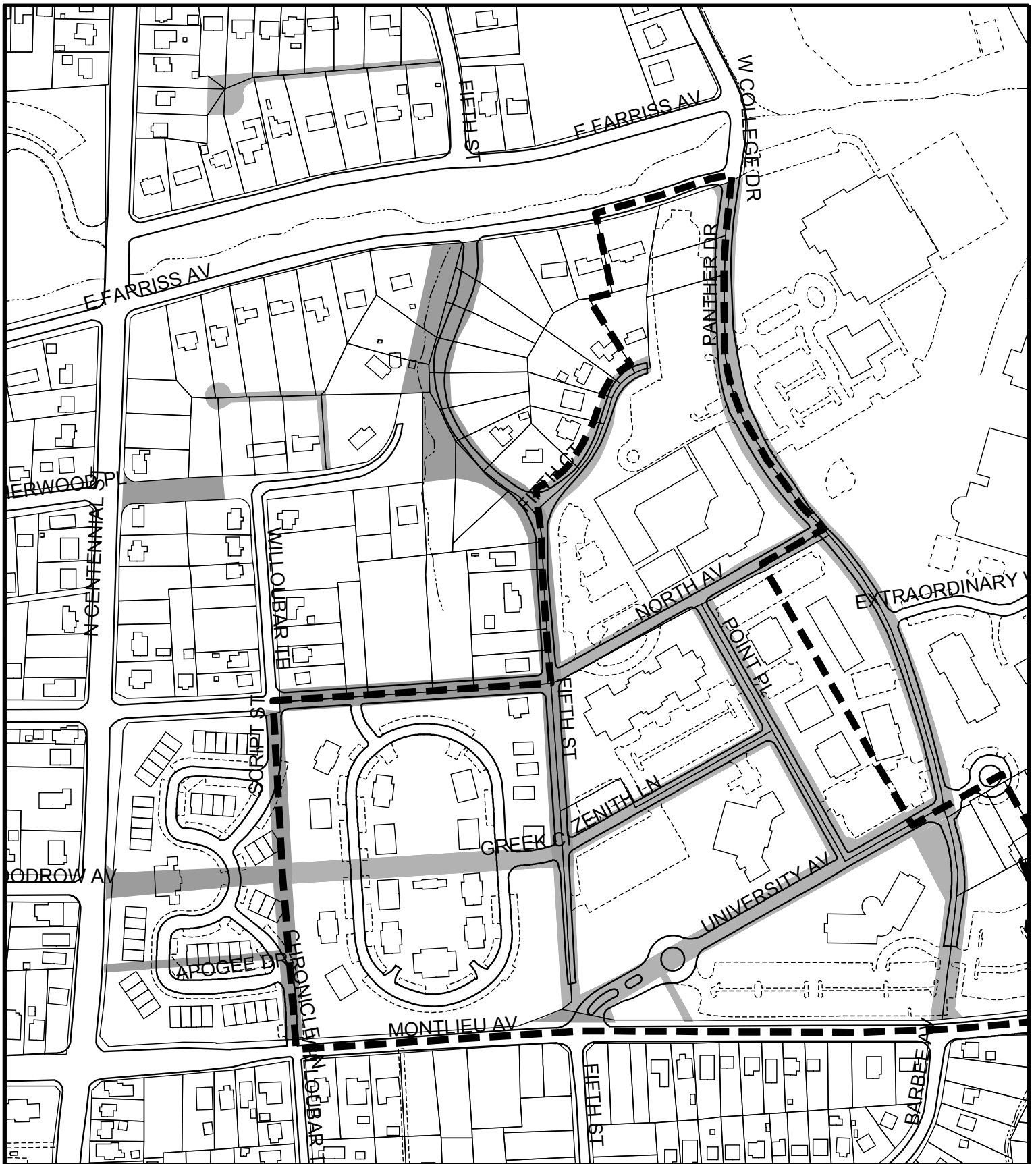
**Planning & Development
 Department**

City of High Point

Date: February 10, 2012



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MINOR AMENDMENT CUP00-26

Exhibit



Abandoned right-of-ways

**Planning & Development
Department**

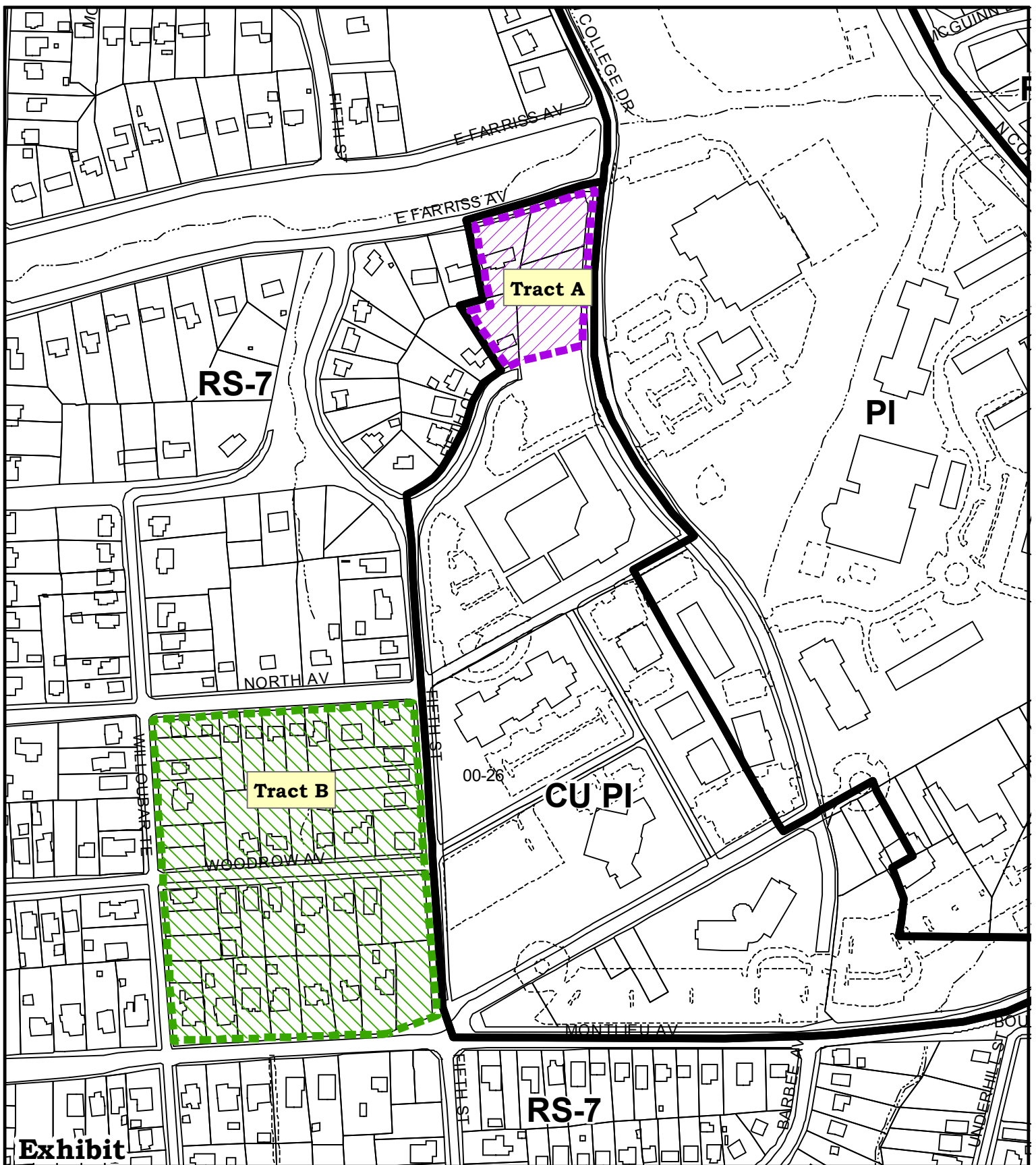
City of High Point

Date: February 10, 2012



Scale: 1"=300'

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Exhibit

REZONING CASE 10-01 and MAJOR AMENDMENT CUP00-26

**From: Residential Single Family-7
To: Conditional Use Public Institutional**

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

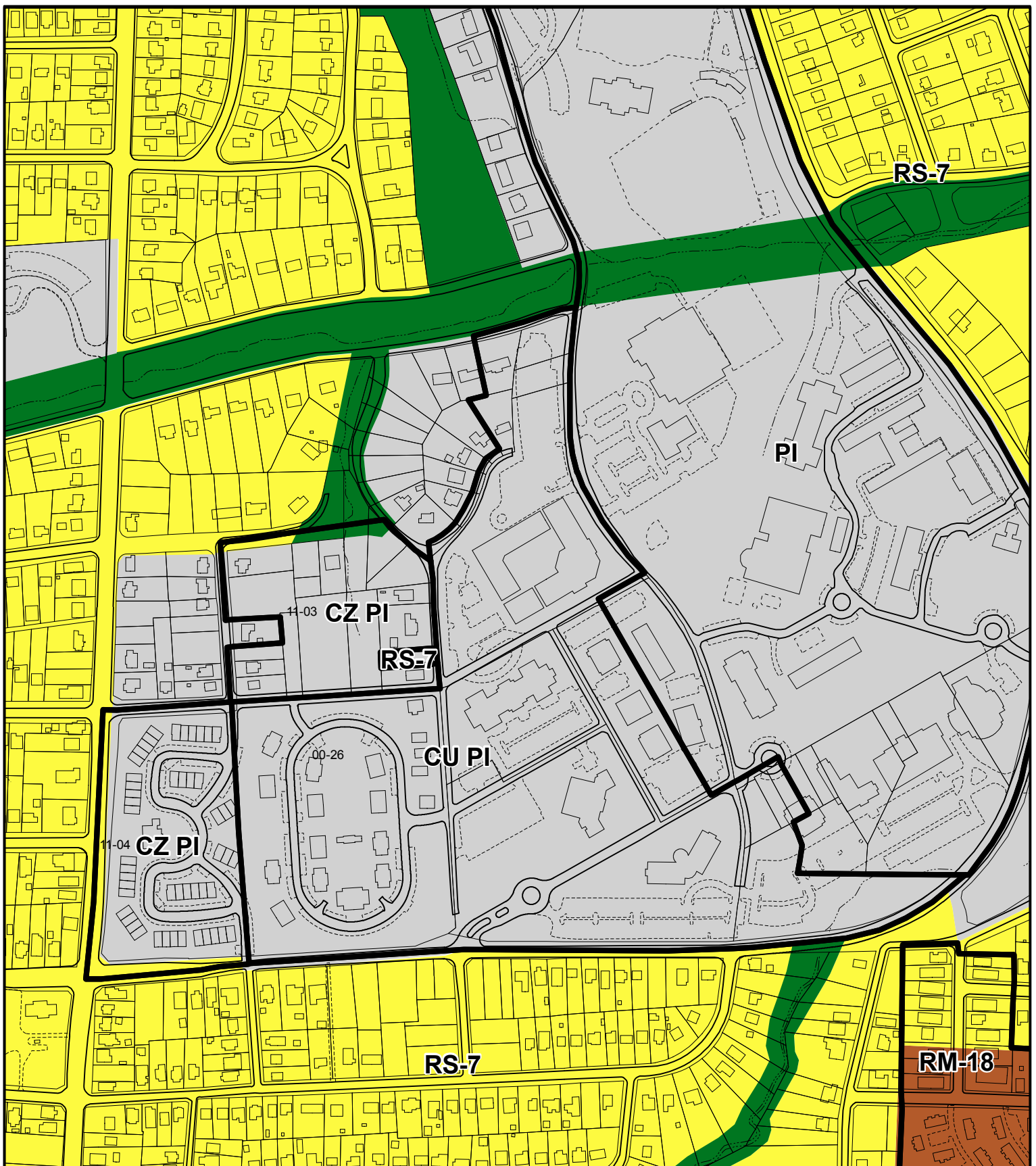
**Planning & Development
Department**

City of High Point

Date: January 14, 2010



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MINOR AMENDMENT CUP0026

Land Use Plan

 Low-Density Residential	 Institutional
 Medium-Density Residential	 Recreation/Open Space

Planning & Development
Department

City of High Point

Date: February 10, 2012



Scale: 1"=400'

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APPLICATION FOR A CONDITIONAL USE PERMIT

CITY OF HIGH POINT, NORTH CAROLINA Conditional Use Public & Institutional (CU-PI) District

<u>August 15, 2000</u> (Adopted)	<u>September 17, 2007</u> (Major Amendment)	<u>February 16, 2009</u> (Major Amendment)
<u>August 4, 2005</u> (Major Amendment)	<u>February 18, 2008</u> (Major Amendment)	<u>October 29, 2009</u> (Major Amendment)
<u>October 2, 2006</u> (Major Amendment)	<u>July 7, 2008</u> (Major Amendment)	<u>February 15, 2010</u> (Major Amendment)
<u>November 18, 2006</u> (Major Amendment)	<u>February 16, 2009</u> (Major Amendment)	<u>January 24, 2012</u> (Submitted)
<u>February 8, 2007</u> (Major Amendment)		

TO THE CITY COUNCIL OF THE CITY OF HIGH POINT:

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

I. USES: The following land uses allowed in the Public and Institutional (PI) District shall be permitted, subject to the development and dimensional requirements of the Development Ordinance and subject to the specific conditions listed in this Permit:

1. Colleges or Universities (SIC 8220).
2. School Administration Facilities (SIC 9411)
3. Churches (SIC 8661)
4. Elementary or Secondary Schools (SIC 8211)
5. Fraternities or Sororities (Univ. or College)
6. Accessory Uses and Structures (customary)

II. CONDITIONS:

A. Development and Dimensional Standards:

1. Mechanical or electrical equipment, dumpsters or other such similar building appurtenances shall be screened from view, at a height of six (6) feet above ground level, as seen from the centerline of any adjacent public street. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.
2. In addition to requirements of the Development Ordinance, the following additional standards shall apply to that portion of the zoning site within 100-

feet of the ~~Fifth Street (segment lying north of North Avenue), Fifth Court and~~ E. Farris Avenue right-of-way(s) lines.

- a. All building(s) shall be restricted to a maximum height of 60-feet.
- b. Loading areas for a building shall not be located on any side of a building that faces ~~Fifth Street (segment lying north of North Avenue), Fifth Court or~~ E. Farris Avenue.
- c. Landscaping:
 - 1). When any off-street parking or vehicular surface area is within this 100 foot area, the required street yard planting rate along the ~~Fifth Street (segment lying north of North Avenue), Fifth Court or~~ E. Farris Avenue frontage of that city block shall be increased from 17 shrubs per 100 linear feet to a minimum of 33 evergreen shrubs per 100 linear feet. Additionally, these shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting. This higher planting rate is intended to provide a low level screening of the off-street parking area.
 - 2). When any use, other than off-street parking or vehicular surface areas, is within this 100-foot area, the required street yard along the ~~Fifth Street (segment lying north of North Avenue), Fifth Court or~~ E. Farris Avenue frontage of that city block shall be increased from an 8-foot width to a minimum width of 15-feet, and the planting rate for understory trees shall be increased from none to a minimum of 4 per 100 linear feet. ~~This higher planting rate is intended to visually enhance campus development as viewed from Fifth Street (segment lying north of North Avenue).~~

B. Development Standards for Tract A.

1. Sketch Plan (See Exhibit B): Development of this tract shall be generally in conformance with the attached sketch plan as allowed by Section 9-3-13(a)(1) of the Development Ordinance.
2. Exterior pole lighting shall not be located within planting yards adjacent to residential uses, shall be down lit and oriented inward into the site so as to shield adjoining residential properties from direct light.
3. An opaque fence, as allowed for residential uses, shall be installed along the western limits of Tract "A". This fencing shall not be required where High Point University owns the adjacent parcel abutting the western limits of Tract "A".

C. Development Standards for Tract B.

1. General development standards:
 - a. All buildings shall have a pitched roof.

- b. ~~Lot Combination: All parcels associated with Tract B of the rezoning site shall be combined into one lot prior to development and re-subdivision.~~
- c. ~~Fencing shall be installed along the Montlieu Avenue and Willoubar Terrace frontage of the tract.~~ The decorative perimeter fencing (brick & wrought iron/aluminum fencing) that generally outlines the boundary of the University shall be installed along the Montlieu Avenue frontage of the tract.
- d. Within fifty (50) feet of the exterior perimeter of Tract B, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height where this tract is adjacent to residential zoning districts. This lighting shall be directed inwards towards the interior of the tract to minimize lighting spill-off/glare upon adjacent residentially zoned property.
- e. No vehicular access point shall be permitted from Montlieu Avenue to **Tract B** and Willoubar Terrace.

2. Additional Standards for Montlieu Avenue Frontage

- a. The maximum height shall be fifty (50) feet for any building within 100 feet of the Montlieu Avenue right-of-way.
- b. Street planting yard shall consist of a minimum thirty-five (35) foot wide yard and a planting rate of five (5) canopy trees every 100 linear feet. Such trees shall have a minimum caliper of 2-inches when planted and may be planted within 100-feet of the Montlieu Avenue right-of-way.
- c. A tree protection plan shall be submitted and approved prior to issuance of a grading permit. Trees with a diameter at breast height (dbh) of 4-inches or greater that are preserved within the 100 foot wide planting area shall be credited toward the specified street yard at a rate of 2-canopy trees for each tree preserved. In the event a tree that is to be preserved dies within 2 years of completion of the development it shall be replaced, within this 100 foot wide planting area, at a rate of 2 canopy trees for each tree lost. Replacement trees shall have a minimum caliper of 2-inch when planted.
- d. Within 100-feet of the Montlieu Avenue right-of-way, loading areas for a building shall not be located on any side of a building that faces Montlieu Avenue.

3. ~~Additional Standards for Willoubar Terrace and North Avenue Frontage~~

- a. ~~Street planting yard shall consist of a minimum fifteen (15) foot wide yard and a Type B planting rate. Trees and shrubs within this street yard may be planted within 30 feet of the Willoubar Terrace and North Avenue right of way.~~

D. Transportation

1. Access: **One vehicular access point shall be permitted from Montlieu Avenue.** ~~The rezoning site shall have no access to Montlieu Avenue, Fifth Street (segment lying north of North Avenue), Fifth Court or E. Farris Avenue.~~
2. Right-of-Way: The High Point Thoroughfare Plan classifies Montlieu Avenue as a major thoroughfare. Except for along the Montlieu Avenue frontage of Tract B, the property owner shall dedicate thirty-four (34) feet of right-of-way along the zoning site Montlieu Avenue frontage as measured from the centerline, for future road improvements.
3. The Director of Transportation shall approve all construction and improvements.

DESCRIPTION OF PROPERTY: Approximately 36.21 acres, located at the northeast and northwestern corner of Montlieu Avenue & Barbee Avenue; west of W. College Drive (private drive portion); south of E. Farris Avenue, east of Fifth Street (public street portion), south of North Avenue and east of Willoubar Terrace and known as Guilford County Tax Parcel(s) 226-1-3, 5 thru 12, 17, 19 thru 26, 41, 42, 43 and 45; 226-2-1 thru 5, 7, 8, 9, 10, 11, 15, 16 & 18; 226-3-1, 2, 3, 4 5, 6, 7, 8, 10 thru 21; 226-4-1, 2, 3, 4, 7, 9, 10 & 14; 226-6-1, 2, 3, 4, 5, 7 thru 22 and 226-7-2, 3, 4 & 15; 225-13-8, 11 thru 15, 17, 18, 23 thru 27 and 29 thru 35; 225-9-1 thru 6, 8 thru 13, 15, 16, 17, 19, 21 thru 24, 26, 27.

An application has been duly filed requesting that the property involved in this application be rezoned from the Residential Single Family-7 (RS-7) District and Conditional Use Public & Institutional (CU-PI) District to an amended Conditional Use Public & Institutional (CU-PI) District. It is understood and acknowledged that if the property is rezoned as requested and the Conditional Use Permit authorized, the property described in this request will be perpetually bound by the use(s) authorized and the conditions imposed, unless subsequently changed or amended as provided for a Title 9, Chapter 3, of the City Code.

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

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

PLANNING AND ZONING COMMISSION RECOMMENDATION

On December 13, 2011, a public hearing was held before the Planning and Zoning Commission regarding the requests described below. All members of the Commission were present except Mr. Keith McInnis.

City of High Point

Zoning Case 11-15

A request by the City of High Point City Council to amend the Airport Overlay District based on information provided in the Piedmont Triad International Airport FAR Part 150 Study. The Airport Overlay District boundaries are recommended to change in two areas. One is the Western Area, which is west of Sandy Ridge Road/Kendale Road; the other is the Eastern Area, which is generally east of NC 68.

&

City of High Point

Text Amendment Case 11-10

A request by the City of High Point Planning & Development Department to amend Section 9-4-4(d) of the Development Ordinance, entitled Airport Overlay Districts; primarily being an amendment to reference the FAR Part 150 Study for Piedmont Triad International Airport as the basis for the four overlay zones.

Mr. Douglas Loveland, Senior Planner presented the request and recommended approval as outlined in the staff reports.

No one spoke in support of the request.

Speaking in opposition to the request were Elizabeth Ermis, of 1464 Cantwell Court; Steve Showers, of 3703 Water Oak Court; Marilyn Durage of Wateview Court; and Steven Bovenkerk, of 4512 Wayland Court. These speakers noted the following concerns:

- Being required to provide notification to a potential buyer of property located within the Airport Overlay District might affect the ability to resell their property.
- The impact an Airport Overlay designation may have upon values of their homes.
- The proposal is premature as it is based upon anticipated aircraft noise levels, not actual noise levels today. Recommend the commission wait until actual impacts occur before adopting this change.

After the public hearing was closed the Commission members had a lengthy discussion. Key issues discussed were:

- Potential buyers should be able to make informed decisions when buying a home. Several commission members supported requiring notification to potential buyers.
- Some Commission members noted that it is reasonable to adopt the items at this time, even if they are based upon anticipated noise levels, as plans are often adopted based upon anticipated impacts.
- Some Commissioners stated concerns about adopting the proposed items at this time, since the anticipated aircraft noise is not yet impacting the residents of these areas at the anticipated levels. May be more appropriate to adopt the rezoning and text amendment after the noise impacts are more noticeable.

The Planning & Zoning Commission voted 4-4 on separate motions to approve the two items. Because a majority vote was unable to be obtained, Zoning Case 11-15 and Text Amendment Case 11-10 are both forwarded to Council without a recommendation.

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

**STAFF REPORT
ZONING CASE 11-15
December 13, 2011**

Request	
Applicant: City of High Point City Council	Owner(s): Various
Zoning Proposal: A request to amend the Airport Overlay District based on information provided in the Piedmont Triad International Airport FAR Part 150 Study.	From: Airport Overlay District
	To: Airport Overly District

Site Information	
Location:	Western Area boundary change: Generally this area is west of Sandy Ridge Road and Kendale Road. Eastern Area boundary change: This area is generally east of NC 68.
Tax Parcel Number:	N/A
Site Acreage:	The current Airport Overlay District is approximately 8,800 acres in total area. The Western Area boundary change adds approximately 1,390 acres, and the Eastern Area boundary change adds approximately 1,640 acres.
Current Land Use:	N/A
Physical Characteristics:	N/A
Water and Sewer Proximity:	N/A
General Drainage and Watershed:	Oak Hollow General Watershed Area and Watershed Critical Areas City Lake General Watershed Area
Overlay District(s):	Airport Overlay District

Adjacent Property Zoning and Current Land Use		
North:	N/A	N/A
South:	N/A	N/A
East:	N/A	N/A
West:	N/A	N/A

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement	This request neither promotes nor conflicts with the goals and objectives of the Community Growth Vision Statement.

Land Use Plan Map Classification:	The area is designated for various uses, including residential commercial, office, and industrial uses.
Land Use Plan Goals, Objectives & Policies:	Goal #1 Encourage development that enhances and preserves established neighborhoods; Obj. #2 Protect and preserve environmentally sensitive locations including designated open space and watershed critical areas from inappropriate development. Obj. #8 Stimulate more efficient use of the City's land resources by encouraging in-fill, mixed-use, cluster development and higher residential densities at appropriate locations.
Relevant Area Plan:	<i>Northwest Area Plan.</i> The primary policy from the <i>Northwest Area Plan</i> that applies in this case is its Land Use Plan, which was responsive to concerns about aircraft noise impacts.
Zoning History:	The Airport Overlay District was established in 1992, with the adoption of the Development Ordinance. It covered a comparatively small area and simply limited residential development to lots of one or more acres. The more relevant existing High Point Airport Overlay Zoning District was adopted in 2003 (Zoning Case 03-12 and LUPA 03-02). The district's boundaries were based on the best information available at the time, which was derived from the Environmental Impact Statement for the proposed FedEx Air Cargo Sorting Hub and accompanying third runway at Piedmont Triad International Airport (PTIA). This Airport Overlay District covered approximately 8,800 acres. In the interim, a Part 150 Study was completed, which developed information on potential noise impacts from the air cargo hub when it reaches full operation. The proposed new district boundaries are based on an analysis of this new information. A text amendment (TA11-10) has been prepared in conjunction with this map amendment request, with the primary purpose of referencing the Part 150 Study as the basis for the four overlay zones.

Transportation Information					
Adjacent Streets:	Name			Classification	Approx. Frontage
	N/A				
Vehicular Access:	N/A				
Traffic Counts: <i>(Average Daily Trips)</i>	N/A				
Estimated Trip Generation:	N/A				
Traffic Impact Analysis:	Required			Comment	
		<u>Yes</u>		<u>No</u> X	N/A
Pedestrian Access:	N/A				

School District Comment

Not applicable to this zoning case.

Staff Analysis

The Part 150 Airport Noise Compatibility Study, which was prepared on behalf of PTIA, recommended modifications to the nighttime noise mitigation measures, including changes to flight patterns. These measures will result in an increase in nighttime aircraft noise for certain areas of northern High Point.

Following the release of the Part 150 Study, the Planning and Development Department prepared the Part 150 Assessment, which analyzed the results of the Part 150 and recommended changes to the existing Airport Overlay District based upon the Study. The Planning and Zoning Commission was briefed on the Assessment in January of this year and recommended it's approval in February. City Council was briefed on the Assessment in September and, as a result, initiated this zoning map amendment.

This map amendment modifies the existing boundary of Airport Overlay District as well as makes some adjustments to individual zones. Zones 2, 3 and 4 are based upon the NA (Number of Events Above) noise metric, which provides a better measure of nighttime noise impacts.

The Planning and Development Department held two community open house sessions on November 7th and 8th to give the public an opportunity to review the proposed changes and ask questions. Notice of the open house session was mailed to owners of property located within the area of change and within 300 feet of the boundary, which is the same scope of notice given to the Planning and Zoning Commission and City Council public hearings.

Recommendation

Staff Recommends Approval:

The purpose of the Airport Overlay District is to minimize aircraft noise impacts upon land uses. The boundaries of the districts zones should be adjusted to more accurately fit anticipated nighttime aircraft noise levels based upon flight patterns recommended by the Part 150 Study. These changes will better enable the overlay district to achieve its purpose.

Required Action

The NC General Statutes requires the Planning & Zoning Commission upon making its recommendation and the City Council upon rendering its decision must place in the official record a statement of consistency with the City's adopted plans. In addition, the City Council must also explain why the action taken is reasonable and in the public's interest.

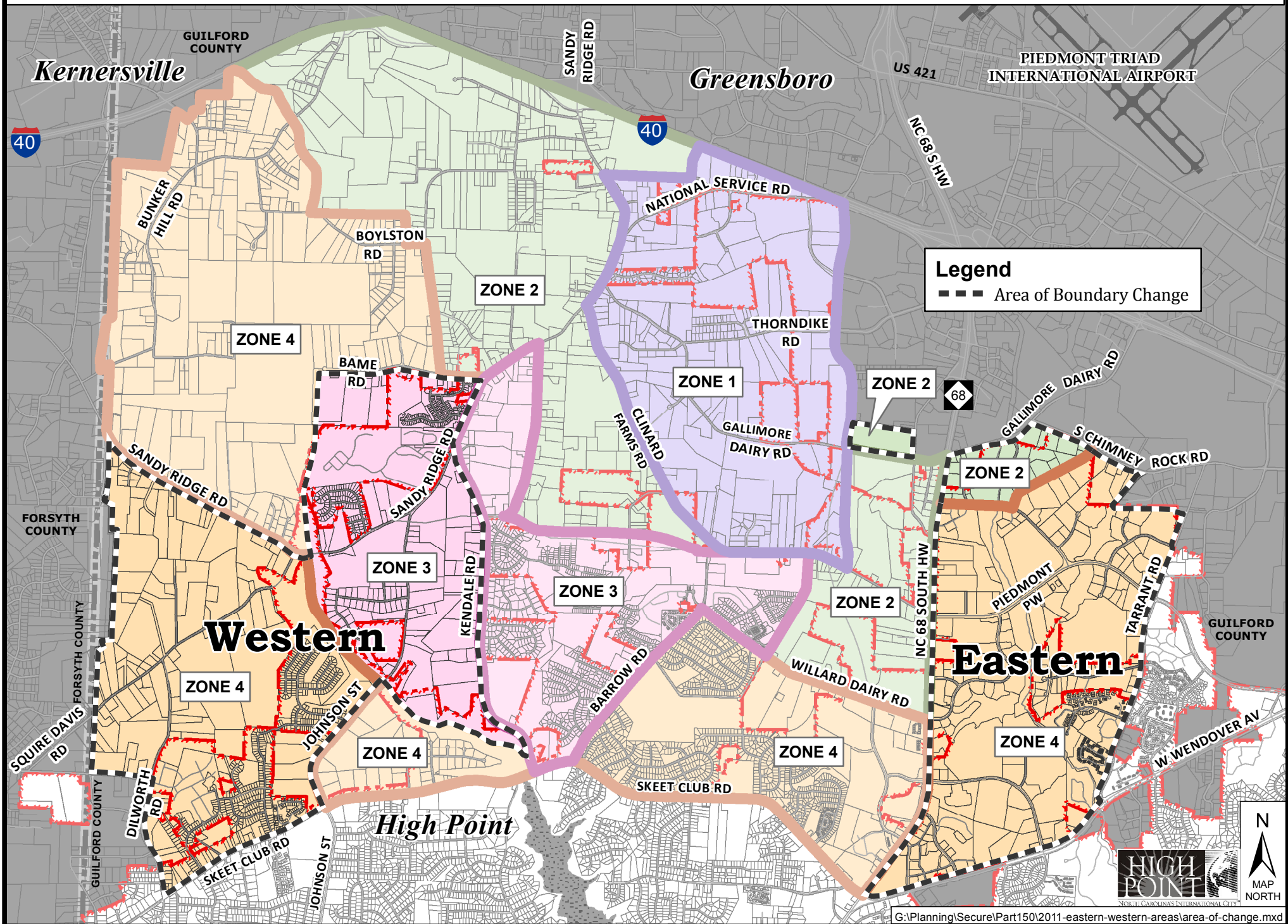
In this case, staff suggests that the approval of the amendment is reasonable and in the public interest because: alteration of the boundaries of the district will more accurately fit anticipated nighttime aircraft noise levels as directed by the Part 150 study.

The Planning and Zoning Commission and the City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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

AIRPORT OVERLAY DISTRICT AREA OF BOUNDARY CHANGE



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

**STAFF REPORT
TEXT AMENDMENT CASE 11-10
December 13, 2011**

Request	
Applicant: City of High Point Planning and Development Department	Affected Ordinance Sections: Section 9-4-4(d), entitled <u>Airport Overlay Districts</u>
Proposal: A request by the City of High Point Planning & Development Department to amend Section 9-4-4(d) of the Development Ordinance, entitled Airport Overlay Districts; primarily being an amendment to reference the FAR Part 150 Study for Piedmont Triad International Airport as the basis for the district.	

Background

The Airport Overlay District was adopted in 2003 in response to anticipated noise impacts from flight events related to the operation of the Fed Ex cargo hub from nearby Piedmont Triad International Airport (PTIA). The recently completed Part 150 Airport Noise Compatibility Study for PTIA recommends alterations in the flight operations at the airport that would affect the areas impacted by aircraft noise. As a result the City is amending the Airport Overlay District as a response to these amended flight operations. The proposed changes to the Airport Overlay District are comprised mainly of map amendments. However, Planning and Development staff identified a few necessary revisions to the text of the Overlay District.

Details of Proposal

First, the Airport Overlay text references the noise contours that the four zones are based upon. The overlay zones are presently based upon noise contours developed by either the Environmental Impact Statement (for zone 1) or the Wyle Report (for zones 2, 3 and 4). The revised overlay zones are now based on noise contours developed by the FAR Part 150 Study.

Next, this text amendment would remove the requirement for a windows closed environment (WCE) for houses located in zone 4. The WCE provision requires that a dwelling have central heating and air conditioning so that occupants may comfortably close the windows at any given time in order to reduce impacts from outside noise.

Lastly, the amendment corrects several instances where the Planning and Development Department is referenced by incorrect nomenclature, being noted as the Department of Planning and Development as presently written.

Analysis

The only regulatory change in the proposed amendment relates to the elimination of the requirement for a windows closed environment for all new residential uses located in zone 4. Planning and Development staff has found the WCE design standard to be unnecessary, as typical construction practice is to build to that standard regardless of the requirement. Therefore staff suggests that this is an unnecessary requirement, and that it only adds to the regulatory complexity of the District.

Recommendation

Staff recommends approval of the text amendment. The proposed text amendment reflects the Part 150 Study as the source for the noise contours that are the basis of the revised overlay zone boundaries.

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 amendment is reasonable and in the public interest because: the amended ordinance will reference the Part 150 study as the basis of the revised overlay district. 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.

TEXT AMENDMENT 11-10

PROPOSED AMENDMENT TO THE CITY OF HIGH POINT

DEVELOPMENT ORDINANCE

(An amendment pertaining to Section 9-4-4 (d) – Airport Overlay Districts)

SECTION 1.

Section 9-4-4 (d) (2), entitled *Zone Boundaries*, shall be amended as follows:

Zone Boundaries:

The Airport Overlay District is divided into the four zones in order to manage the development of land uses that are sensitive to and incompatible with certain levels of daytime and nighttime aircraft noise and to mitigate adverse noise impacts to the public, where possible.

- a. Zone 1: Zone 1 is based on the 65 Ldn noise contour developed by the ~~Federal Aviation Administration in conjunction with the Final Environmental Impact Statement for Proposed Runway 5L/23R, Proposed New Overnight Express Air Cargo Sorting and Distribution Facility, and Assorted Developments~~ **FAR Part 150 Study for Piedmont Triad International Airport**. The intent of Zone 1 is to prevent the development of land uses sensitive to objectionable noise resulting from daytime and nighttime aircraft flights and those land uses that could pose safety hazards to aircraft.
- b. Zone 2: Zone 2 is based on the NA90(1) contour developed by ~~Wyle Laboratories, Inc. as set forth in its Wyle Report 03-04, Nighttime Noise Criteria and Land Use Guidelines for the City of High Point~~ **the FAR Part 150 Study for Piedmont Triad International Airport**. The intent of Zone 2 is to prevent the development of land uses sensitive to objectionable noise resulting from nighttime aircraft flights.
- c. Zone 3: Zone 3 is also based on the NA 90(1) contour developed by ~~Wyle Laboratories, Inc. as set forth in its Wyle Report 03-04, Nighttime Noise Criteria and Land Use Guidelines for the City of High Point~~ **the FAR Part 150 Study for Piedmont Triad International Airport**. The intent of Zone 3 is to protect residential uses and their residents by reducing the interior level of objectionable noise resulting from nighttime aircraft flights.
- d. Zone 4: Zone 4 is based on the NA85(2) contour developed by ~~Wyle Laboratories, Inc. as set forth in its Wyle Report 03-04, Nighttime Noise Criteria and Land Use Guidelines for the City of High Point~~ **the FAR Part 150 Study for**

Piedmont Triad International Airport. The intent of Zone 4 ~~is to protect residential uses and their residents by reducing the interior level of objectionable noise resulting from nighttime aircraft flights,~~ **along with the other three zones, is to provide public notification of potential night time aircraft noise impacts.**

SECTION 2.

Table 4-4-2, entitled *Aircraft Noise Mitigation Requirements*, shall be amended to remove in its entirety the column entitled *WCE NLR*. The amended table shall appear thusly:

Zone	Notification	Waiver of Claim	Prohibited Uses	NLR Design Standard (30 db NLR)
1	X	X	X	
2	X	X	X	
3	X	X	X	X
4	X	X		

SECTION 3.

Section 9-4-4 (d) (4), entitled *Public Notification of Potential Aircraft Noise Impacts*, shall be amended as follows:

(4) Public Notification of Potential Aircraft Noise Impacts

- a. Where public notification statements are required or provided for property within the district, the following statement shall be used: "This property is located within the City of High Point Airport Overlay District and is subject to aircraft overflights and to aircraft noise that may be objectionable dependent upon the use and location of the property. Please refer to the city's Airport Overlay District regulations and the ~~Department of Planning & Development~~ **Department** for more information on potential noise impacts."

Subsection b and c remain unchanged.

- d. The ~~Department of Planning & Development~~ **Department** shall provide notification of potential aircraft noise impacts to the owners of lots that are located within the Airport Overlay District. After the district is made effective upon a lot, such notice shall be given once by first class mail to the lot owner at the address listed on the county tax abstracts.

SECTION 4.

Section 9-4-4 (d) (7), entitled *Noise Level Reduction Design*, shall be amended as follows:

Noise Level Reduction Design:

- a. ~~Zone 3 — 30 db Noise Level Reduction (NLR) Standard:~~ Within Zone 3, all new residential uses shall be designed to achieve an outside to inside noise reduction level of at least 30 decibels (dB). This performance measure may be achieved by any suitable combination of building design, building materials and construction standards so as to reduce the interior noise levels from overhead aircraft flights. Prior to the issuance of a building permit for a residential use, a qualified acoustical professional satisfactory to the ~~Department of Planning & Development~~ **Department** shall certify that the design standards, construction methods and materials used to construct the residential use will achieve at least a 30 dB noise level reduction.
- b. ~~Zone 4 — Windows Closed Environment (WCE) Standard:~~ Within Zone 4, all new residential uses shall be designed with a mechanical ventilation system sufficient to enable the closure of windows within the structure during all climate conditions. Prior to the issuance of a building permit for a residential use, the permit applicant shall certify that the residential use shall be constructed in accordance with approved plans that meet this performance measure.

SECTION 5.

Section 9-4-4 (d) (9), entitled *Noise Impact Information*, shall be amended as follows:

(9) Noise Impact Information

The ~~Department of Planning & Development~~ **Department** shall maintain and provide district information depicting potential aircraft noise impacts which shall be available to the public and other interested parties.

The noise level reduction design standards and waiver of claim provisions of this ordinance shall not apply to lots of record created prior to the effective date of this ordinance, to lots created by a valid preliminary subdivision plat that was approved prior to the effective date of this ordinance and to residential uses

depicted on a valid site plan or group development plan that was approved prior to the effective date of this ordinance.

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

ORDINANCE

REQUEST: Ordinance to Demolish

PROPERTY

ADDRESS: 624 Cable Street

OWNER:

George Freelan Turner (deceased)
Heirs: Tonda Turner, Sabrina T. Stanley, Jimmy D. Turner, Betty D. Turner-Johnson

FIRST

INSPECTION
6-20-2011

Number of Violations: Major 5 Minor 18
1) structural damage to front and rear porch
2) structural damage to foundation along north wall
3) electrical system vandalized; wiring cut and removed
4) plumbing system vandalized; pipes removed
5) heater damaged by vandalism; unit removed

HEARING

RESULTS:

7-11-2011

The owner did not appear for the hearing. Title search indicated that the owner is deceased and that there are four apparent heirs to the property. During the hearing, the following findings of fact were established. There are numerous violations of the Minimum Housing Code. The house is currently uninhabitable due to the extensive structural damage. In its present state necessary repairs to the dwelling exceed 50% of current tax value. The Guilford County Tax value of the dwelling is \$22,400. The repair estimate is \$20,700.

ORDER(S)

ISSUED:

7-11-2011

Order to Repair or Demolish with a compliance date of 10-11-2011

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

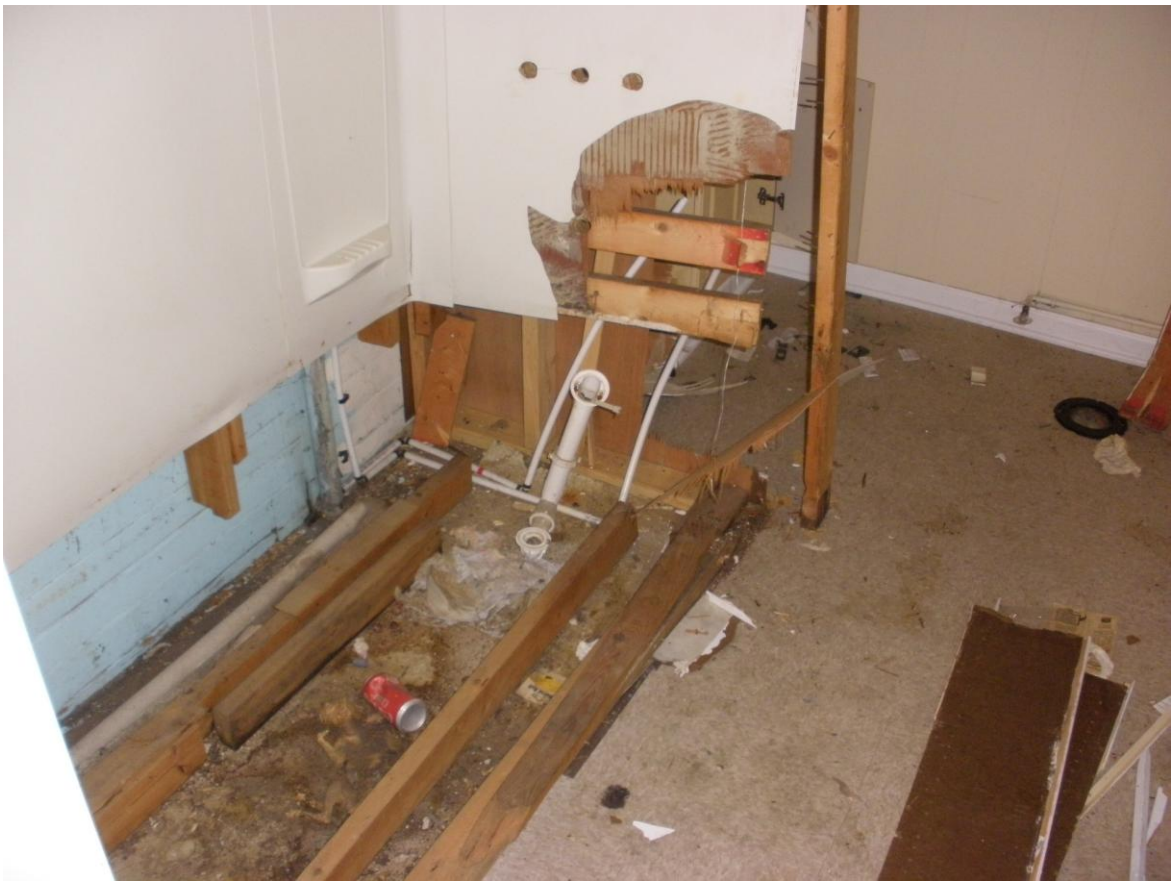
STATUS:

1-10-2012

Conditions still exist.



624 Cable Street



624 Cable Street

"AN ORDINANCE AMENDING THE 2011-12 BUDGET ORDINANCE
OF THE CITY OF HIGH POINT, NORTH CAROLINA
TO AMEND THE STREET MAINTENANCE OPERATING BUDGET FOR
WHITESTONE SUBDIVISION SETTLEMENT FUNDS

Be it ordained by the City Council of the City of High Point, North Carolina, as follows:

Section 1. The Engineering Services Department has received funds as a result of a negotiated settlement for improvements in the Whitestone Subdivision. The department has requested the funds be appropriated to cover the additional operating expenses associated with these improvements.

Section 2. This amendment appropriates these funds in the current fiscal year:

(A) That the General Fund revenue be amended as follows:

Transportation Development Fees (in lieu of)	
(101611/426110)	\$ 75,000

(B) That the following General Fund expenditures be amended as follows:

Street Maintenance Operating Expenditures	
(101721/529151)	\$ 75,000

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage."

Engineering Services Department

B. Keith Pugh, P.E.

DIRECTOR



Date: February 14, 2012

To: Pat Pate, Assistant City Manager

From: Keith Pugh, Engineering Services

BKP

Re: City Council Agenda – **Budget Adjustment** – Whitestone Subdivision Infrastructure Improvements Bond

Action needed:

The purpose of this Budget Adjustment is to appropriate deposited settlement funds against the account used to complete the improvements in the Whitestone Subdivision. This will replenish funds drawn from the Streets account.

Background:

In April 2010, the City began pursuing the completion of public infrastructure improvements in the Whitestone Subdivision. The Developer of this property posted a bond for the remaining public infrastructure improvements and subsequently recorded a plat for the subdivision during 2006. By recording the plat, the developer was able to build homes on the individual lots and sell them. Unfortunately for the homeowners in this subdivision, the original developer in the subdivision declared bankruptcy and the streets in Phase 1 remained unfinished.

After pursuing legal action against the Developer and the developer's Bonding Company, the City negotiated a settlement in the amount of \$75,000 to complete the paving improvements in Phase 1 of the subdivision. This money has been received and deposited by the City into 101611-426110.

Following the settlement, the City received quotes and negotiated with the lowest responsible bidder to finish the paving at the available funding amount (\$75,000). A purchase order was issued for this work using available funds from 101721-529151 (Reimbursable Expenditures). The work was completed on December 12, 2011.

/bkip

Ec: Mr. Jeff Moore, Finance Director
Mr. Chris Thompson, Public Services Director
Mr. Leon Adams, Adams and Clark Enterprises, Inc.

Ms. Patty Sykes, Purchasing Division
Mrs. Glenda Barnes, Budget



MEMORANDUM

Date: February 10, 2012

To: Pat Pate, Asst. City Manager

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

Re: Agenda Item

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

Acceptance of bids submitted for Water and Sewer Chemicals for 12 months

Public Services is recommending that the following bids be accepted:

Ward Water Plant	(Account: 621758-526103)	
Chemical	Bidder	Amount
Aluminum Sulfate	General Chemical	\$ 365,000.00
Sodium Hydroxide	Brenntag Southeast	\$ 117,695.60

Eastside WWTP	(Account: 621752-526103)	
Chemical	Bidder	Amount
Aluminum Sulfate	General Chemical	\$ 127,750.00
Sodium Hydroxide	Brenntag Southeast	\$ 51,358.08

Westside WWTP	(Account: 621753-526103)	
Chemical	Bidder	Amount
Aluminum Sulfate	General Chemical	\$ 93,440.00
Sodium Hydroxide	Brenntag Southeast	\$ 32,098.80

Cc: W. Chris Thompson
Jeff Moore
Patty Sykes
Tracey Adams
Robert Pickett
John Hodges
File



**FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL**

DEPARTMENT: **Public Services**

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

BID NO.: **64-020112** CONTRACT NO.: DATE OPENED: **Feb 1, 2012**

DESCRIPTION:

Aluminum Sulfate for Ward WTP, Eastside WWTP, & Westside WWTP

PURPOSE:

Water Treatment Chemical for coagulation aid and Wastewater Chemical to remove phosphorus from the effluent.

COMMENTS:

Contract award is for a one-year period beginning March 1, 2012 and ending February 28, 2013, with the option to renew for two additional one (1) year periods if terms and pricing are agreeable to both parties.

RECOMMEND AWARD TO: **General Chemical** AMOUNT: **\$ 586,190.00**

JUSTIFICATION:

Apparent low bid, \$365.00/ton.

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
621752	526103		Eastside	\$ 127,750.00
621753	526103		Westside	\$ 93,440.00
621758	526103		Ward	\$ 365,000.00
TOTAL BUDGETED AMOUNT				\$ 586,190.00

DEPARTMENT HEAD: **Terry Houk** Digitally signed by Terry Houk
DN: cn=Terry Houk, o=City of High Point, ou=Public Services, email=terry.houk@highpointnc.gov, c=US
Date: 2012.02.06 16:13:30 -0500 DATE: **Feb 6, 2012**

The Purchasing Division concurs with recommendation submitted by the **Public Services Dept. and recommends award to the lowest responsible, responsive bidder **General Chemical** in the amount of \$ **586,190.00**.**

PURCHASING MANAGER: **Patricia H. Sykes** Digitally signed by Patricia H. Sykes
DN: cn=Patricia H. Sykes, o=City of High Point, ou=Purchasing, email=patty.sykes@highpointnc.gov, c=US
Date: 2012.02.06 17:03:57 -0500 DATE: **Feb 6, 2012**

Approved for Submission to Council
FINANCIAL SERVICES DIRECTOR: **Jeffrey Moore** Digitally signed by Jeffrey Moore
DN: cn=Jeffrey Moore, o=City of High Point, ou=Finance & Accounting, email=jmoore@highpointnc.gov, c=US
Date: 2012.02.06 17:03:57 -0500 DATE: **Feb 6, 2012**

CITY MANAGER: **Strib Boynton** Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=City of High Point, ou=City Manager, email=strib.boynton@highpointnc.gov, c=US
Date: 2012.02.10 11:00:57 -0500 DATE: **Feb 10, 2012**

	Ward		Westside		Eastside	
	1000		256		350	
	TN		TN		TN	
	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
BRENNTAG	\$ 405.00	\$ 405,000.00	\$ 405.00	\$ 103,680.00	\$ 405.00	\$ 141,750.00
C&S CHEMICAL	\$ 410.00	\$ 410,000.00	\$ 410.00	\$ 104,960.00	\$ 410.00	\$ 143,500.00
GENERAL CHEMICAL	\$ 365.00	\$ 365,000.00	\$ 365.00	\$ 93,440.00	\$ 365.00	\$ 127,750.00
GEO SPECIALTY	\$ 415.58	\$ 415,580.00	\$ 415.58	\$ 106,388.48	\$ 415.58	\$ 145,453.00
HARCROSS	\$ 440.00	\$ 440,000.00	\$ 440.00	\$ 112,640.00	\$ 440.00	\$ 154,000.00
KERMIRA	NO BID		NO BID		NO BID	
SAL CHEMICAL	NO BID		NO BID		NO BID	



MEMORANDUM

To: Honorable Mayor and City Council
From: G. Lee Burnette, AICP, Director
Subject: **Zoning Case 11-15 & Text Amendment 11-10**

On January 17, 2012, the City Council held a public hearing and heard public comments on the zoning case and text amendment proposed to amend the City's existing Airport Overlay District. These amendments resulted from changes in departure flight tracks at PTI Airport as recommended by PTIA's Part 150 Airport Noise Compatibility Study.

At the conclusion of the public hearing, City Council sent the two cases to the Planning, Economic Development & Information Technology Committee for review and recommendation.

On February 21st, the Committee met to review the two cases. After discussion and consideration, the Committee voted to forward both cases to the full Council with favorable recommendations.

Please contact me if you have any questions.

cc: Strib Boynton, City Manager
Randy McCaslin, Assistant City Manager
Lisa Vierling, City Clerk

Administration
336.883.3328

Planning Services
336.883.3328

Development Services
336.883.3328

Inspection Services
336.883.3151

City of High Point, P.O. 230, 211 South Hamilton Street, High Point, NC 27261 USA
Fax: 336.883.3056 www.high-point.net/plan Permit Fax: 336.883.8518 TDD 336.883.8517

PLANNING AND ZONING COMMISSION RECOMMENDATION

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

High Point University

Amendment to Zoning Case 11-03

A request by High Point University to amend a Conditional Zoning Public & Institutional (CZ-PI) District (CZ Ordinance 11-03) to 1) rezone abutting Residential Single Family-7 (RS-7) District parcels to the CZ-PI District; 2) to amend conditions pertaining to permitted uses, lot combination and lighting; and 3) to allow less restrictive dimensional standards in regards to building setbacks and building height. The site is bounded by E. Farriss Avenue, Fifth Court, Fifth Street, North Avenue and Willoubar Terrace.

Mr. Herbert Shannon, Senior Planner presented the request and recommended approval of the case as outlined in the staff report.

Speaking in favor of the request was Mr. Ron Guerra, Director of Construction at High Point University. He noted that at this time they only have a development plan for Tract A. This area is proposed to be developed with a 4 – 5 story building with uses consisting of dorm rooms, dining hall and a campuses activity center with uses similar to those within the adjacent University Center facility upon the opposite side of Fifth Street. Mr. Guerra concluded by stating that the stream that runs through the site will be protected and when they have a firm development proposal for other tracts they will come back through the public hearing process for review and approval.

Speaking in opposition to the request was Mr. Robert Barnes of 1011 Willoubar Terrace, who stated the following concerns:

- Being unable to access his home due to public portion of North Avenue being block by construction activity and not being able to pass campus security check points to access his property.
- Noise from adjacent student housing continuing through to 3am.
- Questioned availability of access to his home from his existing driveway connection to Fifth Street, although he has access to Willoubar Terrace.

The Commission closed the public hearing and had a lengthy discussion regarding area to be developed, conditions and access concerns raised by Mr. Barnes. Additional information was sought from the applicant. Mr. Guerra noted the access issue was an error on the part of a contractor blocking access from North Avenue to connect to a utility line in the street. The Commission strongly encouraged the University to coordinate their efforts among their contractors and campus security in order to be good neighbors to adjacent property owners.

The Planning & Zoning Commission recommended **approval** of Amendment to Zoning Case 11-03, by a vote of 7-0.

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

**STAFF REPORT
AMENDMENT TO ZONING CASE 11-03
January 17, 2012**

Request	
Applicant: High Point University	Owner: High Point University
Zoning Proposal: To amend Conditional Zoning Case 11-03 (CZ11-03) to: 1) Rezone abutting RS-7 District parcels to the CZ-PI District; 2) Amend conditions pertaining to permitted uses, lot combination, lighting, and vehicle access; and 3) Allow less restrictive dimensional standards in regards to building setbacks and height.	From: CZ-PI Conditional Zoning Public & Institutional District RS-7 Residential Single Family – 7 District
	To: CZ-PI Conditional Zoning Public & Institutional District

Site Information	
Location:	The site is bounded by E. Farriss Avenue, Fifth Court (private), Fifth Street (private), North Avenue (private) and Willoubar Terrace.
Tax Parcel Numbers:	019876 thru 92 & 94; and 190007 thru 19 (Guilford County)
Site Acreage:	There is a proposal to add 4.9 acres to CZ11-03. The request would increase the total area of CZ11-03 to approximately 10.6 acres.
Current Land Use:	Undeveloped parcels and single family detached dwellings.
Physical Characteristics:	The site has a moderate to severely sloping terrain. A perennial stream runs from south to north starting near the southern boundary of the zoning site. The steeper terrain is along this stream corridor.
Water and Sewer Proximity:	There are 6-inch City water lines within all the abutting public right-of-ways and private streets. Two City water lines (6-inch and a 16-inch) are lying within North Avenue (private). There are 8-inch City sanitary sewer lines within all the abutting public right-of-ways and private streets. In addition, an 8-inch City sanitary sewer line runs through the middle of this zoning site, from south to north, along the stream corridor from North Avenue to E. Farriss Avenue.
General Drainage and Watershed:	The site drains in a northerly direction and development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily developments with an impervious surface area that is greater than 24% or more of the site.
Overlay District(s):	City Lake General Watershed Area

Adjacent Property Zoning and Current Land Use			
North:	RS-7	Residential Single Family-7 District	Single family detached dwellings
South:	CU-PI	Conditional Use Public & Institutional District	Student housing associated with High Point University (<i>Greek Village</i>)
East:	CU-PI	Conditional Use Public & Institutional District	High Point University (<i>University Center Complex</i>)
West:	RS-7	Residential Single Family-7 District	Single family detached dwellings

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	The site has an Institutional land use designation. This classification is intended for public, quasi-public and institutional uses on large tracts.
Land Use Plan Goals, Objectives & Policies:	The following goal of the Land Use Plan is relevant to this request: Obj. #9. Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses;
Relevant Area Plan:	<i>University Area Plan:</i> Goal #3: Ensure compatibility between the edge of campus and the surrounding neighborhood. Policy 3.1: Maintain existing natural areas between the university and adjacent neighborhoods (e.g. the natural areas west of Fifth St. just south of E. Farriss Ave.). Policy 3.5: Transition the intensity of uses along the campus edge adjacent to existing residences. Policy 3.6: New campus development should be contiguous to the existing campus and consist of an entire sub-area. However if a partial rezoning of a sub-area is requested, then a site plan must be submitted along with the rezoning request that demonstrates how the impacts on adjacent properties will be mitigated.
Community Growth Vision Statement	Goal #1: Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Zoning History:	In April 2011 City Council approved Conditional Zoning Ordinance 11-03 (CZ11-03), an application by High Point University, to establish a CZ-PI District zoning upon the majority of a block bounded by Fifth Street, North Avenue and Willoubar Terrace. During the public hearing, the University's representative stated that the University did not have a development proposal for this area and due to environmental constraints it would be back in the future to add adjacent parcels in order to create developable tracts. Therefore, use of the site was restricted to parking and when ready to develop the University would seek to amend CZ11-03.

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Willoubar Terrace	Local Street	725 ft.
	North Avenue	Private Street	600 ft.
	Fifth Street	Private Street	1,130 ft.
	Fifth Court	Private Street	415 ft.
	E. Farriss Avenue	Local Street	125 ft.

Vehicular Access:	Access shall be restricted to the abutting private streets within the campus and the existing intersection of E. Farriss Avenue and Fifth Street.		
Traffic Counts:	Traffic counts are not available for these streets.		
Estimated Trip Generation:	Based on the information provided by the applicant this development will generate less than 100 trips/day.		
Traffic Impact Analysis:	Required		Comment
	Yes	<u>No</u> X	
Pedestrian Access:	Development of the property is subject to the sidewalk requirements in the Development Ordinance.		

School District Comment

Not applicable to this zoning case.

Details of Proposal

Since City Council approval of CZ11-03, the University has acquired ownership of additional abutting parcels and has obtained City Council approval to abandon portions of North Avenue, Fifth Street and Fifth Court that abut this area. They have created a development proposal for a portion of the zoning site and submitted this application to amend CZ11-03. A summary of key conditions associated with this amendment are as follows:

- Amend permitted uses: The applicant has divided the zoning site into 3 tracts. Tract "A" is proposed to be developed and allows college/university related uses. Tract "B" has no changes in uses; it is still restricted to parking only. Tract "C" is being added to the zoning site and is limited to vehicular circulation only.
- Amend lighting height condition: With the additional land area proposed to be added to CZ11-03, the applicant has proposed to maintain the 25 foot height limits for light poles along the perimeter of the site, but proposes to allow higher light poles within the interior of the site.
- Amend vehicular access condition: The vehicular access condition is being amended to specify where vehicular access is prohibited and permitted.
- Request for less restrictive building setback and height standard (only for Tract "A"):
As part of a Conditional Zoning Map Amendment application, the Development Ordinance allows an applicant to request less restrictive standards for dimensional, parking and landscaping requirements. The City Council is under no obligation to approve a request for lesser standards. The applicant is requesting to allow a zero building setback, instead of the 20 foot setback required by the Development Ordinance, where the zoning site abuts PI, CU-PI and CZ-PI zoned property owned by the University. There is no change in setback standards where the site abuts residential zoning. In addition, the PI District allows a 50 foot building height with a maximum of 80 feet with additional building setbacks. The applicant is requesting to permit a maximum 100 foot building height upon Tract "A".

Staff Analysis

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

Consistency with Adopted Plans:

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

Staff Comments: The site has an Institutional Land Use Map designation and is subject to policies adopted by the City Council in the University Area Plan. Because the request does not include all the land area in these two blocks, the University Area Plan suggests a site plan be submitted that demonstrates how the impacts on adjacent properties will be mitigated. In this case the applicant has offered to limit development to Tract "A" which is furthest from adjacent residential dwellings, and has offered to restrict uses upon Tracts "B" & "C" to parking and vehicle circulation which effectively mitigate any potential adverse impacts upon adjacent single dwellings. As conditioned, the request supports the policies established for this area and a site plan is not warranted.

Reasonableness/Public Interest:

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

Staff Comments: In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) The land area proposed to be added into CZ11-03 is a logical and reasonable extension of the campus as it is contiguous to the University's main campus and is consistent with the University Area Plan's growth areas; 2) Only Tract "A" will have any significant development, areas closest to adjacent residential zoning, Tracts "B" & "C", have uses restricted to parking and vehicular circulation, respectively, to limit impact upon adjacent single family dwellings; and 3) the requested less restrictive standards only applies to Tract "A" and only where it abuts other PI zoned parcels owned by the University.

Review Factors:

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

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<u>Staff Comments:</u> ❖ The applicant has purchased all properties in these two blocks except for one parcel in Tract "B" and two parcels in Tract "C". To ensure compatibility with surrounding residential areas the applicant has offered conditions to only permit buildings to be developed upon Tract "A". ❖ To ensure compatibility with adjacent property owners the applicant has offered to maintain the existing condition upon land area associated with Tract "B" in that only surface automotive parking is permitted and Tract "C" is restricted to vehicular circulation only.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.;
	<u>Staff Comments:</u> Existing and proposed new conditions offered by the applicant restricts the use of the site, provides for higher planting rate for landscaping if

	parking is established near Willoubar Terrace, limits height of lighting within 50 feet of the perimeter of the site and notes where vehicular access to the site will be permitted. The conditions effectively mitigate any impact upon abutting property owners.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat; <i>Staff Comments:</i> There is a perennial stream which runs through the middle of the zoning site, in a northerly direction, between Tracts “A” & “B” and along the western boundary of Tract “C”. Environmental protection requirements of the Development Ordinance will ensure a minimum 50 foot wide stream buffer will be provided and that steeper terrain next to the stream will be protected.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and; <i>Staff Comments:</i> The site is within an area currently served by City of High Point utilities and municipal services and the proposed district has no known impacts on municipal services.
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties. <i>Staff Comments:</i> The University owns all properties to the east and south where the limits of campus currently exist and is seeking to acquire remaining properties in these two blocks in the future. To minimize impact upon adjacent property owners to the north and west the University has offered conditions to restrict the use of the site, offered to limit the height of exterior lighting along the perimeter of site, and restricted the location of vehicle access to the site.

Changes in the Area:

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

Staff Comments: Over the past 13, years the High Point University campus has expanded westward from its historical W. College Drive boundary to N. Centennial Street. Approximately 48 acres have been rezoned and added to the campus in this area, the result of this expansion has changed the character of this area. This was recognized when the University Area Plan was adopted and the Land Use designation of this area was changed to Institutional.

Development Patterns:

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

Staff Comments: One of the objectives of the University Area Plan was to establish an orderly growth pattern for expansion and eliminate haphazard development that adversely impact adjacent residential neighborhoods. This was done by establishing growth areas. The land area proposed to be added to CZ11-03 is in a growth area anticipated as being the next logical area of expansion as it abuts the existing campus boundary. The request promotes an orderly development pattern consistent with the objectives of the University Area Plan.

Recommendation

Staff Recommends Approval:

As addressed in the Staff Analysis section of this report, conditions offered by the applicant address objectives of the Land Use Plan and will ensure development will be compatible with adjacent uses. The Planning & Development Department recommends approval of the requested amendment to Conditional Zoning Ordinance 11-03. As conditioned, the requested CZ-PI District and amended conditions will ensure compatibility with the surrounding area, and conformance with adopted plans.

Required Action

Planning and Zoning Commission:

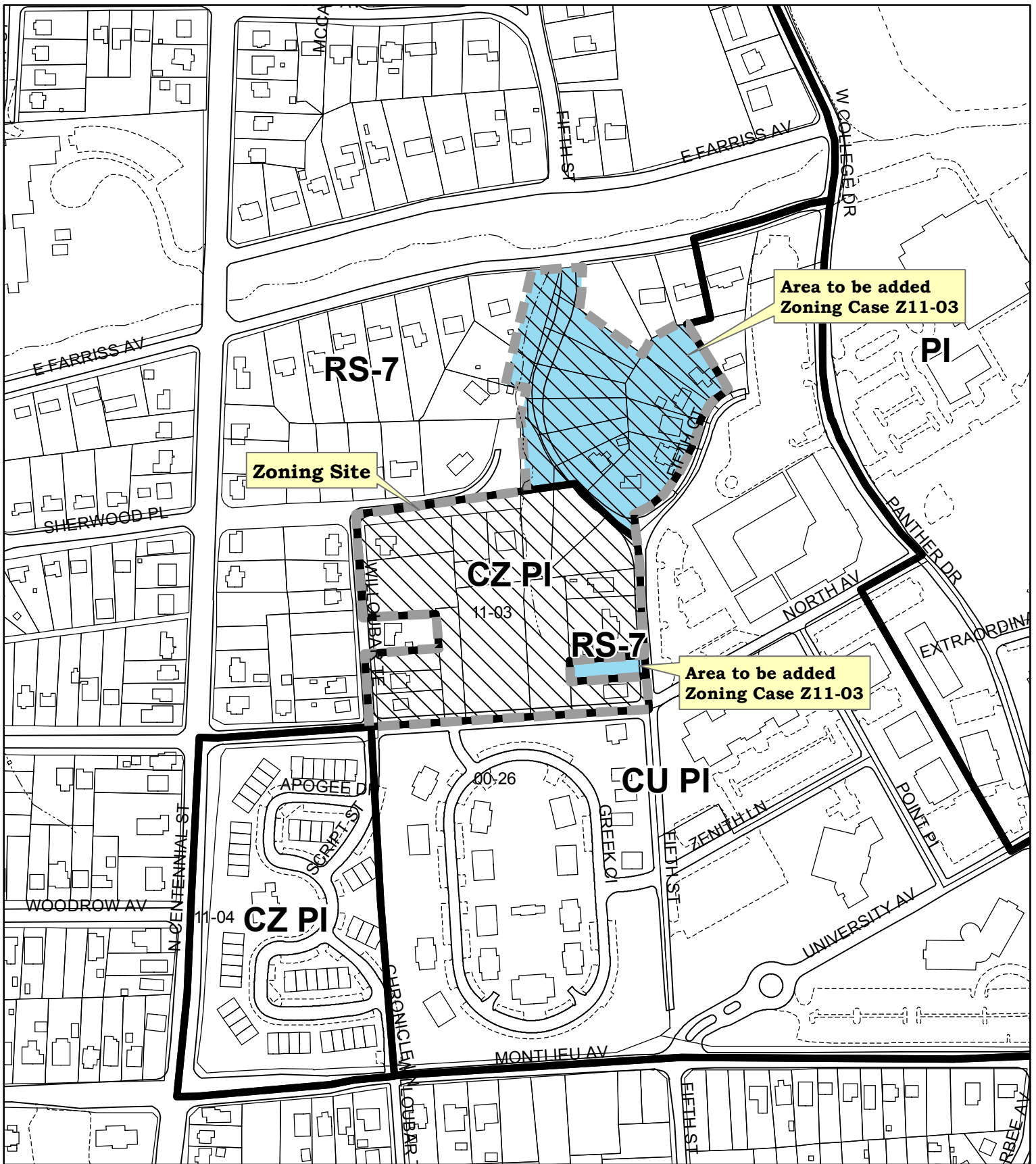
Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission must place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting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

City Council:

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

Report Preparation

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



AMENDMENT TO CZ11-03

(February 2012)

From: Residential Single Family-7

To: Conditional Zoning Public Institutional

Existing Zoning Boundary

Subject Property Boundary

**Planning & Development
Department**

City of High Point

Date: January 9, 2012



Scale: 1"=300'

y/ba-pz/2012/pz/ma11-03.mxd

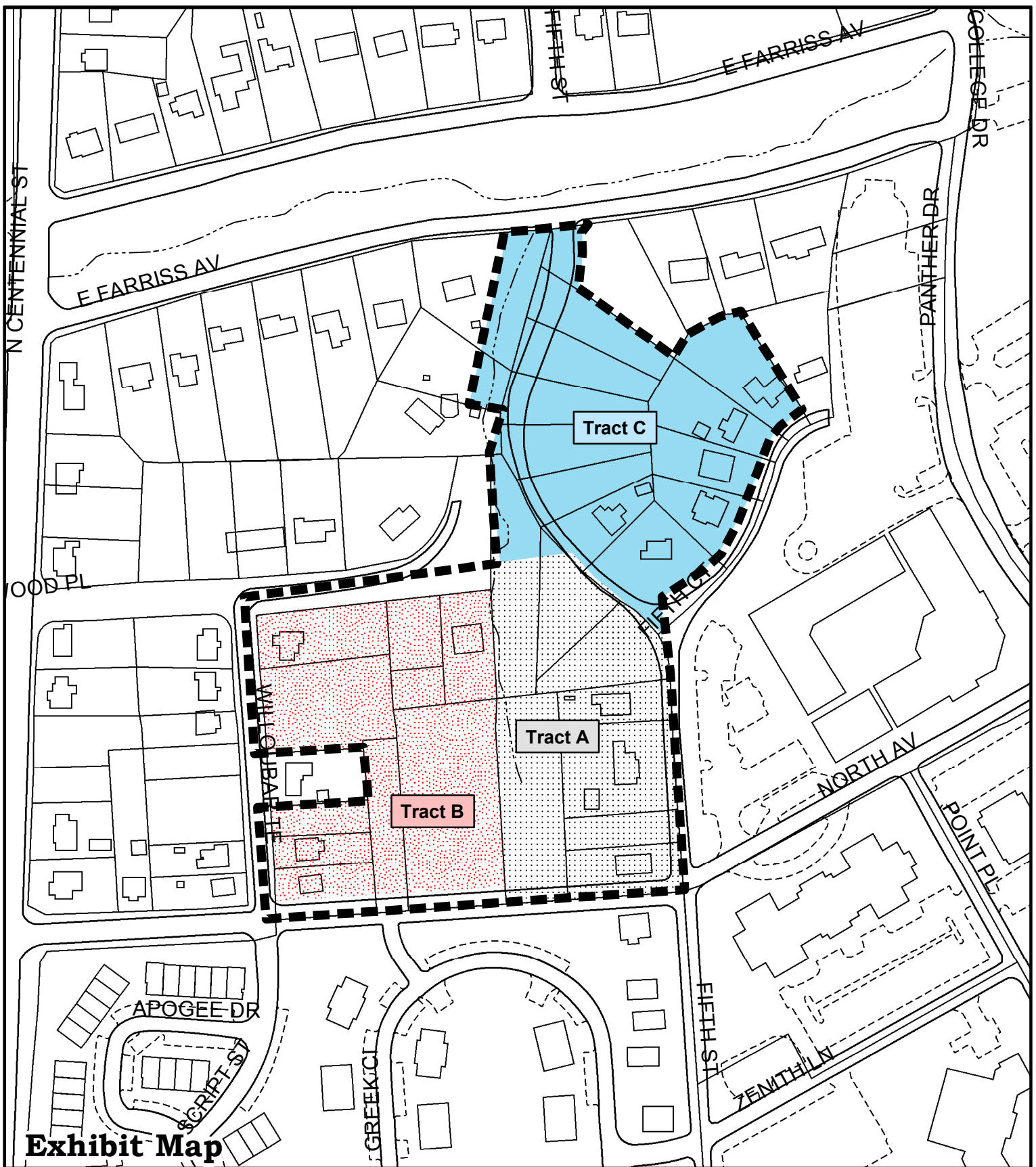


Exhibit Map

AMENDMENT TO CZ11-03

(February 2012)

From: Residential Single Family-7

To: Conditional Zoning Public Institutional

Existing Zoning Boundary

Subject Property Boundary

**Planning & Development
Department**

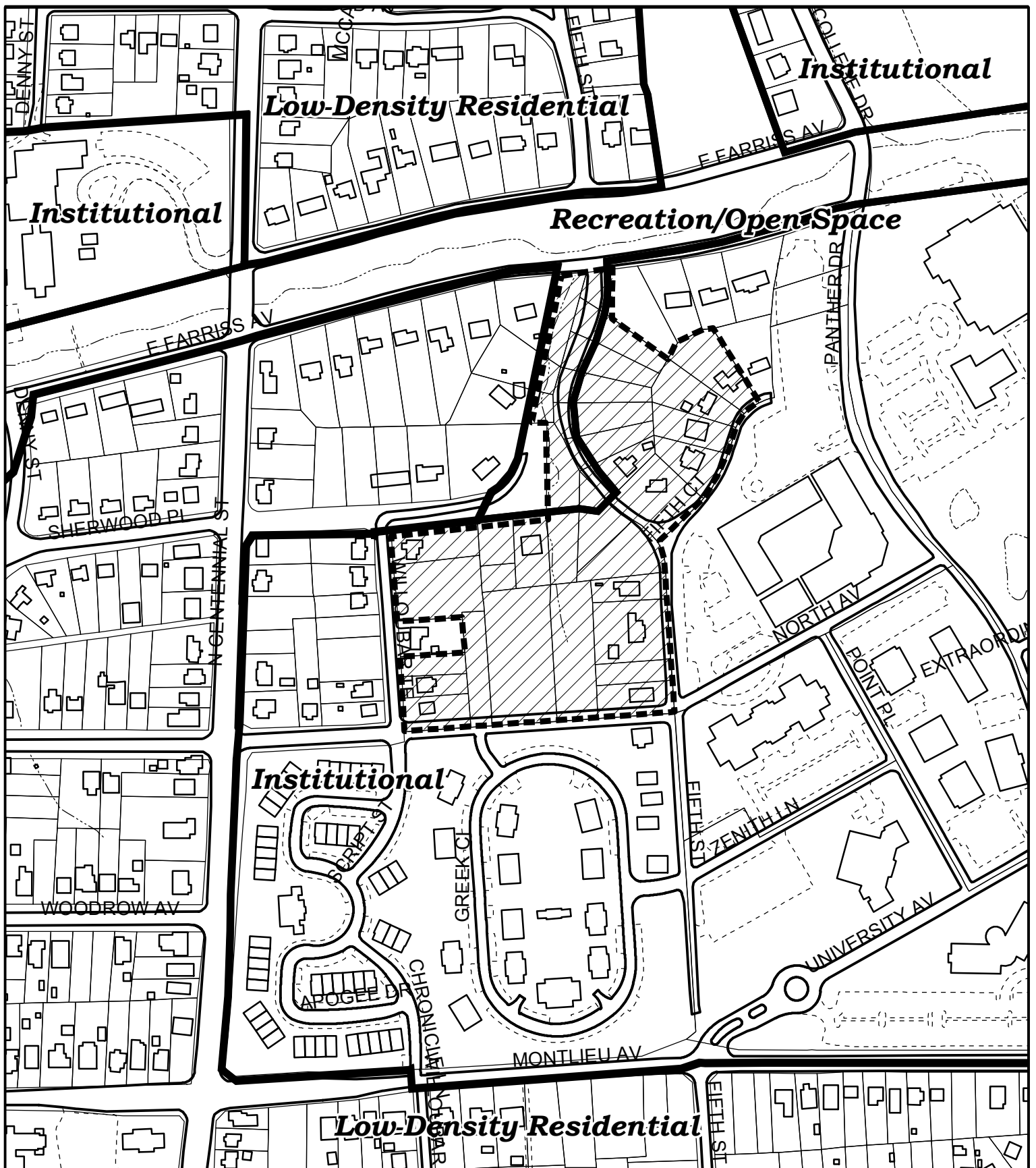
City of High Point

Date: January 12, 2012



Scale: 1"=200'

y:/ba-pz/2012/pz/ma11-03exh.mxd



AMENDMENT TO CZ11-03

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



Planning & Development
Department

City of High Point

Date: January 17, 2012



Scale: 1"=300'

y:/ba-pz/2012/pz/ma11-03lu.mxd



AMENDMENT TO CZ11-03

Topography

Subject Property Boundary - - - - -

Planning & Development
Department

City of High Point

Date: January 17, 2012



Scale: 1"=300'

y:/ba-pz/2012/pz/ma11-03topo.mxd

AMENDMENT TO CZ11-03



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

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

February 7, 2011
(Submitted)

December 12, 2011
(Amendment Submitted)

TO THE CITY COUNCIL OF THE CITY OF HIGH POINT:

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

Part I. USES:

Tract A. The following land uses allowed in the Public & Institutional (PI) District shall be permitted. ~~Development of the site shall be as allowed in the Public & Institutional (PI) District, subject to the development and dimensional requirements of the PI District and the specific conditions listed in this Conditional Zoning Ordinance:~~

- 1. Colleges or Universities (SIC 8220).**
- 2. Fraternities or Sororities (Univ. or College)**
- 3. Accessory Uses and Structures (customary)**

Tract B. This portion of the zoning site shall be limited to surface automotive parking use only; no new land use is permitted.

Tract C. This portion of the zoning site shall be limited to vehicular circulation only; no new land use is permitted.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

- ~~1. Lot combination: All parcels of the rezoning site shall be combined into one lot prior to development.~~
- 1. Within fifty (50) feet of the exterior perimeter of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height where this tract is adjacent to residential zoning districts.** ~~All exterior~~

~~lighting shall be limited to twenty five (25) feet in height.~~ This lighting shall be directed inward towards the interior of the zoning site to minimize lighting spill-off/glare upon adjacent residentially zoned property.

2. **The following less restrictive dimensional standards of Table 4-11-5 of the Development Ordinance shall be permitted upon Tract "A" of the zoning site:**
 - a. **Building Setback** - **a zero foot building setback shall be permitted where Tract "A" abuts PI, CU-PI, CZ-PI District zoned property owned by High Point University**
 - b. **Building Height** - **a maximum building height of 100 feet shall be permitted in Tract "A".**
- B. **Landscaping, Buffers and Screening.**

Where land area upon the opposite side of a public street adjacent to the zoning site has a residential zoning designation the street planting yard standards shall be increased from 8 foot width to a minimum width of 15 feet, and the planting rate for understory trees shall be increased from none to a minimum of 4 per 100 linear feet, and 33 evergreen shrubs per 100 linear feet. Additionally, these shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting. This higher planting rate is intended to provide a low level screening of the off-street parking area.
- C. **Transportation**

Access: ~~Access to public streets shall be limited to streets where the adjacent property, lying along the opposite side of that street, is zoned Public & Institutional (PI), Conditional Use Public & Institutional (CU-PI) or Conditional Zoning Public & Institutional (CZ-PI) Districts.~~

 1. **Tract B - No vehicular access shall be permitted from Willoubar Terrace.**
 2. **Tract C - Access to E. Farriss Avenue shall only be from the existing intersection of E. Farriss Avenue and Fifth Street (private drive segment).**

DESCRIPTION OF PROPERTY: The zoning site consists of ~~29~~ 47 parcels **and a portion of two parcels**, totally approximately ~~10.6~~ 5.65 acres, bounded by Willoubar Terrace, North Avenue and Fifth Street. The property is also known as Guilford County Tax Parcels 0189876 thru 84 and **0189885**, 0189886 thru 92, **0190108 thru 16, 0190072(portion), 0190089 (portion)** and currently addressed as 709, 711 & 715 North Avenue; 900, 902, 904, 912, 914, 1006, 1006 R1, 1008 & 1010 Willoubar Terrace; 817, **819** 823, 825, 829, 833, **1000, 1002, 1004, 1006, 1008, 1010, 1012** Fifth Street **and 1003, 1005, 1007, 1009 Fifth Court.**

Citizens Information Meeting Report Amendment to Zoning Case 11-03

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

HIGH POINT UNIVERSITY

January 6, 2012

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

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

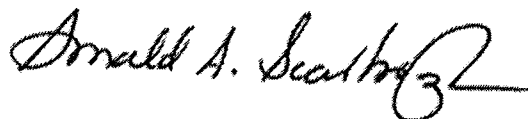
Re: Major Amendment to Zoning
Case Z 11-03
Community Meeting Report, January 5, 2012

High Point University conducted a Citizens' Information Meeting in support of Case Z11-03. The meeting was held at High Point University in Norton Hall, Room 202. Letters of invitation were mailed to 7 residents on December 22, 2011 (letter is attached). Application is for a Major Amendment to Case Z 11-03 and the rezoning of 12 parcels fronting private sections of Fifth Street and Fifth Court from RS7 to CZ PI. Dr. Don Scarborough, Vice President for Community Relations; Mr. Ron Guerra, Director of Construction and Renovation; and Mr. Dan Pritchett, Jamestown Engineering, represented the University.

Mr. Guerra shared the current plans for the use of the property including the latest elevations of the proposed buildings to be built. In addition, he reviewed the proposed uses of the buildings, buffering of the property from the residential areas, and the storm water protection systems. It was a very positive meeting with questions related to traffic on East and West Farriss Avenue, and how The University Area Plan relates to the neighborhood bordered by West Farriss Avenue, North Centennial Street, Lexington Avenue, and West College Drive. Specific discussion focused on:

- Construction time frame;
- How construction traffic would be regulated;
- The impact of the construction traffic and future traffic on East Farriss Avenue;
- How The University Area Plan relates to the neighborhood bordered by West Farriss Avenue, North Centennial Street, Lexington Avenue, and West College Drive.

A copy of the Sign-in Sheet for this case is attached.



Donald A. Scarborough, Ed.D.
Vice President for Community Relations

833 MONTLIEU AVENUE, HIGH POINT, NC 27262 336.841.9000



December 22, 2011

Ladies and Gentlemen:

**Subject: Citizen Information Meeting, Thursday, January 5, 2012,
North/Fifth/Willoubar**

A Citizen Information Meeting will be held on Thursday, January 5, 2012, at 6:00 pm in Norton Hall, Room 202, (corner of University Ave. and West College Drive) for the purpose of allowing us to inform you about our development plan and zoning proposal.

High Point University has filed an application with the City of High Point for a Major Amendment to CZ Case # 11-03, and rezoning (from RS 7 to CZ PI) of properties owned by the University along private sections of Fifth Street and Fifth Court.

We have enclosed for your review a Conditional Use District Zoning Citizen Information Meeting Statement made available by the City of High Point, which may help clarify the rezoning process and requirements.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal is scheduled to take place at City Hall on January 24, 2012, at 6:00 pm.

Questions, comments, or concerns should be directed to Dr. Donald A. Scarborough, Vice President for Community Relations, High Point University at 336-841-9214 or dscarbor@highpoint.edu.

We look forward to answering your questions and receiving your input.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'R Guerra'.

Ron Guerra

Director of Construction and Renovation
High Point University

December 23, 2011

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

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

Re: Major Amendment to Zoning
Case Z11-03
Community Meeting Report, December 22, 2011

High Point University conducted a Citizens' Information Meeting in support of Case Z11-03. The meeting was held at High Point University in Norton Hall Room 202. Letters of invitation were mailed to 10 residents on December 13, 2011 (letter is attached). Application is for a Major Amendment to Case Z11-03 and the rezoning of 12 parcels fronting private sections of Fifth Street and Fifth Court from RS7 to CZ PI. Dr. Don Scarborough, Vice President for Community Relations; Mr. Ron Guerra, Director of Construction and Renovation; and Mr. Dan Pritchett, Jamestown Engineering, represented the University.

Mr. Guerra shared the current plans for the use of the property including the latest elevations of the proposed buildings to be built. In addition, he reviewed the proposed uses of the buildings, buffering of the property from the residential areas, and the storm water protection systems. It was a very positive meeting with questions related to traffic on North Avenue, storm water protection, and the intended use of the property. Specific discussion focused on:

- Construction time frame;
- How construction traffic would be regulated;
- How the project would be bordered and protect the adjacent property owners;
- Current traffic issues on North Avenue; and
- HPU's future real estate interests.

A copy of the Sign-in Sheet for this case is attached.

A handwritten signature in black ink, reading "Donald A. Scarborough". The signature is stylized with a large, looping "S" and a long, horizontal stroke at the end.

December 13, 2011

Ladies and Gentlemen:

Subject: **Citizen Information Meeting, Thursday, December 22, 2011,
North/Fifth/Willoubar**

A Citizen Information Meeting will be held on Thursday, December 22, 2011, at 6:00 pm in Norton Hall, Room 202, (corner of O.A. Kirkman Way and West College Drive) for the purpose of allowing us to inform you about our development plan and zoning proposal.

High Point University has filed an application with the City of High Point for a Major Amendment to CZ Case # 11-03, and rezoning (from RS 7 to CZ PI) of 819 Fifth Street.

We have enclosed for your review a Conditional Use District Zoning Citizen Information Meeting Statement made available by the City of High Point, which may help clarify the rezoning process and requirements.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal is scheduled to take place at City Hall on January 24, 2012, at 6:00 pm.

Questions, comments, or concerns should be directed to Mr. Ron Guerra, Director of Construction and Renovation, High Point University at 336-841-9363 or rguerra@highpoint.edu.

We look forward to answering your questions and receiving your input.

Sincerely yours,

HIGH POINT UNIVERSITY

Ron Guerra
Director of Construction and Renovation

High Point University, Norton Hall, Room 202

[illegible]

ALSTON, DIANE F ; ALSTON, HARRY L
911 WILLOUBAR TER
HIGH POINT NC 27262

BARNES, ROBERT LYNN
1011 WILLOUBAR TER
HIGH POINT NC 27261

BMS INVESTMENT PROPERTIES LLC
8500 NORCROSS RD
COLFAX NC 27235

BRAUNS, HARRIET E ; BRAUNS, WILLIAM D
810 E FARRISS AVE
HIGH POINT NC 27262

HIGH POINT UNIVERSITY
833 MONTLIEU AVE
HIGH POINT NC 27262

HIGH POINT UNIVERSITY
859 MONTLIEU AVE
HIGH POINT NC 27262

MCCLERKIN, JUANITA H ; MCCLERKIN,
CLARENCE GIDDEON
906 WILLOUBAR TER
HIGH POINT NC 27262

MEYN, DEREK RYAN ; MEYN, ELIZABETH B
913 WILLOUBAR TERR
HIGH POINT NC 27262

NEUGENT, KENNETH EDWARD
808 E FARRISS AVE
HIGH POINT NC 27262

ROTHROCK, RILLA LEE
PO BOX 1397
THOMASVILLE NC 27361

SHAH, ZAHIR ; SHAH, NINA A
1504 VALLEY RIDGE DR
HIGH POINT NC 27260

WILLIAMS, C B ; WILLIAMS, PATRICIA M
806 E FARRISS AVE
HIGH POINT NC 27262

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

**STAFF REPORT
ANNEXATION CASE 12-01
February 20, 2012**

Request	
Applicant: Vernon and Lonnie Wilson	Owner: Vernon and Lonnie Wilson
Proposal: Voluntary contiguous annexation of the southern 1/3 of a larger parcel. The northern portion of this parcel is currently within the City's Corporate limits.	Effective Date: Upon adoption.
	Associated Zoning Case: The site is currently within the City of High Point's Extraterritorial Jurisdiction (ETJ) and is in a Limited Business (LB) District. No zoning change is required.

Site Information	
Location:	Lying approximately 300 feet east of S. Scientific Street and approximately 175 feet south of E. Kivett Drive (a portion of property addressed as 3122 E. Kivett Drive).
Tax Parcel Number:	A portion of Guilford County Tax Parcel 0185907
Site Acreage:	Approximately 0.417 acres (18,170± sq. ft.)
Current Land Use:	The area proposed to be annexed is undeveloped. There is an existing single family dwelling upon the northern portion of the parcel, which is within the City limits.
Current Fire District:	Pinecroft-Sedgefield District
Proposed Development:	A commercial use is being considered upon the parcel. It is anticipated that a portion of the commercial structure and vehicle circulation will be within the proposed annexation area.
Proposed Unit Type, Number and Average Value:	Not applicable
Proposed Build-out Schedule:	Not applicable
Proposed City of High Point Council Ward:	The proposed annexation site is currently surrounding by Ward 2. If approved, the annexation area will be part of Ward 2.
Physical Characteristics:	The site does not have any noteworthy physical features or constraints.
Water and Sewer Proximity:	A 16-inch City water line and an 8-inch City sewer line are lying along E. Kivett Drive.
General Drainage and Watershed:	The site drains in a general southeasterly direction and development is subject to the Randleman Lake General Watershed Area (GWA)

	requirements. Engineered stormwater measures are required for non-residential development with an impervious surface area that exceeds 6% of the site.
Overlay District(s):	Randleman Lake General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	LB	Limited Business District	Single family dwelling
South:	CU-LB	Conditional Use Limited Business District	Mini-warehouse storage facility and commercial retail center
East:	CU-LB	Conditional Use Limited Business District	Commercial retail center
West:	LB	Limited Business District	Single family dwelling

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	E. Kivett Drive	Major Thoroughfare	None
Vehicular Access:	Access will be taken from E. Kivett Drive		

City Department Comment Summary

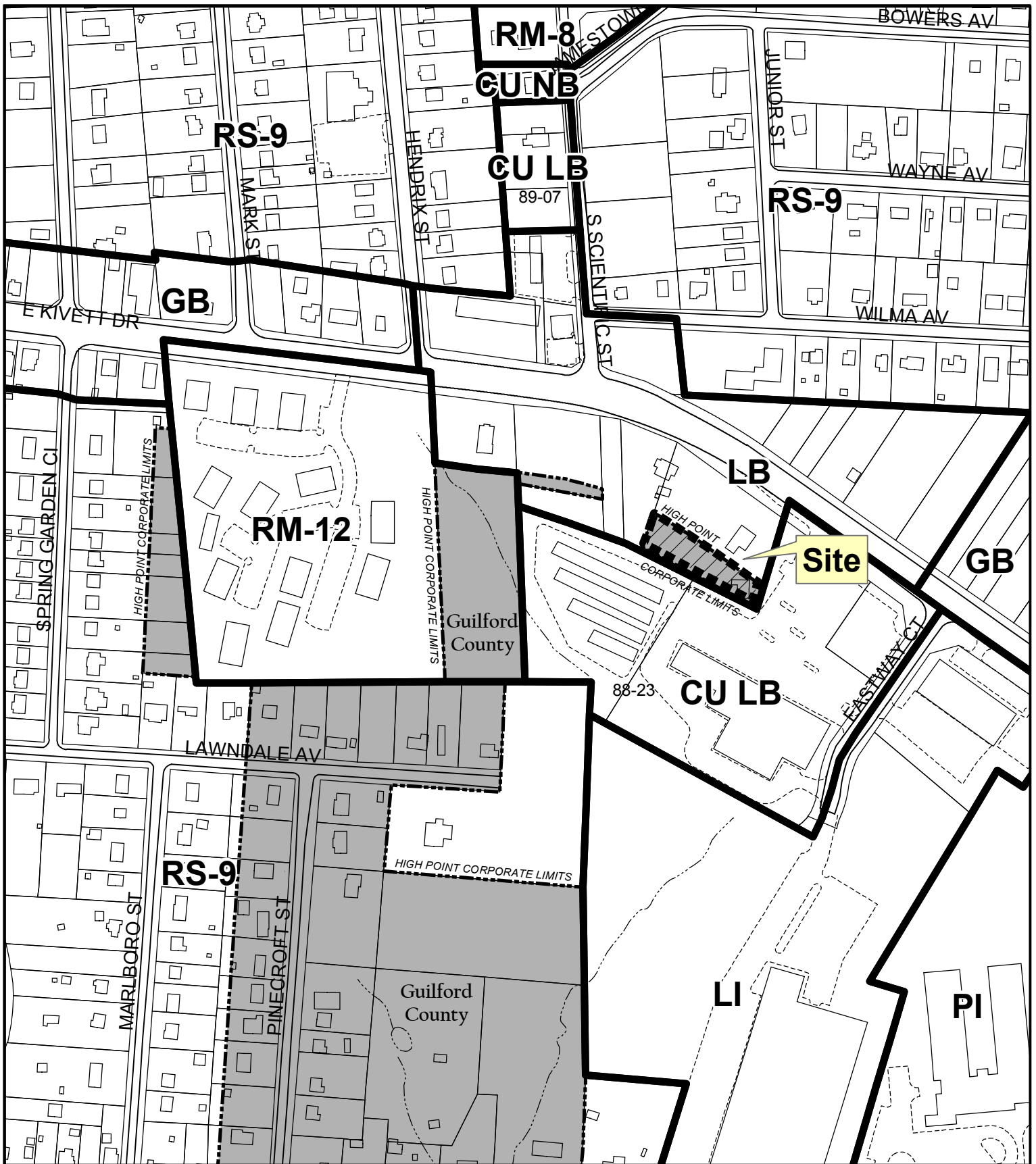
Comments were not requested for this proposed annexation due to the fact the site is surrounded by the City's corporate limits. Annexation petitions for uses within close proximity to existing service areas do not cause the need for individual department comment.

Details of Proposal

The applicant is requested to annex a 0.41 acre portion of a larger 1.5 acre parcel. The northern 2/3s of the property is currently within the City limits, the applicant is requesting the remaining area of the property to be annexed to facilitate a proposed commercial development. This annexation petition represents a logical progression of the City's annexation policy for this area as the annexation area is surrounded by the City's corporate limits. Other City services and service vehicles are already present in this area and the inclusion of this portion of a larger parcel will not negatively impact the City's ability to provide services in this area.

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.



ANNEXATION REQUEST ANX12-01

Applicant: Dollar General
Area: 0.476 acres

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

**Planning & Development
 Department**

City of High Point

Date: December 9, 2011



Scale: 1"=300'
 y:/ba-pz/2012/pz/anx12-01.mxd

AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF HIGH POINT

WHEREAS, The City of High Point has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and,

WHEREAS, the City Clerk has investigated the sufficiency of said petition and has certified it to be valid; and

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30 p.m. on the 20th day of February, 2012; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-31 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of _____, 2012.

Annexation Case 12-01 – Wilson Property

Being a portion of Parcel No. 0185907, Vernon & Lonnie Wilson, as recorded in Deed Book 2279, Page 313, and more particularly described as follows:

Beginning at a Point in the Eastern line of the Wilson parcel, said Beginning Point being located S17° 22' 54" W, 181.22' from the Northeast corner of the Wilson parcel, thence from said beginning point; S17° 22'54"W, 47.37' to an Existing Iron Rebar, being the Southeast corner of the Wilson parcel, thence; N61°32' 17" W, 172.99' to an Existing One Inch Pipe, thence; N61°26'57" W, 120.61' to an Existing One Inch Pipe, the Southwestern corner of the Wilson parcel, thence; N21°19'48"E, 72.71' to a point, thence; S60°44'49"E, 63.08' to a point, thence; S56°10'05"E, 103.79' to a point, thence; S54°41'23"E, 128.03' to the point and place of beginning, and containing approximately 18,170 Square Feet (+/- 0.417 Acres).

SECTION 2. Upon and after _____, 2012, the foregoing property and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds for Guilford County and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, thereof, together with a duly certified copy of this ordinance.

Adopted by City Council,
this the _____ day of February, 2012
Lisa B. Vierling, City Clerk



MEMORANDUM

February 14, 2012

To: Honorable Mayor and City Council
From: G. Lee Burnette, AICP, Director
Subject: **Amendment to Fee Schedule—Tankless Water Heaters**

At the February 6th meeting, City Council adopted an amendment to the planning, development and inspection services fee schedule establishing permit fee rebates for specified construction projects that utilize green building techniques which promote energy efficiency. This rebate program originated at the request of TREBIC.

At the meeting, Judy Stalder with TREBIC presented a request from the floor to extend the rebate initiative to the installation of tankless water heaters. City Council proceeded to act on the original fee schedule amendment and asked staff to investigate adding tankless water heaters to the program.

The department's permit software system does not contain data as to the number of permits issued for tankless water heaters. Therefore, my department does not have the capability to determine the number of tankless water heaters installed over the last year. Needless to say, our observation is that the number of tankless water heaters installed is a very small number in comparison to traditional tank water heaters.

In addition, the permit fees for water heaters are generally low. For example, if the new water heater is a replacement for an existing water heater, the plumbing fee is \$40. Therefore, a 50% rebate would be \$20 for the replacement.

Should the Council desire to add tankless water heaters to the fee rebate program, I have attached a resolution amending the fee schedule.

cc: Strib Boynton, City Manager
Randy McCaslin, Assistant City Manager
Lisa Vierling, City Clerk

Attachment

Administration
336.883.3328

Planning Services
336.883.3328

Development Services
336.883.3328

Inspection Services
336.883.3151

RESOLUTION

Amending the Schedule of Fees for Planning, Development & Inspection Services

BE IT RESOLVED by the City Council of the City of High Point, North Carolina that pursuant to the provisions of NCGS 160A-414 and Section 9-3-21 of the High Point Development Ordinance, the City Council hereby amends the following schedule of fees adopted on August 7, 2003, and subsequently amended, pertaining to planning, development and inspection services by adding the following item to Schedule IX.

Schedule IX Energy Efficiency Rebates

Existing Residential or Commercial Structures	
Tankless Hot Water Heating	Electrical Fee: 50% Rebate (not to exceed \$40 residential or \$80 commercial)
	Mechanical Fee: 50% Rebate (not to exceed \$40 residential or \$80 commercial)
	Plumbing Fee: 50% Rebate (not to exceed \$40 residential or \$80 commercial)

Approved and effective this ____ day of February 2012 by the High Point City Council.

ATTEST:

Lisa B. Vierling, CMC



FORMAL BID RECOMMENDATION
REQUEST FOR COUNCIL APPROVAL

DEPARTMENT: Public Services

COUNCIL AGENDA DATE: Jan 20, 2012

BID NO.: 19-011911

CONTRACT NO.:

DATE OPENED: RENEWAL

DESCRIPTION:

Liquid Sodium Hypochlorite (NaOCl) is used for the disinfection of potable water at the Frank L. Ward Water Treatment Plant.

PURPOSE:

COMMENTS:

The supplier has agreed to hold their current price of \$.84 per gallon until 2-28-2013. This is the first of 2 allowed extensions.

RECOMMEND AWARD TO: Univar USA, Inc.

AMOUNT: \$ 158,340.00

JUSTIFICATION:

ACCOUNTING UNIT	ACCOUNT	ACTIVITY	CATEGORY	BUDGETED AMOUNT
621758	526103			
TOTAL BUDGETED AMOUNT				\$158,340.00

DEPARTMENT HEAD: Terry Houk

Digitally signed by Terry Houk
DN: cn=Terry Houk, o=City of High Point, ou=Public Services, email=terry.houk@highpointnc.gov, c=US
Date: 2012.01.30 11:17:37 -0500

DATE: Jan 30, 2012

The Purchasing Division concurs with recommendation submitted by the Public Services Dept and recommends award to the lowest responsible, responsive bidder Univar USA, Inc. in the amount of \$ 158,340.00.

PURCHASING MANAGER: Patricia H. Sykes

Digitally signed by Patricia H. Sykes
DN: cn=Patricia H. Sykes, o=City of High Point, ou=Purchasing, email=patty.sykes@highpointnc.gov, c=US
Date: 2012.02.10 08:55:08 -0500

DATE: Feb 10, 2012

Approved for Submission to Council

FINANCIAL SERVICES DIRECTOR: Jeffrey Moore 20110414-204821

Digitally signed by Jeffrey Moore 20110414-204821
DN: cn=Jeffrey Moore, o=City of High Point, ou=Financial Services, email=jeffrey.moore@highpointnc.gov, c=US
Date: 2012.02.14 15:07:35 -0500

DATE: Feb 14, 2012

CITY MANAGER: Strib Boynton

Digitally signed by Strib Boynton
DN: cn=Strib Boynton, o=City of High Point, ou=City Manager, email=strib.boynton@highpointnc.gov, c=US
Date: 2012.02.14 15:07:35 -0500

DATE: Feb 14, 2012

PLANNING AND ZONING COMMISSION RECOMMENDATION

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

Paul Morse

Street Abandonment Case 12-01

A request by Paul Morse to abandon a portion of the Ardmore Circle right-of-way abutting 209 Edgedale Drive.

Mr. Mark Schroeder, Senior Planner presented the request and recommended approval of the case as outlined in the staff report.

Speaking in favor of the request was the applicant, Mr. Paul Morse of 209 Edgedale Drive. He provided an overview of the request and purpose for seeking abandonment of a portion of this right-of-way. Mr. Morse stated that he thought his property line extended to the street pavement and did not know he was constructing his carport past his property line into the street right-of-way. If approved, he will apply for a building permit for this structure and remove the rear 1/3 of the structure to meet rear yard setback requirements.

No one spoke in opposition to the request.

Once the public hearing was closed the Commission questioned if there were any alternatives, such as a variance, to rectify this situation. Staff explained that since the situation was self induced by the applicant and there is no hardship which prevents reasonable use of the property, a request for a variance is unlikely to be granted by the Board of Adjustment.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 12-01, by a vote of 7-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 12-01
January 24, 2012**

Request	
Applicant: Paul Morse	Proposal: Abandonment of a portion of Ardmore Circle abutting the south boundary of property addressed as 209 Edgedale Drive.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Ardmore Circle	Local	60 ft. right-of-way – 16 ft. edge of pavement
Edgedale Drive	Local	60 ft. right-of-way – 26.7 ft. curb & gutter

Adjacent Property Zoning and Current Land Use		
North	Single Family Residential – 9 (RS-9)	Single Family Residence
East	Single Family Residential – 9 (RS-9)	Single Family Residence
South	Single Family Residential – 9 (RS-9)	Single Family Residence
West	Single Family Residential – 9 (RS-9)	Single Family Residence

Analysis

The right-of-way being considered for abandonment is 0.02 acres (901 square feet) in area, being approximately 15 feet in width by 60 feet in length. The request for the abandonment centers around the desire of the applicant to keep a portion of an accessory structure built without a building permit. The accessory structure was constructed in the fall of 2008 and encroaches into the Ardmore Circle right-of-way by approximately 14.5 feet. The City does not consider right-of-way encroachments for structures of this nature, therefore, a street abandonment is the only relief the applicant can pursue to keep the accessory structure. If the abandonment is approved the applicant will still need to scale back the accessory structure to adhere to the 10 foot building setback requirement from the right-of-way.

Ardmore Circle is a 60 foot wide right-of-way with a 12-16 foot wide cartway (road). The pavement edge of the cartway is approximately 25 feet from the right-of-way. If the abandonment is approved the cartway will be approximately 10 feet from the newly established northern right-of-way (also being approximately 20 feet from the centerline of the cartway). Ardmore Circle provides additional access to properties which have road frontage on Brantley Circle or Edgedale Drive. The area of right-of-way proposed for abandonment currently contains public improvements of overhead utilities (power, phone, cable) and private improvements of a residential driveway and an accessory structure serving 209 Edgedale Drive. A utility easement would be retained for the existing overhead utility lines.

Findings

The Technical Review Committee (TRC) reviewed this request on March 9, 2011 and identified concerns related to abandonment of just a small portion of the right-of-way. The applicant did discuss expanding the abandonment with abutting property owners and received verbal support. Due to cost concerns related to expanding the request the applicant has chosen to pursue abandonment for only his road frontage.

The Technical Review Committee will add the remainder of Ardmore Circle to the comprehensive street abandonment process to consider reducing the width of the right-of-way beyond this property.

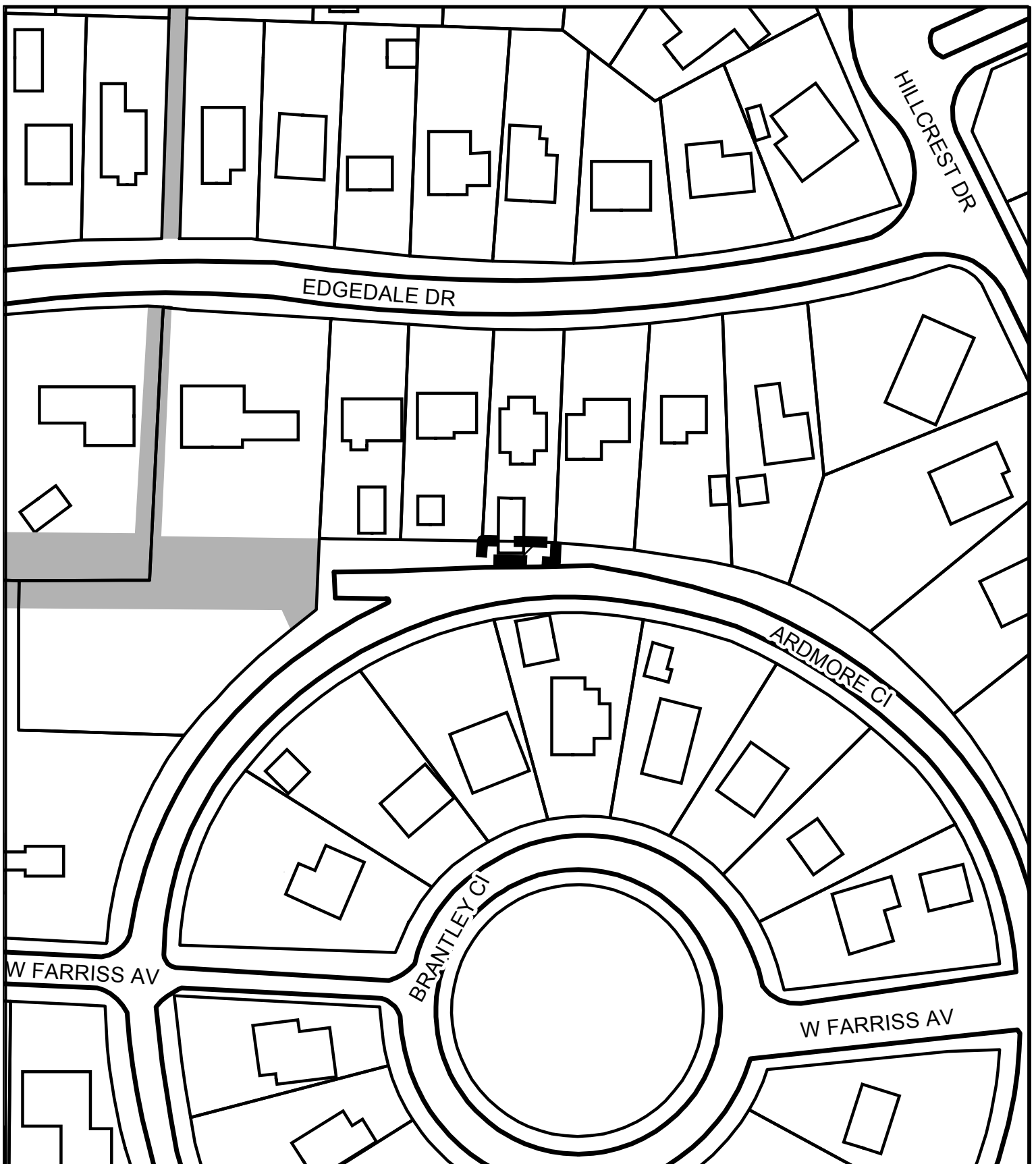
This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means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

Recommendation

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

Report Preparation

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



STREET ABANDONMENT REQUEST SA12-01

Applicant: Paul Morse

Area: 854.98 sq. ft.



Location of requested street abandonment



Previously abandoned right-of-ways

**Planning & Development
Department**

City of High Point

Date: December 14, 2011



Scale: 1"=100'

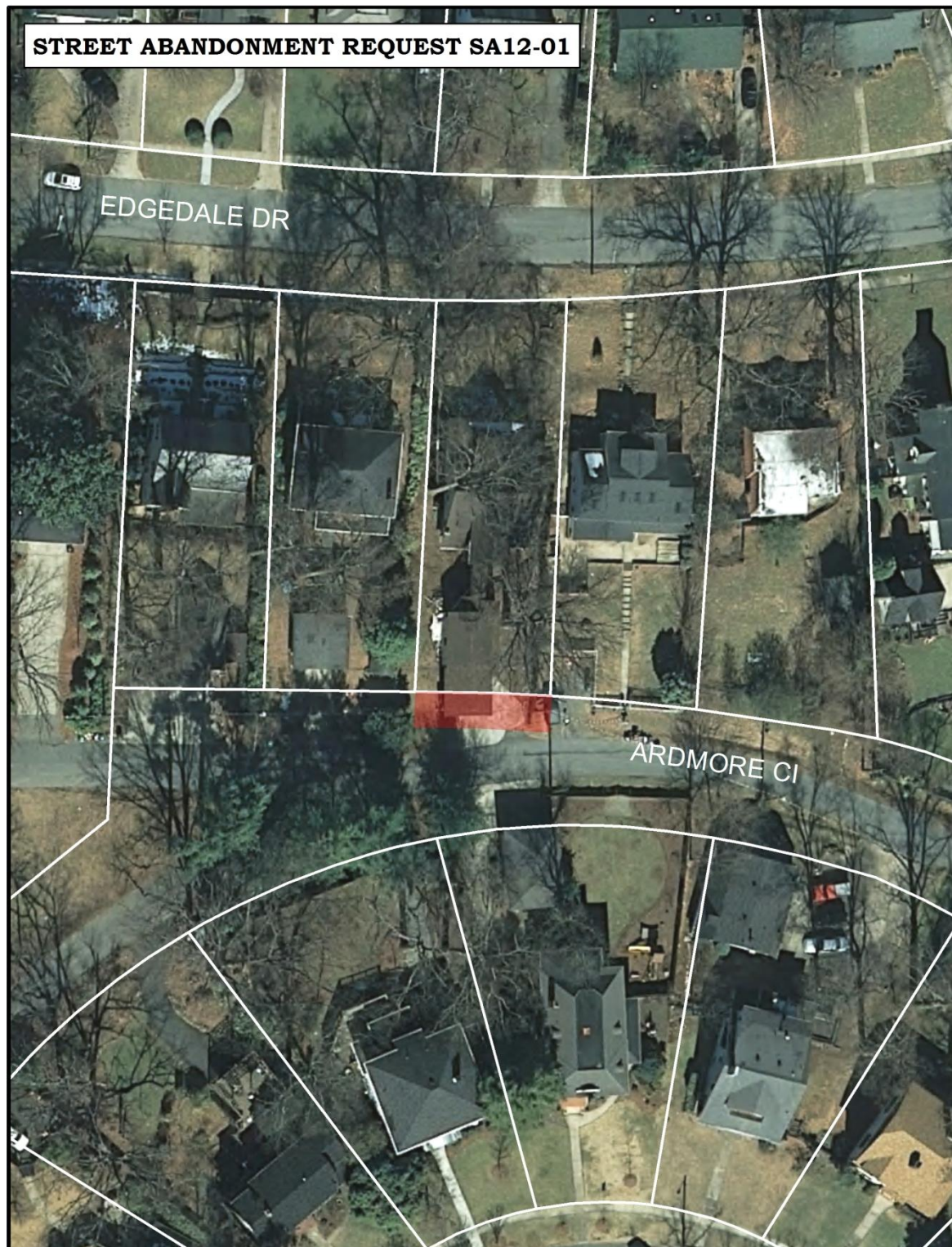
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Looking west along the northern limits of Ardmore Circle.



Looking east along the northern side of Ardmore Circle.



Aerial with the abandonment area highlighted.

**NOTICE OF APPROVED AMENDMENT
TO THE CODE OF ORDINANCES
OF THE CITY OF HIGH POINT, NORTH CAROLINA**

TEXT AMENDMENT: 11-10

Ordinance # 6899 / 11-16

APPLICANT: City of High Point

AN ORDINANCE AMENDING TITLE 9 OF THE CODE OF ORDINANCES, PURSUANT TO SECTION 9-3-15, TEXT AMENDMENTS, OF THE DEVELOPMENT ORDINANCE.

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

WHEREAS, public hearings were held before the Planning and Zoning Commission on December 13, 2011 and before the City Council on January 17, 2012, regarding Text Amendment 11-10;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on December 4, 2011 for the Planning and Zoning Commission public hearing and January 4, 2012 and January 11, 2012, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, this amendment was adopted by the City Council of the City of High Point on March 5, 2012.

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

SECTION 1.

Section 9-4-4 (d) (2), entitled *Zone Boundaries*, shall be amended as follows:

Zone Boundaries:

The Airport Overlay District is divided into the four zones in order to manage the development of land uses that are sensitive to and incompatible with certain levels of daytime and nighttime aircraft noise and to mitigate adverse noise impacts to the public, where possible.

- a. Zone 1: Zone 1 is based on the 65 Ldn noise contour developed by the ~~Federal Aviation Administration in conjunction with the Final Environmental Impact Statement for Proposed Runway 5L/23R, Proposed New Overnight Express Air Cargo Sorting and Distribution Facility, and Assorted Developments~~ **FAR Part 150 Study for Piedmont Triad International Airport**. The intent of Zone 1 is to prevent the development of land uses sensitive to objectionable noise resulting from daytime and nighttime aircraft flights and those land uses that could pose safety hazards to aircraft.

- b. Zone 2: Zone 2 is based on the NA90(1) contour developed by ~~Wyle Laboratories, Inc. as set forth in its Wyle Report 03-04, *Nighttime Noise Criteria and Land Use Guidelines for the City of High Point*~~ **the FAR Part 150 Study for Piedmont Triad International Airport**. The intent of Zone 2 is to prevent the development of land uses sensitive to objectionable noise resulting from nighttime aircraft flights.
- c. Zone 3: Zone 3 is also based on the NA 90(1) contour developed by ~~Wyle Laboratories, Inc. as set forth in its Wyle Report 03-04, *Nighttime Noise Criteria and Land Use Guidelines for the City of High Point*~~ **the FAR Part 150 Study for Piedmont Triad International Airport**. The intent of Zone 3 is to protect residential uses and their residents by reducing the interior level of objectionable noise resulting from nighttime aircraft flights.
- d. Zone 4: Zone 4 is based on the NA85(2) contour developed by ~~Wyle Laboratories, Inc. as set forth in its Wyle Report 03-04, *Nighttime Noise Criteria and Land Use Guidelines for the City of High Point*~~ **the FAR Part 150 Study for Piedmont Triad International Airport**. The intent of Zone 4 is to protect residential uses and their residents by reducing the interior level of objectionable noise resulting from nighttime aircraft flights, **along with the other three zones, is to provide public notification of potential night time aircraft noise impacts.**

SECTION 2.

Table 4-4-2, entitled *Aircraft Noise Mitigation Requirements*, shall be amended to remove in its entirety the column entitled *WCE NLR*. The amended table shall appear thusly:

Zone	Notification	Waiver of Claim	Prohibited Uses	NLR Design Standard (30 db NLR)
1	x	x	x	
2	x	x	x	
3	x	x	x	x
4	x	x		

SECTION 3.

Section 9-4-4 (d) (4), entitled *Public Notification of Potential Aircraft Noise Impacts*, shall be amended as follows:

(4) Public Notification of Potential Aircraft Noise Impacts

- a. Where public notification statements are required or provided for property within the district, the following statement shall be used: "This property is located within the City of High Point Airport Overlay District and is subject to aircraft overflights and to aircraft noise that may be objectionable dependent upon the use and location of the property. Please refer to the city's Airport Overlay District regulations and the Department of Planning & Development **Department** for more information on potential noise impacts."

Subsection b and c remain unchanged.

- d. The ~~Department of~~ Planning & Development **Department** shall provide notification of potential aircraft noise impacts to the owners of lots that are located within the Airport Overlay District. After the district is made effective upon a lot, such notice shall be given once by first class mail to the lot owner at the address listed on the county tax abstracts.

SECTION 4.

Section 9-4-4 (d) (7), entitled *Noise Level Reduction Design*, shall be amended as follows:

Noise Level Reduction Design:

- a. ~~Zone 3—30 db Noise Level Reduction (NLR) Standard:~~ Within Zone 3, all new residential uses shall be designed to achieve an outside to inside noise reduction level of at least 30 decibels (dB). This performance measure may be achieved by any suitable combination of building design, building materials and construction standards so as to reduce the interior noise levels from overhead aircraft flights. Prior to the issuance of a building permit for a residential use, a qualified acoustical professional satisfactory to the ~~Department of~~ Planning & Development **Department** shall certify that the design standards, construction methods and materials used to construct the residential use will achieve at least a 30 dB noise level reduction.
- b. ~~Zone 4—Windows Closed Environment (WCE) Standard:~~ Within Zone 4, all new residential uses shall be designed with a mechanical ventilation system sufficient to enable the closure of windows within the structure during all climate conditions. Prior to the issuance of a building permit for a residential use, the permit applicant shall certify that the residential use shall be constructed in accordance with approved plans that meet this performance measure.

SECTION 5.

Section 9-4-4 (d) (9), entitled *Noise Impact Information*, shall be amended as follows:

(9) Noise Impact Information

The ~~Department of~~ Planning & Development **Department** shall maintain and provide district information depicting potential aircraft noise impacts which shall be available to the public and other interested parties.

The noise level reduction design standards and waiver of claim provisions of this ordinance shall not apply to lots of record created prior to the effective date of this ordinance, to lots created by a valid preliminary subdivision plat that was approved prior to the effective date of this ordinance and to residential uses depicted on a valid site plan or group development plan that was approved prior to the effective date of this ordinance.

SECTION 6. Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 8. This ordinance shall become effective upon adoption.

Adopted By City Council,
The 5th day of March, 2012
Lisa B. Vierling, City Clerk

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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on January 24, 2012 and before the City Council of the City of High Point on February 20, 2012 regarding **Amendment to Zoning Case 11-03** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

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

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

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as: A **Conditional Zoning Public & Institutional (CZ-PI) Limited Business (CZ-LB) District**. The zoning site consists of 29 parcels totally approximately 10.6 acres, bounded by E. Farriss Avenue, Fifth Court (private), Fifth Street (private), North Avenue (private) and Willoubar Terrace. The property is also known as Guilford County Tax Parcels 0189876 thru 0189892, 0189894; and 0190108 thru 0190118 and currently addressed as 709, 711 & 715 North Avenue; 900, 902, 904, 912, 914, 1006, 1006 R1, 1008 & 1010 Willoubar Terrace; 817, 819 823, 825, 829, 833, 1000, 1002, 1004, 1006, 1008, 1010, 1012 Fifth Street and 1003, 1005, 1007, 1009 Fifth Court.

SECTION 2

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

Part I. USES:

Tract A. The following land uses allowed in the Public & Institutional (PI) District shall be permitted, subject to the development and dimensional

requirements of the PI District and the specific conditions listed in this Conditional Zoning Ordinance:

1. Colleges or Universities (SIC 8220).
2. Fraternities or Sororities (Univ. or College)
3. Accessory Uses and Structures (customary)

Tract B. This portion of the zoning site shall be limited to surface automotive parking use only; no new land use is permitted.

Tract C. This portion of the zoning site shall be limited to vehicular circulation only; no new land use is permitted.

Part II. CONDITIONS:

A. Development and Dimensional Requirements.

1. Within fifty (50) feet of the exterior perimeter of the zoning site, all freestanding exterior lighting shall be limited to twenty-five (25) feet in height where this tract is adjacent to residential zoning districts. This lighting shall be directed inward towards the interior of the zoning site to minimize lighting spill-off/glare upon adjacent residentially zoned property.
2. The following less restrictive dimensional standards of Table 4-11-5 of the Development Ordinance shall be permitted upon Tract "A" of the zoning site:
 - a. Building Setback - a zero foot building setback shall be permitted where Tract "A" abuts PI, CU-PI, CZ-PI District zoned property owned by High Point University
 - b. Building Height - a maximum building height of 100 feet shall be permitted in Tract "A".

B. Landscaping, Buffers and Screening.

Where land area upon the opposite side of a public street adjacent to the zoning site has a residential zoning designation the street planting yard standards shall be increased from 8 foot width to a minimum width of 15 feet, and the planting rate for understory trees shall be increased from none to a minimum of 4 per 100 linear feet, and 33 evergreen shrubs per 100 linear feet. Additionally, these shrubs shall be a locally adapted species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three years of planting. This higher planting rate is intended to provide a low level screening of the off-street parking area.

C. Transportation

Access:

1. Tract B - No vehicular access shall be permitted from Willoubar Terrace.
2. Tract C - Access to E. Farriss Avenue shall only be from the existing intersection of E. Farriss Avenue and Fifth Street (private drive segment),

SECTION 3

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

SECTION 4

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

SECTION 5

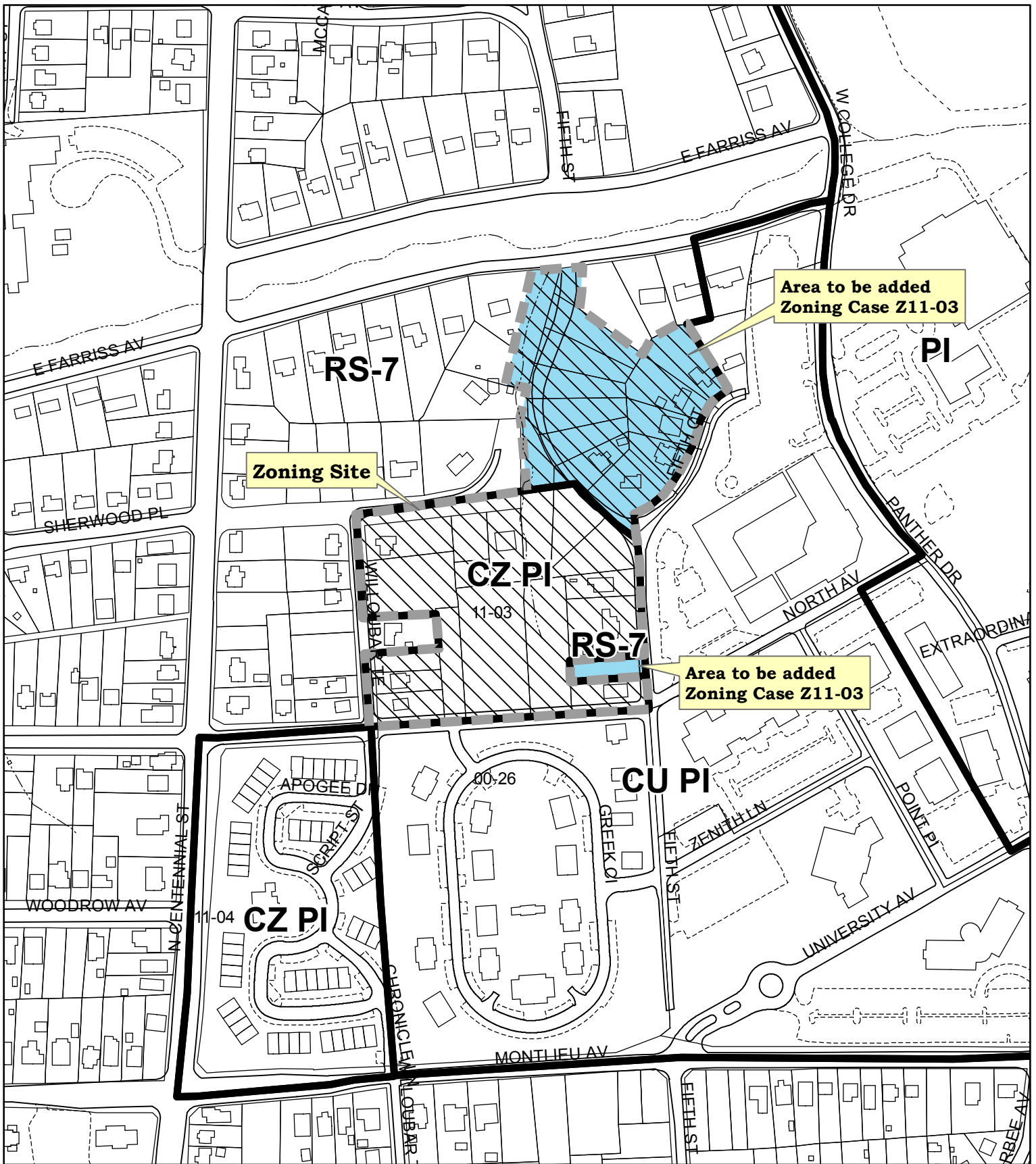
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.

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

Lisa B. Vierling, City Clerk

Zoning History - Zoning Case 11-03		
Initial Zoning Approval	April 18, 2011	Ordinance # 6817/11-25



AMENDMENT TO CZ11-03

(February 2012)

From: Residential Single Family-7

To: Conditional Zoning Public Institutional

Existing Zoning Boundary

Subject Property Boundary

**Planning & Development
Department**

City of High Point

Date: January 9, 2012



Scale: 1"=300'

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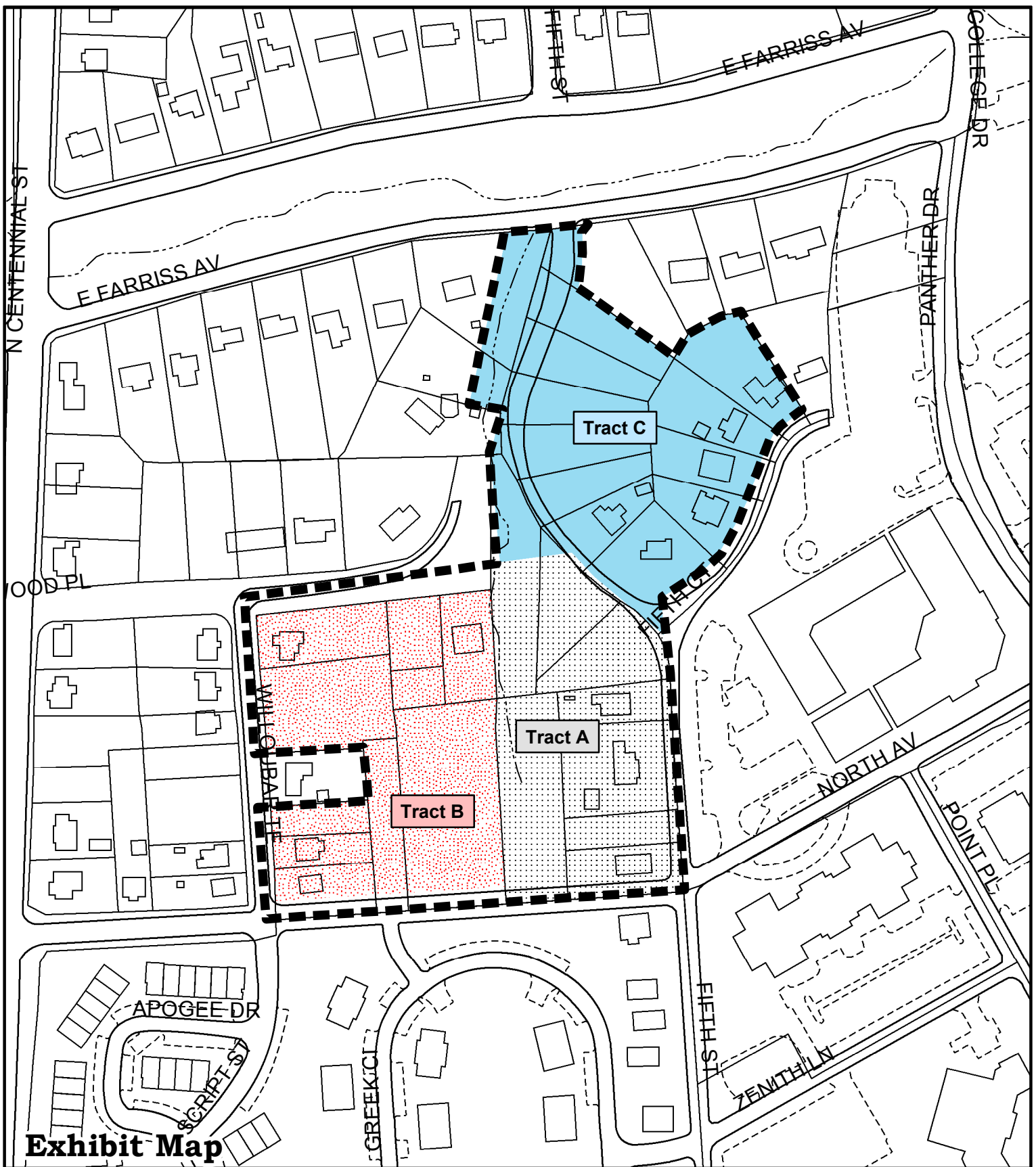


Exhibit Map

AMENDMENT TO CZ11-03

(February 2012)

From: Residential Single Family-7

To: Conditional Zoning Public Institutional

Existing Zoning Boundary

Subject Property Boundary

**Planning & Development
Department**

City of High Point

Date: January 12, 2012



Scale: 1"=200'

y:/ba-pz/2012/pz/ma11-03exh.mxd



**RESOLUTION
SETTING THE FILING FEES FOR THE
2012 MUNICIPAL ELECTION
FOR THE HIGH POINT CITY COUNCIL**

WHEREAS, a Municipal Election will be held on Tuesday, **November 6, 2012** for the purpose of electing a Mayor and eight (8) Council Members to represent the City of High Point; and

WHEREAS, the Guilford County Board of Elections will conduct these elections for the City of High Point; and

WHEREAS, Pursuant to N.C.G.S. 163-294.2(e), filing fees for municipal primaries or elections must be set by the municipal governing body no later than the day before candidates are permitted to begin filing notices of candidacy; and

WHEREAS, pursuant to State law the filing period will commence at 12:00 noon on Friday, July 6, 2012 and will end at 12:00 noon on Friday, July 20, 2012; and

WHEREAS, the governing body may set filing fees up to 1% of the annual salary of the office sought, which is currently \$108.00, but the fee may not be less than \$5.00; and

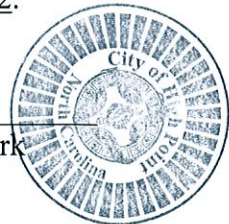
WHEREAS, the High Point City Council desires to set the filing fees for the office of the Mayor and the City Council at \$96.00 for the upcoming 2012 Municipal Election.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the filing fee be set at \$96.00 for the upcoming 2012 Municipal Election.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Guilford County Board of Elections after its adoption.

Adopted by the High Point City Council this 20th day of February, 2012.


Lisa B. Vierling, City Clerk



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

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

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on December 13, 2011 and before the City Council of the City of High Point on January 17, 2012 regarding **Zoning Case 11-15** a proposed amendment to the Official Zoning Map of the “City of High Point Development Ordinance”;

WHEREAS, notice of the public hearings was published in the High Point Enterprise on December 4, 2011, for the Planning and Zoning Commission public hearing and on January 4, 2012 and January 11, 2012, for the City Council public hearing pursuant to Chapter 160A-364 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on March 5, 2012.

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

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the area noted upon the attached map as the Airport Overlay District. Zoning Case 11-15 expands the Airport Overlay District boundaries in two areas. One is the Western Area, which is west of Sandy Ridge Road/Kendale Road; the other is the Eastern Area, which is generally east of NC 68. The current Airport Overlay District is approximately 8,800 acres in total area. The Western Area boundary change adds approximately 1,390 acres, and the Eastern Area boundary change adds approximately 1,640 acres.

SECTION 2

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

SECTION 3

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

SECTION 4.

This ordinance shall become effective upon the date of adoption.
5th day of March, 2012.

Lisa B. Vierling, City Clerk

Kernersville



PIEDMONT TRIAD INTERNATIONAL AIRPORT

Greensboro

NC 68 S HW

Legend

■ ■ ■ Area of Boundary Change

Western

Eastern

High Point



HIGH POINT
More Carolina International Center