

City of High Point

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

Meeting Agenda

Monday, February 15, 2010

4:45:00 PM

Council Chambers

Committee of the Whole

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

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

Committee Members - Bencini, Douglas, Alexander

100022**Resolution - re Condemnation of Property in Connection with Northwest Waterline Project**

Adoption of a resolution clarifying intent and extent of August 17, 2009 Resolution with regard to condemnation of a portion of certain property located at 533 Macy Grove Road, Colfax, NC in connection with the Northwest Waterline Project.

100024**Purchase of One Used Refuse Truck**

Council is request to approve the purchase of one demo (used) refuse truck to complete the initial phase of planned equipment purchases for the automated refuse collection program from Amick Equipment Company in the amount of \$180,200.00.

Pending Items**090050****Revised Economic Incentive Policy**

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

3/5/2009

Committee of the Whole referred

Committee of the Whole

PUBLIC SAFETY COMMITTEE - Council Member Faircloth, Chair

Committee Members - Douglas, Pugh, Alexander

100025**Ordinance - Vacate/Close Dwelling - 1150-B Roberts Lane**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the vacating and closing of a dwelling located at 1150-B Robert Lane belonging to Randy C. Ingram and Clinton M. Ingram.

100026**Ordinance - Demolition of Dwelling - 1112 E. Russell Avenue**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 1112 E. Russell Avenue belonging to Tilton W. Stanley, Jr. and Tiffany L. Stanley.

100027**Ordinance - Demolition of Dwelling - 525 Walnut Street**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 525 Walnut Street belonging to Tony Lee Davis

100028 Ordinance - Demolition of Dwelling - 1807 Johnson Street

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 1807 Johnson Street belonging to Irene Agapion.

100029 Ordinance - Demolition of Dwelling - 1308 Vernon Place

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 1308 Vernon Place belonging to Selma L and Demetrious Gooden.

PUBLIC SERVICES COMMITTEE - Council Member Sims, Chair

Committee Members - Blakeney, Faircloth, Whitley, Alexander

PLANNING & DEVELOPMENT COMMITTEE - Council Member Bencini, Chair

Committee Members - Blakeney, Pugh, Sims, Faircloth

100031 Resolution of Intent - Street Abandonment 10-04 - City of High Point

Approval of a resolution of intent that establishes a public hearing date of Monday, March 15, 2010 at 5:30 p.m. to consider a request to abandon an unimproved portion of Sheldon Court, lying south of Eugene Avenue between Fala Street and Prospect Street.

100032 Resolution of Intent - Street Abandonment 10-05 - City of High Point

Approval of a resolution of intent that establishes a public hearing date of Monday, March 15, 2010 at 5:30 p.m. to consider a request to abandon an unimproved right-of-way, unnamed alley (15 feet in width), lying east of N. Hamilton Street between Guilford Avenue and Louise Avenue.

100033 Resolution of Intent - Street Abandonment 10-06 - City of High Point

Approval of a resolution of intent that establishes a public hearing date of Monday, March 15, 2010 at 5:30 p.m. to consider a request to abandon an unimproved right-of-way (identified as "E. Commerce Street" on Plat Book 5 Page 327) lying north of Franklin Avenue between Brentwood Street and New Street.

MISCELLANEOUS**100039 Request for Change in Bi-Laws - Historic Preservation Commission**

Consideration of a request for a change in the bi-laws of the Historic Preservation Commission to allow for more than one resident of the same historic district to serve on the commission.

PUBLIC HEARINGS ON ITEMS

Planning & Development Committee - Council Member Bencini, Chair**100034****Major Amendment to Conditional Use Permit 98-20 - Westchester Christian Center**

- a. A request by Westchester Christian Center to amend the Unified Development Plan for Conditional Use Permit 98-20. The site consists of approximately 52.8 acres lying along the east side of Westchester Drive, north of Whittier Avenue, west of Edgewood Drive and approximately 1,500 feet south of Phillips Avenue.
- b. A request by Westchester Christian Center to clarify the use conditions of the permit to reflect changes to the Unified Development Plan.

100035**Resolution - Street Abandonment 10-01 - High Point University**

A request by High Point University to abandon that portion of Woodrow Avenue lying between Fifth Street & Willoubar Terrace.

100036**Ordinance - Rezoning Case 10-01 - High Point University**

- a. Conditional Use Public & Institutional (CU-PI) District.
A request by High Point University to rezone approximately 9.76 acres from the Residential Single Family-7 (RS-7) District to a Conditional Use Public & Institutional (CU-PI) District. The site consists of the two blocks bounded by Montlieu Avenue, North Avenue, Fifth Street and Willoubar Terrace.
- b. Major Amendment to Conditional Use Permit 00-26
A request by High Point University to amend the permit to add approximately 9.76 acres into the permit.

100037**Resolution - Street Abandonment 10-02 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved alley lying north of Countryside Drive between N. Centennial Street and Eastchester Drive.

100038**Resolution - Street Abandonment 10-03 - City of High Point**

A request by the Technical Review Committee to abandon an unimproved, unnamed right-of-way, lying south of Beaucrest Avenue between Guyer Street and Arden Place.

ADJOURNMENT

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

**ORDINANCE
REQUEST:**

Ordinance to Vacate/Close

**PROPERTY
ADDRESS:**

1150-B Roberts Lane

OWNER:

Randy C Ingram and Clinton M Ingram

**FIRST
INSPECTION:**
1-25-2010

Number of Violations: Unsafe 1 Minor n/a
1) heat not operable – heat pump missing coil

**HEARING
RESULTS:**

City Council 2-15-2010

**ORDER(S)
ISSUED:**
1-25-2010

An Order to Repair Unsafe Equipment – 48 Hour was issued with a compliance date of 1-28-2010. This order was issued due to the finding of fact that the existing heat pump cannot not safely maintain heat for all habitable rooms to a temperature of 68 degree.

APPEALS:

None to date.

OWNER

The owner has not made an attempt to repair the unit. There have been no permits obtained

ACTIONS:

EXTENSIONS:

None requested to date.

**CURRENT
STATUS:**

Conditions still exist. The unit is occupied.



1150-B Roberts Lane

Ordinance to Vacate/Close



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: February 8, 2010



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



1150-B Roberts Lane



1150-B Roberts Lane

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

ORDINANCE

REQUEST: Ordinance to Demolish

PROPERTY

ADDRESS: 1112 E. Russell Avenue

OWNER:

Tilton W. Stanley, Jr and Tiffany L. Stanley

FIRST

INSPECTION:

3-30-2009

Number of Violations: Unsafe 5 Minor 38

- 1) exposed wiring – majority removed by vandalism, through entire dwelling
- 2) missing plumbing fixtures - vandalism
- 3) loosely secured electrical panel and meter base
- 4) no heating system - vandalism
- 5) no smoke detector

HEARING

RESULTS:

4-21-2009

The owner did not appear for the hearing. The dwelling is deemed substandard based on the number of violations. During the hearing, the following findings of fact were established. There is evidence of substantial vandalism through the entire dwelling. The Order was issued due to the number of Minimum Housing Code violations. Due to the deteriorated condition of the dwelling and the associated blight on the neighborhood and that fact that the repairs exceed 50% of the tax value, the Order to Repair or Demolish was issued. Guilford County Tax value of the dwelling is \$24,100. The repair estimate is \$26,400

ORDER(S)

ISSUED:

4-21-2009

Order to Repair or Demolish (90-day)
compliance date of 7-21-2009

APPEALS:

No appeals to date.

OWNER

ACTIONS:

No repairs started or permits obtained to date.

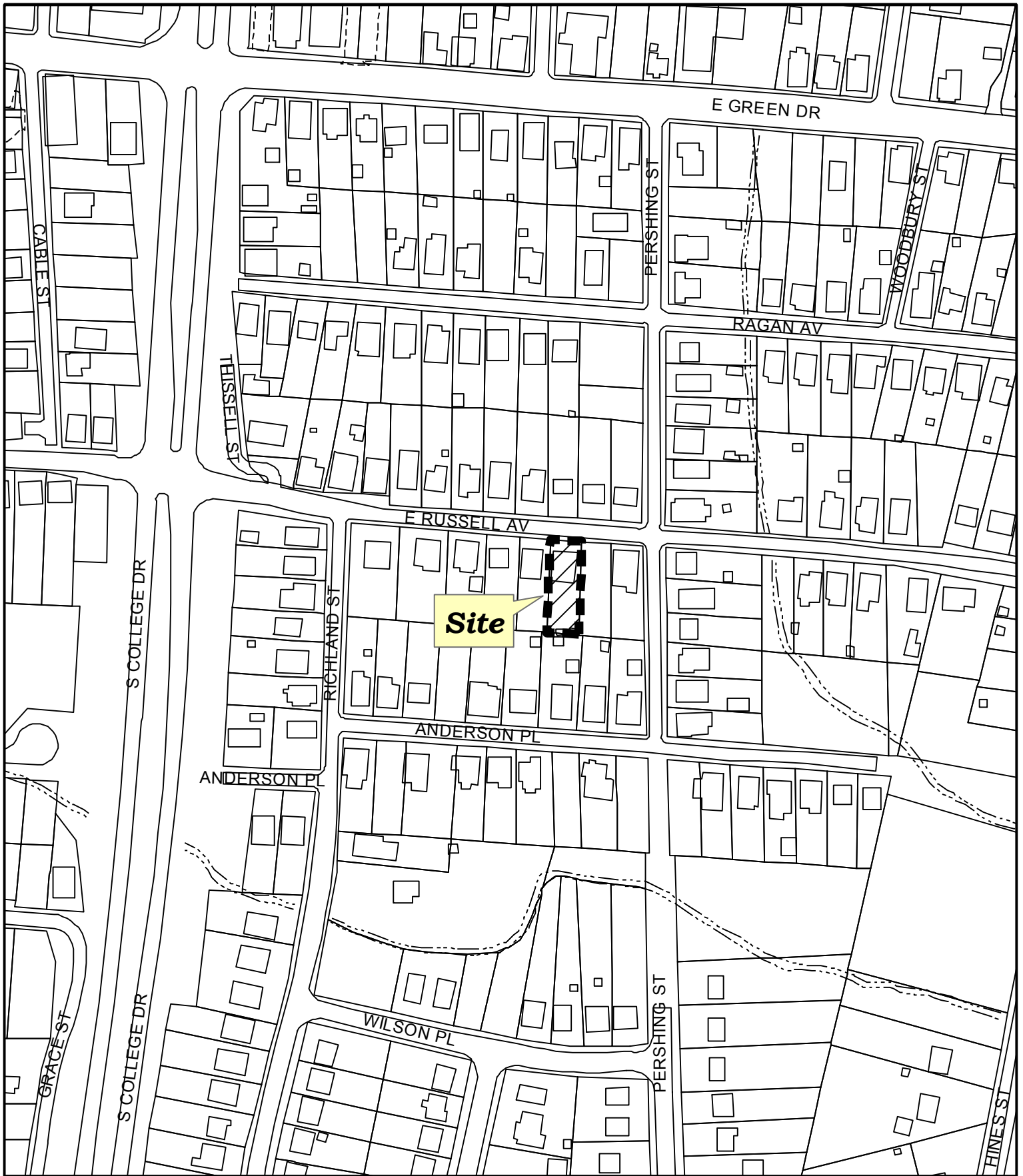
EXTENSIONS:

None requested to date.

CURRENT

STATUS:

To date, the conditions still exist. The property is vacant and secure.



1112 East Russell Avenue

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: February 8, 2010



Scale: 1"=200'

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ord-demo.mxd



1112 E. Russell Avenue



1112 E. Russell Avenue

PLANNING AND ZONING COMMISSION RECOMMENDATION

On January 26, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Ms. Martha Shepherd and Mr. Jay Wagner.

High Point University

Street Abandonment Case 10-01

A request by High Point University to abandon that portion of Woodrow Avenue lying between Fifth Street & Willoubar Terrace.

AND

High Point University

Zoning Case 10-01

a. Conditional Use Public & Institutional (CU-PI) District.

A request by High Point University to rezone approximately 9.76 acres from the Residential Single Family-7 (RS-7) District to a Conditional Use Public & Institutional (CU-PI) District. The site consists of the two blocks bounded by Montlieu Avenue, North Avenue, Fifth Street and Willoubar Terrace.

b. Major Amendment to Conditional Use Permit 00-26

A request by High Point University to amend the permit to add approximately 9.76 acres into the permit.

Mr. Schroeder presented Street Abandonment Case 10-01 and Mr. Shannon presented Zoning Case 10-01. The Planning & Development staff recommended approval of both cases as outlined in the staff reports.

Speaking in favor of Street Abandonment Case 10-01 and Zoning Case 10-01:

Mr. Ron Guerra, Director of Construction & Renovation for High Point University.

Mr. Guerra briefly explained the University's intention to close Woodrow Avenue and join the two blocks together to create a large contiguous area for development. He noted that the request is consistent with the University Area Plan and advised that the University has worked closely with staff in regards to conditions offered in the permit to enhance the area and protect the neighboring property owners.

No one spoke in opposition of Street Abandonment Case 10-01 and Zoning Case 10-01

The Planning & Zoning Commission recommended **approval** of Street Abandonment Case 10-01 by a vote of 5-0.

The Planning & Zoning Commission recommended **approval** of Zoning Case 10-01 by a vote of 5-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-01
January 26, 2010**

Request	
Applicant: High Point University	Proposal: Abandonment of an improved portion of Woodrow Avenue lying north of Montlieu Avenue between Willoubar Terrace and Fifth Street.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Willoubar Terrace	Local Street	50 ft. right-of-way – 24 ft. curb & gutter
Fifth Street	Local Street	50 ft. right-of-way – 30 ft. curb & gutter
Woodrow Avenue	Local Street	50 ft. right-of-way – 30 ft. curb & gutter

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

Analysis

The right-of-way being considered for abandonment is approximately 0.69 acres in area being approximately 50 feet in width by 600 feet in length. The right-of-way contains an improved section of Woodrow Avenue. All abutting property is owned by High Point University. The university intends to redevelop the blocks to the north and south of the right-of-way as student housing. No easements need to be retained for the existing utilities. At the time of redevelopment the utilities shall be relocated and/or abandoned per City standards. The adjacent public right-of-ways of Willoubar Terrace, North Avenue and Fifth Street shall remain open and provide adequate vehicular/pedestrian access along the western boundary of the High Point University campus.

Findings

The Technical Review Committee (TRC) reviewed this request on December 16, 2009 and identified no issues that would prevent its abandonment.

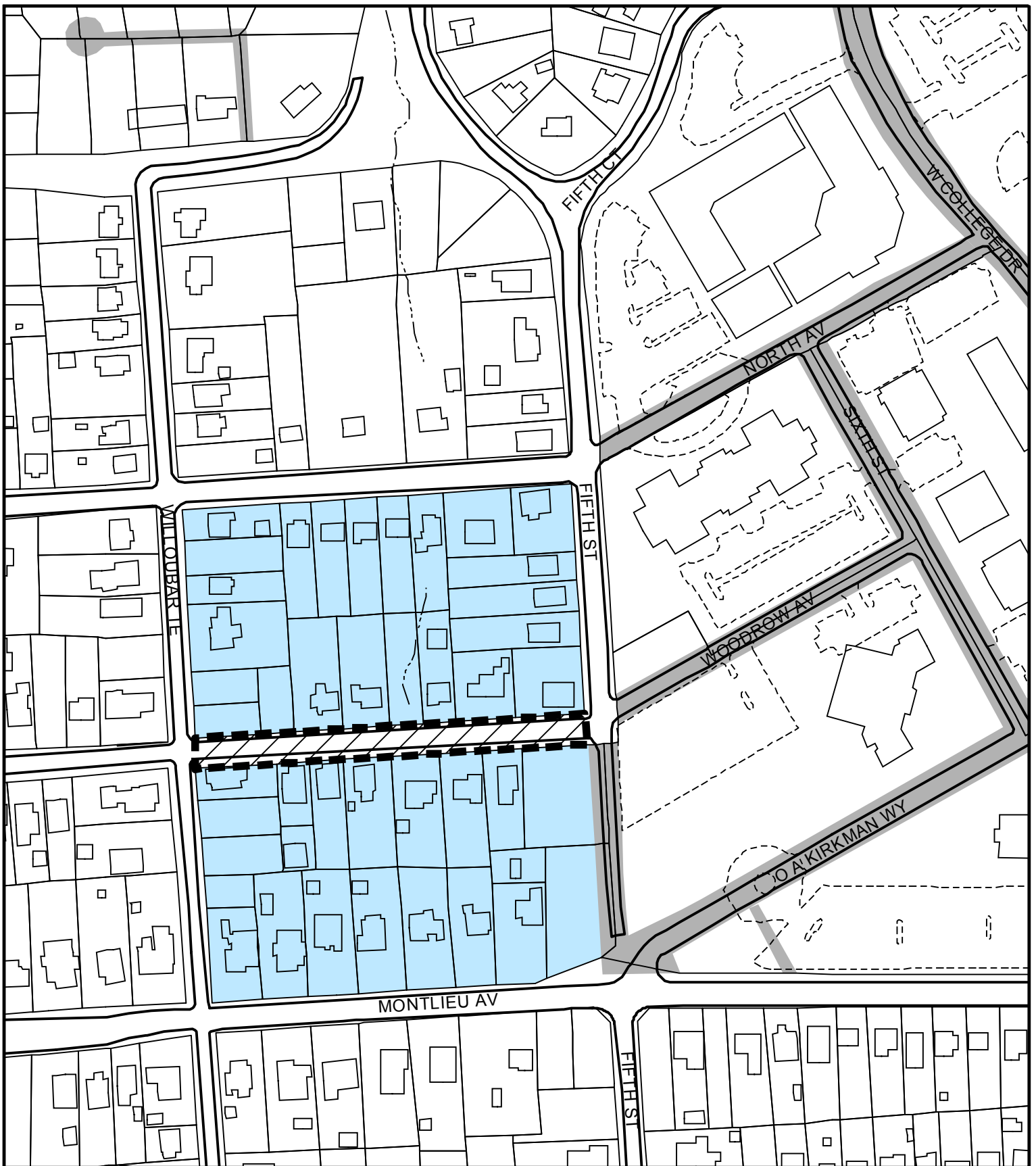
This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means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

Recommendation

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

Report Preparation

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



STREET ABANDONMENT REQUEST SA10-01

Applicant: High Point University

Area: 0.69 acres



Location of requested street abandonment



Parcels owned by High Point University

Planning & Development
Department

City of High Point

Date: January 19, 2010



Scale: 1"=200'

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Looking east from Willoubar Terrace.



Looking west from Fifth Street.



Aerial with the abandonment area highlighted.

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

**STAFF REPORT
ZONING CASE 10-01
MAJOR AMENDMENT CUP 00-26
January 26, 2010**

Request	
Applicant: High Point University	Owner(s): High Point University and Robert D. Green
Proposal: 1. To rezone 9.76 acres from RS-7 to CU-PI, and include this area into Conditional Use Permit 00-26 (CUP 00-26). 2. To amend CUP00-26 to include development standards for the area to be added to the permit.	From: RS-7 - Residential Single Family-7 District
	To: CU-PI - Conditional Use Public & Institutional District

Site Information	
Location:	A two block area bounded by Montlieu Avenue, Fifth Street, North Avenue and Willoubar Terrace.
Tax Parcel Numbers:	Tax Map 225 all of block 13; and Map 225 all of block 9.
Site Acreage:	Total area proposed to be rezoned is approximately 9.76 acres. Land area already part of CUP 00-26 is approximately 26.45 acres.
Current Land Use:	Single family dwellings and undeveloped parcels.
Physical Characteristics:	The site has a moderately sloping terrain.
Water and Sewer Proximity:	City sewer lines (8-inch lines) and water lines (6-inch, 12-inch & 16-inch lines) are both within the public streets abutting the site.
General Drainage and Watershed:	The site drains in a general northern direction with Montlieu Avenue frontage being the highest elevation upon the site. Development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily development with an impervious surface area that is greater than 24% or more of the site.
Overlay District(s):	City Lake General Watershed Area

Adjacent Property Zoning and Current Land Use		
North:	RS-7 - Residential Single Family-7	Single family residential subdivision
South:	RS-7 - Residential Single Family-7	Single family residential subdivision
East:	CU-PI - Conditional Use Public & Institutional District	University Campus (<i>student dormitory & academic buildings</i>)
West:	RS-7 - Residential Single Family-7	Single family residential subdivision

School District Comment	
Not applicable to this zoning case.	

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.
Land Use Plan Goals, Objectives and Policies:	<u>Goal 2:</u> Encourage development that enhances and preserves established neighborhoods. <u>Obj. #9.</u> Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.
Relevant Area Plan(s): 1) <i>University Area Plan</i>	Policies <u>Goal 3:</u> Ensure compatibility between the edge of campus and the surrounding neighborhood. Policy 3.2: Maintain as many existing large mature trees as possible, on site during new construction. Policy 3.5: 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. Edges • <u>Transition Area (Permanent Edge – Montlieu Ave.)</u> – These areas are seen as permanent edges to campus. When redevelopment is considered within a Transition Area the new development should strive to maintain the existing setting of the area. Compatibility with the adjacent properties is of the utmost importance. The height, mass, scale, setbacks and the intensity of the new development should be taken into consideration during the planning and design phases of development. Other factors to consider in ensuring compatibility are: parking lot location; access; lighting height, direction and intensity; fencing type, height and location; and landscaping type, rate, location and width of the planting area. If the area is characterized by large mature trees, then an effort should be made to maintain trees where possible. In places where Transition Areas abut public streets, solid fencing is typically discouraged. • <u>Interim Edge Area (Willoubar Terr & North Ave)</u> – These are the edges between growth phases or sub-areas and they are expected to be relatively short-term. However, the timing of future expansion into an adjacent sub-area or phase is unknown, so the impact on adjacent properties still needs to be considered and mitigated. Factors to consider in mitigating impacts are: parking lot location; access; lighting height, direction and intensity; fencing type, height and location; and landscaping type, rate, location and width of the planting area.

Community Growth Vision Statement:	<u>Goal 1:</u> Preserve and enhance High Point's most important natural and cultural resources. 1). Objective 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Zoning History:	Since 1998, High Point University has received two Land Use Plan Amendments and 13 rezoning approvals in the area lying north of Montlieu Avenue and west of W. College Drive to accommodate the westward expansion of the University.

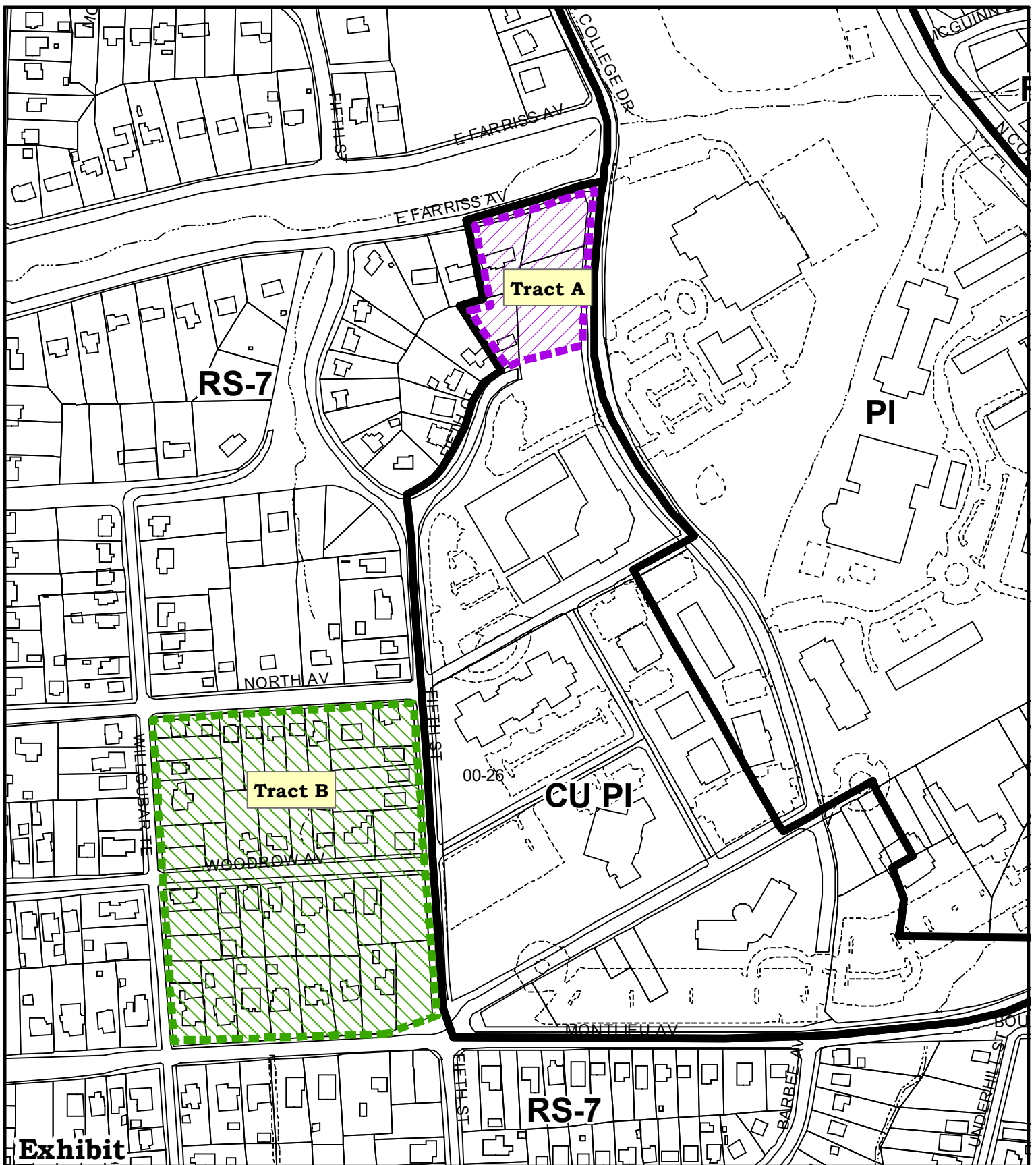
Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Montlieu Avenue		Major Thoroughfare	600 ft.
	North Avenue		Local Street	600 ft.
	Willoubar Terrace		Local Street	710 ft.
	Fifth Street		Local Street	355 ft.
Vehicular Access:	This development will have access on North Avenue and Fifth Street.			
Traffic Counts:	N. Centennial St. & Montlieu Ave. (intersection count)		11,000 (2005, 12-hour count)	
Estimated Trip Generation:	The proposed development will generate less than 45 trips in the AM or PM peak hour.			
Traffic Impact Analysis:	Required			Comment
	Yes		No X	
Pedestrian Access:	This development will be required to install sidewalks along Willoubar Terrace and North Avenue.			

Details of Proposal

The applicant, High Point University, is requesting this rezoning in order to expand its campus. It is requesting to rezone two city blocks from a current RS-7 District to a CU-PI District and to add the area to Conditional Use Permit 00-26 (CUP 00-26). CUP 00-26 governs development of the southwestern portion of the campus.

The area associated with this zoning case is referred to as Tract B within CUP 00-26. The applicant intends to develop this area for student housing, specifically for fraternities and sororities. However, CUP00-26 allows any college or university use, and other public/institutional uses such as school administration facilities, churches, elementary or secondary schools, and customary accessory uses. Thus, when reviewing this request all allowable uses of the permit should be considered.

The applicant has offered several amendments to CUP00-26 as a part of this zoning request to address compatibility concerns with abutting residential uses and issues raised by the University Area Plan. The proposed amendment to CUP00-26 is attached to this report; however, a general overview of conditions offered by the applicant is as follows:



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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- 1). Condition II.A. - General conditions for all of the land area associated with CUP00-26 and Fifth Street edge of campus.
 - The applicant has updated the standards as to screening of mechanical/electrical equipment from adjacent street.
 - If this zoning request is approved, then the southern portion of Fifth Street will no longer be the western edge of campus. However, that portion of Fifth Street lying north of North Avenue would still be an external edge of the campus. This section of the permit is being clarified to note that the higher development standard for this area will only apply to that portion of Fifth Street lying north of North Avenue.
- 2). Add Condition II.C (Tract B zoning site). The general conditions of the permit would apply to this area. However, the applicant has offered the following specific conditions in regards to development of Tract B.
 - All buildings shall have a pitched roof.
 - Fencing shall be installed along the Montlieu Avenue and Willoubar Terrace frontage.
 - The height of lighting along the perimeter of tract shall be limited to 25-feet.
 - No vehicular access points shall be allowed from Montlieu Avenue and Willoubar Terrace.
 - Along the Montlieu Avenue frontage:
 - Maximum building height shall be 50-feet, within 100 feet of Montlieu Avenue;
 - Street yard landscaping standards are increased. Instead of an 8 foot wide area, a 35 to 100 foot wide planting area is being provided with a planting rate of 5 trees every 100 linear feet. Any existing trees preserved will be credited at a 2-to-1 ratio.
 - Loading areas on any side of a building that faces Montlieu Avenue are prohibited.
 - Along the Willoubar Terrace and North Avenue frontage, higher street yard landscaping standards have been offered. Rather than an 8 feet wide street yard with 2 trees and 17 shrubs, a Type B planting rate of 8 trees and 25 shrubs every 100 linear feet will be provided in a minimum 15 foot wide to 30 foot wide planting area.
- 3). Addition to Condition II.D – Transportation conditions.
 - The right-of-way dedication condition is amended to not require additional right-of-way dedication for the Montlieu Avenue frontage of Tract B.

Identified Issues

Major Issues:

- ❖ None

Minor Issues:

- ❖ The January 11, 2010 memorandum from the Transportation Department recommends a 10 foot wide utility easement be provided along Montlieu Avenue for future extensions of city utilities. The Planning & Development Department agrees that utility easements may be needed at this and other locations upon the site; however, such utility easements can be properly exacted once the development plan is submitted and the exact location and sizes of such utilities are determined. This can be addressed sufficiently as part of the Technical Review Committee (TRC) review and approval process.

Findings

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

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

Compliance	❖ Conditions offered prohibiting vehicular access to Tract B from Montlieu Avenue and Willoubar Terrace will force most of the traffic from this site back toward the main campus area and enhance public safety.
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That the development of the property in accordance with the proposed conditions will not substantially injure the value of the adjoining or abutting property; or that the development is a public necessity; staff finds

Compliance	❖ Conditions offered by the applicant pertaining to higher landscaping standards, fencing, lighting and building height will assist in assuring development of the site will not negatively impact the value of adjacent property owners.
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That the location and character of the development, in accordance with the proposed conditions, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City of High Point and its environs; staff finds

Compliance	❖ The area proposed for rezoning has an Institutional Land Use Map designation. The requested CU-PI District and proposed uses, as outlined in the conditional use permit, are consistent with this land use designation. ❖ Staff finds the request in harmony with the surrounding area and in conformance with the Land Use Plan and University Area Plan based upon the following: ➤ The contiguous nature of this rezoning request to existing CU-PI District areas associated with the University's main campus area. ➤ The size of the land area within these two blocks allows sufficient area for landscaping and building setback standards of the Development Ordinance to be met. ➤ The applicant has proposed development of complete sub-areas, consisting of all the parcels within these two blocks. ➤ Conditions in regards to edge treatment of this tract assist in protecting adjacent residentially zoned property.
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Recommendation

Staff Recommends Approval

Based upon above noted findings, staff recommends approval of the request to rezone these parcels to a CU-PI District and the Major Amendment to Conditional Use Permit 00-26.

Required Action

Planning and Zoning Commission:

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

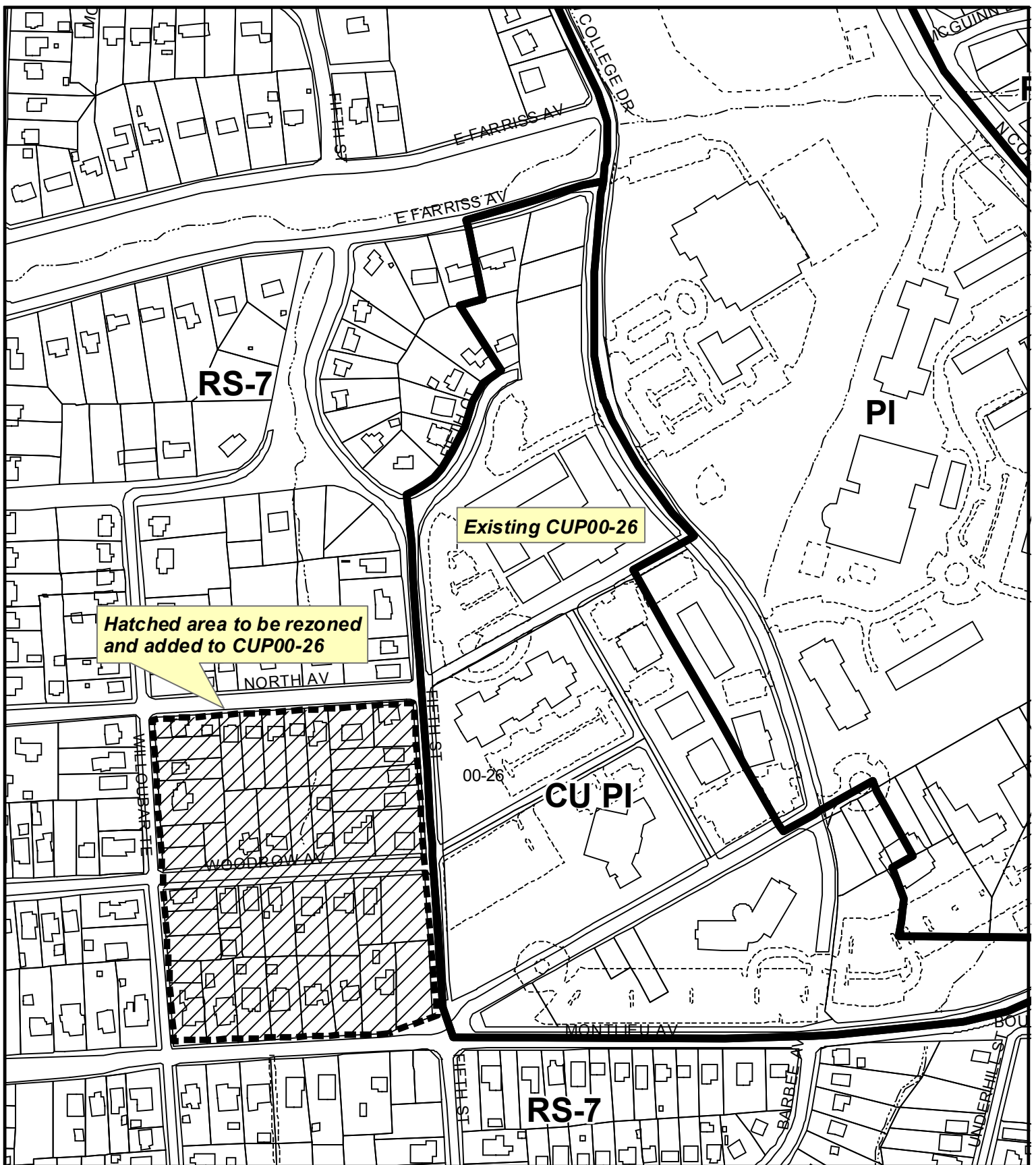
City Council:

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

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) it meets the required findings for a conditional use zoning district as written in this report; 2) the area proposed for rezoning has an Institutional Land Use Map designation and the requested CU-PI District, as restricted by CUP00-26, is consistent with the land use plan and in harmony with the adjacent residential neighborhood; 3) the higher landscaping requirements of the permit along Montlieu Avenue, Willoubar Terrance and North Avenue edges of the site will further insure the request will be in harmony with adjacent single family dwellings; and 4) this request includes all the properties in these two blocks and is contiguous to the University's main campus area, is generally consistent with policies of the University Area Plan, and is a reasonable extension of the High Point University campus. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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



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 - - - - -

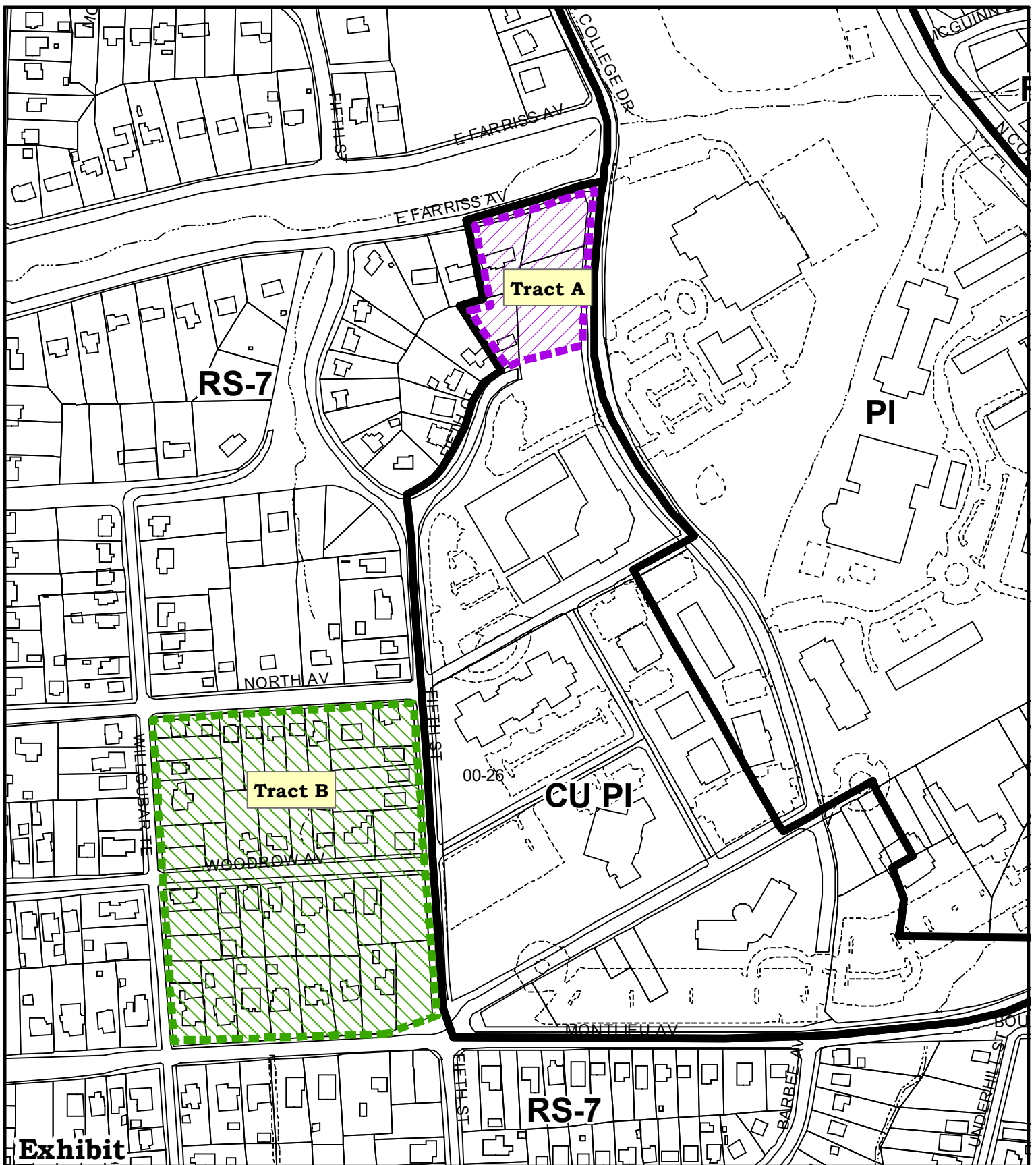
**Planning & Development
Department**

City of High Point

Date: January 8, 2010



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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 - - - - -

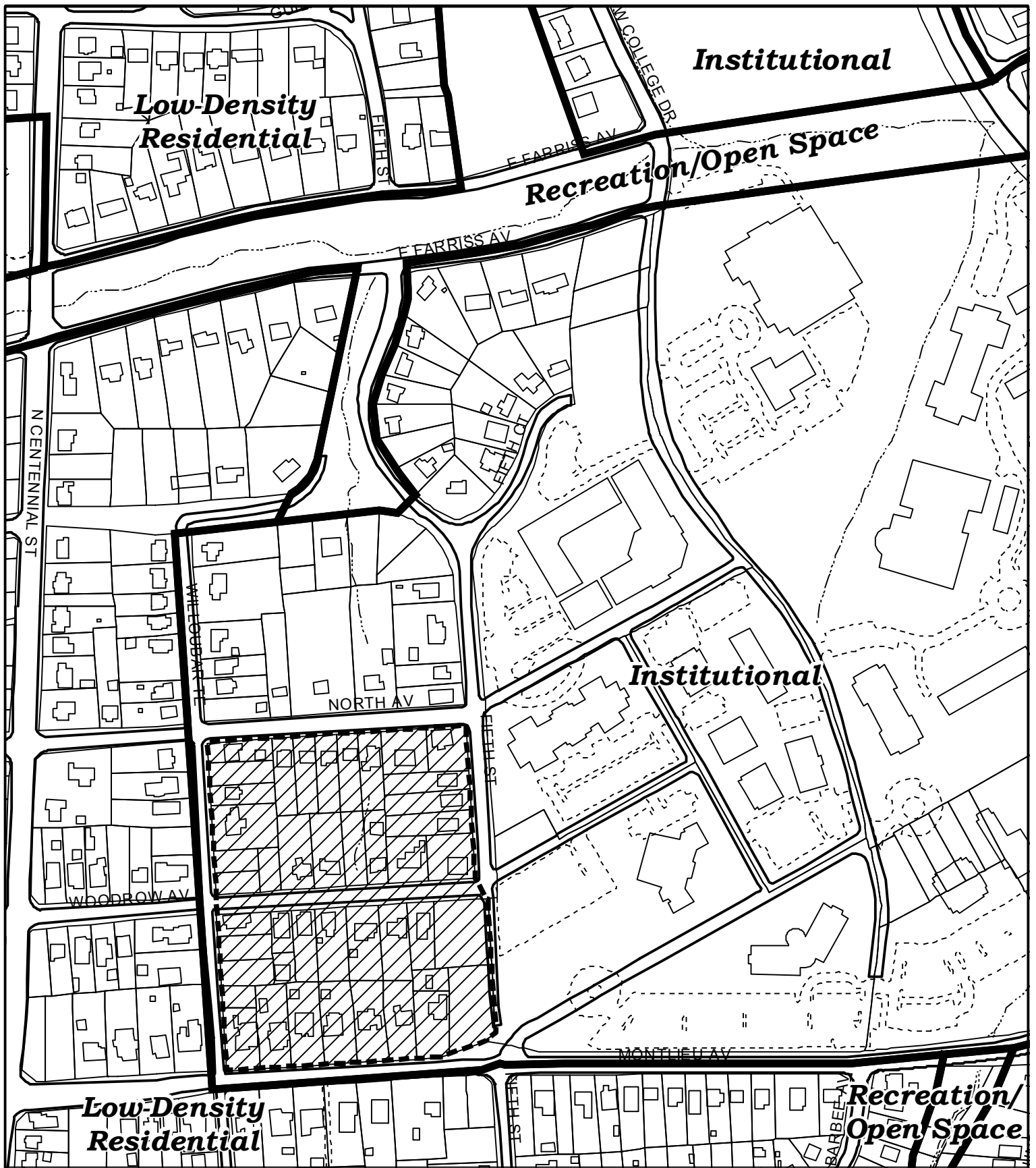
**Planning & Development
Department**

City of High Point

Date: January 14, 2010



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REZONING CASE 10-01

Land Use Plan

Existing Land Use Plan

Subject Property Boundary



**Planning & Development
Department**

City of High Point

Date: January 15, 2010



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REZONING CASE 10-01

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

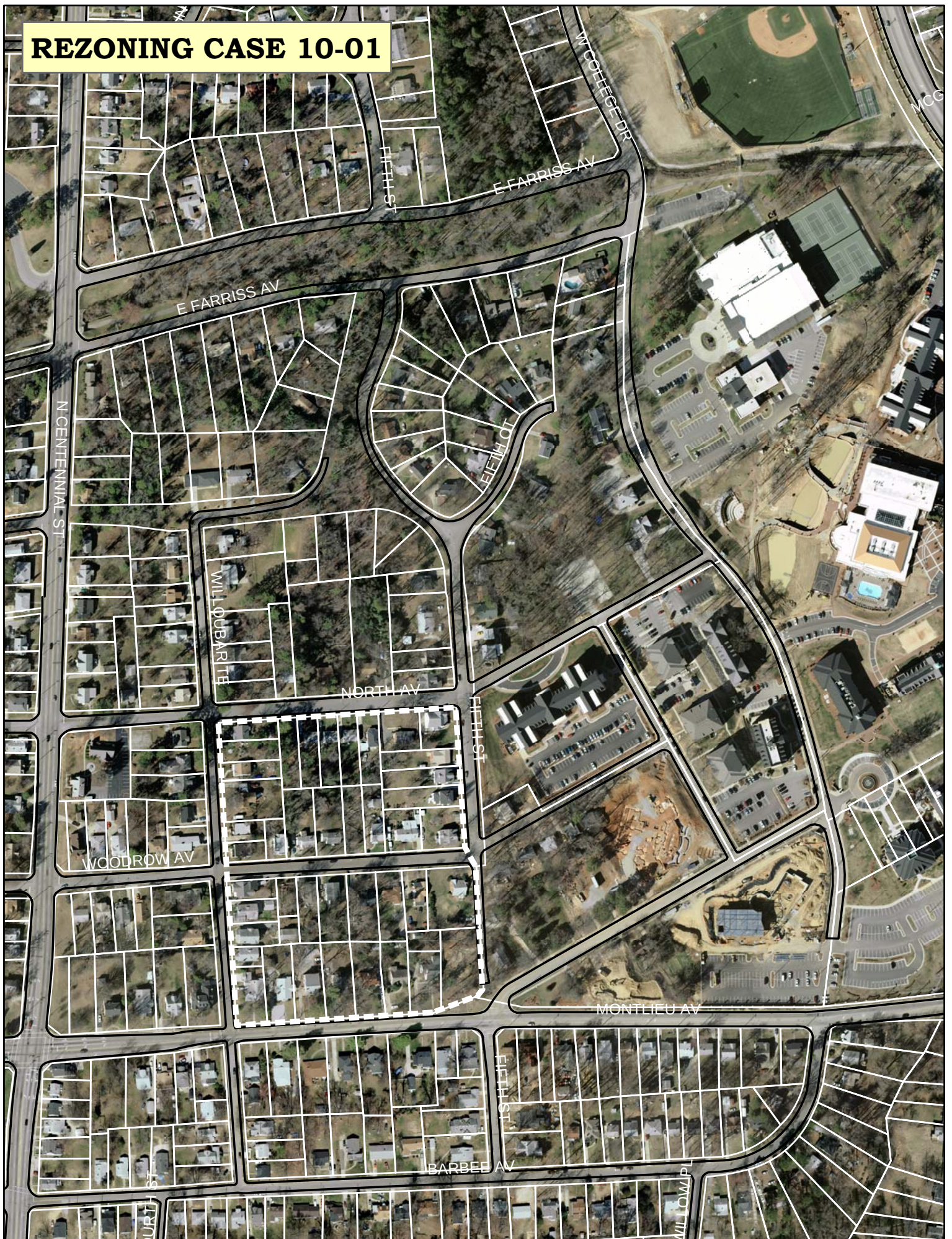
Date: January 15, 2010



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REZONING CASE 10-01



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>February 8, 2007</u> (Major Amendment)	<u>February 16, 2009</u> (Major Amendment)
<u>August 4, 2005</u> (Major Amendment)	<u>September 17, 2007</u> (Major Amendment)	<u>February 16, 2009</u> (Major Amendment)
<u>October 2, 2006</u> (Major Amendment)	<u>February 18, 2008</u> (Major Amendment)	<u>October 29, 2009</u> (Major Amendment)
<u>November 18, 2006</u> (Major Amendment)	<u>July 7, 2008</u> (Major Amendment)	<u>January 11, 2010</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. ~~Mechanical or electrical equipment, storage facilities or other such unsightly building appurtenances shall be screened from view at a height of six (6) feet above ground level, as seen from the centerline of Fifth Street, Fifth Court or E. Farris Avenue. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.~~
- 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 points shall be permitted from Montlieu Avenue 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: 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 ~~26.45~~ **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 ~~east of Fifth Street~~ 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.**

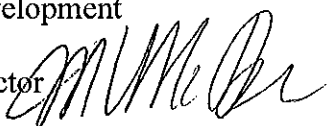
An application has been duly filed requesting that the property involved in this application be rezoned from the Residential Single Family-7 (RS-7) District and Conditional Use Public & Institutional (CU-PI) District to an amended Conditional Use Public & Institutional (CU-PI) District. It is understood 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.



January 11, 2010

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: **Major Amendment CU Permit #00-26**, High Point University. Property located west side of the intersection of Fifth Street and Willoubar Terrace.

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

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

Right-of-Way

The property owner shall dedicate a ten (10) ft utility easement behind the existing right-of-way between O.A. Kirkman Way and Willoubar Terrace along Montlieu Avenue.

The City of High Point Director of Transportation and NCDOT shall approve all construction and improvements.

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

**Citizens Information Meeting Report
Zoning Case 10-01
&
Major Amendment CUP00-26**

Submitted by: Ron Guerra on behalf of
High Point University

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

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

Date: December 18, 2009

**Re: Case No. CUP 0026, Area B
Citizens' Information Meeting Report**

Project: Greek Village

On Thursday, December 17, 2009, at 6:00 p.m., High Point University conducted a Citizens' Information Meeting in support of our application for a rezoning/major amendment request. Letters announcing the meeting were sent to 67 individuals at 61 addresses—a copy of the letter and a list of the individuals are included in this report. Fourteen (14) individuals attended the meeting. The University was represented by Mr. Ron Guerra, Director of Construction and Renovations, and Mr. Greg Mercer, Mercer Architecture.

Mr. Guerra presented a comprehensive explanation of the project: location, the expansion of campus, and the project itself. He reviewed the housing, spacing of the buildings, size of the buildings/project, supervision of the students, fencing (perimeter of property and privacy fencing behind each house, landscaping, buffer areas, emergency access, and traffic patterns.

Mr. Mercer described the specifics of the project to the community members: 14 buildings at approximately 3,000 square feet per building, 12 residents and a resident assistant in each building, chapter lounge, ritual room, and a kitchen. All buildings will be oriented toward the center of the project. He briefly reviewed the storm water treatment opportunities and a potential wetland area so that all water is treated before it leaves the site.

Residents' questions included:

- Number of student who are members of a fraternity/sorority? From 15 to a maximum of 50.
- How would the patio areas of each house be buffered? Opaque wall, landscaping/ Exact description has not been determined
- Does the City's noise ordinance include University property? Yes it does.
- Entry into the area?
 - Montlieu Avenue – No
 - Willoubar Terrace – No
 - North Avenue – proposed emergency access only
 - Fifth Street – Yes, but only into the core of the campus.
- Parking on the site? Would be internal to the project along the circular road.

- Would there be controlled access to the area? This is still being determined by the HPU Student Affairs Staff and Security.
- Safety? Sprinkled, exterior lighting,
- How much Purple would I be looking at? The houses are proposed to be brick with wood trim and asphalt shingles
- Discussion about what areas are in the University area plan and what areas are not
- Does the City have any plans to rebuild the residential areas around HPU like was done in the Macedonia project? Suggested that they contact the City.

The meeting was cordial; the individuals were engaged; and adjourned at 7:15 pm

December 11, 2009

Street
City

Subject: **Citizen Information Meeting, December 17, 2009**

Ladies and Gentlemen:

A Citizen Information Meeting will be held Thursday, December 17, 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 the rezoning (from RS 7 to CU PI) of **two blocks bordered by Montlieu Avenue, Willoubar Terrace, North Avenue, and Fifth Street**. The changes, which are requested, are from RS7 to CU PI. The property consists of **42** lots total, approximately **9.76** acres or **425,146** square feet.

The proposed development for the area includes **16** residential buildings, adjacent sidewalks, and access roadways. Each building will be a two-story residence hall to be constructed on property currently owned by High Point University.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal will take place at City Hall on January 26, 2010 at 6 p.m.

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,

Donald A. Scarborough
Vice President for Community Relations

NOT SENT - reason noted

AGAPION IRENE
625 S ELM ST
GREENSBORO NC 27406

BAKER JANE G
4469 ORCHARD KNOB LN
HIGH POINT NC 27265

BARKER D P HEIRS C/O DAVID P BARKER
JR
1208 BRIARCLIFF RD
WARNER ROBINS GA 31099

HPU NOW OWNS

~~BERRY WILLIAM C & LULA P~~
716 WOODROW AVE
HIGH POINT NC 27262

BMS INVESTMENT PROPERTIES LLC
3625 N ELM ST SUTIE 200
GREENSBORO NC 27455

HPU NOW OWNS

~~BRAND LEROY & MARY WILLIAMS~~
726 MONTLIEU AVE
HIGH POINT NC 27262

HPU NOW OWNS

~~BRAND SECYAH & MAXINE L~~
715 WOODROW AVE
HIGH POINT NC 27262

HPU NOW OWNS

~~BRINSON MARY LOU~~
1100 ROCKFORD RD
HIGH POINT NC 27262

BROWN JOHNNIE H & SHEILA A
612 MONTLIEU AVE
HIGH POINT NC 27262

BULL JIMMY C
PO BOX 1125
HIGH POINT NC 27261

BUTLER BENNIE R & LASANDRA G
704 MONTLIEU AVE
HIGH POINT NC 27262

CARTER JEFFREY DEAN
608 MONTLIEU AVE
HIGH POINT NC 27262

CASE MARK H & ROBERTA J
4558 OLD GREENSBORO RD
RANDLEMAN NC 27317

CHAMBERS RAYMOND W JR
1708 HEATHCLIFF RD
HIGH POINT NC 27262

HPU NOW OWNS

~~CLARK DARREN R & LINDA B~~
PO BOX 6759
HIGH POINT NC 27262

COVINGTON JAMES & IDA P
728 MONTLIEU AVE
HIGH POINT NC 27262

CROWDER RONALD D & SHARON D
1310 SWANNER CT
HIGH POINT NC 27262

DAVIS CHARLIE C SR
606 MONTLIEU AVE
HIGH POINT NC 27262

~~DUPLICATE~~
~~DAVIS CHARLIE C SR~~
~~606 MONTLIEU AVE~~
~~HIGH POINT NC 27262~~

DAVIS JON W & DONNA L
611 WOODROW AVE
HIGH POINT NC 27262

DAWKINS RACHEL M & CLYDE T MARSH JR
3600 RIVERDALE DR
GREENSBORO NC 27406

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

HPU NOW OWNS
~~ELMORE ANNIE & WAYMON HARRIS~~
812 WILLOUBAR TERR
HIGH POINT NC 27262

HPU NOW OWNS

~~ELMORE ANNIE & WAYMON HARRIS~~
812 WILLOUBAR TERR
HIGH POINT NC 27262

FLAKE JAMES W & FANNIE I
909 BARBEE ST
HIGH POINT NC 27260

GIES ROBERT F & AMY K
610 MONTLIEU AVE
HIGH POINT NC 27262

GOMEZ JUAN A & LINDA LEE
2019 ARDEN PL
HIGH POINT NC 27265

GRACE LUTHERAN CHURCH TRUSTEES
810 N CENTENNIAL ST
GREENSBORO NC 27260

GRAY SARAH M
607 NORTH AVE
HIGH POINT NC 27262

GREEN SAMUEL JR
2918 STATION CT
HIGH POINT NC 27260

GREENE ROBERT D
804 WILLOUBAR TER
HIGH POINT NC 27262

HPU NOW OWNS
~~HALAM THAO THU & TRI M HA~~
716 NORTH AVE
HIGH POINT NC 27262

HANEY MARY ELLEN
1005 BARBEE AVE
HIGH POINT NC 27260

Duplicate
~~HARRIS-RICH ELAINE~~
722 MONTLIEU AVE
HIGH POINT NC 27262

HARRIS-RICH ELAINE & MARY LUE LINDSAY
722 MONTLIEU AVE
HIGH POINT NC 27262

HAYES CHESTER & RUTH H
604 WOODROW AVE
HIGH POINT NC 27262

Duplicate
~~HENSLEY INVESTMENT PROPERTIES INC~~
114 SAINT ANDREWS DR
HIGH POINT NC 27265

HENSLEY RODNEY D & LAVINIA B
114 SAINT ANDREWS DR
HIGH POINT NC 27265

HPU NOW OWNS
~~HIGH POINT UNIVERSITY~~
859 MONTLIEU AV
HIGH POINT NC 27262

HPU NOW OWNS
~~HIGH POINT UNIVERSITY~~
833 MONTLIEU AV
HIGH POINT NC 27262

JACKSON LARISSA ARNELL
811 WILLOUBAR TER
HIGH POINT NC 27262

HPU NOW OWNS
~~JACKSON NATHANIEL & AIKO~~
711 WILLOUBAR TER
HIGH POINT NC 27262

JENNINGS WESLEY D
2000 N MAIN ST
HIGH POINT-NC 27262

HPU NOW OWNS
~~JERNICAN ROBERT & PATSY L~~
1904 MIDDLEWOOD CT
HIGH POINT NC 27265

JOHNSON RUSH JAMES JR
712 MONTLIEU AVE
HIGH POINT NC 27262

JOHNSON WILLIAM CHARLES
1316 HEMPSHIRE CT
HIGH POINT NC 27262

JONES REBECCA C
607 MONTLIEU AVE
HIGH POINT NC 27262

JONES REBECCA S
730 MONTLIEU AVE
HIGH POINT NC 27262

KOSTRABA PAUL & EWA A
305 RIDGELAND DR
HIGH POINT NC 27265

LEE-ALAN ENTERPRISES
410 BURNING TREE CIR
HIGH POINT NC 27265

LENKER LAURIE D
6624 IVYSTONE DR
JAMESTOWN NC 27282

MARSH CLYDE T JR & BENJAMIN DAWKINS
& RACHEL M DAWKINS
717 WOODROW AVE
HIGH POINT NC 27262

HPU NOW OWNS
~~MCCAIN DWIGHT~~
808 WILLOUBAR TER
HIGH POINT NC 27262

MCCARTHY DOUGLAS R & SONIA J
707 WILLOUBAR TER
HIGH POINT NC 27262

Duplicate, Deceased
~~MCCARTHY ROBERT DOUGLAS~~
707 WILLOUBAR TERR
HIGH POINT NC 27262

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

MCLAUGHLIN FAMILY LLC
215 WEAVER MINE TRAIL
CHAPEL HILL NC 27517

MIDDLETON PRINCE & TERESA
901 WILLOUBAR TER
HIGH POINT NC 27262

MILLER LATASHA
907 WILLOUBAR TERR
HIGH POINT NC 27262

HPU - UNDER CONTRACT
~~MOOSE GARLINGTON JUSTINE E~~
7806 GREY FOX RD
OAK RIDGE NC 27310

OPPENHEIM SARA ELIZABETH N
605 MONTLIEU AVE
HIGH POINT NC 27262

PARKER JERRY
1003 BARBEE AVE
HIGH POINT NC 27260

19
HPA NOW OWNS
~~PHY LINDA INVESTMENTS~~
2007 ENGLISH RD
HIGH POINT NC 27262

RAGSDALE BROTHERS LLC
PO BOX 667
JAMESTOWN NC 27282

RATANAPHRUKS YUTHANA
819 FIFTH ST
HIGH POINT NC 27262

ROBINSON JAMES D & SUSAN M DUNCAN
1008 WILLOUBAR TERRACE
HIGH POINT NC 27262

ROBINSON JAMES T JR DR
1008 WILLOUBAR TER
HIGH POINT NC 27262

ROBINSON LAURA K & HARVEY
906 N CENTENNIAL AVE
HIGH POINT NC 27262

ROGERS CONSTANCE ANITA
927 MAYFORD DR
KERNERSVILLE NC 27284

SCHMIDT WALTER J
7641 NORTHWOODS BLVD
N CHARLESTON SC 29406

SCOTT JIMMY L
611 MONTLIEU AV
HIGH POINT NC 27262

SECRETARY OF HOUSING & URBAN
DEVELOPMENT
40 MARIETTA ST
ATLANTA GA 30303

SPAULDING VIRGIL A TRUSTEE
2110 MCCONNELL RD
GREENSBORO NC 27401

THORNTON CALLIE
3030 OTIS ST NE
WASHINGTON DC 20018

TUTTLE FRANCES H
PO BOX 2184
JAMESTOWN NC 27282

VICTOR HONEA INC
24420 S NC HIGHWAY 109
DENTON NC 27239

WALTERS JACK R & NIKKI S
106 KATHLAND AVE
THOMASVILLE NC 27360

HPA NOW OWNS
~~WEDDING DOUGLAS E~~
2628 FLAT SWAMP RD
DENTON NC 27239

WHITWORTH VICTOR W & GALE T
2004 MADISON AVE
GREENSBORO NC 27403

WILLIAMS GERALD T & TIJERNA L
809 WILLOUBAR TERR
HIGH POINT NC 27262

ZIGLAR VALERIE D
603 FIFTH ST
HIGH POINT NC 27260

Attendees:

[illegible]

PLANNING AND ZONING COMMISSION RECOMMENDATION

On January 26, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Ms. Martha Shepherd and Mr. Jay Wagner.

Westchester Christian Center

Major Amendment to Conditional Use Permit 98-20

- a. A request by Westchester Christian Center to amend the Unified Development Plan for Conditional Use Permit 98-20. The site consists of approximately 52.8 acres lying northeast of the intersection of Westchester Drive and Coventry Road.
- b. A request by Westchester Christian Center to clarify the use conditions of the permit to reflect changes to the Unified Development Plan.

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

Speaking in favor of this request was Mr. Carlis Vernon of 1701 Westchester Drive of High Point, a representative of Westchester Christian Center.

No one spoke in opposition.

The Planning & Zoning Commission recommended **approval** of Major Amendment to Conditional Use Permit 98-20 by a vote of 5-0.

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

**STAFF REPORT
MAJOR AMENDMENT CONDITIONAL USE PERMIT 98-20
January 26, 2010**

Request	
Applicant: Westchester Christian Center	Owner: Westchester Christian Center (aka Providence Place)
Proposal: To amend Conditional Use Permit 98-20 (CUP 98-20) to: 1. Revise the Unified Development Plan in regards to development along the eastern boundary of the site. Rather than constructing seven 10-unit adult care buildings, they are constructing one large building. 2. Amend the Conditional Use Permit to reflect amendments to the Unified Development Plan. 3. Clarify terminology of the permit as it relates to units and beds.	

Site Information	
Location:	Lying along the east side of Westchester Drive, north of Whittier Avenue, west of Edgewood Drive and approximately 1,500 feet south of Phillips Avenue.
Tax Parcel Numbers:	Guilford County Tax Parcels 258-1-31 thru 38 and 50 & 51.
Site Acreage:	Approximately 52.8 acres.
Current Land Use:	<u>Tract 1:</u> Approximately 5.6 acres fronting along Westchester Drive. This area consists of outparcels developed with retail uses. <u>Tract 2:</u> Approximately 47.2 acres consisting of the remaining land area of the site. Current uses upon the northern half of Tract 2 (former mall structure) are the church and its associated accessory uses, an adult day care facility and office suites. The southern portion of this tract is developed with various elder care uses (nursing home facility; congregate care living facility; assisted living facility).
Physical Characteristics:	The site has a large central building (former mall) that is surrounded by parking and several small to medium sized buildings. The northern 2/3 of the site is relatively flat and the southern 1/3 of the site has a moderately sloping terrain.
Water and Sewer Proximity:	City water and sewer utilities are currently available in this area and serving the site.
General Drainage and Watershed:	Based upon the size of the site and its potential development intensity, the watershed regulations will require stormwater controls to be provided.
Overlay District(s):	None.

Adjacent Property Zoning and Current Land Use		
North:	CU-SC Conditional Use Shopping Center CU GO-M Conditional Use General Office-Moderate Intensity District	Commercial/retail uses, medical and professional office uses.
South:	HB Highway Business RS-7 Residential Single-Family-7	Hospice facility and single family dwellings
East:	RS-9 Residential Single-Family-9 PI Public & Institutional	Public park and cemetery
West:	RS-15 Residential Single-Family-15 LO Limited Office GO-M General Office-Moderate Intensity HB Highway Business	Church, office uses and commercial/retail uses

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	None
Land Use Plan Map Classification:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.
Land Use Plan Goals, Objectives and Policies:	None.
Relevant Area Plan(s):	None.
Zoning History:	This site received zoning approval in July 1998 for a CU-PDM District. In December 2003, a Major Amendment was approval to add "Golf Cart Sales & Service" as a permitted use in Tract 1. In November 2006, the site received Major Amendment approval to add "Day Care-Adult (30 or more)" as a permitted use in Tract 2.

Transportation Information			
Adjacent Streets:	Name		Approx. Frontage
	Westchester Drive		Major Thoroughfare
	Whittier Avenue		Local Street
	Edgewood Drive		Local Street
Vehicular Access:	Access is provided from two existing access points on Westchester Drive, one existing access point on Whittier Avenue and two existing access point on Edgewood Drive.		
Traffic Counts:	Coventry Rd & Westchester Dr		21,920 (2005, 12-hour count)
Estimated Trip Generation:	None		
Traffic Impact Analysis:	Required		Comment
	Yes	No X	
Pedestrian Access:	There are no pedestrian facilities planned for this area.		

Details of Proposal

This site's Planned Unit Development (PUD) zoning is an optional form of land development designed to permit multiple housing types or land uses that are planned for and controlled by a master plan called a Unified Development Plan (UDP). The main advantage of a PUD is the design flexibility afforded it through the Development Ordinance, subject to there being higher development standards than if developed under the traditional zoning regulations.

The original zoning approval in 1998 allowed for seven adult care buildings with 10 units per building, to be constructed along the eastern boundary of the site (area next to cemetery and Edgewood Drive). The applicant is amending this plan to combine these seven buildings into one adult care building that will be located along the eastern boundary of the site, approximately 500 feet north of Whittier Avenue.

Also, the applicant is amending the Conditional Use Permit to reflect the changes upon the UDP and to clarify the terminology of the permit in regards to number of adult care units/beds permitted.

Identified Issues

Major Issues:

- ❖ None.

Minor Issues:

- ❖ None.

Findings

Section 9-3-13 of the Development Ordinance states that major amendments are those that alter the objective and purpose of the requirements or conditions of the Conditional Use Permit, and therefore shall be considered using the same procedure as that required for the issuance of an initial CUP, in order to identify and evaluate what effect, if any, the proposed changes will have on the existing findings supporting Zoning Case 98-20. Based on the applicant's submittal and the substance of the proposed changes to the CUP, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these required findings.

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

Compliance	❖ Staff could find no evidence that this amendment request would negatively impact public health/safety.
-------------------	--

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

Compliance	❖ This amendment clarifies development of the final phase of the site. Rather than having seven mid-size buildings along the eastern boundary
-------------------	---

	of the site, there will be one large building. The southern segment of the Edgewood Drive street right-of-way has been abandoned, the adjacent use next to where this building is to be constructed is a cemetery. This amendment will not negatively impact adjacent property owners and there is no change in overall development intensity from the initial zoning approval.
--	---

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

Compliance	❖ This amendment clarifies development of the final phase of the site. There is no change in overall development intensity from the initial zoning approval.
-------------------	--

Recommendation

Staff Recommends Approval

This amendment clarifies the manner in which the final phase of this PUD will develop. The development intensity is remaining the same, in that one larger building is being development rather than several mid-size buildings. The Conditional Use Permit is being amended to reflect the changes of the UDP. The proposed amendments will be in harmony with the area and in compliance with the initial findings made in approving this development.

Required Action

Planning and Zoning Commission:

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

City Council:

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

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) it meets the required findings for a conditional use zoning district as written in this

report; 2) the request is consistent with the Land Use Plan; and 3) proposed amendments to CUP98-20 will not negatively impact adjacent property owners as there is no change in overall development intensity from the initial zoning approval. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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

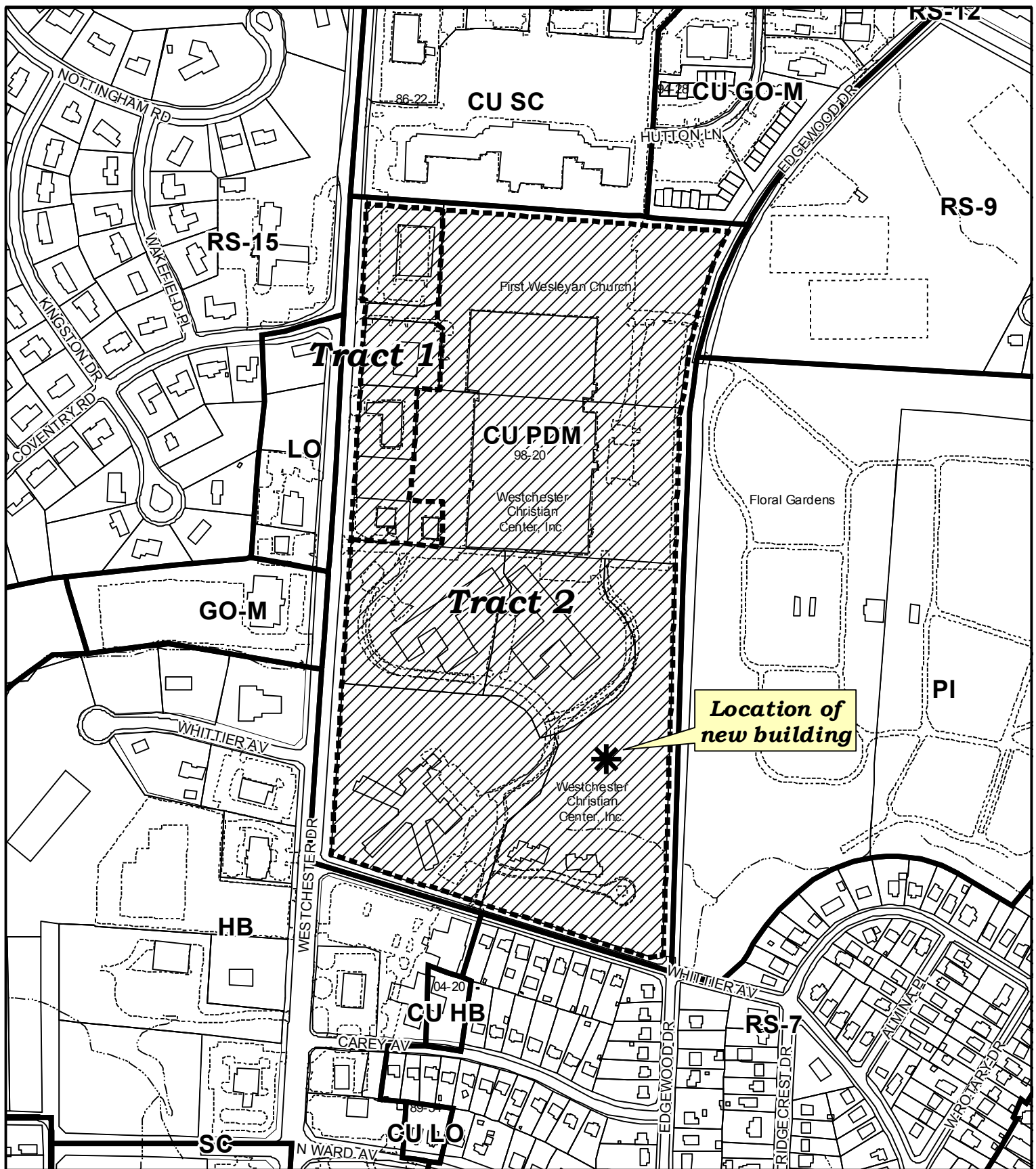


Exhibit A **MAJOR AMENDMENT CUP98-20**

Request to amend Unified Development Plan

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

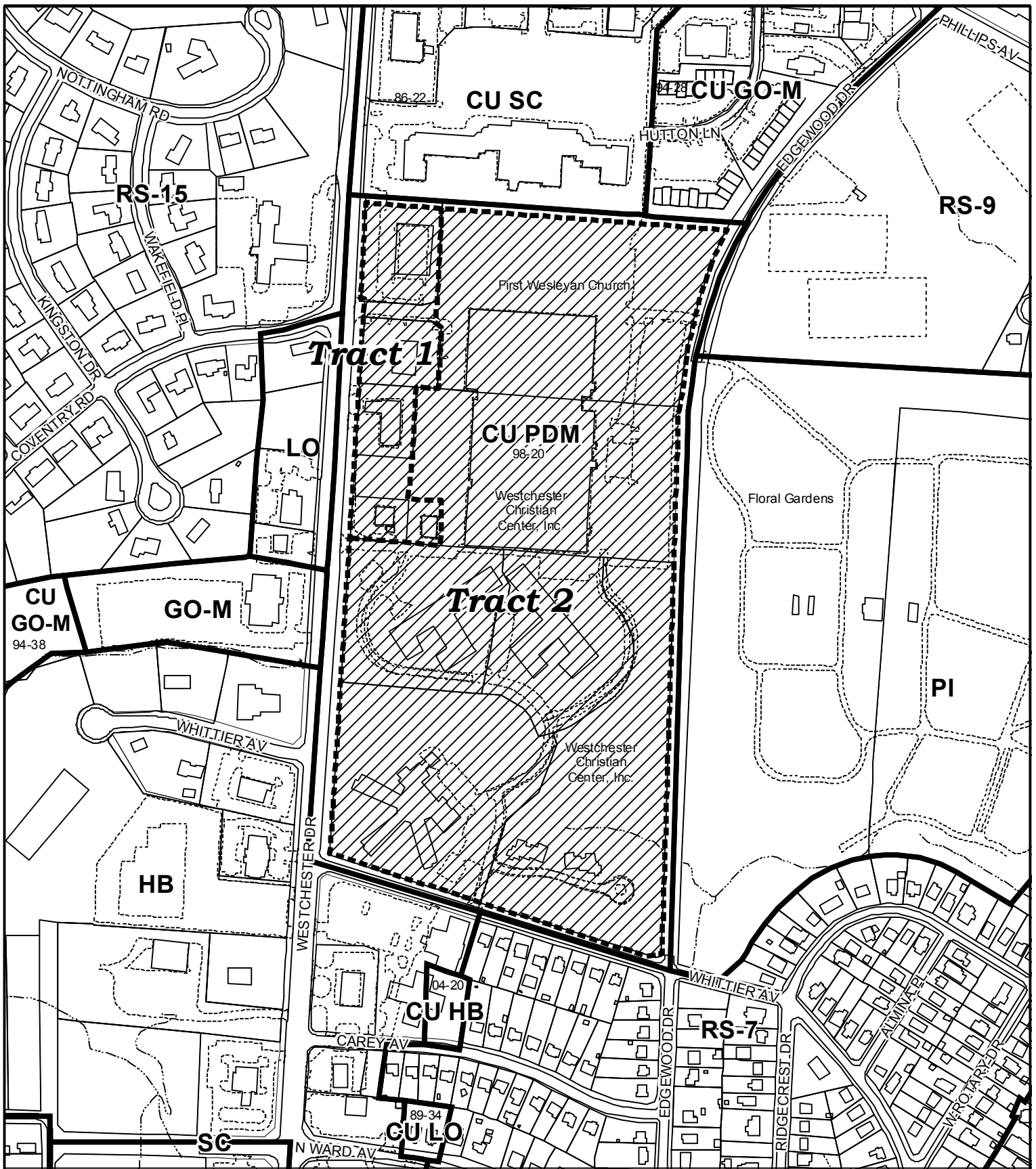
Planning & Development
Department

City of High Point

Date: January 7, 2010



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MAJOR AMENDMENT CUP98-20

Request: To amend Unified Development Plan

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

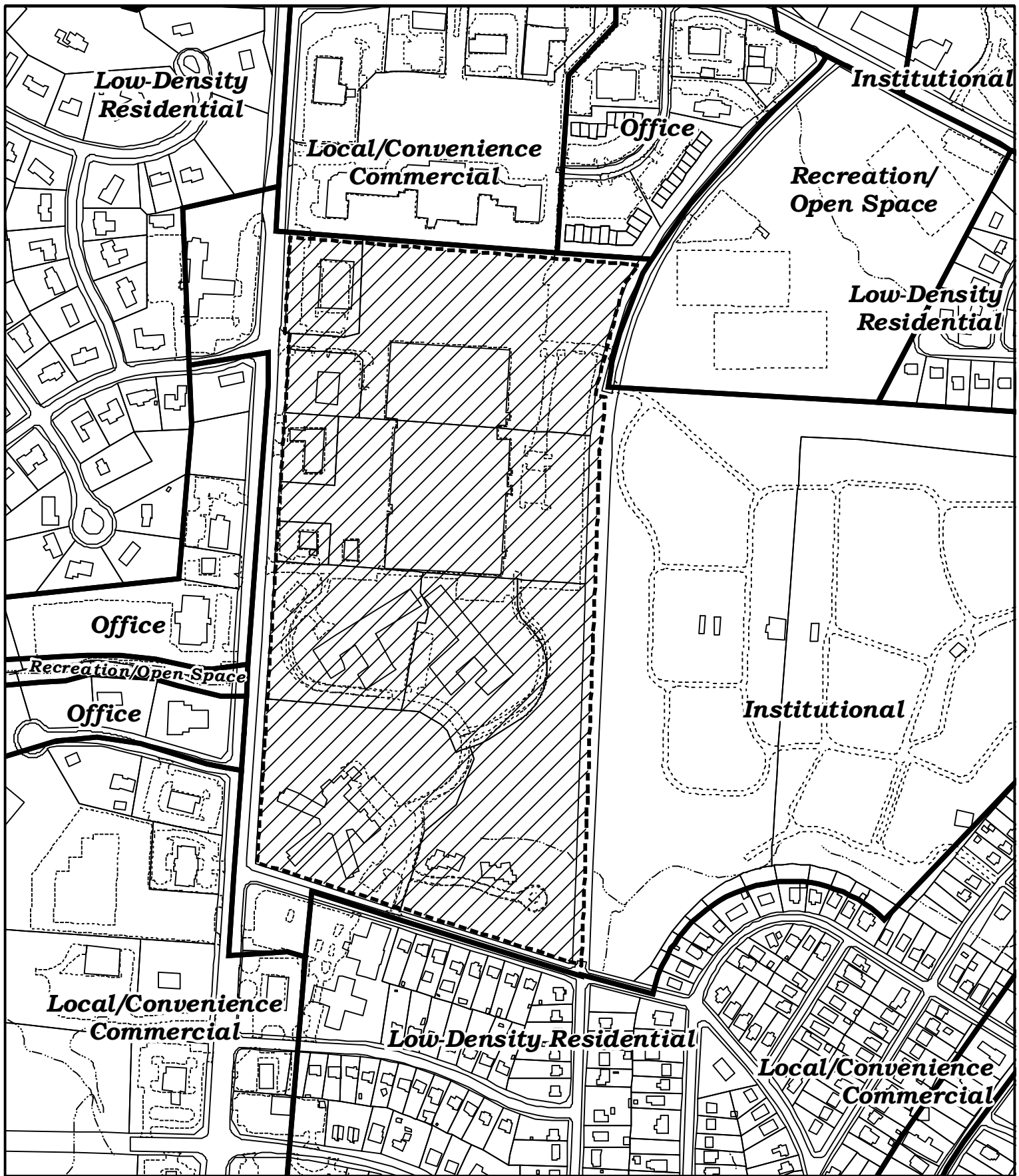
Planning & Development
Department

City of High Point

Date: January 7, 2010



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MAJOR AMENDMENT CUP98-20

Land Use Plan

Existing Land Use Plan
Subject Property Boundary



**Department of Planning
 and Development**

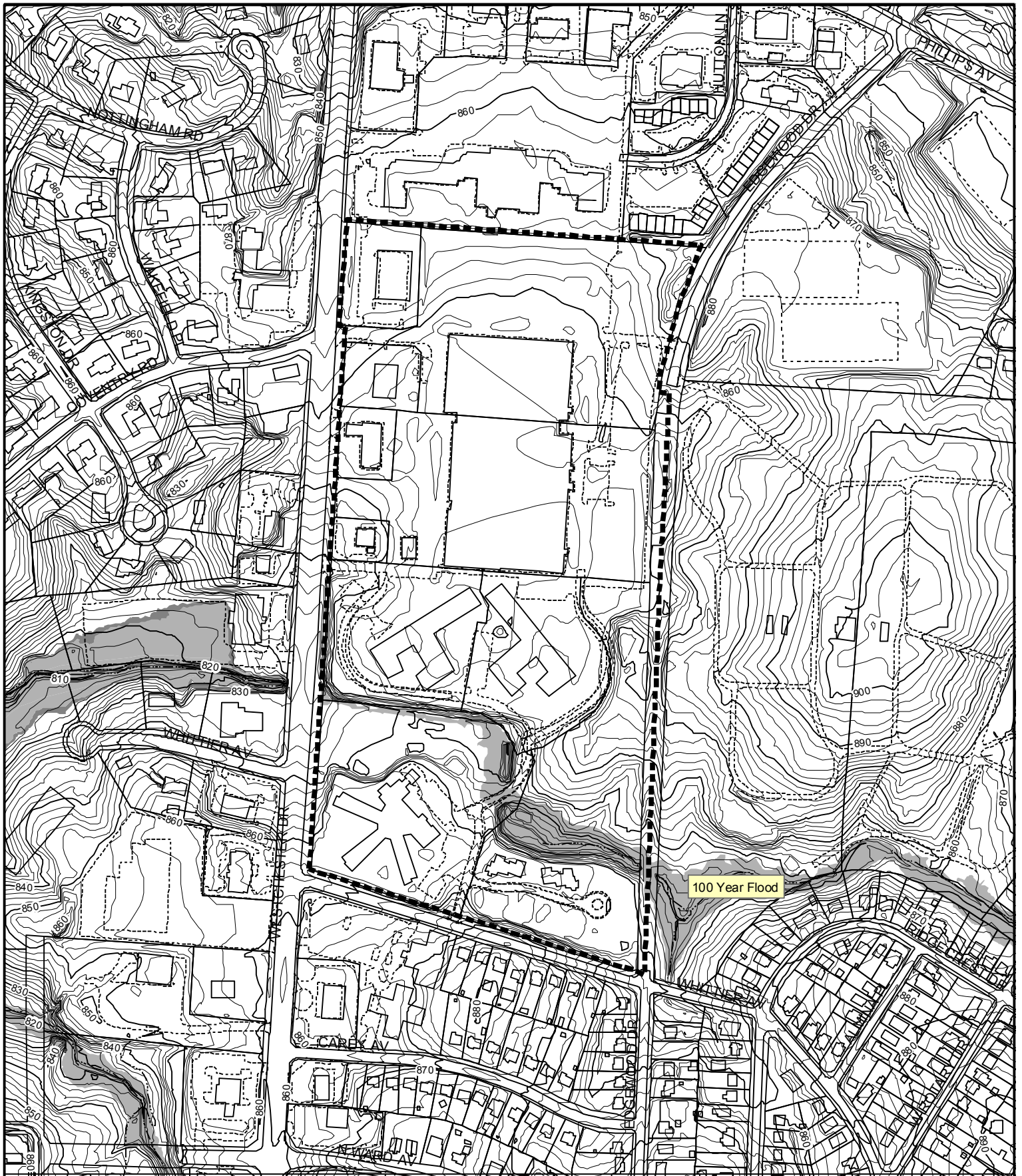
City of High Point

Date: January 15, 2010



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MAJOR AMENDMENT CUP98-20

Topography

Subject Property Boundary - - - - -

Department of Planning
and Development

City of High Point

Date: January 15, 2010



Scale: 1"=400'

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MAJOR AMENDMENT CUP98-20



APPLICATION FOR A CONDITIONAL USE PERMIT

CITY OF HIGH POINT, NORTH CAROLINA

Conditional Use Permit Planned Unit Development –Mixed (CU-PDM) District

<u>May 19, 1998</u> (Date Submitted)	(Major Amendment)	<u>December 30, 2009</u> (Minor Amendment)
<u>July 30, 1998</u> (Date Amended)	<u>November 20, 2006</u> (Major Amendment)	
<u>December 18, 2003.</u>	<u>April 6, 2009</u> (Minor Amendment)	

TO THE CITY COUNCIL OF THE CITY OF HIGH POINT:

The undersigned hereby respectfully requests 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:

- A. The following land uses shall be permitted within the individual tracts of the subject Conditional Use Planned Unit Development-Mixed (CU- PDM) District, subject to the development and dimensional requirements as specified for each respective tract, the approved accompanying Sketch Plan, and the specific additional conditions listed in this Permit.
 1. Tract 1:
 - a. Any of the land uses as allowed in the Shopping Center (SC) District shall be permitted subject to the development and dimensional requirements of the SC District.
 - b. The sales and service of golf carts shall be a permitted use only upon Guilford County Tax parcel 258-1-32 (an approximately 210 foot by 172 foot parcel fronting Westchester Drive), subject to the following restrictions:
 - 1). The storage of golf carts and materials associated with this use shall not be permitted between the principal building and a street right-of-way.
 - 2). The servicing of golf carts shall only be permitted within the principal building.
 - 3). The outside storage of golf carts, which are in any state of disassembly, shall not be permitted.
 - 4). The outside sales, display and storage of golf carts shall not be permitted within required parking spaces.
 - 5). This condition is specifically for golf carts and not intended to allow the sales of automobiles, motorcycles, go-carts, scooters or similar activities.
 - 6). For advertising purpose and to render the property competitive with other golf cart sales companies, a display of golf carts is allowed between the principal building and the street right-of-way but will be limited to two (2) carts only.

c. Day Care Center, Adult (30 or more)

2. Tract 2: The following land uses shall be permitted and subject to the development standards of the General Office-Moderate Intensity (GO-M) District:
- a. Skilled Nursing Facility in a building with a maximum of 129 beds and a maximum building height of two (2) stories, not to exceed thirty-five (35) feet.
 - b. Congregate Care Living Facility in a building with a maximum of **216 beds** ~~108 units~~ and a maximum building height of three (3) stories, not to exceed fifty (50) feet.
 - c. Assisted Living Facility in a building with a maximum of **240 beds** ~~120 units~~ and a maximum building height of three (3) stories, not to exceed fifty (50) feet.
 - d. Congregate Care Living Facility ~~in seven (7) buildings~~ with a maximum **140 beds** ~~of ten (10) units per building~~ and a maximum building height of two (2) stories, not to exceed thirty-five (35) feet.
 - e. Congregate Care Living Facility in **seven** ~~six~~ buildings with a maximum of three (3) units per building and a maximum building height of one (1) story, not to exceed twenty (20) feet. **A total of 20 units shall be permitted.**
 - ~~f. Congregate Care Living Facility in a building with a maximum of two (2) units and a maximum building height of one (1) story, not to exceed twenty (20) feet.~~
 - f. Any of the land uses as allowed in the Shopping Center (SC) District shall be permitted subject to the development standards of the SC District.
 - g. Auditorium
 - h. Church Administration building with a maximum building height of one (1) story, not to exceed twenty (20) feet.
 - i. Congregate Care Living Facility in a building with a maximum of 125 units and a maximum building height of four (4) stories above the existing building, not to exceed a total height of seventy-five (75) feet.
 - j. Communication Tower subject to the development and dimensional requirements of the Development Ordinance.
 - k. Day Care Center, Adult (30 or more)
- B. The location of permitted uses, streets/drives, open space and common recreational facilities and the density/intensity of those permitted uses shall be in substantial compliance with the approved Sketch Plan.

II. CONDITIONS:

A. Transportation:

1. Right-of-way: Right-of-way shall be dedicated along the entire frontage of Whittier Drive to achieve a minimum of thirty (30) feet from the centerline. Additional right-of-way will also be necessary at the intersection of Whittier Avenue and Westchester Drive for future intersection improvements.
2. Vehicular Access: The property shall have a maximum of three (3) points of vehicular access to Westchester Drive. One (1) of these points shall be the existing signalized intersection on Westchester Drive. One (1) point of access shall be permitted to Whittier Avenue. Two (2) points of access shall be permitted to Edgewood Drive. A pedestrian access plan, parking layout, and internal traffic circulation plan shall also be submitted for approval. All improvements and construction shall be approved by the Director of Transportation and the NCDOT.

- B. Open Space and Common Recreational Facilities: Common area open space shall be provided in accordance with Section 9-4-3(a)(3)j (Planned Unit Development District Section) of the Development Ordinance, as well as the location requirements of Section 9-4-11(a)(2)d.4. and 5. of the Ordinance.

- C. Environmentally Sensitive Areas: The property owner shall reserve as common area any wetland area on the property, as defined and designated by the US Army Corps of Engineers, and any other environmentally sensitive areas as required by Section 9-4-3(a)(3)(i) (Planned Unit Development District) of the Development Ordinance. Such environmentally sensitive areas shall be left natural and undisturbed, except as required for approved road and other vehicular and pedestrian access crossings, utilities, natural water features (lake or pond), and erosion control devices.

D. Setbacks:

1. Tract 1 - Shopping Center District dimensional requirements.
2. Tract 2 - Fifty (50) feet on Westchester Drive; Thirty (30) feet on Whittier Drive; and twenty (20) feet on the northern & eastern property line; and along Edgewood Drive.

- E. Signage: Signage shall be in accordance with the approved Common Signage Plan for the subject property. Sign drawings consistent with the Common Signage Plan criteria, for the purpose of obtaining sign permits, shall be required prior to the issuance of building permits for each phase or portion thereof.

F. Landscaping:

1. Within existing paved areas, the total number of trees within the parking lot areas shall equal one (1) tree for each twenty-five (25) parking spaces. For all new parking areas, the total number of trees shall equal one (1) tree for each twelve

(12) parking spaces. In addition, all new parking lots on the rezoning site shall be designed so that any parking space is no more than fifty (50) feet from a tree.

2. Other than Condition F.1. above, landscaping shall be provided in accordance with Section 9-5-11 of the Development Ordinance.
- G. Parking: Parking shall be provided in accordance with the requirements of Section 9-5-6 of the Development Ordinance.
- H. Screening: Decorative screening and/or landscaping associated with permitted nonresidential development shall be installed so as to screen from public rights-of-way all trash rooms, trash holding receptacles, loading or service areas, mechanical or electrical equipment, storage facilities or bins, or other unsightly building appurtenances. Appropriate screening shall also be provided to screen as much as possible all roof-mounted equipment, appurtenances, and roof vents from public rights-of-way.
- I. A Group Development Plan shall be prepared for the entire rezoning site.

DESCRIPTION OF PROPERTY:

Being five (5) tax parcels totaling approximately 50.73 acres and located on the east side of Westchester Drive, 1,500 feet south of Phillips Avenue, the north side of Whittier Avenue, and the west side of Edgewood Drive, also known as Guilford County Tax Map Parcels 258-1-2, 258-1-3, 258-1-4, 258-1-10, and 258-1-17.

An application has been duly filed requesting that the property involved in this application be rezoned from a Conditional Use Planned Unit Development-Mixed (CU PDM) District to an amended Conditional Use Planned Unit Development-Mixed (CU PDM) 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 in 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 approval authorities for review in the same manner as other such plans now required to be approved by the City of High Point.

Citizens Information Meeting Report Major Amendment CUP 98-20

Submitted by: Carlis Vernon on behalf of
Westchester Christian Center,
dba - Providence Place



Providence Place™

Senior Health and Housing

December 9, 2009

To: Owners of property near Providence Place
From: Carlis Vernon

Westchester Christian Center, dba Providence Place, has applied to the P & Z Commission to update the unified development plan for this PUD (Master Amendment CUP-98-20)

A citizens information meeting will be held.

December 17, 2009 10:00 am

Eden Room of TIA at Canterbury's Restaurant
1701 Westchester Drive.

Discussion will include updating the zoning to include the planned Assisted Living Facility and to update the technical description of the zoning request.

Thank you,

Carlis Vernon
Facilities Engineer
Providence Place
888-4566



Living well every day.™

Administrative Offices
1701 Westchester Drive, Suite 400
High Point, NC 27262

336.888.4560 | fax: 336.888.4663
www.providenceplacenc.com

Westchester Manor
1795 Westchester Drive
High Point, NC 27262

Wesleyan Arms
1901 Centennial Street
High Point, NC 27262

Westchester Village I & II
1775 Westchester Drive
High Point, NC 27262

Wesleyan Homes
900 Eastchester Drive
High Point, NC 27262



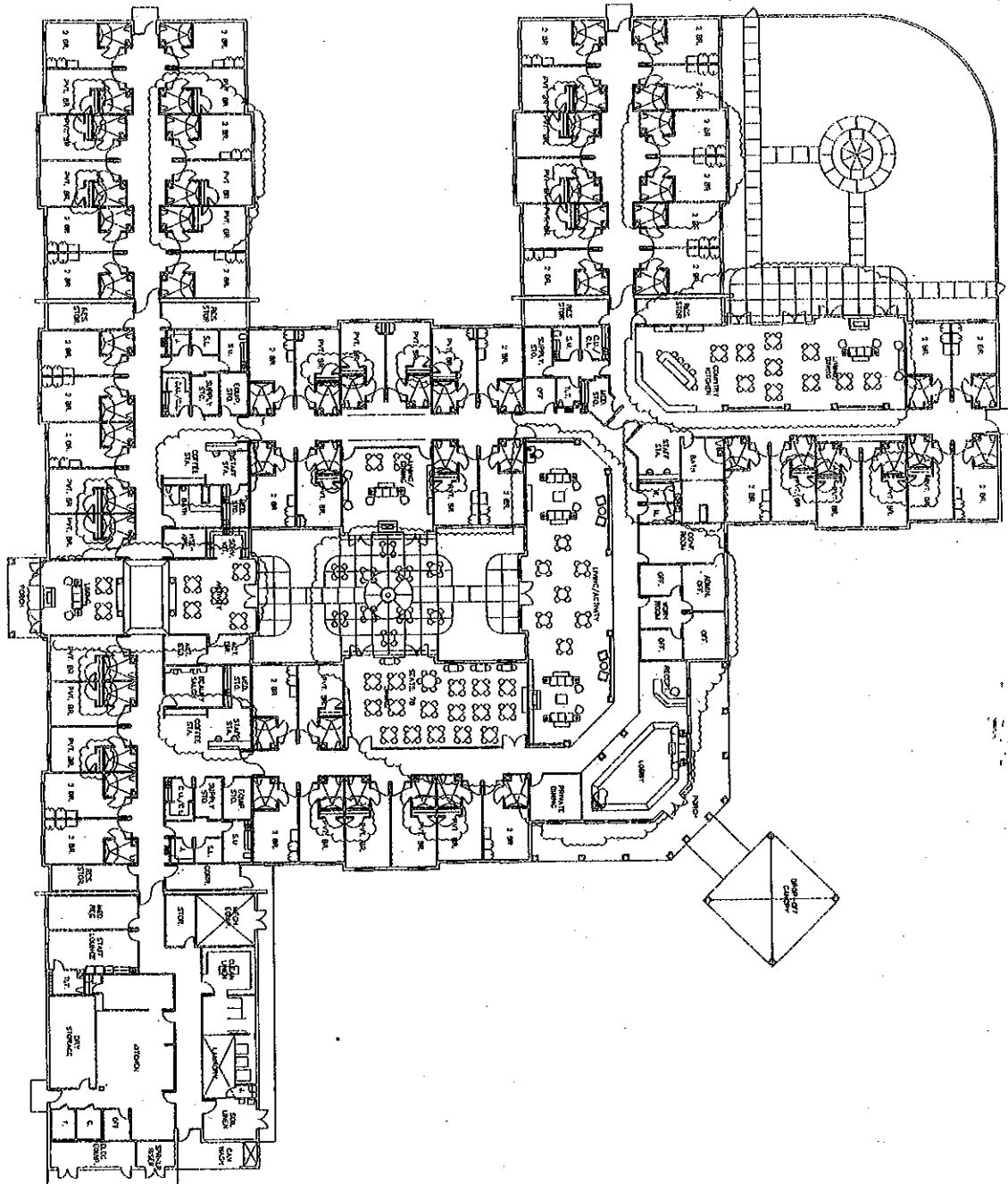
Providence Place.
Senior Health and Housing

NO NEGATIVE COMMENTS!

Carlis Vernon

Living well every day.™

1701 Westchester Drive, Suite 400, High Point, NC 27262
Phone: 336.888.4560 | Fax: 336.888.4663
www.providenceplacenc.com



David R. Polston - Architect
 3806 Park Ave. Suite 2-L, Wilmington, NC 28403
 Architecture Planning Design

11-24-09

Peter M. Robinson
CONSULTANT TO THE CHEMICAL INDUSTRY

Telephone/Fax
336.889.3552

E-Mail
lrobinson14@tendr.com

Peter M. Robinson, Ph.D.
943 Nottingham Road
High Point, NC 27262

D.H. WILLIAMS & ASSOCIATES

947 Nottingham Rd.
High Point, NC 27262

"Sales to the U.S. Furniture Industry"

David Williams
President

Office / Home (336) 887-3727
Fax: (336) 887-1802
E Mail: DaHW947@aol.com

CITIZENS INFORMATIONAL MEETING

12-17-09

NAME	ADDRESS
Peter. ROBINSON.	943 NOTTINGHAM RD. HIGH POINT NC
Tim + Angie Skeen	619 Whittier Ave. High Point NC
Steve Nicks	High Point Bank
Charles McCallum	First Wesleyan Church 1701 Westchester
David Williams	947 Nottingham Rd. High Point

12-11-09

A Medical Doctor from across the street

Just bought property and had no experience about this kind of thing -- "Tell me how all this works"

I explained the procedure and overview of the move.
She said this could "help her business"

She "certainly supported the concept of elderly ministries."

12-10-09

Re: RITE-AID PROPERTY

CITY RECORDS SHOWS THE OWNER AS

ACV PIER HIGH POINT LLC % ECKERO PHARMACY

50 SERVICE AVE

WARREN, R.I. 02886

THE PROPERTY HOWEVER HAS BEEN SOLD TO AN INVESTMENT GROUP

ACV PIER HIGH POINT, LLC

465 1ST ST. WEST SUITE 200

SONOMA, CA 95476

DAVID GRIEVE

BEING UNABLE TO CONTACT OWNER, WE HAVE MAILED BY FIRST
CLASS MAIL; THE PRESENT OWNER, NOTIFICATION OF THE REDEMPTION REQUEST.

12-15-09

Mgr. - Rita Al

General questions about how their business might be impacted

no of people coming on campus etc

will there be any change in traffic flow during const.

Support the amendment on zoning

CD.
12-15-09

1ST MEDCENTRAL PROPERTIES LLC
PO BOX 5777
HIGH POINT NC 27262

618 REALTY LLC & WESTCHESTER COMMONS
ASSOC
2286 NOSTRAND AVE
BROOKLYN NY 11210

ACV PIER HIGH POINT LLC ~~BOECKER~~
PHARMACY
465 1ST ST. W.
50 SERVICE AVE SUITE 200
WARWICK RI 02886
Sonoma, CA 95476
DAVID GRIEVE

ALBERTSON DORIS C
412 CAREY AVE
HIGH POINT NC 27262

AT&T WIRELESS SERVICES ATTN GWEN
HARDEMON SITE # GRO23
1420 OAKBROOK DR
NORCROSS GA 30093

ATLANTIC INS & REALTY CO
PO BOX 5252
HIGH POINT NC 27262

AUSBY DOROTHY H C/O PAMELA CROWDER
3032 BACK CREEK CHURCH RD
CHARLOTTE NC 28213

BAIRD MICHAEL D
132 DAVE SHULER DR
THOMASVILLE NC 27360

BARBOUR W EARL
2631 TURTLE CREEK DR
HIGH POINT NC 27265

BENNISON ALLEN T & ANN L CO-TRUSTEES OF
BENNISON FAMILY TRUST
800 KINGSTON DR
HIGH POINT NC 27262

BLAKELY ROBERT C & DONNA Z
1008 HUTTON LN STE 101
HIGH POINT NC 27262

BOWLES APRIL M
414 CAREY AVE
HIGH POINT NC 27262

BRYSON KIRBY & KENNETH & ROBERT & RAY
1744 WESTCHESTER DR
HIGH POINT NC 27262

BRYSON ROBERT P & LEIGH B
711 WHITTIER AVE
HIGH POINT NC 27262

CARR PROPERTIES LLC
1414 LONG ST
HIGH POINT NC 27262

CENTRAL TRIAD BAPTIST ASSN TRUSTEES
1022 HUTTON LN STE 106
HIGH POINT NC 27262

CENTRAL TRIAD BAPTIST ASSN TRUSTEES
1022 HUTTON LN STE 106
HIGH POINT NC 27262

CHC REALTY LLC C/O DOUG MATHIS
CORNERSTONE HEALTHCARE
607 IDOL ST
HIGH POINT NC 27262

CHC REALTY LLC C/O WOODROW HATHAWAY
CORNERSTONE HEALTHCARE
607 IDOL ST
HIGH POINT NC 27262

CITY OF HIGH POINT
PO BOX 230
HIGH POINT NC 27261

COLLETTE ROY W III & JO ANNA
1607 JUBILEE TRL
KERNERSVILLE NC 27284

CRUMLEY FAMILY LLC
1157 SOUTH COX ST
ASHEBORO NC 27203

DAC INVESTMENTS LLC
1700 WESTCHESTER DR
HIGH POINT NC 27262

DALLAS DAVIDSON HAYES
1010 SHENANDOAH DR
HIGH POINT NC 27262

DAVIS ELAINE H
410 CAREY AVE
HIGH POINT NC 27262

DGV LLC
PO BOX 25048
WINSTON SALEM NC 27114

ECKERT DEVON S
615 WHITTIER AVE
HIGH POINT NC 27262

FIRST WESLEYAN CHURCH TRUSTEES
1915 N CENTENNIAL ST
HIGH POINT NC 27265

FOWLER DARREN B & TAMMY W
418 RIDGECREST DR
HIGH POINT NC 27262

GARDNER GLADYS & DOUGLAS L GARNER
KAREN R
1725 WESTCHESTER DR
HIGH POINT NC 27262

GRANT ROSA MAE
418 CAREY ST
HIGH POINT NC 27262

GRUBB GERALD T & PATRICIA R
3938 BRANDYWINE ST
HIGH POINT NC 27265

HANSEN SCOTT D
3513 BENTBROOK DR
HIGH POINT NC 27265

HARRISON CLAUDE R JR & JEAN D
1309 COVENTRY RD
HIGH POINT NC 27262

HAYWORTH MEMORIAL WESLEYAN
METHODIST CHURCH
1310 COVENTRY RD
HIGH POINT NC 27262

HIGH POINT BANK & TRUST CO
PO BOX 2270
HIGH POINT NC 27261

HIGH POINT BANK & TRUST CO
300 N MAIN ST
HIGH POINT NC 27260

HILL LINDA SUSAN & MICHAEL W HUTSON &
JOE B HUTSON ETALS
303 CITY LINE DR
THOMASVILLE NC 27360

HODGES JACK M JR & DEENA C
PO BOX 707
CLEMMONS NC 27012

HORNEY JAMES C JR & SUE S
806 KINGSTON DR
HIGH POINT NC 27262

HOSPICE OF THE PIEDMONT INC
1801 WESTCHESTER DR
HIGH POINT NC 27262

JAEGER DELORIS K & RUBY K NELSON
4807 ROBY DR
ARCHDALE NC 27263

JIFFY TAX SERVICE INC
1610 WESTCHESTER DR
HIGH POINT NC 27262

KAISER ROBERT E & DONNA G
1011 FERNDALE BLVD
HIGH POINT NC 27262

KHAN MOHAMMAD N & BALIS N
1305 WALES DR
HIGH POINT NC 27262

LAMB CLIFTON H
1022 HUTTON LN STE 110
HIGH POINT NC 27262

LING MABEL SHELTON
611 WHITTIER AVE
HIGH POINT NC 27262

MCCARTER ROSEANNA
609 WHITTIER AVE
HIGH POINT NC 27262

MEMORIAL PARKS INC C/O STEWART
SERVICES INC
1333 S CLEARVIEW PKWY
JEFFERSON LA 70121

MYERS BILLY & DAISY H
617 WHITTIER AVE
HIGH POINT NC 27262

NORTH STATE TELEPHONE CO T/A NORTH
STATE COMMUNICATIONS
111 N MAIN ST
HIGH POINT NC 27260

NORTHROP JACQUELINE A
2008 EDGEWOOD DR
HIGH POINT NC 27262

PECKERAR JOEL & NANCIE BURCHELL
802 KINGSTON DR
HIGH POINT NC 27262

PIEDMONT CHEMICAL INDUSTRIES INC
331 BURTON AVE
HIGH POINT NC 27262

PPRC NURSING HOME INC
1701 WESTCHESTER DR
HIGH POINT NC 27262

PPRC SENIOR LIVING II INC
1775 WESTCHESTER DR
HIGH POINT NC 27262

PPRC SENIOR LIVING INC
1701 WESTCHESTER DR
HIGH POINT NC 27262

PRESCOTT SHIRLEY C/O CHERYL HUNTER
1001 SPRING DR
ASHEBORO NC 27203

RAINBOW FAMILY RESTAURANT INC
1715 WESTCHESTER DR
HIGH POINT NC 27262

ROBINSON PETER M & HELEN L
943 NOTTINGHAM RD
HIGH POINT NC 27262

ROCHFORD KEVIN L
PO BOX 5945
HIGH POINT NC 27263

S & S LOOZ PROPERTIES LLC
150 BRIARCLIFF CT
THOMASVILLE NC 27360

SCHALL PROPERTIES LLC
706 OAKLAND HILLS CT
HIGH POINT NC 27265

SHAMBURG ENTERPRISES LLC
4104 ST JOHNS ST
HIGH POINT NC 27265

SIGMON GLENN A & RITA H
605 WHITTIER AVE
HIGH POINT NC 27262

SKEEN TIMOTHY J
440 MCDOWELL RD
WINSTON SALEM NC 27107

SMITH EDITH BEAN L/T
120 RICKARD RD
THOMASVILLE NC 27360

SPIVEY IRIS K HEIRS
2004 EDGEWOOD DR
HIGH POINT NC 27262

STAPLETON JESS RAY & MELANIE K
2003 EDGEWOOD DR
HIGH POINT NC 27262

STEPHENS MARY T
1311 COVENTRY RD
HIGH POINT NC 27262

STONESTREET-PUGH REBECCA V
5206 CENTURY OAKS DR
GREENSBORO NC 27455

THOMAS JAMES W & SHARON M
416 RIDGECREST DR
HIGH POINT NC 27262

TURNER MILDRED H HEIRS C/O PATRICIA
KERSEY
3589 SHARON DALE DR
HIGH POINT NC 27263

VALDES JORGE S & RIGA MARTA K
815 FAIRMEADOW AVE
HIGH POINT NC 27262

VINES WORLEY E & NELLIE D
2006 EDGEWOOD DR
HIGH POINT NC 27262

WALTERS JACK R & NIKKI S
106 KATHLAND AVE
THOMASVILLE NC 27360

WARR PROPERTIES LLC
1008 HUTTON LN
HIGH POINT NC 27262

WATT'S BUCK
13591 JAMES B WHITE HWY S
TABOR CITY NC 28463

WESTCHESTER CHRISTIAN CENTER INC
1701 WESTCHESTER DR STE 400
HIGH POINT NC 27262

WESTCHESTER CHRISTIAN CENTER INC
1915 N CENTENNIAL ST
HIGH POINT NC 27265

WILLIAMS DAVID H & MARTHA JANE S
947 NOTTINGHAM RD
HIGH POINT NC 27262

WILLIAMS VESTAL A & JANICE M
2007 EDGEWOOD DR
HIGH POINT NC 27262

**RESOLUTION CLARIFYING INTENT AND EXTENT OF AUGUST 17, 2009
RESOLUTION WITH REGARD TO CONDEMNATION OF A PORTION OF CERTAIN
PROPERTY IN CONNECTION WITH THE NORTHWEST WATERLINE PROJECT**

WHEREAS, the City Council of the City of High Point having determined during its meeting of August 17, 2009, that it was necessary and in the public interest to acquire an easement across a portion of the real property at 533 Macy Grove Road, Colfax, NC.

WHEREAS, a resolution relating to this acquisition was adopted by the City Council of the City of High Point on August 17, 2009.

WHEREAS, the City Council of the City of High Point now wishes to make clear that the property interest being acquired across a portion of the real property at 533 Macy Grove Road, Colfax, NC, addressed by the resolution adopted on August 17, 2009, is an easement and not a fee.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of High Point THAT:

1. The intent of the resolution adopted by the City Council of the City of High Point on August 17, 2009 relating to the real property at 533 Macy Grove Road, Colfax, NC, was to authorize the acquisition of an easement across a portion of the real property at issue.
2. The intent of the resolution adopted by the City Council of the City of High Point on August 17, 2009 relating to the real property at 533 Macy Grove Road, Colfax, NC, was not to authorize the acquisition of a fee interest in any portion of the real property at issue.

Adopted by City Council,
This 15th day of February, 2010.

Lisa Vierling
City Clerk

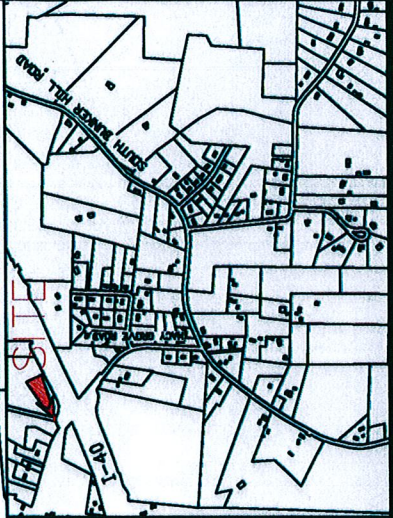
THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN APPROVED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

THE INFORMATION ON THIS MAP IS TAKEN FROM A CITY OF HIGH POINT GIS DEVELOPED IN 2008.

JONATHAN THOMAS BALLINGER
DB 4377 PG 428
Parcel #179469480122500042
Parcel 20

Proposed Permanent Easement
1,200 SF.

NEIGHBORHOOD MAP : NOT TO SCALE



PURCHASE OF EASEMENTS FOR PROPOSED WATERLINE

JONATHAN THOMAS BALLINGER
GRAYS LAND ROAD
AREA OF PROPOSED EASEMENTS:
PERMANENT 1,200 SF

CITY OF HIGH POINT
NORTH CAROLINA

ENGINEERING SERVICES
DEPARTMENT

SCALE: N.T.S. BY: MBN PROJECT: 2430 DATE: JUL. 2009

Publish four (4) consecutive weeks: **February 19, 26, March 5, & 12, 2010**

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA10-04)

WHEREAS, the City Council is requesting to close an unimproved portion of Sheldon Court, lying south of Eugene Avenue between Fala Street and Prospect Street.

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

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the street above described and sets Monday, March 15, 2010, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building, High Point, on the closing of said street.

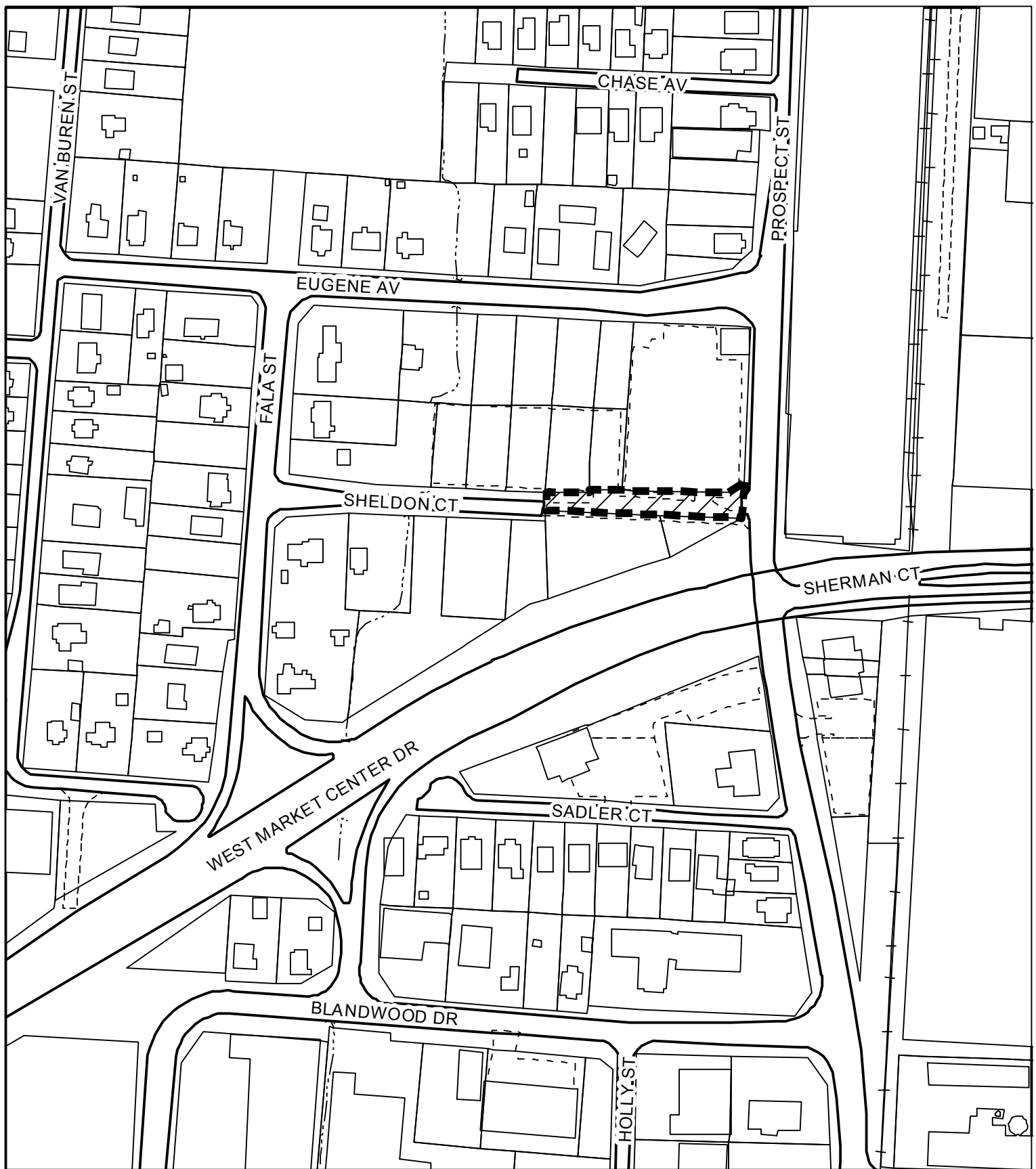
Persons wishing to be heard either for or against the said street closing are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call 336/883-3298 or TDD# 336/883-8517.

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

By Order of the City Council
This the 15th day of February, 2010.

Lisa B. Vierling, City Clerk

Petition Submitted By:
City of High Point



STREET ABANDONMENT REQUEST SA10-04

Applicant: Technical Review Committee
Area: 0.25 acres



Location of requested street abandonment

**Planning & Development
 Department**

City of High Point

Date: February 8, 2010



Scale: 1"=200'
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Steven E. Dudash

900 Johnson Street
High Point, NC 27262
336-883-6789
dosh6017@yahoo.com

February 10, 2010

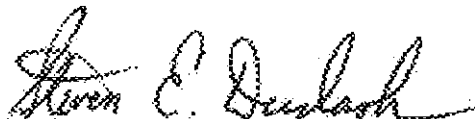
To Whom it may concern,

I have been very involved with the preservation and improvement of our neighborhood on Johnson street for over twenty years. Although very interested and concerned, I never thought of applying to become a member of the High Point Historic Preservation Commission until I was approached by several of the neighborhood's residents and asked to represent our neighborhood on the commission due to an upcoming vacancy. I agreed and began the process of applying for appointment to the commission between the middle and end of October 2009, so I thought. Due to, what has been described by many, as an "unfortunate" set of circumstances, I was not even considered to fill the vacancy of representative for our district on the commission.

After a replacement for our district was appointed, I was told of the circumstances that occurred which prevented me from being considered. I knew from the previous representative from our district that another vacancy on the commission was coming up in January 2010, so I told Mr. Robbins that I would be satisfied to wait until that next appointment for consideration to be a member. I was then informed by Mr. Robbins that a city statute prevented me from eligibility of membership to this commission because there was already a member appointed from my district of Historic Johnson Street.

Because this new appointee is to finish out the term of the previous one until October 2010 and, would most likely, be re-appointed for their own term, I am exempted from serving on the Historic Preservation Commission for the next several years due to this city statute. This set of circumstances disturbs me greatly.

I respectfully request, via this letter, that the honorable mayor and members of the city council change or repeal this statute so that, at least, two residents of the same historic district might serve on the Historic Preservation Commission concurrently. This would prevent qualified, concerned citizens from being excluded from serving our city. Thank you.



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

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

525 Walnut Street

OWNER:

Tony Lee Davis

**FIRST
INSPECTION:
8-5-2008**

Number of Violations: Unsafe 5 Minor 43
1) no heat system - vandalism
2) electrical system – damaged or removed by vandalism
3) severe structural damage to foundation
4) no smoke detector

**HEARING
RESULTS:
8-21-2008**

Tony Davis appeared for the hearing. Mr. Davis was not legal owner at the time. At the time of the inspection, the property belonged to his parents. Mr. Davis stated it was his intent to repair and reside at this location once he was legal owner. Mr. Davis now has legal ownership of the dwelling. During the hearing, the following findings of fact were established. Due to the number of unsafe structural deficiencies with the foundation and floor system, the dwelling was deemed substandard. Dwelling continues to contribute to the blight of the neighborhood by creating an area for loitering and illicit activities. Due to the deteriorated condition of the dwelling and the associated blight on the neighborhood and that fact that the repairs exceed 50% of the tax value, the Order to Repair or Demolish was issued. Guilford County Tax value of the dwelling is \$29,300. The repair estimate is \$31,550.

**ORDER(S)
ISSUED:
8-26-2008**

Order to Repair or Demolish (90-day)
compliance date of 11-25-2008

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

No repairs made or permits obtained.

EXTENSIONS:

None requested to date.

**CURRENT
STATUS:**

Conditions still exist. Dwelling is vacant and secure.



525 Walnut Street

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: February 8, 2010

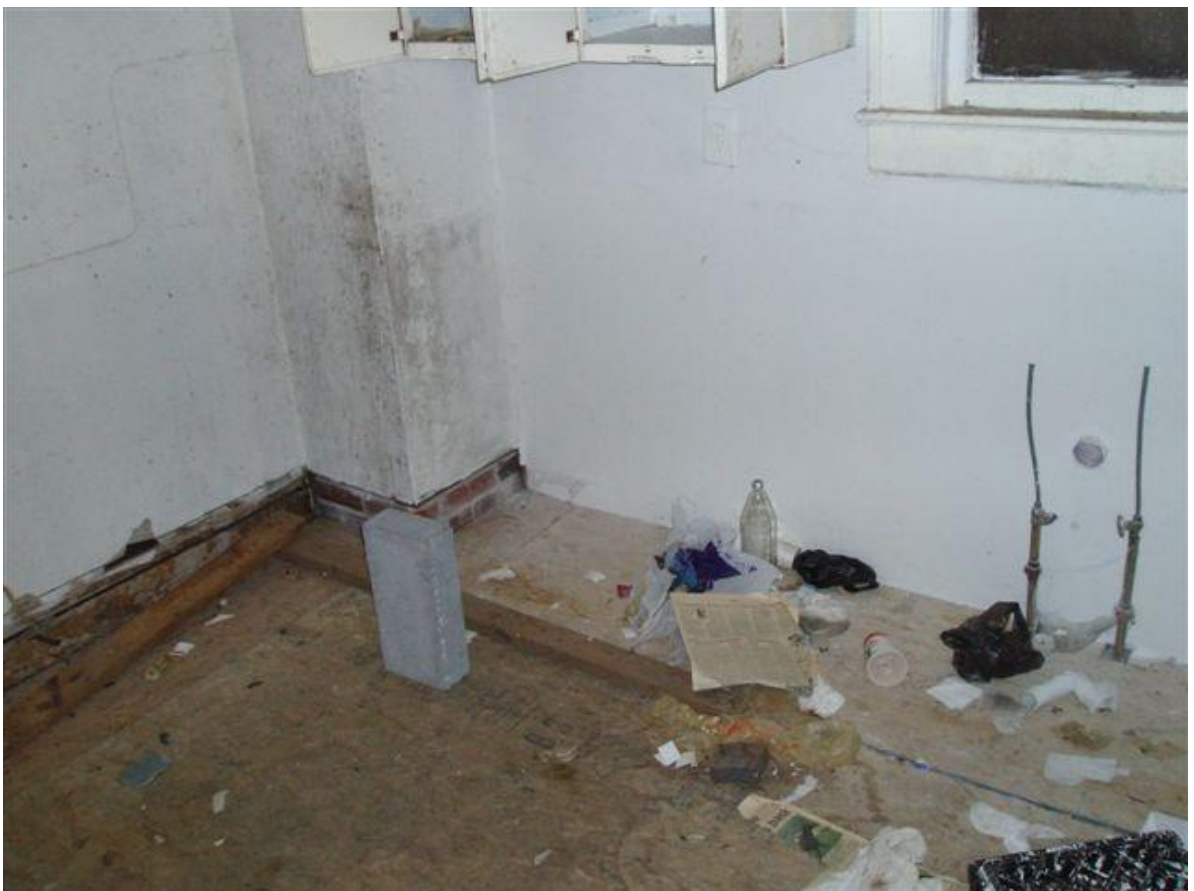


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525 Walnut Street



525 Walnut Street

Publish four (4) consecutive weeks: **February 19, 26, March 5, & 12, 2010**

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA10-06)

WHEREAS, the City Council is requesting to close an unimproved right-of-way (identified as "E. Commerce Street" on Plat Book 5 Page 327) lying north of Franklin Avenue between Brentwood Street and New Street.

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

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the street above described and sets Monday, March 15, 2010, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building, High Point, on the closing of said street.

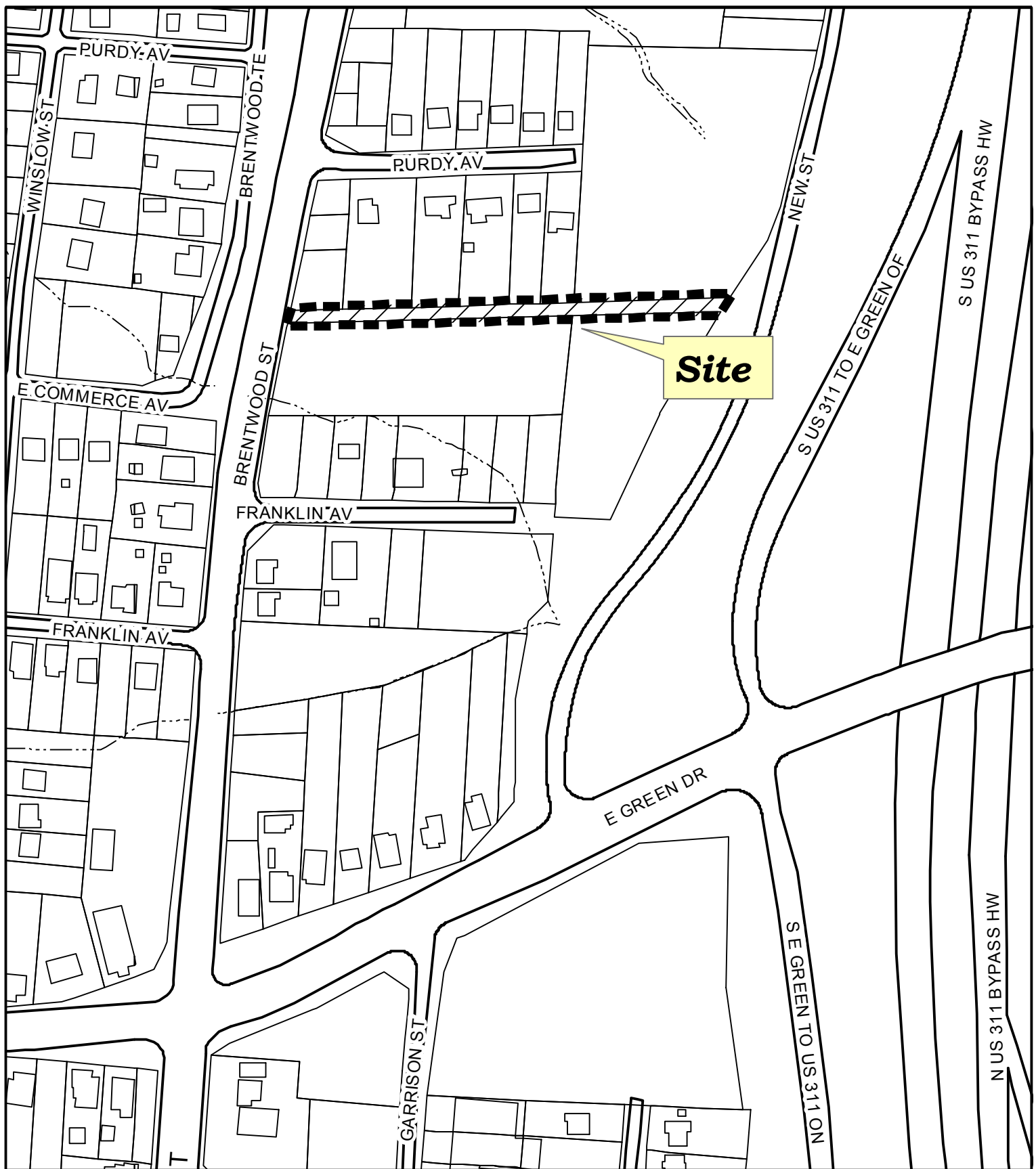
Persons wishing to be heard either for or against the said street closing are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call 336/883-3298 or TDD# 336/883-8517.

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

By Order of the City Council
This the 15th day of February, 2010.

Lisa B. Vierling, City Clerk

Petition Submitted By:
City of High Point



STREET ABANDONMENT REQUEST SA10-06

Applicant: City of High Point
Area: 0.29 acres



Location of proposed street abandonment

Planning & Development
Department

City of High Point

Date: February 8, 2010



Scale: 1"=200'

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AN ORDINANCE AMENDING “THE CITY OF HIGH POINT 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 23, 2010 and before the City Council of the City of High Point on February 15, 2010 regarding **Zoning Case 10-01 and Major Amendment to CUP 00-26** 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 17, 2010, for the Planning and Zoning Commission public hearing and on February 3 and February 10, 2010, 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 15, 2010.

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, North Carolina, be amended to establish the following described area as: A **Conditional Use Public & Institutional (CU -PI) District**. The zoned area consists of two blocks bounded by Montlieu Avenue, North Avenue, Fifth Street and Willoubar Terrace. The property is also known as Guilford County Tax Map 225 all of block 13 and Map 225 all of block 9.

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.

15th day of February 2010.

Lisa B. Vierling, City Clerk

PLANNING AND ZONING COMMISSION RECOMMENDATION

On January 26, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Ms. Martha Shepherd and Mr. Jay Wagner.

High Point University

Street Abandonment Case 10-01

A request by High Point University to abandon that portion of Woodrow Avenue lying between Fifth Street & Willoubar Terrace.

AND

High Point University

Zoning Case 10-01

a. Conditional Use Public & Institutional (CU-PI) District.

A request by High Point University to rezone approximately 9.76 acres from the Residential Single Family-7 (RS-7) District to a Conditional Use Public & Institutional (CU-PI) District. The site consists of the two blocks bounded by Montlieu Avenue, North Avenue, Fifth Street and Willoubar Terrace.

b. Major Amendment to Conditional Use Permit 00-26

A request by High Point University to amend the permit to add approximately 9.76 acres into the permit.

Mr. Schroeder presented Street Abandonment Case 10-01 and Mr. Shannon presented Zoning Case 10-01. The Planning & Development staff recommended approval of both cases as outlined in the staff reports.

Speaking in favor of Street Abandonment Case 10-01 and Zoning Case 10-01:

Mr. Ron Guerra, Director of Construction & Renovation for High Point University.

Mr. Guerra briefly explained the University's intention to close Woodrow Avenue and join the two blocks together to create a large contiguous area for development. He noted that the request is consistent with the University Area Plan and advised that the University has worked closely with staff in regards to conditions offered in the permit to enhance the area and protect the neighboring property owners.

No one spoke in opposition of Street Abandonment Case 10-01 and Zoning Case 10-01

The Planning & Zoning Commission recommended **approval** of Street Abandonment Case 10-01 by a vote of 5-0.

The Planning & Zoning Commission recommended **approval** of Zoning Case 10-01 by a vote of 5-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-01
January 26, 2010**

Request	
Applicant: High Point University	Proposal: Abandonment of an improved portion of Woodrow Avenue lying north of Montlieu Avenue between Willoubar Terrace and Fifth Street.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Willoubar Terrace	Local Street	50 ft. right-of-way – 24 ft. curb & gutter
Fifth Street	Local Street	50 ft. right-of-way – 30 ft. curb & gutter
Woodrow Avenue	Local Street	50 ft. right-of-way – 30 ft. curb & gutter

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

Analysis

The right-of-way being considered for abandonment is approximately 0.69 acres in area being approximately 50 feet in width by 600 feet in length. The right-of-way contains an improved section of Woodrow Avenue. All abutting property is owned by High Point University. The university intends to redevelop the blocks to the north and south of the right-of-way as student housing. No easements need to be retained for the existing utilities. At the time of redevelopment the utilities shall be relocated and/or abandoned per City standards. The adjacent public right-of-ways of Willoubar Terrace, North Avenue and Fifth Street shall remain open and provide adequate vehicular/pedestrian access along the western boundary of the High Point University campus.

Findings

The Technical Review Committee (TRC) reviewed this request on December 16, 2009 and identified no issues that would prevent its abandonment.

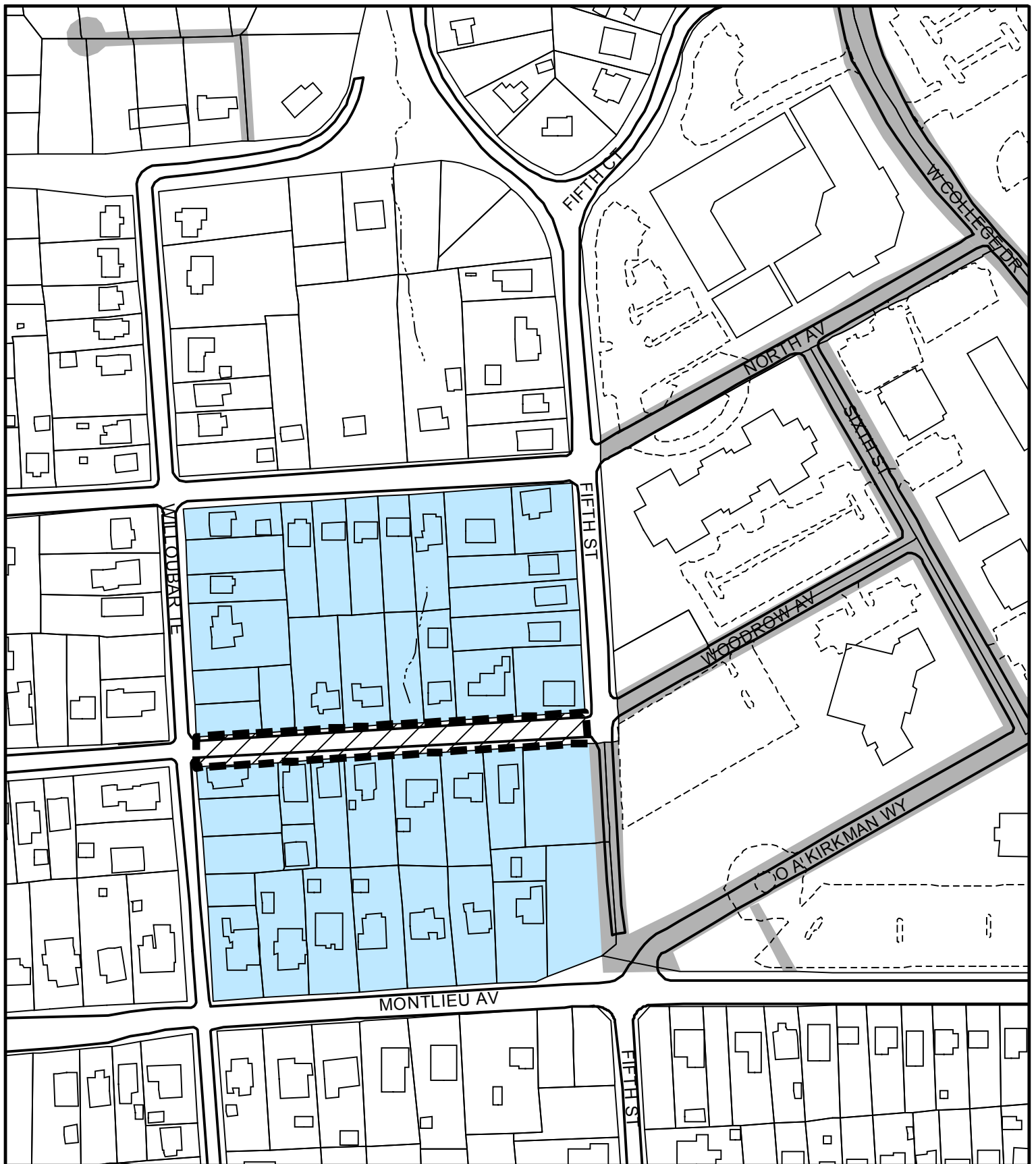
This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means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

Recommendation

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

Report Preparation

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



STREET ABANDONMENT REQUEST SA10-01

Applicant: High Point University
Area: 0.69 acres



Location of requested street abandonment



Parcels owned by High Point University

**Planning & Development
 Department**

City of High Point

Date: January 19, 2010



Scale: 1"=200'

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Looking east from Willoubar Terrace.



Looking west from Fifth Street.



Aerial with the abandonment area highlighted.

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

**STAFF REPORT
ZONING CASE 10-01
MAJOR AMENDMENT CUP 00-26
January 26, 2010**

Request	
Applicant: High Point University	Owner(s): High Point University and Robert D. Green
Proposal: 1. To rezone 9.76 acres from RS-7 to CU-PI, and include this area into Conditional Use Permit 00-26 (CUP 00-26). 2. To amend CUP00-26 to include development standards for the area to be added to the permit.	From: RS-7 - Residential Single Family-7 District
	To: CU-PI - Conditional Use Public & Institutional District

Site Information	
Location:	A two block area bounded by Montlieu Avenue, Fifth Street, North Avenue and Willoubar Terrace.
Tax Parcel Numbers:	Tax Map 225 all of block 13; and Map 225 all of block 9.
Site Acreage:	Total area proposed to be rezoned is approximately 9.76 acres. Land area already part of CUP 00-26 is approximately 26.45 acres.
Current Land Use:	Single family dwellings and undeveloped parcels.
Physical Characteristics:	The site has a moderately sloping terrain.
Water and Sewer Proximity:	City sewer lines (8-inch lines) and water lines (6-inch, 12-inch & 16-inch lines) are both within the public streets abutting the site.
General Drainage and Watershed:	The site drains in a general northern direction with Montlieu Avenue frontage being the highest elevation upon the site. Development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily development with an impervious surface area that is greater than 24% or more of the site.
Overlay District(s):	City Lake General Watershed Area

Adjacent Property Zoning and Current Land Use		
North:	RS-7 - Residential Single Family-7	Single family residential subdivision
South:	RS-7 - Residential Single Family-7	Single family residential subdivision
East:	CU-PI - Conditional Use Public & Institutional District	University Campus (<i>student dormitory & academic buildings</i>)
West:	RS-7 - Residential Single Family-7	Single family residential subdivision

School District Comment	
Not applicable to this zoning case.	

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.
Land Use Plan Goals, Objectives and Policies:	<u>Goal 2:</u> Encourage development that enhances and preserves established neighborhoods. <u>Obj. #9.</u> Where feasible and appropriate, provide a transition in land uses between more and less intensive land uses.
Relevant Area Plan(s): 1) <i>University Area Plan</i>	Policies <u>Goal 3:</u> Ensure compatibility between the edge of campus and the surrounding neighborhood. Policy 3.2: Maintain as many existing large mature trees as possible, on site during new construction. Policy 3.5: 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. Edges • <u>Transition Area (Permanent Edge – Montlieu Ave.)</u> – These areas are seen as permanent edges to campus. When redevelopment is considered within a Transition Area the new development should strive to maintain the existing setting of the area. Compatibility with the adjacent properties is of the utmost importance. The height, mass, scale, setbacks and the intensity of the new development should be taken into consideration during the planning and design phases of development. Other factors to consider in ensuring compatibility are: parking lot location; access; lighting height, direction and intensity; fencing type, height and location; and landscaping type, rate, location and width of the planting area. If the area is characterized by large mature trees, then an effort should be made to maintain trees where possible. In places where Transition Areas abut public streets, solid fencing is typically discouraged. • <u>Interim Edge Area (Willoubar Terr & North Ave)</u> – These are the edges between growth phases or sub-areas and they are expected to be relatively short-term. However, the timing of future expansion into an adjacent sub-area or phase is unknown, so the impact on adjacent properties still needs to be considered and mitigated. Factors to consider in mitigating impacts are: parking lot location; access; lighting height, direction and intensity; fencing type, height and location; and landscaping type, rate, location and width of the planting area.

Community Growth Vision Statement:	<u>Goal 1:</u> Preserve and enhance High Point's most important natural and cultural resources. 1). Objective 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Zoning History:	Since 1998, High Point University has received two Land Use Plan Amendments and 13 rezoning approvals in the area lying north of Montlieu Avenue and west of W. College Drive to accommodate the westward expansion of the University.

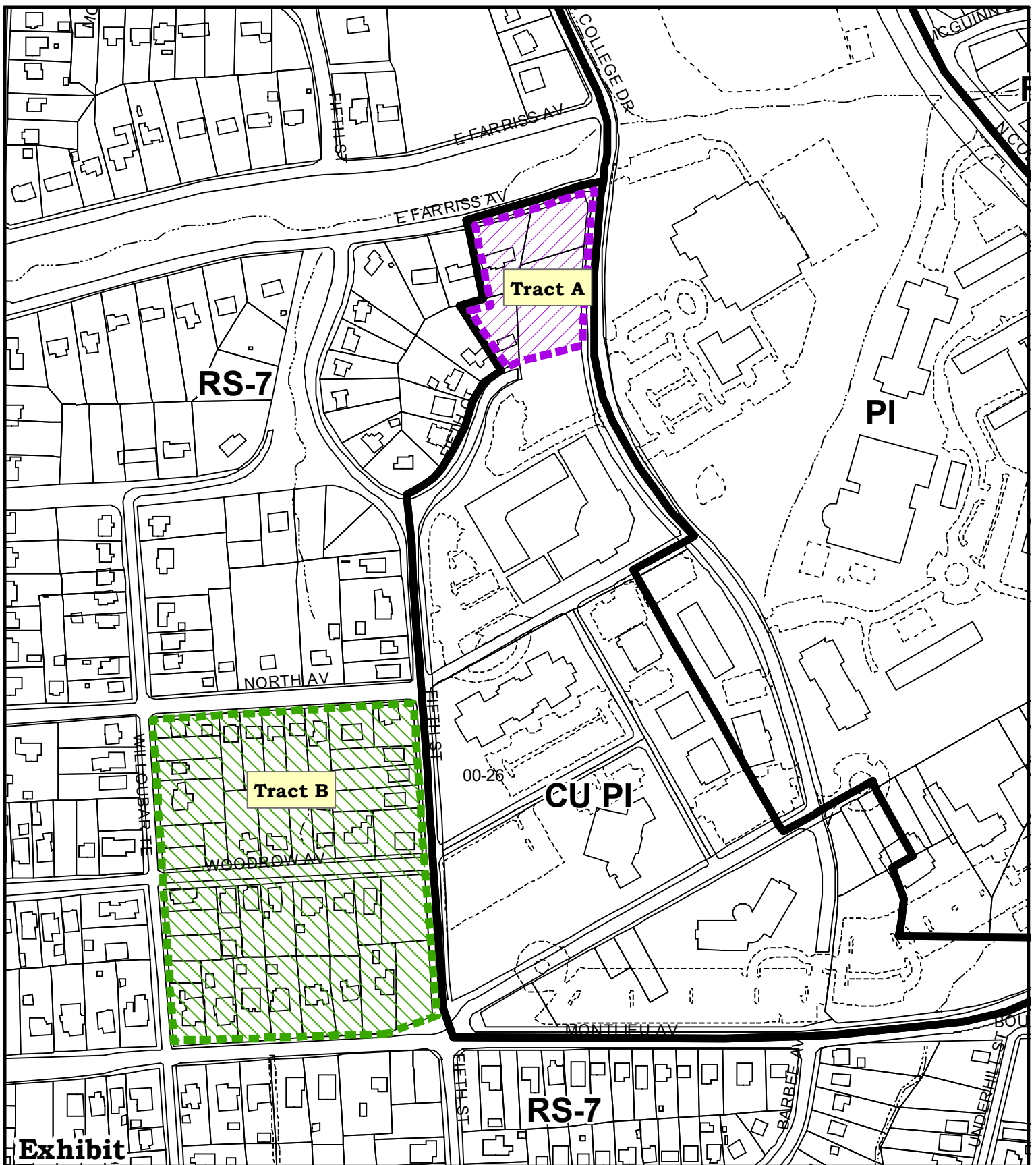
Transportation Information				
Adjacent Streets:	Name		Classification	Approx. Frontage
	Montlieu Avenue		Major Thoroughfare	600 ft.
	North Avenue		Local Street	600 ft.
	Willoubar Terrace		Local Street	710 ft.
	Fifth Street		Local Street	355 ft.
Vehicular Access:	This development will have access on North Avenue and Fifth Street.			
Traffic Counts:	N. Centennial St. & Montlieu Ave. (intersection count)		11,000 (2005, 12-hour count)	
Estimated Trip Generation:	The proposed development will generate less than 45 trips in the AM or PM peak hour.			
Traffic Impact Analysis:	Required			Comment
	☐ Yes	☐	☒ No X	
Pedestrian Access:	This development will be required to install sidewalks along Willoubar Terrace and North Avenue.			

Details of Proposal

The applicant, High Point University, is requesting this rezoning in order to expand its campus. It is requesting to rezone two city blocks from a current RS-7 District to a CU-PI District and to add the area to Conditional Use Permit 00-26 (CUP 00-26). CUP 00-26 governs development of the southwestern portion of the campus.

The area associated with this zoning case is referred to as Tract B within CUP 00-26. The applicant intends to develop this area for student housing, specifically for fraternities and sororities. However, CUP00-26 allows any college or university use, and other public/institutional uses such as school administration facilities, churches, elementary or secondary schools, and customary accessory uses. Thus, when reviewing this request all allowable uses of the permit should be considered.

The applicant has offered several amendments to CUP00-26 as a part of this zoning request to address compatibility concerns with abutting residential uses and issues raised by the University Area Plan. The proposed amendment to CUP00-26 is attached to this report; however, a general overview of conditions offered by the applicant is as follows:



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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- 1). Condition II.A. - General conditions for all of the land area associated with CUP00-26 and Fifth Street edge of campus.
 - The applicant has updated the standards as to screening of mechanical/electrical equipment from adjacent street.
 - If this zoning request is approved, then the southern portion of Fifth Street will no longer be the western edge of campus. However, that portion of Fifth Street lying north of North Avenue would still be an external edge of the campus. This section of the permit is being clarified to note that the higher development standard for this area will only apply to that portion of Fifth Street lying north of North Avenue.
- 2). Add Condition II.C (Tract B zoning site). The general conditions of the permit would apply to this area. However, the applicant has offered the following specific conditions in regards to development of Tract B.
 - All buildings shall have a pitched roof.
 - Fencing shall be installed along the Montlieu Avenue and Willoubar Terrace frontage.
 - The height of lighting along the perimeter of tract shall be limited to 25-feet.
 - No vehicular access points shall be allowed from Montlieu Avenue and Willoubar Terrace.
 - Along the Montlieu Avenue frontage:
 - Maximum building height shall be 50-feet, within 100 feet of Montlieu Avenue;
 - Street yard landscaping standards are increased. Instead of an 8 foot wide area, a 35 to 100 foot wide planting area is being provided with a planting rate of 5 trees every 100 linear feet. Any existing trees preserved will be credited at a 2-to-1 ratio.
 - Loading areas on any side of a building that faces Montlieu Avenue are prohibited.
 - Along the Willoubar Terrace and North Avenue frontage, higher street yard landscaping standards have been offered. Rather than an 8 feet wide street yard with 2 trees and 17 shrubs, a Type B planting rate of 8 trees and 25 shrubs every 100 linear feet will be provided in a minimum 15 foot wide to 30 foot wide planting area.
- 3). Addition to Condition II.D – Transportation conditions.
 - The right-of-way dedication condition is amended to not require additional right-of-way dedication for the Montlieu Avenue frontage of Tract B.

Identified Issues

Major Issues:

- ❖ None

Minor Issues:

- ❖ The January 11, 2010 memorandum from the Transportation Department recommends a 10 foot wide utility easement be provided along Montlieu Avenue for future extensions of city utilities. The Planning & Development Department agrees that utility easements may be needed at this and other locations upon the site; however, such utility easements can be properly exacted once the development plan is submitted and the exact location and sizes of such utilities are determined. This can be addressed sufficiently as part of the Technical Review Committee (TRC) review and approval process.

Findings

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

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

Compliance	❖ Conditions offered prohibiting vehicular access to Tract B from Montlieu Avenue and Willoubar Terrace will force most of the traffic from this site back toward the main campus area and enhance public safety.
------------	---

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

Compliance	❖ Conditions offered by the applicant pertaining to higher landscaping standards, fencing, lighting and building height will assist in assuring development of the site will not negatively impact the value of adjacent property owners.
------------	---

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

Compliance	❖ The area proposed for rezoning has an Institutional Land Use Map designation. The requested CU-PI District and proposed uses, as outlined in the conditional use permit, are consistent with this land use designation. ❖ Staff finds the request in harmony with the surrounding area and in conformance with the Land Use Plan and University Area Plan based upon the following: ➤ The contiguous nature of this rezoning request to existing CU-PI District areas associated with the University's main campus area. ➤ The size of the land area within these two blocks allows sufficient area for landscaping and building setback standards of the Development Ordinance to be met. ➤ The applicant has proposed development of complete sub-areas, consisting of all the parcels within these two blocks. ➤ Conditions in regards to edge treatment of this tract assist in protecting adjacent residentially zoned property.
------------	--

Recommendation

Staff Recommends Approval

Based upon above noted findings, staff recommends approval of the request to rezone these parcels to a CU-PI District and the Major Amendment to Conditional Use Permit 00-26.

Required Action

Planning and Zoning Commission:

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

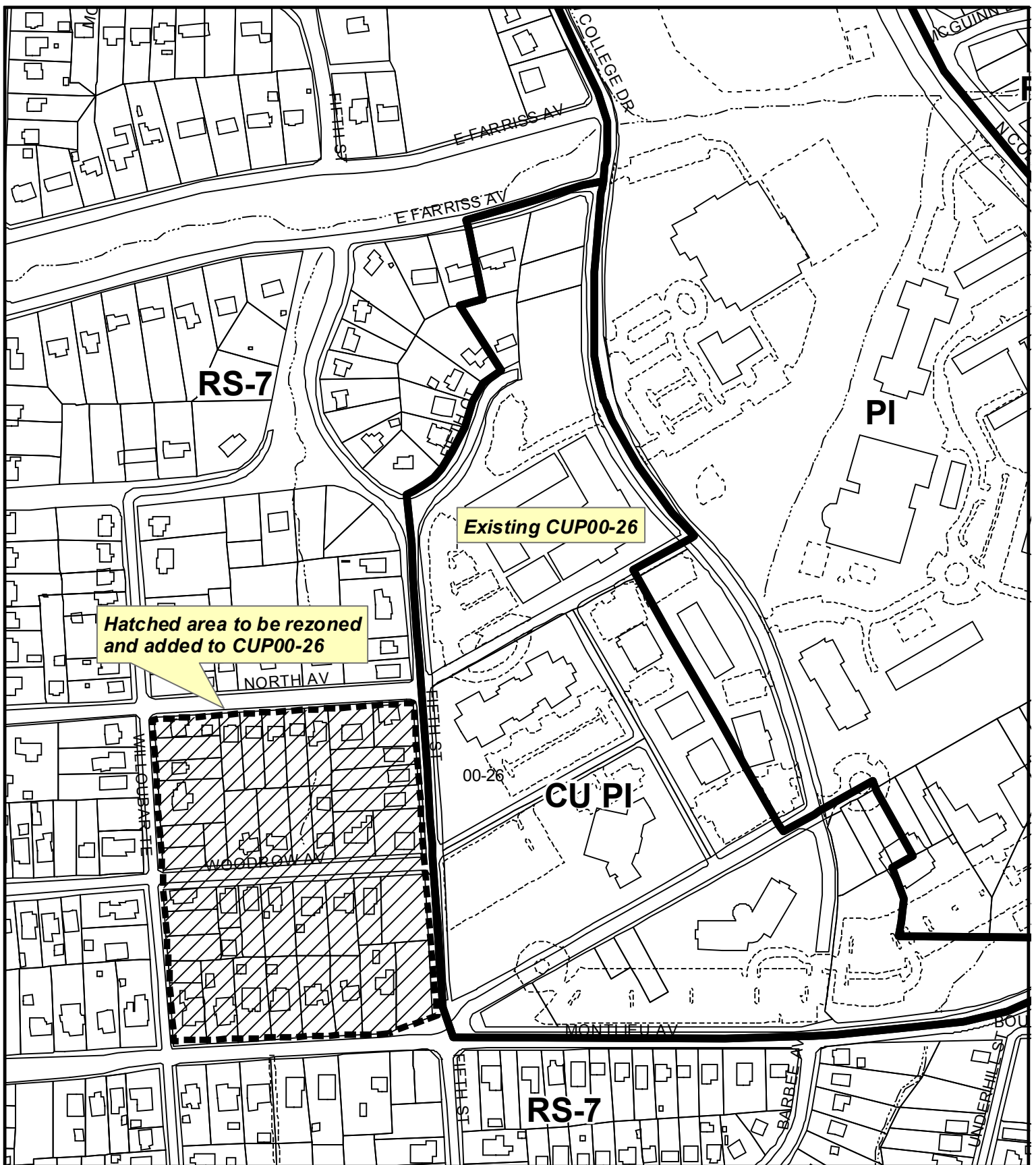
City Council:

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

In addition, the City Council must, prior to adopting or rejecting any zoning amendment, explain why it considers the action taken to be reasonable and in the public interest. In this case, staff suggests that the approval of the applicant's request is reasonable and in the public interest because: 1) it meets the required findings for a conditional use zoning district as written in this report; 2) the area proposed for rezoning has an Institutional Land Use Map designation and the requested CU-PI District, as restricted by CUP00-26, is consistent with the land use plan and in harmony with the adjacent residential neighborhood; 3) the higher landscaping requirements of the permit along Montlieu Avenue, Willoubar Terrance and North Avenue edges of the site will further insure the request will be in harmony with adjacent single family dwellings; and 4) this request includes all the properties in these two blocks and is contiguous to the University's main campus area, is generally consistent with policies of the University Area Plan, and is a reasonable extension of the High Point University campus. The City Council may adopt this statement, it may add to or change this statement, or, if the Council is in disagreement with the above statement it will need to formulate its own reasonableness / public interest statement.

Report Preparation

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



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 - - - - -

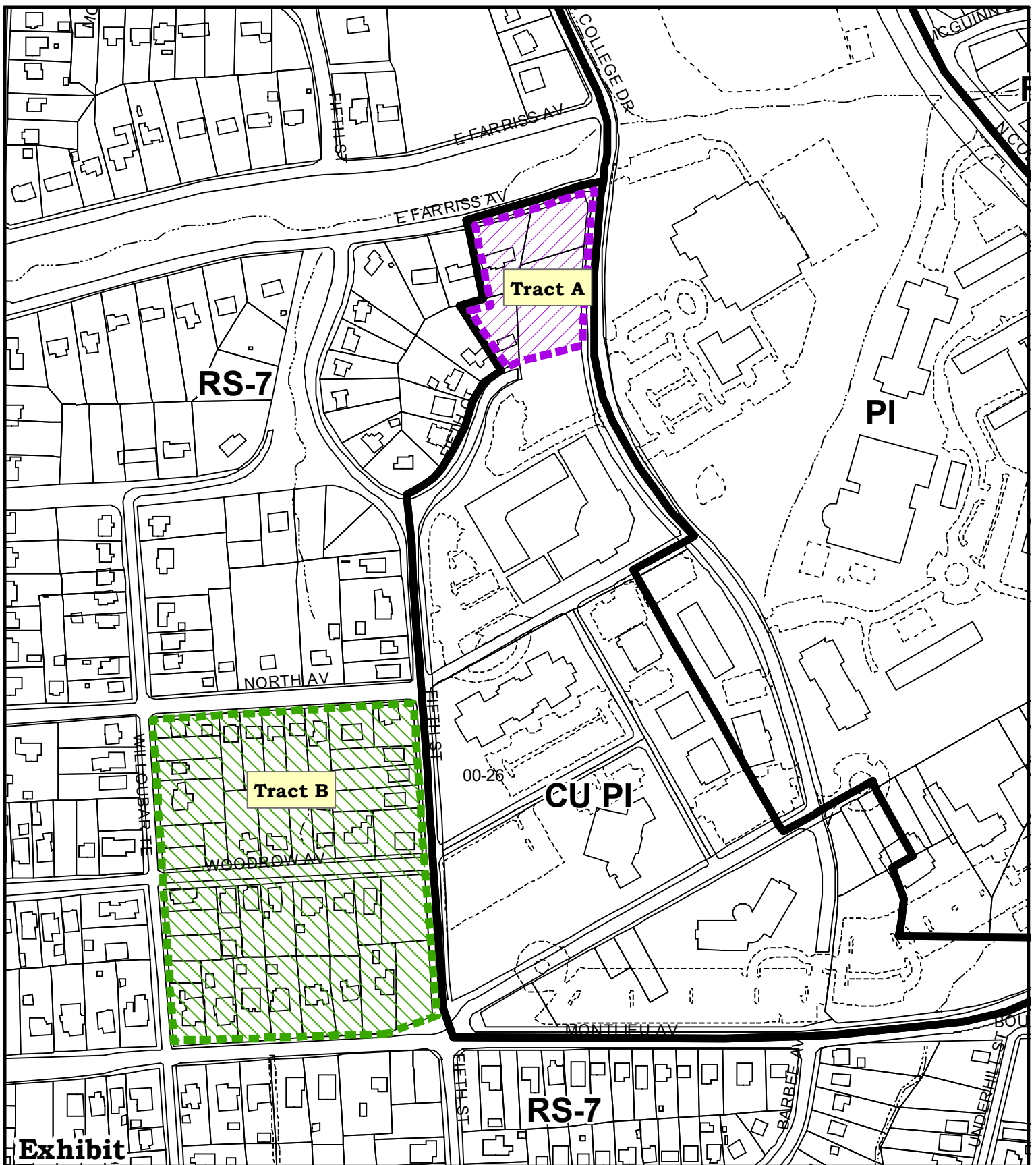
**Planning & Development
Department**

City of High Point

Date: January 8, 2010



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 - - - - -

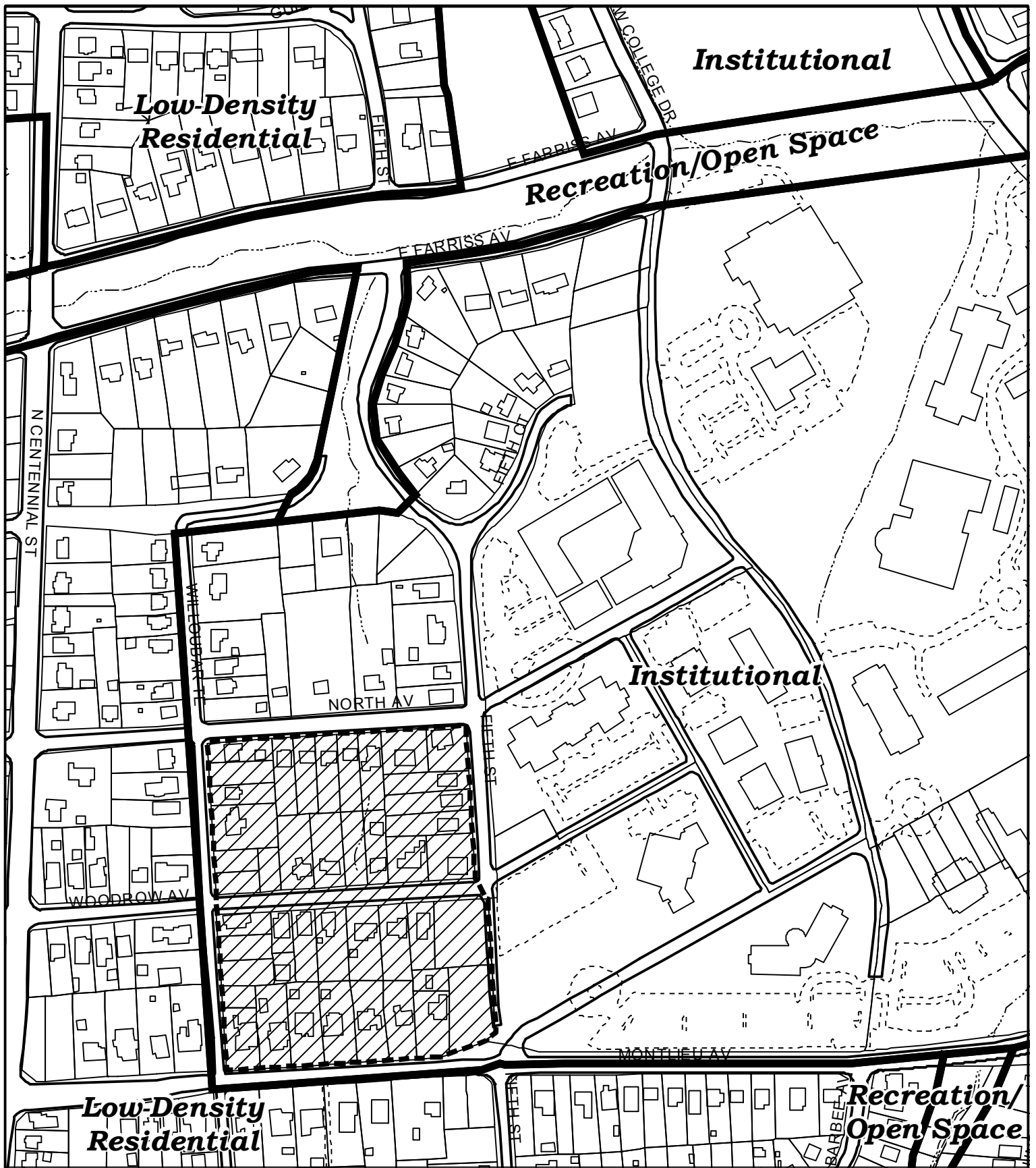
**Planning & Development
Department**

City of High Point

Date: January 14, 2010



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REZONING CASE 10-01

Land Use Plan

Existing Land Use Plan

Subject Property Boundary



Planning & Development
Department

City of High Point

Date: January 15, 2010



Scale: 1"=300'

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REZONING CASE 10-01

Topography

Subject Property Boundary - - - - -

**Planning & Development
Department**

City of High Point

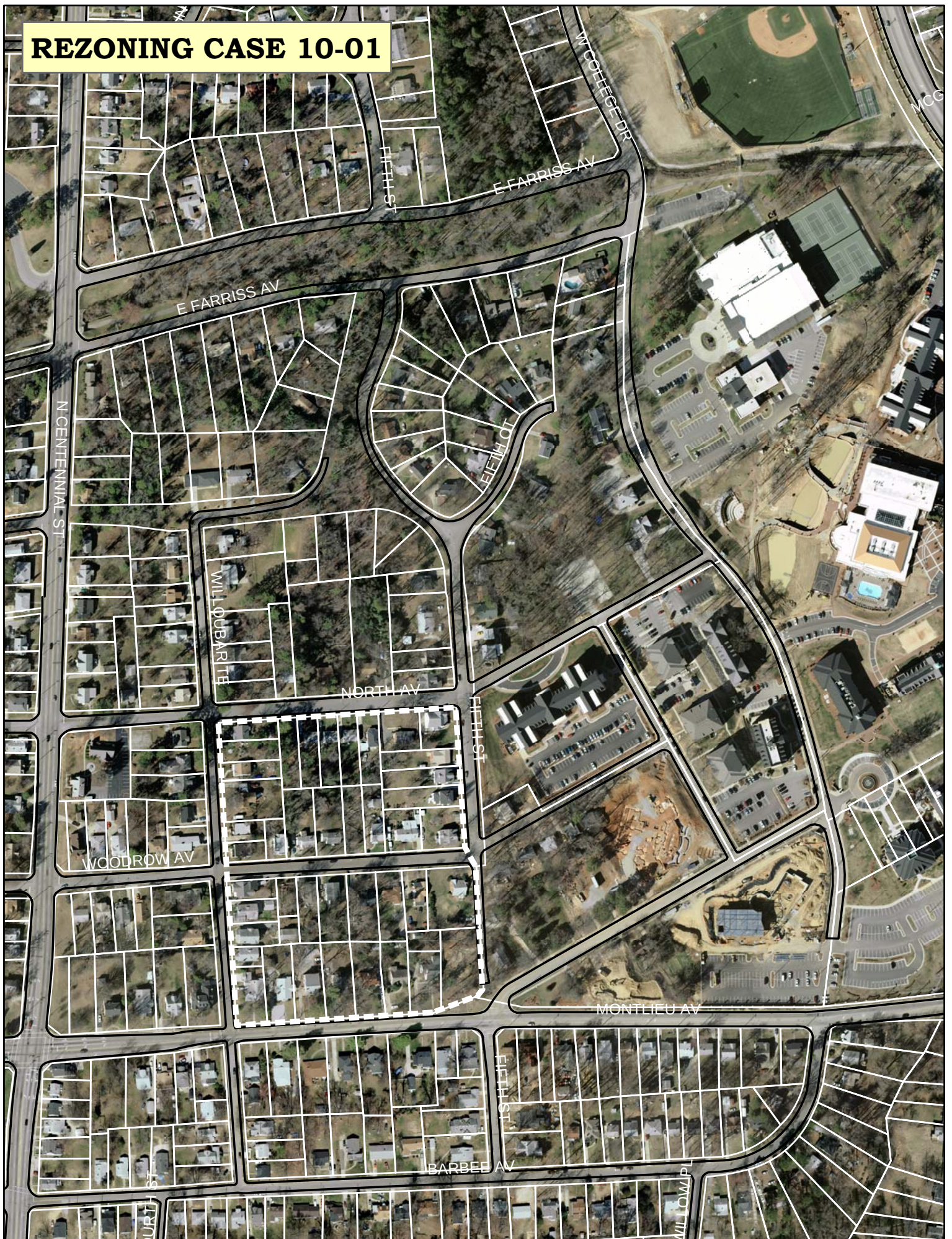
Date: January 15, 2010



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REZONING CASE 10-01



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>February 8, 2007</u> (Major Amendment)	<u>February 16, 2009</u> (Major Amendment)
<u>August 4, 2005</u> (Major Amendment)	<u>September 17, 2007</u> (Major Amendment)	<u>February 16, 2009</u> (Major Amendment)
<u>October 2, 2006</u> (Major Amendment)	<u>February 18, 2008</u> (Major Amendment)	<u>October 29, 2009</u> (Major Amendment)
<u>November 18, 2006</u> (Major Amendment)	<u>July 7, 2008</u> (Major Amendment)	<u>January 11, 2010</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. ~~Mechanical or electrical equipment, storage facilities or other such unsightly building appurtenances shall be screened from view at a height of six (6) feet above ground level, as seen from the centerline of Fifth Street, Fifth Court or E. Farris Avenue. Existing or newly planted vegetation, opaque fences, masonry walls, other structures or combination thereof may be used to achieve an effective screen.~~
- 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 points shall be permitted from Montlieu Avenue 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: 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 ~~26.45~~ **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 ~~east of Fifth Street~~ 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.**

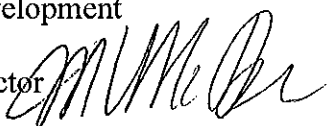
An application has been duly filed requesting that the property involved in this application be rezoned from the Residential Single Family-7 (RS-7) District and Conditional Use Public & Institutional (CU-PI) District to an amended Conditional Use Public & Institutional (CU-PI) District. It is understood 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.



January 11, 2010

To: Lee Burnette, Director of Planning and Development
From: Mark McDonald, P.E., Transportation Director 
Subject: **Major Amendment CU Permit #00-26**, High Point University. Property located west side of the intersection of Fifth Street and Willoubar Terrace.

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

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

Right-of-Way

The property owner shall dedicate a ten (10) ft utility easement behind the existing right-of-way between O.A. Kirkman Way and Willoubar Terrace along Montlieu Avenue.

The City of High Point Director of Transportation and NCDOT shall approve all construction and improvements.

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

**Citizens Information Meeting Report
Zoning Case 10-01
&
Major Amendment CUP00-26**

Submitted by: Ron Guerra on behalf of
High Point University

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

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

Date: December 18, 2009

**Re: Case No. CUP 0026, Area B
Citizens' Information Meeting Report**

Project: Greek Village

On Thursday, December 17, 2009, at 6:00 p.m., High Point University conducted a Citizens' Information Meeting in support of our application for a rezoning/major amendment request. Letters announcing the meeting were sent to 67 individuals at 61 addresses—a copy of the letter and a list of the individuals are included in this report. Fourteen (14) individuals attended the meeting. The University was represented by Mr. Ron Guerra, Director of Construction and Renovations, and Mr. Greg Mercer, Mercer Architecture.

Mr. Guerra presented a comprehensive explanation of the project: location, the expansion of campus, and the project itself. He reviewed the housing, spacing of the buildings, size of the buildings/project, supervision of the students, fencing (perimeter of property and privacy fencing behind each house, landscaping, buffer areas, emergency access, and traffic patterns.

Mr. Mercer described the specifics of the project to the community members: 14 buildings at approximately 3,000 square feet per building, 12 residents and a resident assistant in each building, chapter lounge, ritual room, and a kitchen. All buildings will be oriented toward the center of the project. He briefly reviewed the storm water treatment opportunities and a potential wetland area so that all water is treated before it leaves the site.

Residents' questions included:

- Number of student who are members of a fraternity/sorority? From 15 to a maximum of 50.
- How would the patio areas of each house be buffered? Opaque wall, landscaping/ Exact description has not been determined
- Does the City's noise ordinance include University property? Yes it does.
- Entry into the area?
 - Montlieu Avenue – No
 - Willoubar Terrace – No
 - North Avenue – proposed emergency access only
 - Fifth Street – Yes, but only into the core of the campus.
- Parking on the site? Would be internal to the project along the circular road.

- Would there be controlled access to the area? This is still being determined by the HPU Student Affairs Staff and Security.
- Safety? Sprinkled, exterior lighting,
- How much Purple would I be looking at? The houses are proposed to be brick with wood trim and asphalt shingles
- Discussion about what areas are in the University area plan and what areas are not
- Does the City have any plans to rebuild the residential areas around HPU like was done in the Macedonia project? Suggested that they contact the City.

The meeting was cordial; the individuals were engaged; and adjourned at 7:15 pm

December 11, 2009

Street
City

Subject: **Citizen Information Meeting, December 17, 2009**

Ladies and Gentlemen:

A Citizen Information Meeting will be held Thursday, December 17, 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 the rezoning (from RS 7 to CU PI) of **two blocks bordered by Montlieu Avenue, Willoubar Terrace, North Avenue, and Fifth Street**. The changes, which are requested, are from RS7 to CU PI. The property consists of **42** lots total, approximately **9.76** acres or **425,146** square feet.

The proposed development for the area includes **16** residential buildings, adjacent sidewalks, and access roadways. Each building will be a two-story residence hall to be constructed on property currently owned by High Point University.

The next meeting of the Planning and Zoning Commission with a public hearing on this proposal will take place at City Hall on January 26, 2010 at 6 p.m.

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,

Donald A. Scarborough
Vice President for Community Relations

NOT SENT - reason noted

AGAPION IRENE
625 S ELM ST
GREENSBORO NC 27406

BAKER JANE G
4469 ORCHARD KNOB LN
HIGH POINT NC 27265

BARKER D P HEIRS C/O DAVID P BARKER
JR
1208 BRIARCLIFF RD
WARNER ROBINS GA 31099

HPU NOW OWNS

~~BERRY WILLIAM C & LULA P~~
716 WOODROW AVE
HIGH POINT NC 27262

BMS INVESTMENT PROPERTIES LLC
3625 N ELM ST SUTIE 200
GREENSBORO NC 27455

HPU NOW OWNS

~~BRAND LEROY & MARY WILLIAMS~~
726 MONTLIEU AVE
HIGH POINT NC 27262

HPU NOW OWNS

~~BRAND SECOYAH & MAXINE L~~
715 WOODROW AVE
HIGH POINT NC 27262

HPU NOW OWNS

~~BRINSON MARY LOU~~
1100 ROCKFORD RD
HIGH POINT NC 27262

BROWN JOHNNIE H & SHEILA A
612 MONTLIEU AVE
HIGH POINT NC 27262

BULL JIMMY C
PO BOX 1125
HIGH POINT NC 27261

BUTLER BENNIE R & LASANDRA G
704 MONTLIEU AVE
HIGH POINT NC 27262

CARTER JEFFREY DEAN
608 MONTLIEU AVE
HIGH POINT NC 27262

CASE MARK H & ROBERTA J
4558 OLD GREENSBORO RD
RANDLEMAN NC 27317

CHAMBERS RAYMOND W JR
1708 HEATHCLIFF RD
HIGH POINT NC 27262

HPU NOW OWNS

~~CLARK DARREN R & LINDA B~~
PO BOX 6759
HIGH POINT NC 27262

COVINGTON JAMES & IDA P
728 MONTLIEU AVE
HIGH POINT NC 27262

CROWDER RONALD D & SHARON D
1310 SWANNER CT
HIGH POINT NC 27262

DAVIS CHARLIE C SR
606 MONTLIEU AVE
HIGH POINT NC 27262

~~DUPLICATE~~
~~DAVIS CHARLIE C SR~~

~~606 MONTLIEU AVE~~
~~HIGH POINT NC 27262~~

DAVIS JON W & DONNA L
611 WOODROW AVE
HIGH POINT NC 27262

DAWKINS RACHEL M & CLYDE T MARSH JR
3600 RIVERDALE DR
GREENSBORO NC 27406

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

HPU NOW OWNS
~~ELMORE ANNIE & WAYMON HARRIS~~
812 WILLOUBAR TERR
HIGH POINT NC 27262

HPU NOW OWNS

~~ELMORE ANNIE & WAYMON HARRIS~~
812 WILLOUBAR TERR
HIGH POINT NC 27262

FLAKE JAMES W & FANNIE I
909 BARBEE ST
HIGH POINT NC 27260

GIES ROBERT F & AMY K
610 MONTLIEU AVE
HIGH POINT NC 27262

GOMEZ JUAN A & LINDA LEE
2019 ARDEN PL
HIGH POINT NC 27265

GRACE LUTHERAN CHURCH TRUSTEES
810 N CENTENNIAL ST
GREENSBORO NC 27260

GRAY SARAH M
607 NORTH AVE
HIGH POINT NC 27262

GREEN SAMUEL JR
2918 STATION CT
HIGH POINT NC 27260

GREENE ROBERT D
804 WILLOUBAR TER
HIGH POINT NC 27262

HPU NOW OWNS
~~HALAM THAO THU & TRI M HA~~
716 NORTH AVE
HIGH POINT NC 27262

HANEY MARY ELLEN
1005 BARBEE AVE
HIGH POINT NC 27260

Duplicate
~~HARRIS-RICH ELAINE~~
722 MONTLIEU AVE
HIGH POINT NC 27262

HARRIS-RICH ELAINE & MARY LUE LINDSAY
722 MONTLIEU AVE
HIGH POINT NC 27262

HAYES CHESTER & RUTH H
604 WOODROW AVE
HIGH POINT NC 27262

Duplicate
~~HENSLEY INVESTMENT PROPERTIES INC~~
114 SAINT ANDREWS DR
HIGH POINT NC 27265

HENSLEY RODNEY D & LAVINIA B
114 SAINT ANDREWS DR
HIGH POINT NC 27265

HPU NOW OWNS
~~HIGH POINT UNIVERSITY~~
859 MONTLIEU AV
HIGH POINT NC 27262

HPU NOW OWNS
~~HIGH POINT UNIVERSITY~~
833 MONTLIEU AV
HIGH POINT NC 27262

JACKSON LARISSA ARNELL
811 WILLOUBAR TER
HIGH POINT NC 27262

HPU NOW OWNS
~~JACKSON NATHANIEL & AIKO~~
711 WILLOUBAR TER
HIGH POINT NC 27262

JENNINGS WESLEY D
2000 N MAIN ST
HIGH POINT-NC 27262

HPU NOW OWNS
~~JERNICAN ROBERT & PATSY L~~
1904 MIDDLEWOOD CT
HIGH POINT NC 27265

JOHNSON RUSH JAMES JR
712 MONTLIEU AVE
HIGH POINT NC 27262

JOHNSON WILLIAM CHARLES
1316 HEMPSHIRE CT
HIGH POINT NC 27262

JONES REBECCA C
607 MONTLIEU AVE
HIGH POINT NC 27262

JONES REBECCA S
730 MONTLIEU AVE
HIGH POINT NC 27262

KOSTRABA PAUL & EWA A
305 RIDGELAND DR
HIGH POINT NC 27265

LEE-ALAN ENTERPRISES
410 BURNING TREE CIR
HIGH POINT NC 27265

LENKER LAURIE D
6624 IVYSTONE DR
JAMESTOWN NC 27282

MARSH CLYDE T JR & BENJAMIN DAWKINS
& RACHEL M DAWKINS
717 WOODROW AVE
HIGH POINT NC 27262

HPU NOW OWNS
~~MCCAIN DWIGHT~~
808 WILLOUBAR TER
HIGH POINT NC 27262

MCCARTHY DOUGLAS R & SONIA J
707 WILLOUBAR TER
HIGH POINT NC 27262

Duplicate, Deceased
~~MCCARTHY ROBERT DOUGLAS~~
707 WILLOUBAR TERR
HIGH POINT NC 27262

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

MCLAUGHLIN FAMILY LLC
215 WEAVER MINE TRAIL
CHAPEL HILL NC 27517

MIDDLETON PRINCE & TERESA
901 WILLOUBAR TER
HIGH POINT NC 27262

MILLER LATASHA
907 WILLOUBAR TERR
HIGH POINT NC 27262

HPU - UNDER CONTRACT
~~MOOSE GARLINGTON JUSTINE E~~
7806 GREY FOX RD
OAK RIDGE NC 27310

OPPENHEIM SARA ELIZABETH N
605 MONTLIEU AVE
HIGH POINT NC 27262

PARKER JERRY
1003 BARBEE AVE
HIGH POINT NC 27260

19
HPA NOW OWNS
~~PHY LINDA INVESTMENTS~~
2007 ENGLISH RD
HIGH POINT NC 27262

RAGSDALE BROTHERS LLC
PO BOX 667
JAMESTOWN NC 27282

RATANAPHRUKS YUTHANA
819 FIFTH ST
HIGH POINT NC 27262

ROBINSON JAMES D & SUSAN M DUNCAN
1008 WILLOUBAR TERRACE
HIGH POINT NC 27262

ROBINSON JAMES T JR DR
1008 WILLOUBAR TER
HIGH POINT NC 27262

ROBINSON LAURA K & HARVEY
906 N CENTENNIAL AVE
HIGH POINT NC 27262

ROGERS CONSTANCE ANITA
927 MAYFORD DR
KERNERSVILLE NC 27284

SCHMIDT WALTER J
7641 NORTHWOODS BLVD
N CHARLESTON SC 29406

SCOTT JIMMY L
611 MONTLIEU AV
HIGH POINT NC 27262

SECRETARY OF HOUSING & URBAN
DEVELOPMENT
40 MARIETTA ST
ATLANTA GA 30303

SPAULDING VIRGIL A TRUSTEE
2110 MCCONNELL RD
GREENSBORO NC 27401

THORNTON CALLIE
3030 OTIS ST NE
WASHINGTON DC 20018

TUTTLE FRANCES H
PO BOX 2184
JAMESTOWN NC 27282

VICTOR HONEA INC
24420 S NC HIGHWAY 109
DENTON NC 27239

WALTERS JACK R & NIKKI S
106 KATHLAND AVE
THOMASVILLE NC 27360

HPA NOW OWNS
~~WEDDING DOUGLAS E~~
2628 ~~FLAT~~ SWAMP RD
DENTON NC 27239

WHITWORTH VICTOR W & GALE T
2004 MADISON AVE
GREENSBORO NC 27403

WILLIAMS GERALD T & TIJERNA L
809 WILLOUBAR TERR
HIGH POINT NC 27262

ZIGLAR VALERIE D
603 FIFTH ST
HIGH POINT NC 27260

Attendees:

[illegible]

Fleet Services Department

Gary L. Smith
DIRECTOR



MEMORANDUM

DATE: February 4, 2010
TO: Randy McCaslin, Assistant City Manager
FROM: Gary L. Smith, Director of Fleet Services
SUBJECT: Agenda Item – Demo (Used) Refuse Truck

Gary L. Smith

I respectfully request that the following be included for consideration on the Council Agenda scheduled for February 15, 2010:

Purchase of one demo (used) refuse truck to be used in the automated refuse collection program from Amick Equipment Company. This truck has been well maintained and should have a useful life of six to seven years. New trucks with similar equipment sell for over \$226,000. Purchasing a used truck will allow the city to reduce some of costs associated with implementing the new collection service, and allow for better separation on our replacement schedule. The following is a description of the truck:

2006 Autocar/Labrie 31 yard Side Loading Refuse Truck with 30,276 miles

Truck is priced at \$180,200

cc: Bob Martin, Purchasing
cc: Patty Sykes, Purchasing

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

ORDINANCE

REQUEST: Ordinance to Demolish

PROPERTY

ADDRESS: 1308 Vernon Place

OWNER: Selma L and Demetrious Gooden

FIRST

INSPECTION:

7-16-2009

Number of Violations: Unsafe 4 Minor 43

1) cracks in the foundation wall

2) no operable heat source

3) exposed wiring at water heater and at living room outlet

4) no smoke detector

HEARING

RESULTS:

8-5-2009

The owner did not appear for the hearing. During the hearing, the following findings of fact were established. There are numerous violations of the Minimum Housing Code. There are structural violations creating an unsafe dwelling. Due to the deteriorated condition of the dwelling and the associated blight on the neighborhood and that fact that the repairs exceed 50% of the tax value, the Order to Repair or Demolish was issued. The Guilford County Tax value of the dwelling is \$17,400. The repair estimate is \$15,400.

ORDER(S)

ISSUED:

8-5-2009

Order to Repair or Demolish (90-day)
compliance date of 11-5-2009

APPEALS:

No appeals to date.

OWNER

ACTIONS:

Building permit obtained 9-2-2009. The owner started repairs to the front porch and porch roof area; however the owner has not requested any inspections.

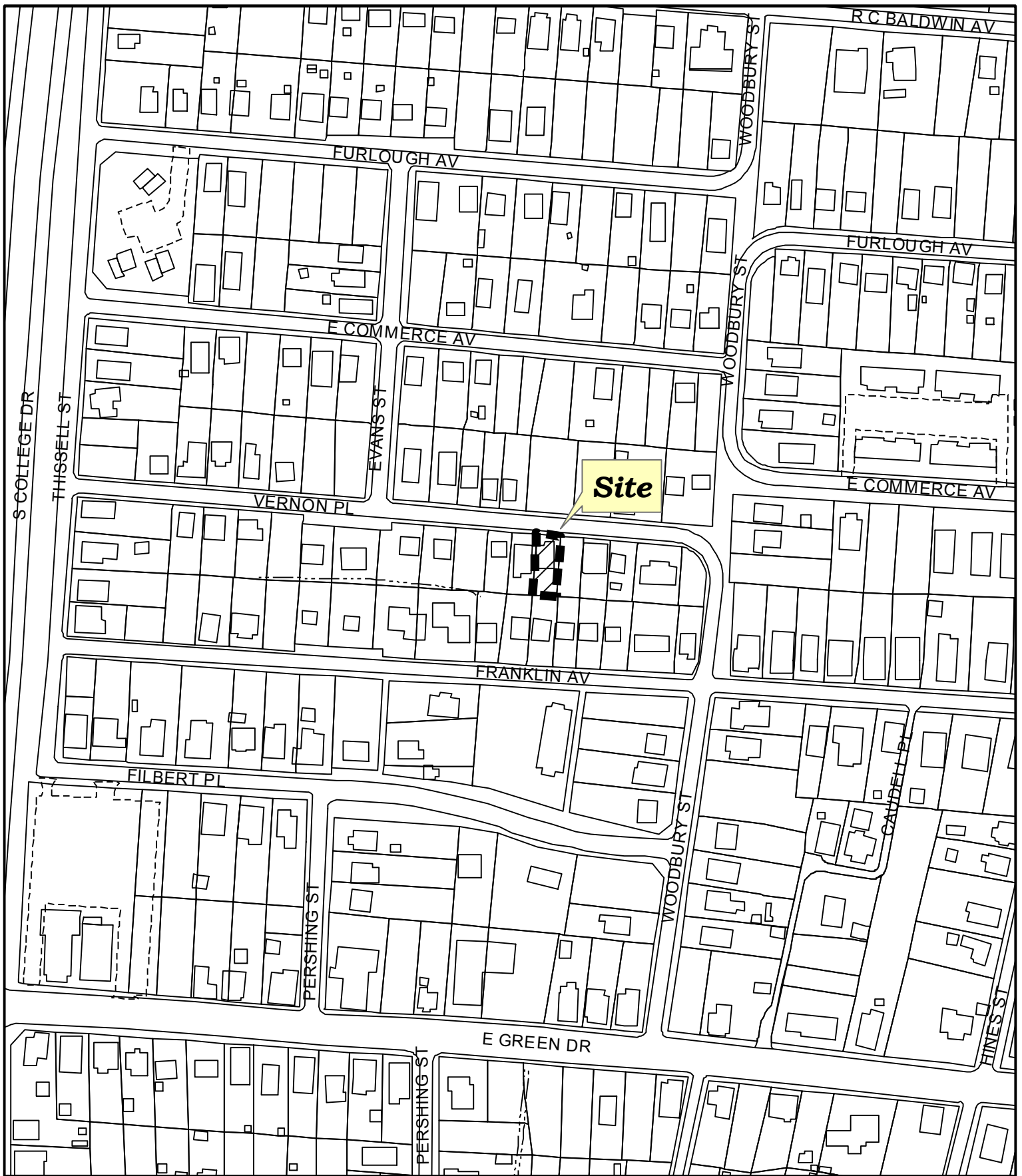
EXTENSIONS:

None requested

CURRENT

STATUS:

Conditions still exist. Dwelling is vacant and secure.



1308 Vernon Place

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: February 8, 2010



Scale: 1"=200'

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



1308 Vernon Place



1308 Vernon Place



1308 Vernon Place

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

**ORDINANCE
REQUEST:**

Ordinance to Demolish

**PROPERTY
ADDRESS:**

1807 Johnson Street

OWNER:

Irene Agapion

**FIRST
INSPECTION:**
2-26-2009

Number of Violations: Unsafe 4 Minor 14
1) no heat – mechanical
2) electrical-wiring removed
3) floor system has collapsed
4) no smoke detector

**HEARING
RESULTS:**
3-19-2010

The owner did not appear for the hearing. The dwelling is deemed substandard due to the number of Minimum Housing Code violations. During the hearing the following findings of fact were established. The dwelling has been vacant for several years and continues to deteriorate, causing blight for the neighborhood. The dwelling is without many required items such as a heat source, plumbing and electrical fixtures. The floor system has collapsed. Due to the deteriorated condition of the dwelling and the associated blight on the neighborhood and that fact that the repairs exceed 50% of the tax value, the Order to Repair or Demolish was issued. The Guilford County tax value for the dwelling is \$42,900. The repair estimate is \$26,250.

**ORDER(S)
ISSUED:**
3-19-2009

Order to Repair or Demolish (90-day)
compliance date of 6-19-2009

APPEALS:

No appeals to date.

**OWNER
ACTIONS:**

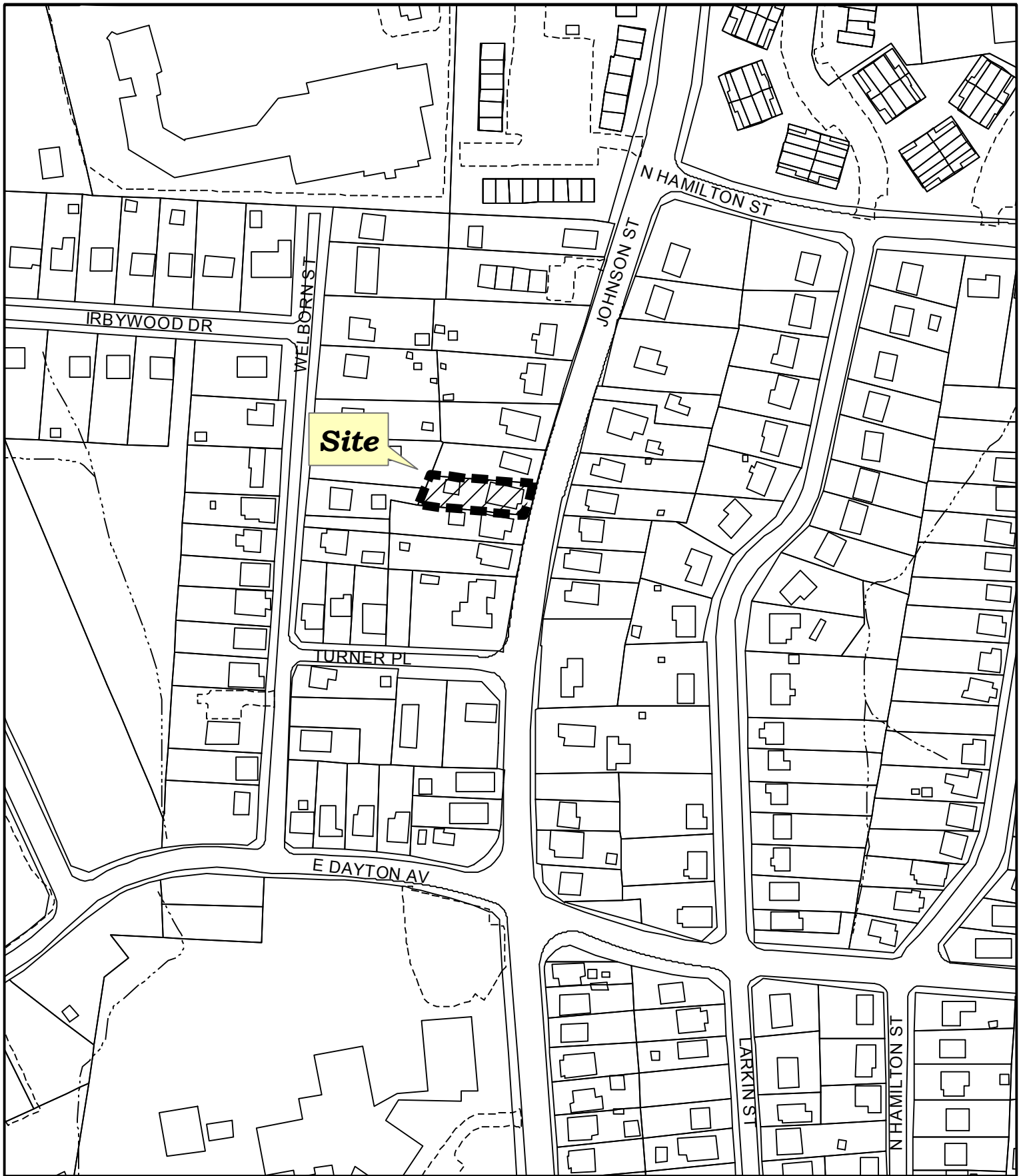
Owner stated on 6-5-2009, it was their intent to demolish the dwelling. Owner removed the electrical service, plumbing and exterior siding. There has been no further work since July 24, 2009. There has not been a demolition permit obtained.

EXTENSIONS:

None requested to date

**CURRENT
STATUS:**

Conditions still exist. Dwelling is vacant and secure.



1807 Johnson Street

Ordinance to Demolish



Location of subject property

**Department of Planning
and Development**

City of High Point

Date: February 9, 2010

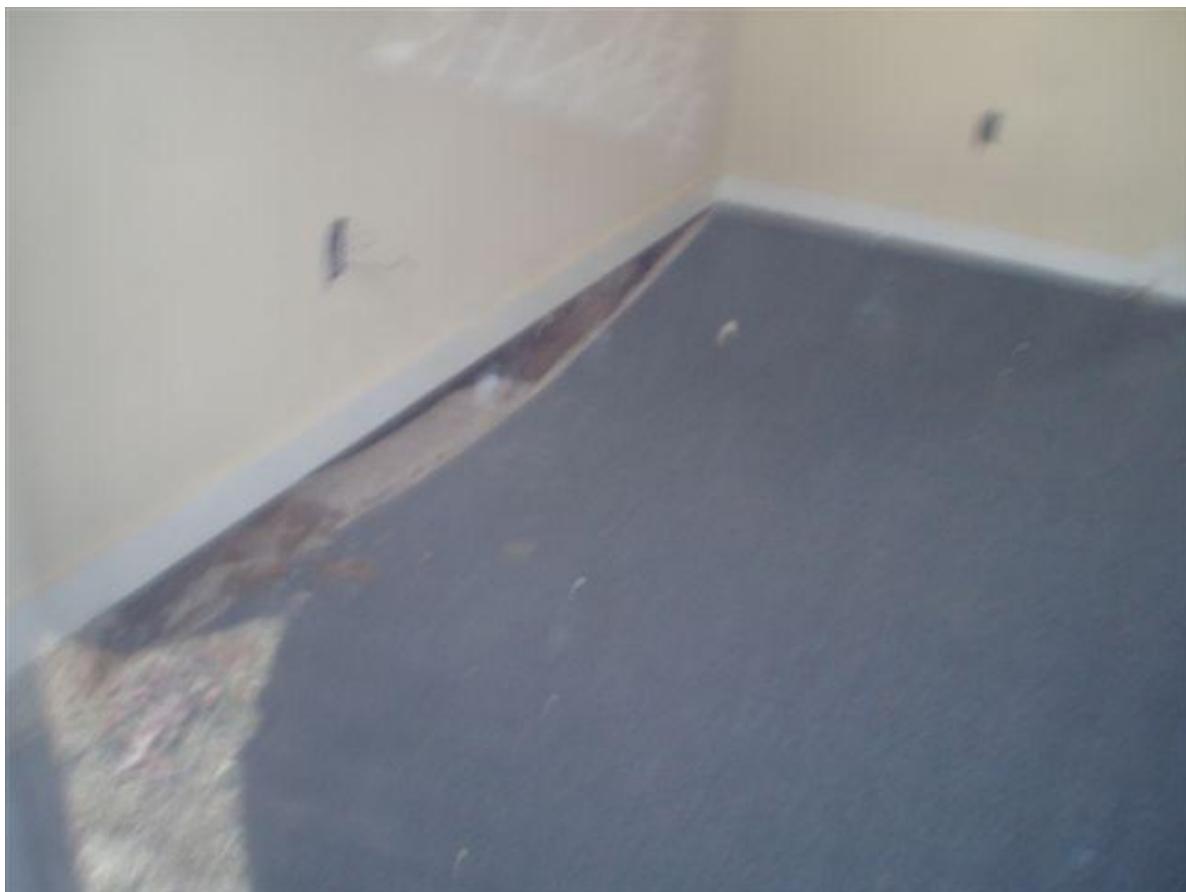


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ord-demo.mxd



1807 Johnson Street



1807 Johnson Street

PLANNING AND ZONING COMMISSION RECOMMENDATION

On January 26, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Ms. Martha Shepherd and Mr. Jay Wagner.

City of High Point

Street Abandonment Case 10-03

A request by the Technical Review Committee to abandon an unimproved, unnamed right-of-way, lying south of Beaucrest Avenue between Guyer Street and Arden Place.

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

No one spoke in favor or opposition.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 10-03, with retention of utility easements as described in the staff report, by a vote of 6-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-03
January 26, 2010**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: Abandonment of an unimproved, unnamed right-of-way, lying south of Beaucrest Avenue between Guyer Street and Arden Place.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Arden Place	Local Street	40 ft. right-of-way – 26 ft. ribbon pavement
Guyer Street	Collector Street	50 ft. right-of-way – 34 ft. curb & gutter

Adjacent Property Zoning and Current Land Use		
North	Residential Single-Family-9 (RS-9)	Single-family residences
East	Residential Single-Family-9 (RS-9)	Single-family residences/Guyer St
South	Residential Single-Family-9 (RS-9)	Single-family residences
West	Residential Single-Family-9 (RS-9)	Single-family residences/Arden Pl

Analysis

The right-of-way being considered for abandonment is approximately 0.32 acres in area being approximately 40 feet in width by 350 feet in length. The right-of-way contains a privately maintained shared driveway from Guyer Street serving 1619 and 1703 Guyer Street. There is a 6-inch water line and a 2-inch natural gas line within the right-of-way. In addition, the western limits of the unimproved right-of-way contains a 15-inch stormwater pipe and two catch basins along with an electric utility pole for a guy wire running over Arden Place. Public easements shall be retained for the utilities as follows: 1) A 20-foot utility easement centered on the 6-inch water line; 2) A 30-foot Piedmont Natural Gas Easement centered on the 2-inch gas line; 3) A 10-foot electric utility easement centered on the utility pole and guy wire; and 4) A 20-foot public drainage easement centered on the existing stormwater pipe and catch basins.

Findings

The Technical Review Committee (TRC) reviewed this request on November 4, 2009 and identified no issues that would prevent its abandonment. An early notice was sent to abutting property owners on November 4, 2009 as well.

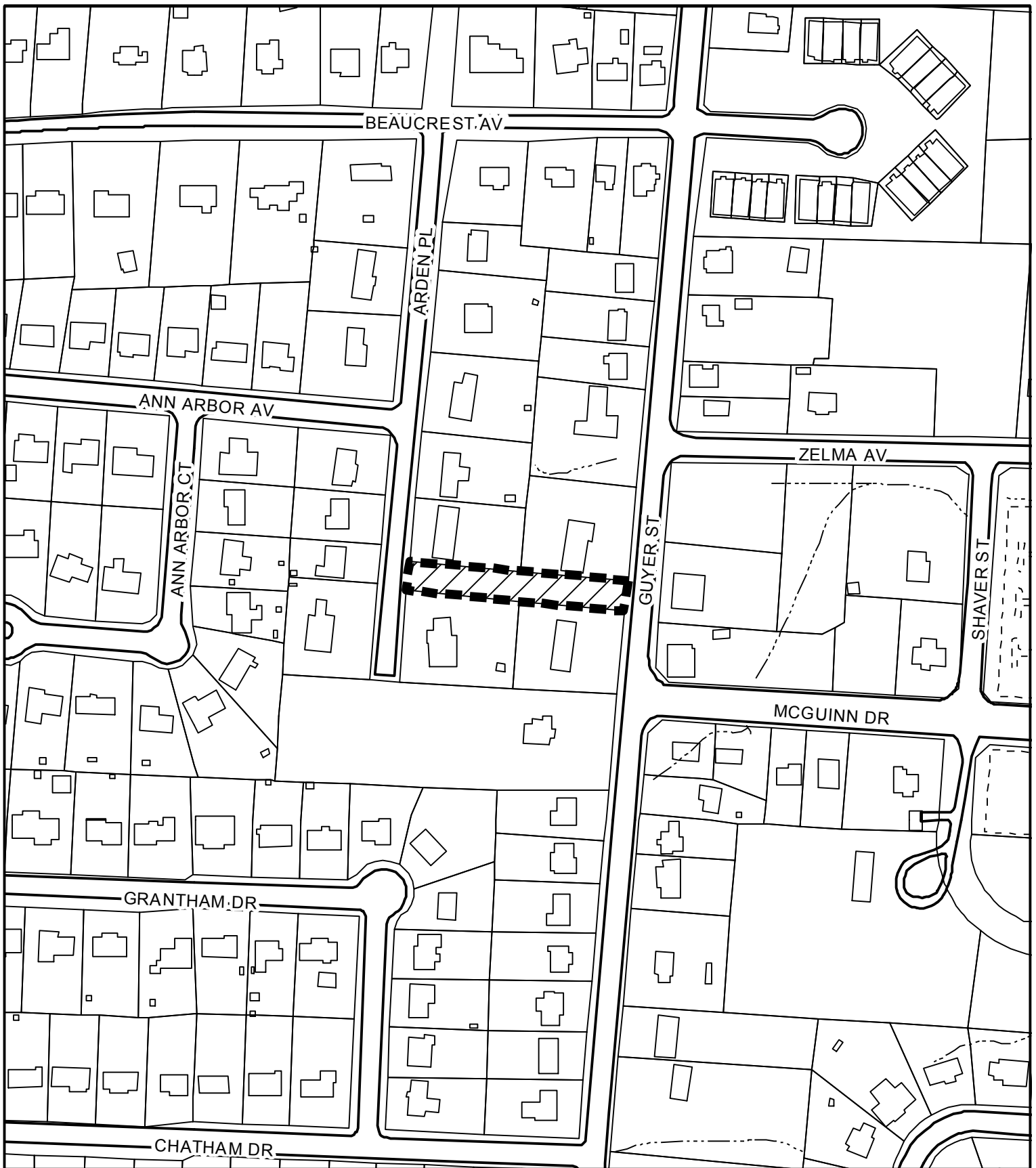
This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means 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 the following easements: 1) A 20-foot utility easement for the 6-inch water line; 2) A 30-foot Piedmont Natural Gas Easement for the 2-inch gas line; 3) A 10-foot electric utility easement centered on the utility pole and guy wire; and 4) A 20-foot public drainage Easement centered on the existing stormwater pipe and catch basins based on preliminary findings that it is not contrary to the public interest, and that no property in the vicinity of the street abandonment would be deprived of reasonable means of ingress or egress.

Report Preparation

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



STREET ABANDONMENT REQUEST SA10-03

Applicant: Technical Review Committee
Area: 0.38 acres



Location of requested street abandment

**Planning & Development
 Department**

City of High Point

Date: December 18, 2009



Scale: 1"=200'
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Looking east from Arden Place.



Looking west from Guyer Street.



Aerial with the abandonment area highlighted.

PLANNING AND ZONING COMMISSION RECOMMENDATION

On January 26, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Ms. Martha Shepherd and Mr. Jay Wagner.

City of High Point

Street Abandonment Case 10-02

A request by the Technical Review Committee to abandon an unimproved alley lying north of Countryside Drive between N. Centennial Street and Eastchester Drive.

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

No one spoke in favor or opposition.

The Planning & Zoning Commission recommended ***approval*** of Street Abandonment Case 10-02, with the retention of two sanitary sewer easements as described in the staff report, by a vote of 6-0.

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

**STAFF REPORT
STREET ABANDONMENT CASE 10-02
January 26, 2010**

Request	
Applicant: City of High Point Technical Review Committee	Proposal: Abandonment of an unimproved alley lying north of Countryside Drive between N. Centennial Street and Eastchester Drive.

Adjacent Streets		
Name:	Classification:	Right-of-Way and Pavement Width:
Eastchester Drive	Major Thoroughfare	90 ft. right-of-way – 68 ft. curb & gutter
N. Centennial Street	Minor Thoroughfare	160 ft. right-of-way – 48 ft. curb & gutter

Adjacent Property Zoning and Current Land Use		
North	Residential Single-Family-12 (RS-12), Conditional Use Residential Multifamily-5 (CU RM-5), and Conditional Use Limited Office (CU LO)	Single-family residences, Townhomes, and medical office
East	Not Applicable	Right-of-way
South	Residential Single-Family-12 (RS-12) & Conditional Use General Office Moderate (CU GO-M)	Single-family residences and general offices
West	Not Applicable	Right-of-way & Oak Hollow Lake

Analysis
The right-of-way being considered for abandonment is approximately 0.83 acres in area being approximately 20 feet in width by 1,700 feet in length. The right-of-way contains privately maintained driveways on the eastern and western limits of the proposed abandonment. The western limits, off of N. Centennial Street, may contain a portion of a driveway serving a single-family residence at 2706 N. Centennial Street. The eastern limit of the 20-foot alley contains a shared driveway off of Eastchester Drive. The driveway is identified as a “Joint Asphalt Drive” on a condo plat titled, “Eastchester Commons Office Condominiums” recorded in Condo Book 6 Page 102. The western limits of the right-of-way contains 8-inch and 24-inch sanitary sewer lines. Two sanitary sewer easements, one 20-foot and one 30-foot, shall be retained centered on the respective 8-inch and 24-inch sanitary sewer lines.

Findings
The Technical Review Committee (TRC) reviewed this request on November 4, 2009 and identified no issues that would prevent its abandonment. An early notice was sent to abutting property owners on November 4, 2009 as well.

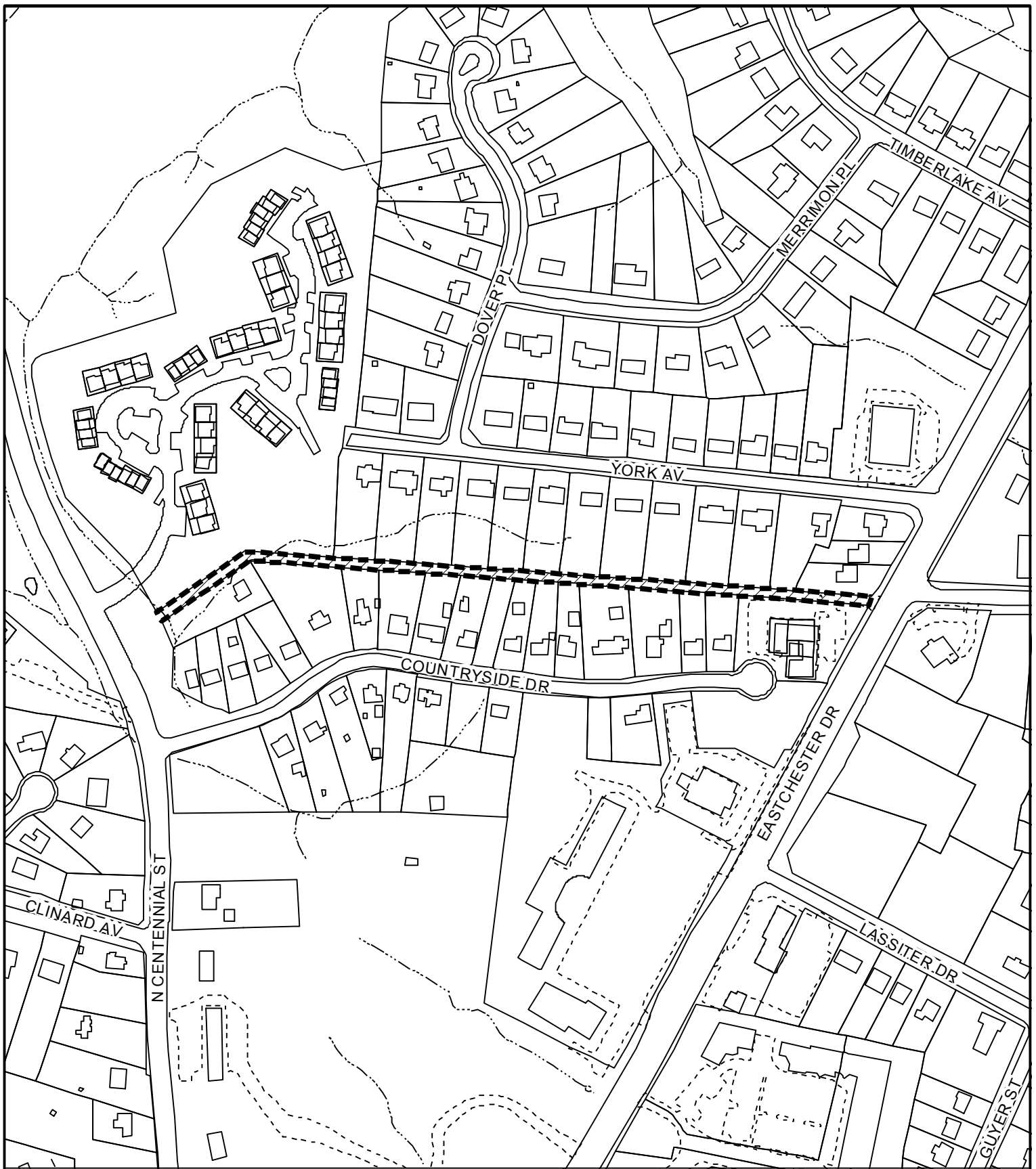
This abandonment of the public's interest and conveyance of the right-of-way to the abutting property owners, as provided by state statutes, is found not to be contrary to the public's interest and found not to deprive owners in the vicinity of the right-of-way or in the subdivision reasonable means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

Recommendation

The Planning and Development Department recommends approval of the requested street right-of-way abandonment with the retention of a 20-foot sanitary sewer easement (over 8-inch sewer line) and a 30-foot sanitary sewer easement (over 24-inch sewer line) based on preliminary findings that it is not contrary to the public interest, and that no property in the vicinity of the street abandonment would be deprived of reasonable means of ingress or egress.

Report Preparation

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



STREET ABANDONMENT REQUEST SA10-02

Applicant: Technical Review Committee
Area: 0.83 acres



Location of requested street abandment

**Planning & Development
 Department**

City of High Point

Date: December 18, 2009

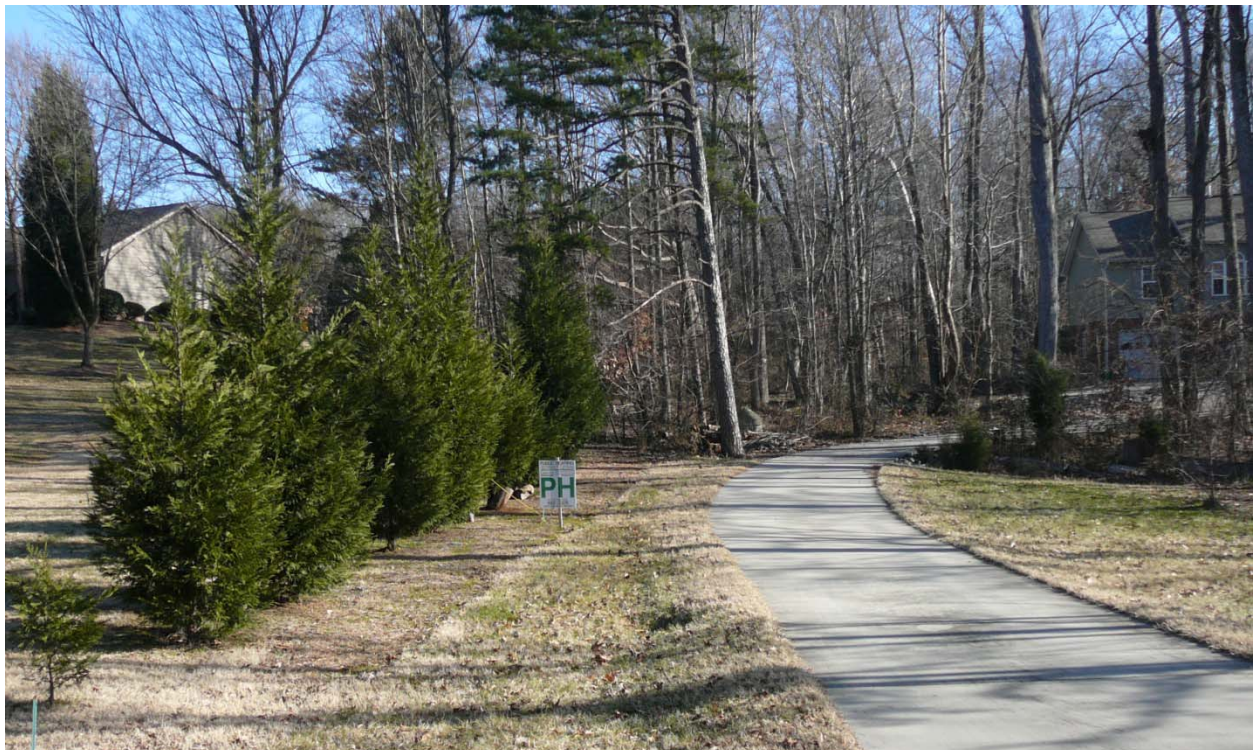


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Looking west from Eastchester Drive.



Looking northeast from N. Centennial Street.



Aerial with the abandonment area highlighted.

Publish four (4) consecutive weeks: **February 19, 26, March 5, & 12, 2010**

RESOLUTION OF INTENT TO CONSIDER A
STREET ABANDONMENT
(Case # SA10-05)

WHEREAS, the City Council is requesting to close an unimproved alley (15 feet in width), lying east of N. Hamilton Street between Guilford Avenue and Louise Avenue.

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

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNCIL declares its intent to consider the abandonment of the street above described and sets Monday, March 15, 2010, at 5:30 p.m. as the date for said public hearing before the Council of the City of High Point, in the Council Chambers of the Municipal Building, High Point, on the closing of said street.

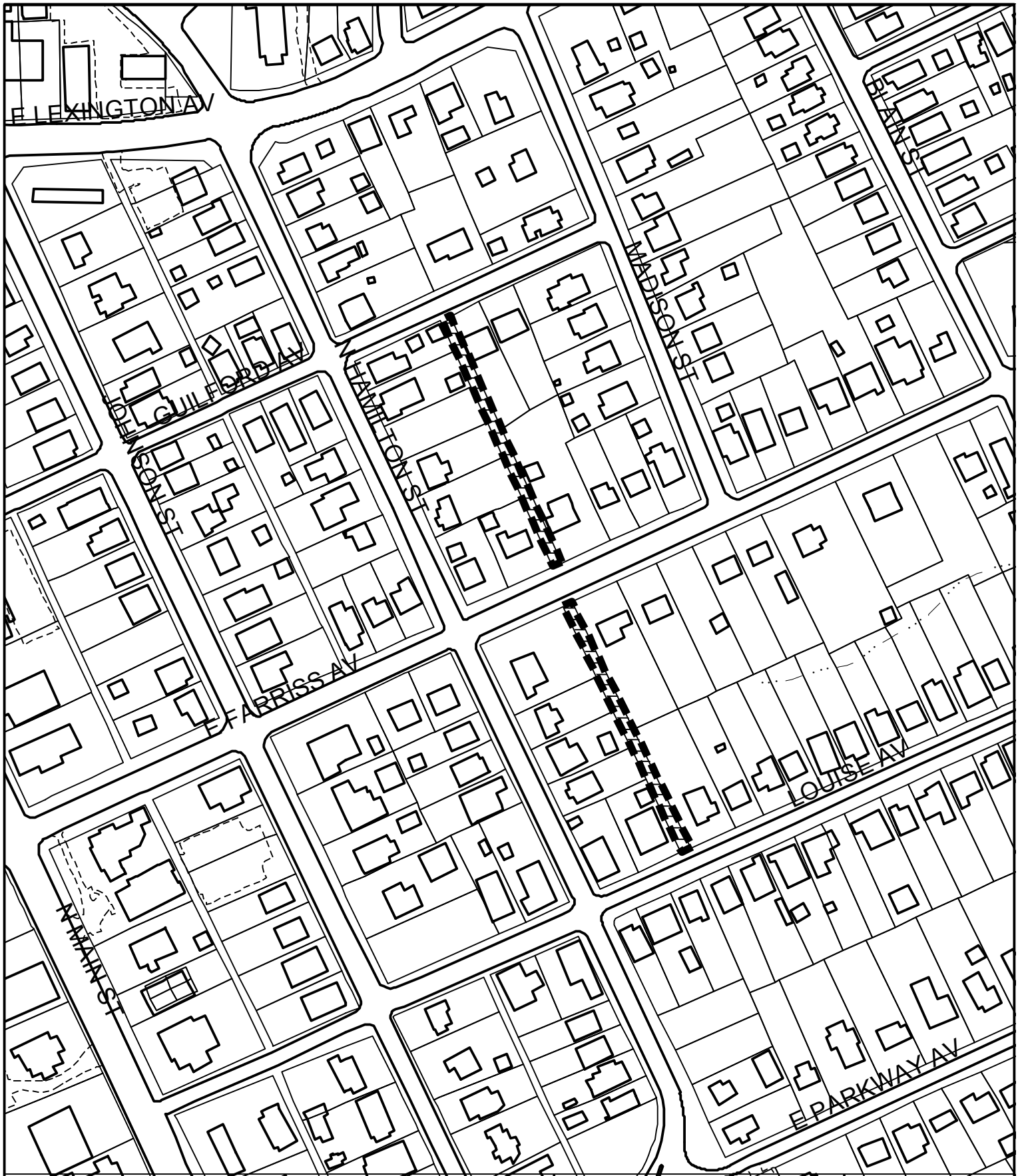
Persons wishing to be heard either for or against the said street closing are asked to be present for the hearing. The meeting facilities of the City of High Point are accessible to people with disabilities. If you need a special accommodation, call 336/883-3298 or TDD# 336/883-8517.

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

By Order of the City Council
This the 15th day of February, 2010.

Lisa B. Vierling, City Clerk

Petition Submitted By:
City of High Point



STREET ABANDONMENT REQUEST SA10-05

Applicant: Technical Review Committee
Area: 0.25 acres

 Location of requested street abandonment

**Department of Planning
and Development**

City of High Point

Date: February 8, 2010



Scale: 1"=200'

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