City of High Point

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

Meeting Agenda

Tuesday, January 18, 2011

4:45:00 PM

Council Chambers

Committee of the Whole

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

ROLL CALL, PRAYER, PLEDGE OF ALLEGIANCE

PRESENTATION OF ITEMS

FINANCE COMMITTEE - Council Member Alexander, Chair

Committee Members - Whitley, Smothers, Corey

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

Committee Members - Alexander, Douglas, Corey

110008 **Ordinance - Vacate/Close Structure (48 Hour Order) 804 Evans Street**

Adoption of an ordinance ordering the Inspector to effectuate the vacating and closing of a structure (48 Hour Order) located at 804 Evans Street belonging to Schwarz Properties, LLC.

PLANNING, ECONOMIC DEV. & INFORMATION TECHNOLOGY COMMITTEE - Council Member Whitley, Chair

Committee Members - Sims, Henley, Moore

100357 **Resolution - Northwest Area Plan**

Consideration of a resolution to approve the Northwest Area Plan as requested by the Planning & Development Department.

12/20/2010	**Committee of the Whole**	**referred**	**Planning, EC. Dev. & Information Technology Committee**

100358 **Resolution - Land Use Plan Amendment Case 10-04 - City of High Point**

Consideration of a resolution to amend the city's Land Use Plan in accordance with recommendations of the Northwest Area Plan as requested by the Planning & Development Department. The land area associated with this amendment is approximately 10,260 acres lying within the northwestern portion of the City's Planning area generally lying south of I-40, west of Kendale Road & Sandy Ridge Road, northwest of Skeet Club Road and north of the Davidson/Forsyth County line.

12/20/2010	**Committee of the Whole**	**referred**	**Planning , Economic Dev. & Information Technology Committee**

Pending Items

100325 **Text Amendment 10-08- City of High Point - re Development Inspections Regulations**

A request by the City Council to consider a text amendment to Chapter 11, Development Inspection Regulations, of the Code of Ordinance of the City of High Point to include relocation costs paid by the City as cost allowable as a lien against property subject to enforcement action under the minimum housing code. (This item will be discussed in Committee on Tuesday, February 8th at 8:30 a.m.)

11/15/2010	**Committee of the Whole**	**deferred**	**Planning , Economic Dev. & Information Technology Committee**

MISCELLANEOUS

110012 **Appointment - Parks & Recreation Commission - Jerry Southern**

Council is requested to confirm the appointment of Mr. Jerry Southern was the Ward 6 appointment to the Parks and Recreation Commission to fill the unexpired term of Donna Brown.

PUBLIC HEARINGS ON ITEMS

Planning, Economic Dev. & Information Technology Committee - Council Member Whitley, Chair

110009 **Second Reading - WCA of High Point, LLC - Application for Franchise Expansion**

Tuesday, January 18, 2011 at 5:30 p.m. is the date and time established for the second reading to consider an application for a franchise expansion of the WCA Construction and Demolition Debris Landfill. (1st reading was hold Monday, January 3, 2011.)

110010 **Special Use Permit 10-01 - Alicia Layton - E. Parris Avenue/Kirkwood Street**

A request by Alicia Layton for a Special Use Permit to allow a bar with a capacity over 100 persons in a Conditional Use General Business (CU-GB District). The site is lying at the northwest corner of E. Parris Avenue and Kirkwood Street (133 E. Parris Avenue).

110011 **National Register Nomination - Model Farm House**

The City Council will consider the nomination application of the Model Farm house, 2058 Brentwood Street, to the National Register of Historic Places, and will make a recommendation to the North Carolina National Register Advisory Committee as to whether the property meets the criteria for listing based upon the information presented in the application and on any testimony given.

ADJOURNMENT

Planning & Development

Development Services Division

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Robert L. Robbins, AICP
Development Services Administrator
DATE: January 18, 2011
SUBJECT: Nomination of Model Farm House to the National Register of Historic Places

Attached for your review is the nomination application for Model Farm to be added to the National Register of Historic Places. This nomination is being pursued by the current owner of the property, Ruth Blumer. The application was prepared by Gisele Taylor Wells of Greensboro.

The nomination is scheduled for presentation to the North Carolina National Register Advisory Committee on February 10, 2011. If the NC NRAC favorably recommends, the nomination will be signed by the State Historic Preservation Officer, Jeffrey Crow, and submitted to the U.S. Department of the Interior, National Park Service, for final review and listing in the National Register.

The Council's comments and recommendation will be added to that of the High Point Historic Preservation Commission, which reviewed the application at its meeting of January 12, 2011. Both recommendations will be sent to the NC NRAC to be considered with the nomination application.

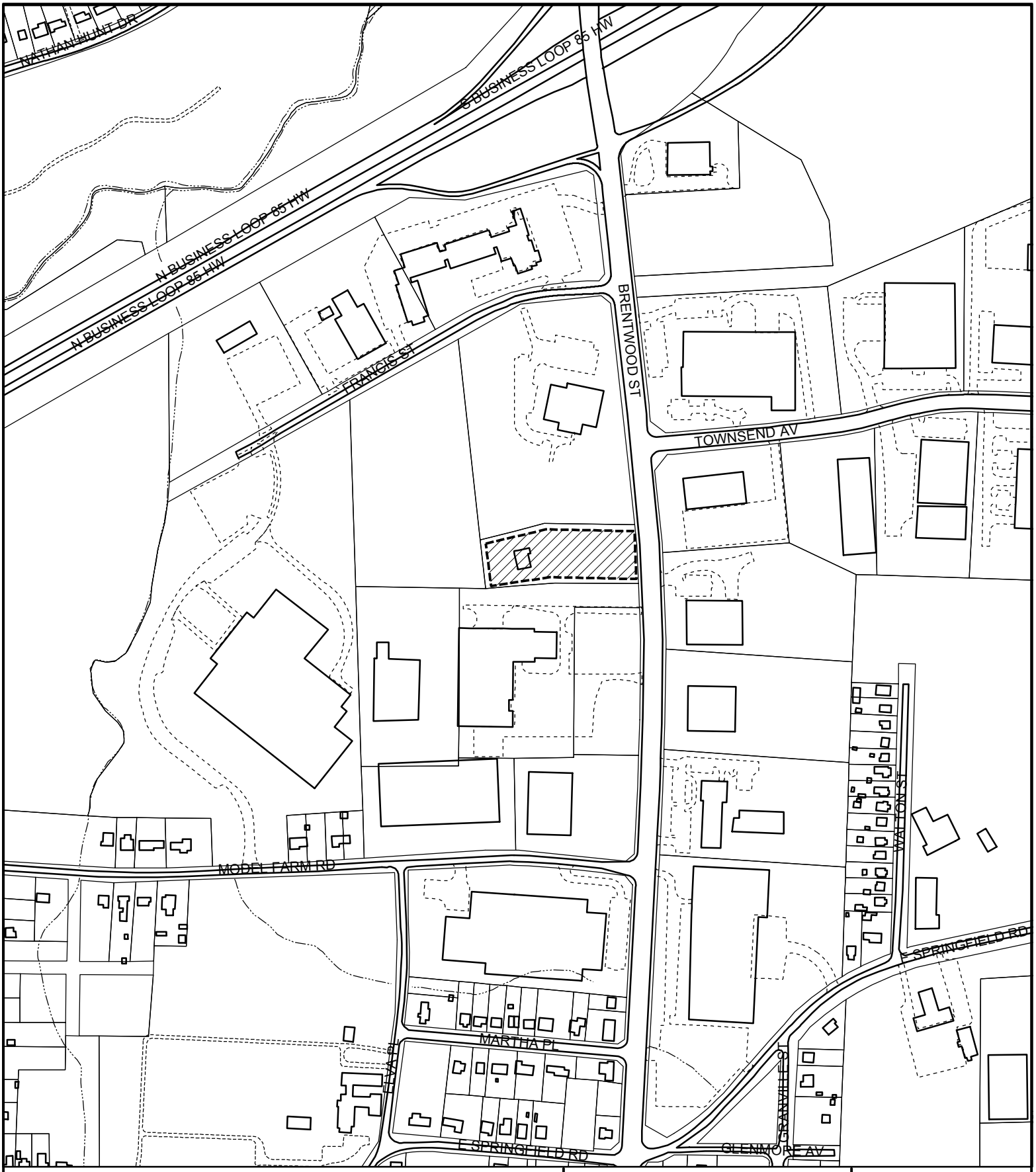
The Model Farm house is located at 2058 Brentwood Street, on about 2 acres of land. The house and the two acres is basically all that is left of the original farm, which totaled about 200 acres when it was purchased by the Baltimore Association of Friends in 1867. Officially named Swarthmore Farm, it was developed as a demonstration farm to educate local residents about modern farming techniques and equipment. It quickly became known simply as the Model Farm.

Constructed soon after the Quakers established the farm in 1867, the house is a two-and-a-half story, triple-A-roofed, side gabled, L-plan frame building containing twelve rooms. It manifests a high degree of integrity, both exterior and interior. Exterior weatherboard siding, window and door surrounds and front door sidelights are original. Original interior features include the fireplace mantels, door and window surrounds, and stairs with simple rectangular balusters and a turned

newel post and cap. Except for the installation of a bathroom in the pantry between the kitchen and dining room in the 1940s, the original floor plan remains intact.

The Model Farm is being nominated under two criteria; first as an important agricultural program of the Quaker church to improve agricultural endeavors in the post Civil War South, and second as an early example of a triple-A roofed, L-plan house in Guilford County.

Please contact me with any questions.



Model Farm
2058 Brentwood Street

Subject Property Boundary - - - - - - - - - -

Department of Planning and Development

City of High Point

Date: January 11, 2011

N

Scale: 1"=400'

y:/ba-pz/2011/Custom Maps/2058-Brentwood-St.mxd

NPS Form 10-900

(Oct. 1990)

OMB No. 10024-0018

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name Model Farm

other names/site number Swarthmore Farm

2. Location

street & number 2058 Brentwood Street N/A ☐ not for publication

city or town High Point N/A ☐ vicinity

state North Carolina code NC county Guilford code 081 zip code 27263

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this ☒ nomination ☐ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set for in 36 CFR Part 60. In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. I recommend that this property be considered significant ☐ nationally ☐ statewide ☒ locally. (See continuation sheet for additional comments.)

Signature of certifying official/Title Date

State or Federal agency and bureau

In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. (☐ See Continuation sheet for additional comments.)

Signature of certifying official/Title Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is:

- ☐ entered in the National Register.
  - ☐ See continuation sheet
- ☐ determined eligible for the National Register.
  - ☐ See continuation sheet
- ☐ determined not eligible for the National Register.
- ☐ removed from the National Register.
- ☐ other, (explain:)

Signature of the Keeper Date of Action

5. Classification

Ownership of Property
(Check as many boxes as apply)

- ☒ private
- ☐ public-local
- ☐ public-State
- ☐ public-Federal

Category of Property
(Check only one box)

- ☒ building(s)
- ☐ district
- ☐ site
- ☐ structure
- ☐ object

Number of Resources within Property
(Do not include previously listed resources in count.)

Contributing	Noncontributing	
1	1	buildings
0	1	sites
0	0	structures
0	0	objects
1	2	Total

Name of related multiple property listing
(Enter "N/A" if property is not part of a multiple property listing.)

N/A

Number of Contributing resources previously listed in the National Register

N/A

6. Function or Use

Historic Functions
(Enter categories from instructions)

DOMESTIC: single dwelling / house

Current Functions
(Enter categories from instructions)

Vacant / Not in Use

7. Description

Architectural Classification
(Enter categories from instructions)

Other: L-Plan House

Materials
(Enter categories from instructions)

foundation BRICK
walls WOOD: Weatherboard
roof ASPHALT
other

Narrative Description
(Describe the historic and current condition of the property on one or more continuation sheets.)

Model Farm
Name of Property

Guilford County, North Carolina
County and State

8. Statement of Significance

Applicable National Register Criteria
(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

☒ **A** Property is associated with events that have made a significant contribution to the broad patterns of our history.

☐ **B** Property is associated with the lives of persons significant in our past.

☒ **C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

☐ **D** Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations
(Mark "x" in all the boxes that apply.)

Property is:

☒ **A** owned by a religious institution or used for religious purposes.

☐ **B** removed from its original location.

☐ **C** a birthplace or grave.

☐ **D** a cemetery.

☐ **E** a reconstructed building, object, or structure.

☐ **F** a commemorative property

☐ **G** less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance
(Enter categories from instructions)

AGRICULTURE
ARCHITECTURE

Period of Significance
1867 - 1891

Significant Dates
N/A

Significant Person
(Complete if Criterion B is marked)
N/A

Cultural Affiliation
N/A

Architect/Builder
Unknown

Narrative Statement of Significance
(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References

Bibliography
(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

☐ preliminary determination of individual listing (36 CFR 67) has been requested
☐ previously listed in the National Register
☐ Previously determined eligible by the National Register
☐ designated a National Historic Landmark
☐ recorded by Historic American Buildings Survey # _____
☐ recorded by Historic American Engineering Record # _____

Primary location of additional data:

☐ State Historic Preservation Office
☐ Other State Agency
☐ Federal Agency
☒ Local Government
☒ University – Guilford College, Greensboro, NC
☐ Other

Name of repository:
Guilford County Planning Department

Model Farm
Name of Property

Guilford County, North Carolina
County and State

10. Geographical Data

Acreage of Property 1.99

UTM References
(Place additional UTM references on a continuation sheet.)

	Zone	Easting	Northing		Zone	Easting	Northing
1	17	592940	3977440	3			
2				4			

☐ See continuation sheet

Verbal Boundary Description
(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification
(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

name/title Gisele Taylor Wells
organization
date September 10, 2010
street & number 3502 Cloverdale Drive
telephone 336-207-7523
city or town Greensboro
state NC
zip code 27408

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps

A **USGS map** (7.5 or 15 minute series) indicating the property's location

A **Sketch map** for historic districts and properties having large acreage or numerous resources.

Photographs

Representative **black and white photographs** of the property.

Additional items
(Check with the SHPO or FPO for any additional items.)

Property Owner

(Complete this item at the request of SHPO or FPO.)

name Ruth Blumer
street & number 1510 South Bascom Ave. # 76
telephone 408-828-5059
city or town Campbell
state CA
zip code 95008

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listing. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq.*)

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P. O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects (1024-0018), Washington, DC 20303.

Narrative Description

Setting

The Model Farm house is located at 2058 Brentwood Street, approximately two and a half miles southeast of the center of High Point, North Carolina. It is situated on a 1.99-acre parcel bounded by Brentwood Street to the east and an unpaved service road to the south. The lot is largely open with wooded areas on the northeastern and western edges. A local television station is to the north and their satellite field is adjacent to the Model Farm's north property line. Two mature evergreen trees stand at the house's southern elevation. Foundation plantings line the front porch and wrap around the west elevation. Two large deciduous trees are located within fifty feet of the residence, one to the southeast and one to the northwest.

Exterior Description

The Model Farm house, constructed soon after the Quakers established the farm in 1867, is a two-and-a-half-story, triple-A roofed, side-gabled, L-plan, frame building with twelve rooms. The weatherboarded residence faces south and rests on a six-to-one common bond continuous brick foundation. Large, gray, diamond-shaped asphalt shingles cover the main block and kitchen ell roofs, while rectangular asphalt shingles cover the three hip-roofed porches.

A one-story hip-roofed porch spans the façade's entire width. Six evenly spaced tapered wood posts on brick piers, an early-twentieth-century alteration, support the porch roof.[1] Four-inch wooden planks set perpendicular to the façade make up the floor of the porch. The façade encompasses two sets of paired four-over-four double-hung sash windows and a centrally-located front door flanked by sidelights at the first floor level, five six-over-six double-hung sash windows at the second floor, and one two-over-two sash arched window centered in the front gable at the third floor level. Two interior chimneys with corbelled brick stacks serve the main block. A third interior chimney in the kitchen ell has a replacement stack without corbelling.

A large three-sided bay window with two tall four-over-four double-hung sash windows flanking a central six-over-six double-hung sash window projects from the west elevation at the first floor level. A central paired four-over-four double-hung sash window illuminates the second floor, and an arched six-over-six double-hung sash window is centered in the side gable at the third floor.

[1] Sidney Gayle, "File Memorandum: Interview with Hazel Clodfelter on the Model Farm," August 29, 1979, on file at the Guilford County Planning Department, 1.

A two-and-a-half-story rear wing with a one-and-a-half-story kitchen ell extends from the north (rear) elevation. One large paired four-over-four double-hung sash window and a rear entry door with a three-light transom are at the first floor of the main block's north elevation. Two six-over-six double-hung sash windows are at the second floor of the main block. A small hip-roofed porch is located at the intersection of the north and west elevations of the main block. One painted four-inch square post supports the porch roof. Unpainted wooden replacement boards comprise the porch floor and stairs.

An additional rear entry door with a three-light transom; one narrow two-over-two double-hung sash window; and one six-over-six double-hung sash window are at the first-floor level on the west elevation of the rear projection of the main block and kitchen ell. The second story fenestration encompasses one six-over-six double-hung sash window and one tall, narrow two-over-two double-hung sash window.

One narrow two-over-two double-hung sash window is at the first floor level of the north elevation of the kitchen ell. Two small two-over-two double-hung sash windows are at the gable of the kitchen ell. An arched six-over-six double-hung sash window pierces the gable of the rear wing.

The cellar entrance is below the one-and-a half story kitchen ell on the north elevation; the dirt-floor basement runs the width of the kitchen ell, from the front to the back of the house. The crawl space underneath the rest of the main block has no visible exterior access point.

A small one-story hip-roofed side porch shelters the entrance door on the east elevation. Two unpainted four- by four-inch wooden replacement posts support the roof and extend to the ground below supporting the porch floor system. Wooden boards make up the porch floor and stairs leading to ground level. The east elevation includes a variety of windows. Four six-over-six double-hung sash windows and a tall, narrow two-over-two double-hung sash window illuminate the first floor; three six-over-six double-hung sash windows and a tall, narrow two-over-two double-hung sash window light the second floor; and an arched six-over-six double-hung sash window pierces the side gable at the third-floor level.

Interior Description

The main entrance opens into a center hall with the main stair located on the hall's east wall. The stairs have simple rectangular balusters, molded handrail, and a turned newel post and cap. At the head of the single flight, winder stairs turn to the left to meet the second floor. A rear door with three-light transom is located on the north wall of the hall. Five rooms occupy the first floor: two parlors, a dining room, a bathroom, and a kitchen. The hall, parlors, and dining room have two-inch-wide oak floorboards, which are said to have been sawn from timber harvested from the property in the early twentieth century.[2] In the hall the flooring runs north to south; the flooring in the parlors and dining

[2] Ibid.

room runs east to west. The same eight-inch-tall baseboard and flat, two-part, five-and-a-half-inch-wide window and door surrounds are found throughout the first and second floors, except in the kitchen, bathroom, and the passageway between the dining room and the kitchen ell. The majority of the doors are pegged mortise-and-tenon construction with four raised panels, while some doors are two-panel.

Parlor one, in the main block's southeast (front) corner, has a fireplace on the north wall with a Greek Revival-style post-and-lintel mantel. Flat pilasters support the wide lintel and a simple rounded-edge shelf. A closet with a raised four-panel door and original hardware—cast metal hinges and a rim lock—is adjacent to the fireplace. The room's original wide pine floorboards are visible inside the closet. Parlor two, which occupies the house's southwest corner, has a projecting fireplace on the east wall with a Greek Revival-style mantel that has been stripped of paint; the lintel has a shallow flat arch at the bottom unlike the mantel in parlor one. The south and west walls have late-twentieth-century beadboard wainscoting that terminates five feet, ten-and-a-half inches above the finished floor.

The dining room north of parlor one is integrated into the floor plan of the two-story main block, creating the dwelling's L-plan. The room has an exterior door with a three-light transom on the west wall adjacent to the entrance from the hall. The only bathroom is in the dining room's northeast corner, tucked under the rear stairs, and was added in the 1940s by the Clodfelter family, replacing the food pantry and the steps that led to the cellar.[3] A short passageway with a built-in bench on the passage's east wall leads from the dining room to the kitchen ell. The hall bench—a later addition—is simplistic in design, constructed with plywood and painted a neutral tone.

The kitchen floors are four-inch-wide pine boards and the walls are sheathed with flush horizontal boards that vary in height from nine to eleven inches. On the kitchen's east wall, an exterior door opens on to the small side porch. A small door on the kitchen's south wall provides access to the enclosed rear stair, which leads to the second floor. The wooden painted stairs turn to the east, ending on the second floor in a narrow hall.

The second floor includes four bedrooms, a storage room for food stuffs not affected by extreme heat, and a central hall. The storage room, located over the kitchen, has walls that follow the roof slope and the same wide floorboards as the kitchen. Bedroom one is south of the pantry, through the small rear stair hall, and has a closet on the north wall. Bedroom two, located in the main block's southeast corner, has a fireplace with a simple post-and-lintel Greek Revival-style mantel and a closet on the north wall. The southwest room, bedroom three, is half the depth of the front block and has a fireplace with a short Greek Revival-style mantel in the northeast corner. Bedroom four is the mirror image of bedroom three, but has a modern blue-and-white tile fireplace surround and hearth, as well as late-twentieth-century beadboard wainscoting and a built-in corner cabinet. The stair hall is well-lit by

[3] Gayle, 1-2. The bathroom was added in the first half of the twentieth century per Sidney Gayle's file memorandum and the toilet lid dated 1940. The owners at the time were the Clodfelter family.

windows on the north and south walls. The simple rectangular balusters continue from the first floor, a similar newel post is seen at the base of the second flight of stairs.

The third floor encompasses three bedrooms and a center hall. The flooring consists of three-to-six-inch-wide pine boards, running east to west in bedrooms five and six, and north to south in the hall and bedroom seven. The door and window surrounds have simple butt joints with plain trim. A quarter-round molding runs around the floor's perimeter. All of the third-floor bedrooms have angled ceilings that follow the roof lines, meeting a kneewall at three feet, nine inches above the finished floor. Bedroom five is west of the main stairs. The room has a concrete-block chimney breast on the east wall with evidence of a hole for a stove pipe flue and a closet adjacent to the chimney breast. Bedroom six has a concrete-block chimney on the north wall with an adjacent closet. Bedroom seven is located north of bedroom six. All of the third-floor bedrooms are confined to the main block of the house.

Outbuilding, 1920s-1930s, noncontributing building

The outbuilding located approximately one hundred feet from the edge of the wooded area northeast of the house does not relate to the original Model Farm operations. The outbuilding is credited to the Clodfelter family's ownership and is believed to date to the 1920s or 1930s.[4] The building is two-stories tall with an open base and an enclosed upper section. The lower level of the structure appears to have had a wooden board floor and there is evidence of vertical exterior cladding, while the upper level has horizontal wooden boards wrapping the exterior. Parts of the structure still retain a 5-V metal roof. Only wire nails were visible upon inspection of the structure.

Foundation, unknown date, non-contributing site

Approximately thirty feet north of the wooden outbuilding is a deteriorating very low brick and stone foundation wall. Visual inspection shows evidence of softer brick and wood pieces with cut nails. There was no mention of this structure in earlier research materials.

Integrity

The Model Farm house manifests a high degree of integrity due to its retention of its original, character-defining exterior architectural elements such as weatherboards, window and door surrounds,

[4] Ibid.

and the sidelights surrounding the front door. The interior also possesses good integrity, with original fireplace mantels, ten-foot ceilings, and door and window surrounds. The original stair design includes simple rectangular balusters and a turned newel post and cap. The original floor plan is intact other than the installation of a bathroom in place of the pantry between the dining and kitchen in the 1940s.

The house, which was originally situated on two hundred acres, now occupies an approximately two-acre parcel. Although the farm landscape has been replaced by commercial and industrial development to the north, east, and south, the property retains enough acreage to convey the dwelling's historic setting.

Statement of Significance

The locally significant Model Farm meets National Register Criterion A for agriculture as an important program of the Quaker church to improve agricultural endeavors in the South in the decades after the Civil War. The Model Farm was established by the Baltimore Association of Friends to Advise and Assist Friends in Southern States in 1867 to educate Southern Quakers and other area farmers of the most modern methods to reclaim the soil, practice animal husbandry, and produce abundant crops. The Baltimore Association of Friends was motivated to establish the farm by the migration of Southern Quakers to eastern Tennessee, Ohio, Indiana, Iowa, and beyond in order to leave the slavery-based society that they firmly opposed. [5] This move west began in the early nineteenth century and continued through the post-Civil War era.

The Model Farm residence, constructed in 1867, also meets National Register Criterion C for architecture as an early L-plan house with the roof form referred to as a triple-A in the Guilford County area.[6] The term triple-A refers to the visual effect of two side gables and one center façade gable. This roof form became popular in North Carolina in the post-Civil War era through the early twentieth century. The Model Farm house's use of a triple-A roof may have influenced many of the later examples found in Guilford and other North Carolina counties.[7]

Noted architectural historian Catherine Bishir states that the house's "early use as a 'model' farm building is noteworthy, as is the ongoing linkage between Downing-influenced building and scientific farming."[8] The dwelling also reflects the Quakers' desire to bring about social change through housing and farming reform, as it was designed to promote a new and modern way of life. The period of significance for the Model Farm begins in 1867, when the house was constructed, and ends in 1891, when the Quaker community felt their mission to improve agriculture in Piedmont North Carolina was

---

[5] Damon D. Hickey, "Pioneers of the New South: The Baltimore Association and North Carolina Friends in Reconstruction," *The Southern Friend* XI, 1 (Spring 1989): 31.

[6] H. McKelden Smith, ed., *Architectural Resources An Inventory of Historic Architecture: High Point, Jamestown, Gibsonville, Guilford County* (Raleigh, NC: Government Publisher, 1979), 22. In addition to Smith's statement in this book, noted architectural historian Michael Southern has stated to Ann Swallow (NC SHPO) that he believes this is an early example of a center gable used in this manner (per letter from Ann Swallow to Gisele Taylor Wells, dated November 2, 2009).

[7] H. McKelden Smith, ed., *Architectural Resources An Inventory of Historic Architecture: High Point, Jamestown, Gibsonville, Guilford County* (Raleigh, NC: Government Publisher, 1979), 22.

[8] Catherine Bishir and Michael Southern, *A Guide to the Historic Architecture of Piedmont North Carolina* (Chapel Hill: The University of North Carolina Press, 2003), 345-55.

complete and they sold the property to Duncan White, a member of the local Quaker Community.[9] The property was later sold to the Clodfelter family who operated a successful dairy until they began to sell off the land for development in the Post-World War II era.

The Model Farm meets Criteria Consideration A as a property owned by a religious institution which is important for its significant contribution to both agricultural education and architectural history in North Carolina. The Baltimore Association of Friends to Advise and Assist Friends in the Southern States was organized to offer support to southern refugees who passed through Baltimore, Maryland as they travelled west. Under the direction of Francis King, the Association expanded their mission to include more direct assistance to southern Quakers through education programs, one of which was the establishment of the Model Farm.[10]

Historical Background

The Society of Friends, or the Quakers, first came to the Carolina piedmont in the 1750s, establishing their New Garden Meetinghouse in 1754 in what is now Guilford County, North Carolina. The Quakers took a prominent role in the area's settlement and their Guilford County communities became the center for the North Carolina Quaker yearly meetings.[11] They also established additional meetinghouses in Guilford County at Deep River and Springfield.

Prior to the Civil War, agriculture was the predominant means of income in Guilford County.[12] According to the 1860 census, more than 85,000 of the 992,622 North Carolina residents were farmers. The 1860 cash value of Guilford County farms was calculated to be almost $3.4 million, and by the close of the decade that value had dropped just over two million dollars.[13] At the conclusion of the Civil War soldiers returned home to find their homes and fields burned, livestock gone, and livelihoods destroyed. The arduous task of rebuilding and starting over was too much for many families and they decided to move west. Many of these families were Quakers, and, like their early nineteenth-century counterparts who moved west to begin Quaker communities in Tennessee, Ohio, Indiana, and Iowa, they began their

---

[9] John J. Blair, "Scientific Farming In State Had Start At Model Farm Here Seventy Years Ago: Old Springfield Was Center That Started Program," *The High Point Enterprise – Piedmont Center of Industry – High Point, North Carolina*, Wednesday, October 7, 1936, 10.

[10] Hickey, 32.

[11] Hugh Barbour and J. William Frost, *The Quakers* (New York: Greenwood Press, 1988), 154.

[12] Alexander R. Stoesen, *Guilford County: A Brief History* (Raleigh: North Carolina Division of Achieves and History, 1993), 15.

[13] *Eighth Census of the United States, Taken in 1860, Agriculture Report for the State of North Carolina Statistics* (Washington, DC: Government Printing Office, 1862), 104 - 107; *Ninth Census of the United States, Taken in 1870, Table IV Productions of Agriculture in Each State and Territory, by Counties* (Washington, DC: Government Printing Office, 1872) 214.

migration west through Baltimore, Maryland.[14] Southern Quakers began to migrate west in the early nineteenth century, some moved west to take advantage of the available free land, but many left to escape the slave-based society of the southern states, as owning slaves violated their religious beliefs. Quakers were also conscientious objectors to military service in the Civil War; this combined with their anti-slavery beliefs cause them to be the "subject of special harassment."[15]

The massive migration caught the attention of Francis T. King, a member of the Baltimore Association of Friends. King felt that it was his religious duty to offer aid to southern Friends to enable them to remain in North Carolina.[16] The Baltimore Association of Friends to Advise and Assist Friends in the Southern States was formed in 1865 to address the growing concern for the welfare of Southern Quakers and their communities. As the majority of North Carolinians were farmers, King and the Association decided to open an agricultural school to train farmers in the most modern methods of farming and "serve as a central distribution point for seeds, implements, and fertilizer".[17]

In 1867 the Association purchased 200 acres adjacent to the Springfield Meetinghouse in Guilford County for a demonstration farm to educate local residents about modern farming techniques and equipment. They acquired the land from the Hunt family for $4,400, with $700 coming directly from the local Quaker community.[18] The existing structure was torn down due to its "dilapidated" condition and "a model farm house" was built in its place.[19] Springfield was the location of the largest primary school in Guilford County and two-and-a-half miles from the growing city of High Point, which King thought would become the center of Quaker activity in the state.[20] The Association named the site Swarthmore Farm, but it quickly became known as the Model Farm.[21]

William A. Sampson of Maine, a man trained in scientific farming techniques, was selected to manage the farming operations, give lectures on agricultural subjects, form agricultural clubs, and

---

[14] Hickey, 31.

[15] Ibid.

[16] Ibid, 32.

[17] Ibid, 34.

[18] Nathan Hunt was the first Mayor of High Point, North Carolina. The Quakers purchased the property that became the Model Farm from the Hunt family. Reference to purchase of the Hunt land in *Baltimore Association Papers 1867 Annual Report*, Section on Agriculture and North Carolina, 8.

[19] *Baltimore Association Papers 1867 Annual Report*, Section on Agriculture and North Carolina, 8.

[20] From the Haworth article "The Springfield Schools 1775-1928". Founded by the Quakers in 1775 and housed in a series of buildings, the school operated until 1928 when all the children were reassigned to the Allen Jay School. The intervention of the Baltimore Association helped to reopen the school after the Civil War. The Clodfelter children would later attend this school.

[21] Allen Jay, *Autobiography of Allen Jay: Chapter 23 Final Work of the Baltimore Association: The Model Farm*, (Philadelphia: The John C. Winston Company, 1910), 222.

establish a point of sale for seeds, livestock, and equipment at cost.[22] Sampson's scientific approach to farming was a reflection of the ideals found in the Agricultural Revolution, brought to America in the 1780s from England, and its revival in the fifteen years prior to the Civil War. The proponents of this movement sought to improve the efficiency of farming operations and the quality of the crops produced by promoting the use of modern farm equipment and soil restoration through cover crops suitable for plowing under. The movement used newspapers, almanacs, books, journals, and the establishment of Agricultural Societies to disseminate information to farmers.[23] Francis King, in an 1869 letter to his friend Samuel Bewly, credits Sampson with the formation of seventeen agricultural clubs with over 1500 members and 450 subscribers to their agricultural papers.[24]

Under Sampson's supervision, the Hammond Lumber Company of Bush Hill handled the construction of the farm buildings.[25] The complex consisted of a suitable dwelling, a barn, and numerous outbuildings, which included hog and poultry houses, a rat-proof corn crib, granary and seed barns, and sheds for farming implements and fertilizers. Lead pipes were installed to convey water from an old spring on the property to the house and barn, powered by a hydraulic ram.[26] A small stream running through the property powered the water wheel of an existing grist mill, which was converted into a mill for making bone meal fertilizer.[27] The farming equipment included a Walter A. Woods' mowing machine and reaper, a horse-wheel hay rake, a grain drill, a clover seed header and clover huller, sulky plows, folding harrow, drag and roller. Farm livestock consisted of Alderney and Jersey cattle (donated by Friends in Baltimore), registered Berkshire and Poland hogs, and a large flock of Southdown sheep. The farm's focus was soil amendment through the cultivation of clover, cow peas, and other cover crops that could be plowed under to enrich the soil.[28]

In addition to serving as a distribution point for seeds, implements, and fertilizer for the surrounding community, the Model Farm gained recognition for having farm wagons with iron axles and beautifully painted box beds, which attracted attention when hauling materials along the old plank road

---

[22] *Baltimore Association Papers 1867 Annual Report*, Section on Agriculture and North Carolina, 8.

[23] Cornelius O. Cathey, *Agriculture in North Carolina Before the Civil War* (Raleigh: Division of Archives and History North Carolina Department of Cultural Resources, 1974), 18-19, 24.

[24] Jay, 220-221.

[25] *Guilford County Agriculture, Past-Present-Future*, Complements of the Board of County Commissioners and Board of Agriculture Guilford County, North Carolina (1938), 9.

[26] Ibid, 8.

[27] Ibid, 8.

[28] John J. Blair, "A Decade Pertaining to Education, Manufacturing and Agriculture in North Carolina Immediately Following the Civil War – Model Farm", ed. High Point North Carolina Chamber of Commerce. In *The Building and the Builders of a City* (High Point, NC: Hall Printing Company, 1947), 62.

from the depot at High Point. Before the creation of the Model Farm, primitive wagons with sloping beds and feed box and tar buckets were typical equipment.[29]

According to the 1870 census, the Model Farm consisted of 191 acres valued at $2800. Of the total acreage, 125 acres were improved and 66 acres were left woodland. The farm owned $900 worth of farming equipment and raised a variety of livestock including 4 horses, 2 mules, 6 dairy and 4 other cows, 21 sheep, and 15 pigs valued at $1000. The farm harvested 311 bushels of wheat, 160 bushels of Indian corn, 120 bushels of oats, 40 bushels of barley, 20 bushels of sweet potatoes, and 160 bushels of Irish potatoes, 12 tons of hay, and 4 bushels of clover seed. The annual sheep-shearing yielded 48 pounds of wool. Dairy cattle produced milk and 180 pounds of butter.[30]

The farm had a far-reaching impact on the regional agricultural community. From 1867 to 1869, the farm went from selling only 500 pounds of clover seed to over 19,000 pounds, reflecting the number of farms that had begun cultivated grass for livestock.[31] Near the end of his term, Governor Worth (1865 – 1868) is "said to have remarked that the Model Farm was the 'only green spot' in North Carolina."[32] In 1871 William Sampson reported that more than 1,000 people from all parts of the state had visited the Model Farm property to see the modern farming techniques and learn how to apply the knowledge to their own farms.[33] In the same report he states that ten thousand acres in the area had been successfully sown in clover due to the example set by the Model Farm.[34]

The Quaker community spent $36,000 on the Model Farm operation during their twenty-four years of ownership.[35] In 1891 the Baltimore Association was dissolved as they felt their mission to improve the lives of Quaker and non-Quaker farmers in South was complete and sold the farm to Duncan White; the proceeds from the sale were given to Guilford College.[36] The property then passed to John Tate, who later conveyed the property to Henry Kearns.[37] In 1910, the property was conveyed to the Clodfelter family, who operated the Model Farm Dairy from 1910 to the early 1940s. After World War II the family began to sell land for single-family housing development, and, in the 1970s, Sidney Gayle

---

[29] Hickey, 34; *Guilford County Agriculture, Past-Present-Future*, 9.

[30] *Ninth Census of the United States, 1870: Guilford County, North Carolina, Agricultural Schedule*, National Archives, Washington, D.C. (Microfilm of Manuscript Records at University of North Carolina, Chapel Hill, Davis Library). The 1880 census records did not list a William Sampson on the Guilford County, North Carolina, Agricultural Schedule and the 1890 records burned, so additional farm statistics could not be gathered for inclusion in this report.

[31] Hickey, 35.

[32] Smith, 22.

[33] Jay, 221-222. Also noted in John J. Blair, 62.

[34] Alice Paige White. "The North Carolina Model Farm," *The American Friend* (January 13, 1955): 8.

[35] Jay, 222-224.

[36] Jay, 222. Also discussed by Michael Hill. "Dedication of the Model Farm Historical Marker," *The Southern Friend* XIX, 2 (Fall 1997): 32.

[37] Blair, "Scientific Farming In State Had Start at Model Farm Here Seventy Years Ago," 10.

purchased the last 1.99 acres and the house for use as a photography studio. The Model Farm House was selected to be the Sherwin Williams paint showhouse in 1973 and was featured in the company's national ad campaign.[38] Mr. Gayle conveyed the property to the current owner, Ruth Blumer, in 2005.[39] The property is currently vacant, though it is still sporadically used for photo shoots.

Architectural Context

In the two decades after the Civil War, the Greek Revival style continued to influence domestic architecture, while pattern books popularized picturesque expressions of design on both a grand and modest scale.[40] The influence of Andrew Jackson Downing's *Cottage Residences* (1842) can be seen in a number of rural North Carolina houses built in the 1870s.[41] One of the styles Downing's writings popularized was the Gothic Revival style, expressed through "steeply pitched roofs, board-and-batten siding, sharply pointed dormers, and ornamentation on gables."[42] Picturesque house designs promoted in pattern books may also be the source for the addition of a gable at the central bay of the front facades on side-gable and other traditional house forms in the late nineteenth century. Houses with this gable are known in North Carolina as a "triple-A" houses for the visual effect of the two side gables and one center façade gable.[43]

Post-Civil War domestic architecture saw a shift in preferred house forms way from rectangular forms, such as the very popular I-house, to L-plans and, to a lesser extent, T-plans. These new floor plans were promoted in the fashionable architectural books of the period.[44] Noted architectural historians Catherine Bishir and Michael Southern, in *A Guide to the Historic Architecture of Piedmont North Carolina*, identified many examples of L- and T-plan farmhouses of one or two stories constructed after

---

[38] Katie Beaver. "Homeowner, panel debate house's fate: 135-year-old 'model farm' may see horticultural look," *High Point Enterprise Newspaper*, June, 29, 2001.

[39] Guilford County, NC, Deed Book 2447, pages 90-93.

[40] Jennifer F. Martin. "Chapter 6: From Banks and Bungalows: The Architecture of New Growth, 1876-1945." In *Along the Banks of the Old Northeast: The Historical and Architectural Development of Duplin County, North Carolina* (Rose Hill, NC: Duplin County Historical Foundation, 1999) 44-45; Kelly A. Lally, "Architecture between the Civil War and World War I 1861-1918." In *The Historic Architecture of Wake County, North Carolina* (Raleigh: Wake County Government, 1994), 101.

[41] Lally, 101.

[42] Clifford E. Clark, Jr. "Domestic Architecture as an index to Social History: The Romantic Revival and the Cult of Domesticity in America, 1840-1870." In *Material Life in America, 1600-1860*. Edited by Robert Blair St. George (Boston: Northeastern University Press, 1988), 536.

[43] Lally, 105.

[44] Lally, 101.

the Civil War. These farmhouses typically included a rear ell containing a kitchen and sometimes a dining room, replacing the need for a freestanding kitchen.[45]

The Model Farm residence, constructed soon after the Quakers established the farm in 1867, is an early example of a triple-A-roofed, L-plan house in Guilford County. Like the I-houses commonly erected in the area, this dwelling was designed to present its long façade to the road which would have projected a more impressive appearance. Originally the Model Farm was approached from Model Farm Road, bringing guests to the prominent façade.[46] Today, due to development of the surrounding area, the property is only accessible from Brentwood Street, which is east of the house.

The house reflects the mid-nineteenth century change in attitude toward technology and the family dynamic. Advocates for this change used architectural reform as a method to express their views regarding domestic values.[47] Noted architectural historian Clifford E. Clark Jr. draws the connection between architectural reform of the mid-nineteenth century and the anti-slavery/temperance movement of both northern and southern protestant religious organizations, one of those being the Quakers. When the Quakers designed the Model Farm house they may have chosen a triple-A-roofed, L-plan house form to reflect society's changing attitudes toward domesticity and as a symbol of modernity. Part of that change was the specialization of rooms within the house design; a shift from communal, multi-function spaces to rooms with specific uses such as the entrance hall, front parlor or drawing room, family or sitting room, dining room, and kitchen. Parents were encouraged to give each child a separate bedroom in order to foster a sense of ownership.[48] There was also a changing attitude toward social interaction and the need to clearly define public and private spaces.[49] Private spaces where removed from the main floor of houses to further stress the separation of spaces. To accommodate this new sensibility of specialized spaces and separation of private and public, the Model Farm House is much larger than the typical three-room Quaker plan that was common within the Quaker community in North Carolina before the Civil War.

The Model Farm house reflects the specialization of rooms on all three floors, as well as presenting a clear distinction between public and private spaces. The first floor originally held an entrance hall, two parlors flanking the entrance hall, a dining room, and an attached one-story kitchen.[50] Each of the first floor rooms had clearly defined uses and moves from public spaces by the front entrance to private spaces in the rear. There are a total of seven bedrooms on the second and third floors,

---

[45] Bishir and Southern, 42.

[46] Gayle, 1.

[47] Clark, 536.

[48] Ibid, 542-543.

[49] Ibid, 541-542.

[50] Gayle, 2. There is currently a bathroom adjacent to the dining room that was added in the 1940s replacing a pantry and stair to the cellar.

representing the shift toward individual, private spaces with specific uses located away from the public spaces on the first floor.

This period also saw an emphasis on room arrangement to meet the needs of the women in the household. Floor plans encouraged separation of public from private spaces, placing importance on convenience and economy within the home.[51] The Model Farm house, with its clearly defined spaces on the first floor and numerous bedrooms on the second and third floors, speaks to that separation of spaces within the domestic sphere. Like many of the L-plan houses built in the post-Civil War era, the house was constructed with a rear ell kitchen, which eliminated the need for a freestanding kitchen structure.[52] Above the kitchen ell is a storage room with a narrow stair leading from the kitchen to the second floor space. In addition to the second floor storage room, there is full-height cellar below the kitchen that runs north to south the length of the house. The cellar was originally accessed through a stair off a pantry between the kitchen and dining room, today the only access is from the exterior of the house. The design of accessible storage may have been a reflection of the desire to make the typical domestic tasks more efficient. In addition to easily accessible storage, the Model Farm house had running water in the house and other buildings on the property. Lead pipes carried water from a spring on the property to the house and barn.[53] The availability of water in the house would have added to the efficiency of the household.

The house represents many of the typical features of a late-nineteenth-century house with its large windows, wide façade, and balloon frame construction. The house differs from its late-nineteenth-century counterparts with much of the interior woodwork being hand-crafted versus machine-made. This could be a result of the house being built so soon after the end of the Civil War and the craftsmen not having access to machine-made items or it could be a reflection of the Quaker belief in simplicity of material and design. The interior features simple Greek Revival-style mantels, wide baseboards, raised-four-panel doors, and turned newel posts on the stairs.

The numerous windows allow abundant light to enter every room, creating an environment well-suited for domestic tasks. The bright interior may be a manifestation of Quaker ideals such as cleanliness and the belief that each person possesses an inner light.[54] Large windows also embody the industrial advances that allowed for larger panes of glass to be manufactured, thus reflecting the most modern materials available.

Architectural historian H. McKelden Smith stated that "the wide popularity" of the triple-A roof house type in Guilford County "is perhaps due in part to the design of the Model Farm. ...They document a developing technology of building and changing tastes in design, but reflect the continuing

---

[51] Clark, 543.

[52] Bishir and Southern, 42.

[53] Sidney Gayle, 3.

[54] Howard Brinton, "Friends and their Spiritual Message." From Friends General Conference of the Religious Society of Friends (Quaker). Downloaded from http://www.fgcquaker.org/library/welcome/fa-spirtual message.html on March 4, 2009.

demand for simple, straightforward architecture."[55] Later examples of Guilford County triple-A-roofed dwellings include the circa 1895 Jesse Lee Armfield House, the circa 1903 W.A. Boone House, and the circa 1910 R.B. Andrews House.[56] The Quaker communities in and around Guilford County contain numerous examples of the triple-A-roofed houses that date to the post Civil War era, serving as reminders of the popularity of this house type within their community. In addition to its popularity in the Quaker community, the triple-A-roofed house form appears in quantity throughout North Carolina in the decades after the Civil War. The circa 1867 Model Farm house remains one of the earliest examples of a triple-A-roofed house in the Piedmont, and moreover, one of the most intact.[57]

[55] Smith, 22-23.

[56] Ibid, 22.

[57] Smith, 22. In addition to Smith's statement in this book, noted architectural historian Michael Southern has stated to Ann Swallow (NC SHPO) that he believes this is an early example of a center gable used in this manner (per letter from Ann Swallow to Gisele Taylor Wells, dated November 2, 2009).

Bibliography

Baltimore Association of Friends Papers 1867, Section on Agriculture and North Carolina. Located at Guilford College, Quaker Reference Room. On Microfilm Roll M78 PosXidex P.H. Viewed 2010. Original Papers are located at Haverford College, PA. 1867, 8-12.

Barbour, Hugh and J. William Frost. *The Quakers.* New York: Greenwood Press, 1988.

Beaver, Katie. "Homeowner, panel debate house's fate: 135-year-old 'model farm' may see horticultural look." *High Point Enterprise Newspaper*, June, 29, 2001.

Bishir, Catherine and Michael Southern. *A Guide to the Historic Architecture of Piedmont North Carolina.* Chapel Hill: The University of North Carolina Press, 2003.

Blair, John J. "A Decade Pertaining to Education, Manufacturing and Agriculture in North Carolina Immediately Following The Civil War – Model Farm." In *The Building and the Builders of a City.* Edited by High Point North Carolina Chamber of Commerce. High Point, NC: Hall Printing Company, 1947.

_____. "Scientific Farming In State Had Start At Model Farm Here Seventy Years Ago: Old Springfield Was Center That Started Program." *The High Point Enterprise – Piedmont Center of Industry – High Point, North Carolina*, Wednesday, October 7, 1936, 10.

Brinton, Howard. "Friends and their Spiritual Message." From Friends General Conference of the Religious Society of Friends (Quaker). Downloaded from http://www.fgcquaker.org/library/welcome/fa-spirtual message.html on March 4, 2009.

Cathey, Cornelius O. *Agriculture in North Carolina before the Civil War.* Raleigh, NC: North Carolina Department of Cultural Resources, Division of Archives and History. 1974.

Clark, Clifford E., Jr. "Domestic Architecture as an index to Social History: The Romantic Revival and the Cult of Domesticity in America, 1840-1870." In *Material Life in America, 1600-1860.* Edited by Robert Blair St.George. Boston: Northeastern University Press, 1988, 536-549.

Deed Books, Office of the Register of Deeds, Guilford County Courthouse, Greensboro, NC. Book 2447 / Pages 90 – 93.

Eighth Census of the United States, Taken in 1860, Agriculture report for the State of North Carolina Statistics. Washington, DC: Government Printing Office 1862.

Eighth Census of the United States, Taken in 1860, Classification Population of the States and Territories, by Counties. Washington, DC: Government Printing Office 1862.

Gayle, Sidney. "File Memorandum: Interview with Hazel Clodfelter on the Model Farm." August 29, 1979. On file at the Guilford County Planning Department.

Guilford County Agriculture, Past-Present-Future, Complements of the Board of County Commissioners and Board of Agriculture Guilford County, North Carolina, 1938. 8-9.

Haworth, Brenda G. "The Springfield Schools 1775-1928," *The Southern Friend* XVII, 1 (Spring 1995): 32-41.

Hickey, Damon D. "Pioneers of the New South: The Baltimore Association and North Carolina Friends in Reconstruction," *The Southern Friend* XI, 1 (Spring 1989): 31-48.

Hill, Michael. "Dedication of the Model Farm Historical Marker," *The Southern Friend* XIX, 2 (Fall 1997): 30-32.

Jay, Allen. "Final Work of the Baltimore Association: The Model Farm." *Autobiography of Allen Jay*. Philadelphia: The John C. Winston Company, 1908. 219-225.

King, Francis. "Education in North Carolina." An article in *The Friend: A Religious, Literary, and Miscellaneous Journal*. London: October 1, 1869, Vol. IX. No.106.

Lally, Kelly A. "Architecture between the Civil War and World War I 1861-1918." In *The Historic Architecture of Wake County, North Carolina*. Wake County Government, 1994. 89-111.

Martin, Jennifer F. "Chapter 6: From Banks and Bungalows: The Architecture of New Growth, 1876-1945." In *Along the Banks of the Old Northeast: The Historical and Architectural Development of Duplin County, North Carolina*. Rose Hill, NC: Duplin County Historical Foundation, 1999. 43-49.

Model Farm Local Historic Landmark Designation Application. Text contributed by Nora Miller and Gary Barkhau. On file at the Guilford County Planning Department. Document dated 2001.

Ninth Census of the United States, Taken in 1870, Volume 1, The Statistics of Population of the United States: Selected Statistics of Age and Sex by Counties – State of North Carolina. Washington, DC: Government Printing Office, 1872.

Ninth Census of the United States, Taken in 1870, Volume 1, The Statistics of Population of the United States: The Tables of Race, Nationality, Sex, Selected Ages, and Occupations. Washington, DC: Government Printing Office, 1872.

Ninth Census of the United States, Taken in 1870, Table III Productions of Agriculture in the United States by States and Territories at the census of 1870, 1860, and 1850. Washington, DC: Government Printing Office, 1872.

Ninth Census of the United States, Taken in 1870, Table IV Productions of Agriculture in Each State and Territory, by Counties. Washington, DC: Government Printing Office, 1872.

Ninth Census of the United States, Taken in 1870: Guilford County, North Carolina, Agricultural Schedule, National Archives, Washington, DC. Microfilm of Manuscript Records at the University of North Carolina, Chapel Hill, Davis Library.

Smith, H. McKelden. *Architectural Resources An Inventory of Historic Architecture: High Point, Jamestown, Gibsonville, Guilford County*. Raleigh: NC Department of Archives and History, 1979.

Southern, Michael. "The I-House as a Carrier of Style in Three Counties of the Northeastern Piedmont." In *Carolina Dwelling: Towards Preservation of Place: In Celebration of the North Carolina Vernacular Landscape*. Edited by Doug Swaim. Pages 70-83. Raleigh: North Carolina State University, 1978. [ereserves at UNCG, electronic download]

Stoesen, Alexander R. *Guilford County: A Brief History*. Raleigh: North Carolina Division of Archives and History, 1993.

Swaim, Doug. "North Carolina Folk Housing." In *Carolina Dwelling: Towards Preservation of Place: In Celebration of the North Carolina Vernacular Landscape*. Edited by Doug Swaim. Raleigh: North Carolina State University, 1978.

White, Alice Page. "Model Farm Played Vital Part in NC Development." *High Point Enterprise Newspaper*, Sunday, June 13, 1954: 8C

_____. "The North Carolina Model Farm." *The American Friend*, January 13, 1955: 7-8, 13.

Verbal Boundary Description

The nominated property consists of Guilford County tax parcel #18-00-0247-0-0001-00-008 (1.99 acres), as indicated by the heavy solid line on the enclosed map.

Boundary Justification

The nominated tract is the residual intact acreage associated with the Model Farm.

Photo Catalog

Photographs by Gisele Taylor Wells, 3502 Cloverdale Drive, Greensboro, NC 27408 in March and July 2008, and February 2010.

1. Model Farm House, façade, looking north
2. Model Farm House, west elevation, looking east
3. Model Farm House, west and north elevations, looking southwest
4. Model Farm House, east elevation, looking west
5. Model Farm House, first floor stair, looking northeast
6. Model Farm House, parlor 1, looking northeast
7. Model Farm House, parlor 2, looking northwest
8. Model Farm House, bedroom 2, looking northeast
9. Model Farm, non-contributing 20th century outbuilding, looking east
10. Model Farm House, exterior, looking northwest

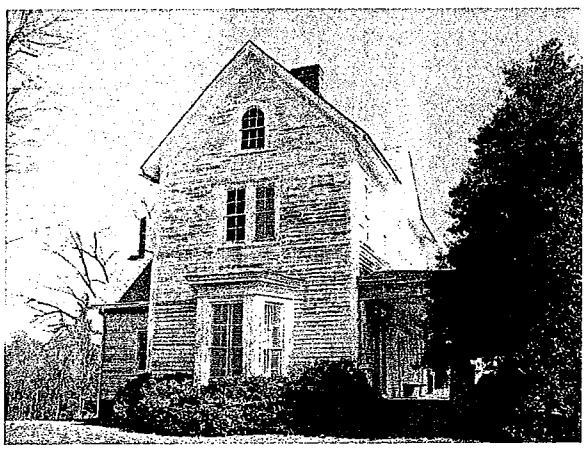
The Model Farm
2038 Brentwood Street
High Point, Guilford County, North Carolina
Gisele Taylor Wells, 03-01-08

Survey Site # GF01550

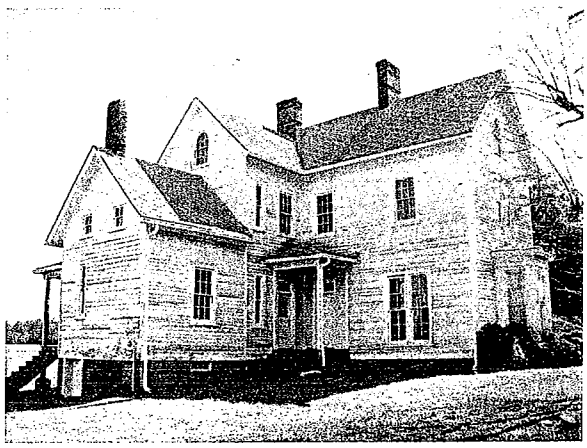
Exterior

GF01550_HighPoint_Model Farm_03-01-08_gw_83
Model Farm looking west from Brentwood Street

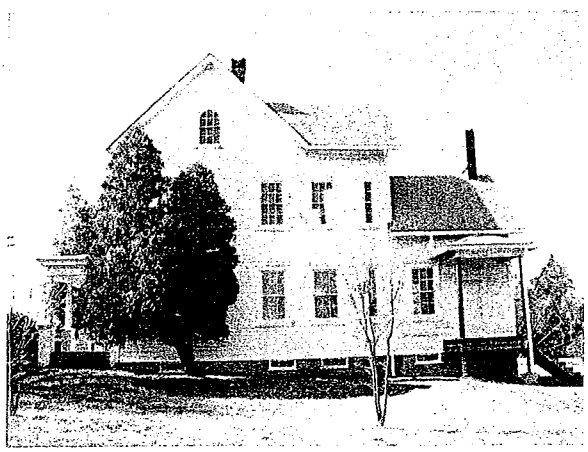
GF01550_HighPoint_Model Farm_03-01-08_gw_84
Model Farm, façade, looking north



GF01550_HighPoint_Model Farm_03-01-08_gw_85
Model Farm, west elevation, looking east



GF01550_HighPoint_Model Farm_03-01-08_gw_86
Model Farm, west / north elevation, looking southeast



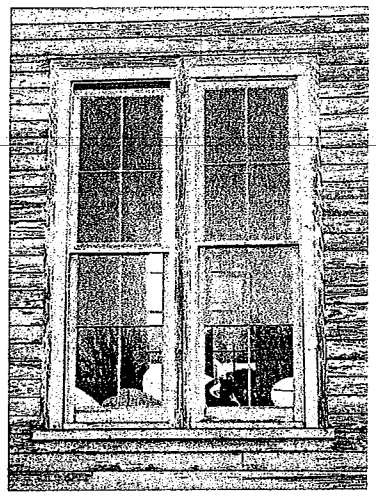
GF01550_HighPoint_Model Farm_03-01-08_gw_87
Model Farm, east elevation, looking west

The Model Farm
2038 Brentwood Street
High Point, Guilford County, North Carolina
Gisele Taylor Wells, 03-01-08

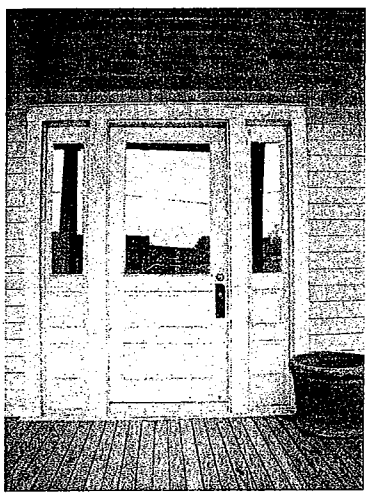
Survey Site # GF01550

Exterior

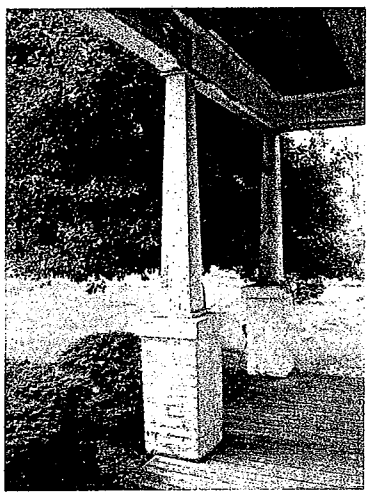
GF01550_HighPoint_Model Farm_03-01-08_gw_76
Model Farm, front porch, looking north



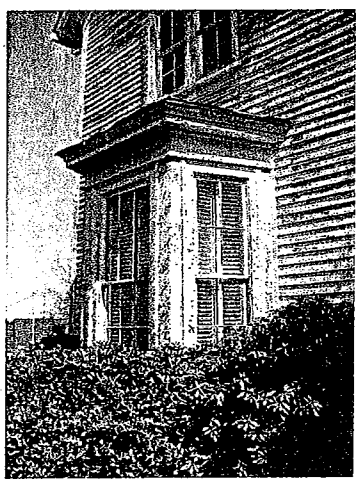
GF01550_HighPoint_Model Farm_03-01-08_gw_74
Model Farm, example of four-over-four double window



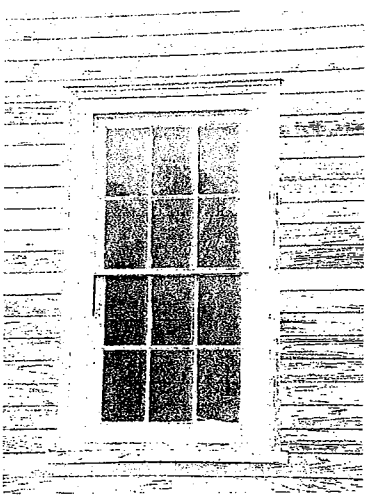
GF01550_HighPoint_Model Farm_03-01-08_gw_91
Model Farm, front door



GF01550_HighPoint_Model Farm_03-01-08_gw_93
Model Farm, front porch



GF01550_HighPoint_Model Farm_03-01-08_gw_71
Model Farm, bay window on west elevation, looking northeast.



GF01550_HighPoint_Model Farm_03-01-08_gw_69
Model Farm, example of six-over-six window

The Model Farm
2038 Brentwood Street
High Point, Guilford County, North Carolina
Photographs by Gisele Taylor Wells, March 2008 and July 2008

Model Farm, façade, looking north
GF_01550_HighPoint_ModelFarm_030108_gw_84

Model Farm, west elevation, looking east
GF01550_HighPoint_ModelFarm_03-01-08_gw_85

PLANNING AND ZONING COMMISSION RECOMMENDATION

On September 28, 2010; October 26, 2010; and November 16, 2010 public hearings were held before the Planning and Zoning Commission regarding the requests described below.

City of High Point **Northwest Area Plan**

A request by the Planning and Development Department to approve the Northwest Area Plan.

AND

City of High Point **Land Use Plan Amendment Case 10-04**

A request by the Planning and Development Department to amend the city's Land Use Plan in accordance with recommendations of the Northwest Area Plan. The land area associated with this amendment is approximately 10,260 acres lying within the northwestern portion of the City's Planning area generally lying south of I-40, west of Kendale Road & Sandy Ridge Road, northwest of Skeet Club Road and north of the Davidson/Forsyth County line.

The requests were presented by Mr. Gregg Morris, who provided an overview and addressed questions from the Commission members. The Planning and Development Department recommended approval of both items as outlined in the staff report.

The Commission initially delayed the request until the City Council endorsed the Heart of Triad Plan. Questions raised by the Commission included:

- The North/South Connector Road and its impact on the waterways and other alternatives, such as widening existing roads.
- Impact of a potential fourth runway at the airport on the location of areas designated for residential uses.
- Lack of tree preservation.
- Limited Rural Development designation.
- Residential uses adjacent to state property on Sandy Camp Road.
- Possible location of a new school.
- Allowing development in this area will take focus away from the Core City area.
- How does the Federal Clean Air standards impact future development of housing and farming in the Northwest Area Plan area.

At the September 28, 2010 and October 26, 2010 public hearings comment were received from Mr. Rafe Royal of 1609 Squire Davis Road in Kernersville, Mr. Fred Mabe of 8839 Boyeston Road, Ms. Cathy Poole of 1607-A Squire Davis Road and Mr. Jimmy Morgan of 8625 Bull Road in Colfax. Primary concerns voiced were:

- Delaying P&Z Action until Council adopted Heart of Triad Plan.
- Potential environmental impact that may be caused by proposed North/South Connector Road and other traffic corridor options other than the North/South Connector Road.
- Why the Northwest Area Plan only had one rural development category.
- Why the plan does not have conservation developments which would come closer to protecting the wildlife and trees.

- Proposed sewer outfalls or pump stations that may be built as development continues around the US 311/NC 66/Quarry area.

Over the course of the meetings, the Planning & Development Department addressed the various questions raised by the Commission members and the public. At the November 16, 2010 public hearing, staff provided the Commission members with a detailed memorandum addressing issues raised by the Commission at the previous meetings. A recurring point of discussion was regarding the environmental impact that may be caused by proposed North/South Connector Road.

The Commission recommended approval of the Northwest Area Plan and Land Use Plan Amendment Case 10-04, as recommended by staff by a vote of 5-2, with Ms. Davis and Mr. McInnis the dissenting votes. Ms. Davis expressed concerns included wanting to further clarify and study the North/South Connector Road, the impact of airport upon an area designated for residential uses, and the impact the state prison facility has upon a designated residential area.

HIGH POINT
NORTH CAROLINA'S INTERNATIONAL CITY™

MEMORANDUM

December 20, 2010

To: Honorable Mayor and City Council
From: G. Lee Burnette, AICP, Director
Subject: **Northwest Area Plan**

Attached for your consideration is an executive summary of the Northwest Area Plan and Land Use Plan Amendment Case 10-04. A number of initiatives and events, including the FedEx air cargo hub and the associated Part 150 Study, the Heart of the Triad plan and the revised High Point/Kernersville Annexation Agreement, with its attendant extension of a major sewer outfall from High Point to Kernersville, have great potential to affect the northwest part of High Point's planning area. It was therefore an appropriate time to assess the development potential of an area where High Point, Kernersville and Greensboro are growing together. Staff started working on this project in the latter part of 2007.

The *Northwest Area Plan* was presented to the City Council's Planning and Development Committee on September 7th. Two open house public meetings were held in the study area on September 2nd and September 9th. Approximately 40 people attended the public meetings. The Plan was presented to the Planning and Zoning Commission on August 24th and public hearings were held on September 28th and October 26th and the Plan and amendment Case 10-04 were recommended for approval by a vote of 5 to 2 on November 16th.

If you have any questions, please do not hesitate to contact me at 883-3328.

Plan Purpose

A number of initiatives and events, including the FedEx air cargo hub and the associated Part 150 Study, the Heart of the Triad plan and the revised High Point/Kernersville Annexation Agreement, with its attendant extension of a major sewer outfall from High Point to Kernersville, have great potential to affect the northwest part of High Point's planning area. This is therefore an appropriate time to assess the development potential of an area where High Point, Kernersville and Greensboro are growing together.

The Study Area

The study area comprises about 10,260 acres in Guilford and Forsyth counties. The study area is generally west and northwest of Kendale, Sandy Ridge and Skeet Club roads and south of I-40. The western boundary roughly follows the Guilford County/Forsyth county line. The southeast corner of Forsyth County is also included in the study area, and it extends westward and south along US 311 to its interchange with High Point Road. The Forsyth/Davidson county line forms the southern boundary of this part of the study area.

Northwest Area Plan Goals and Objectives

The following summary goals and objectives were developed for the *Northwest Area Plan*. Goals articulate the desired outcomes that land use planning policies and related development regulations strive to attain. Objectives are specific actions intended to achieve the goals.

Goal 1: Protect the natural environment and its many features.

- Objective 1a: Preserve natural environmental features during site development
- Objective 1b: Maintain high water quality through minimal grading and management techniques
- Objective 1c: Where possible preserve mature trees
- Objective 1d: Maintain linked open space between developments
- Objective 1e: Encourage farmland preservation
- Objective 1f: Properly place higher density development
- Objective 1g: Preserve primary habitats

Goal 2: Achieve high quality development in the built environment.

- Objective 2a: Require high aesthetic standards in site and building design
- Objective 2b: Promote development with human scale
- Objective 2c: Encourage mixed-use development near residential areas
- Objective 2d: Provide mixed residential densities for all income levels
- Objective 2e: Protect existing residential neighborhoods from new non-residential development
- Objective 2f: Promote efficient, environmentally-friendly development

Goal 3: Create a fully integrated transportation system that recognizes and accommodates a wide variety of transportation needs and users.

- Objective 3a: Maintain integrity of major thoroughfares
- Objective 3b: Provide intra and inter-development transportation connectivity
- Objective 3c: Ensure that new development provides infrastructure for multi-modal transportation

- Objective 3d: Provide landscaping along transportation corridors
- Objective 3e: Expand mass transit services as growth in the area warrants
- Objective 3f: Encourage higher density around transportation centers
- Objective 3g: Create a transportation scheduling and routing that permits easy shifting from one mode to another

Goal 4: Continue economic development programs to respond to the needs of a growing area and a changing economic environment.

- Objective 4a: Target high value-jobs that diversify the economy
- Objective 4b: Participate in local and regional economic development activities
- Objective 4c: Support educational facilities that train workers for targeted businesses
- Objective 4d: Strongly consider the environmental impacts of economic development projects
- Objective 4e: Ensure that economic development policies and incentives are consistent with the plan

Design Guidelines for New Non-Residential Development

Guidelines have been established for all new non-residential development within the study area. They have been divided into two sections; the first section applies to all new non-residential development and the second section contains additional guidelines that apply only to Business Center Areas. The goal of the design guidelines is to create high quality development that is harmonious and visually attractive and which also supports multiple modes of transportation.

The general guidelines that apply to all non-residential development include those regarding signs, access, site buffers, architecture, landscaping, pedestrian circulation, parking, outdoor display, lighting and exterior mechanical equipment. The design guidelines that are specific to Business Center Areas pertain mainly to development size, common open space, structure location, storage/process areas, fences and loading docks.

Northwest Area Plan Land Use Recommendations

The *Northwest Area Plan* introduces non-standard land use classifications including Activity Center, Business Support Area and Business Center Area to denote future land uses in parts of the study area. The particular land use descriptions within these areas are specifically applicable only within this area plan. This area plan also incorporated the Rural Development classification from the *Land Use Plan* and further refined the definition to better describe the type of development that is desired in this area. This revised definition should also be considered for use in the *Land Use Plan*.

The descriptions of land use within the *Northwest Area Plan* are presented in significantly greater detail and are generally more restrictive than those in the *Land Use Plan*. For example, a development proposed in the Sandy Ridge Road Business Center Area, which is recommended for a Restricted Industrial land use designation on the *Land Use Plan*, would likely be subject to higher standards than would a similar development located in a Restricted Industrial area in another part of the city because of

the in-depth study that has taken place as part of this area plan. Map 20 (on page 39) shows the entire study area, and it represents the future land use recommendations of the *Northwest Area Plan*.

This area plan recommends distinct development nodes, most of which are clearly best suited for particular purposes due to environmental constraints, transportation access or other factors. They are as follows:

- I-40/Sandy Ridge Road/Bunker Hill Road;
- Sandy Ridge Road/Piedmont Parkway Extension; and
- US 311/NC 66.

The designation of these nodes and the descriptions of the recommended uses within them are very specific to this area plan. The last section of the plan translates the specific land uses into the more general land use categories currently used in the city's adopted *Land Use Plan*. As the northwest area develops, this area plan should be used to guide the type and style of development.

Recommended Land Use Plan Amendments

Of the 10,260 acres in the Northwest Area Plan study area, 1,619 acres are proposed for amendment in the existing *Land Use Plan*. See Map 21 on page 47.

CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT

STAFF REPORT
LAND USE PLAN AMENDMENT CASE 10-04
December 10, 2010

Request	
Applicant: City of High Point	**Owner(s):** Various
Proposal: To change the future land use designation for approximately 1,619 acres in the northwest portion of the High Point Planning Area in accordance with the recommendations in the *Northwest Area Plan*. The area lies generally west of Sandy Ridge, Kendale, and Skeet Club Roads and north of the Davison County Line.	**From/To/Acreage** **Area:** 1. Restricted Industrial/Community/Regional Commercial - 9 ac. 2. Restricted Industrial/Community/Regional Commercial - 77 ac. 3. Restricted Industrial/Community/Regional Commercial - 30 ac. 4. Restricted Industrial/Medium-Density Residential - 29 ac. 5. Future Growth Area/Low-Density Residential – 79 ac. 6. Future Growth Area/Medium-Density Residential - 91 ac. 7. Future Growth Area/Restricted Industrial - 50 ac. 8. Future Growth Area/Low-Density Residential - 337 ac. 9. Restricted Industrial/Low-Density Residential - 68 ac. 10. Mixed Use Development/Institutional - 57 ac. 11. Mixed Use Development/Medium Density Residential -116 ac. 12. Low-Density Development/Mixed Use Development - 47 ac. 13. Low-Density Residential/Medium-Density Residential -114 ac. 14. Low-Density Residential/Rural Development - 276 ac. 15. Future Growth Area/Heavy Industrial - 69 ac. 16. Future Growth Area/Heavy Industrial - 25 ac. 17. Medium & Moderate Res./Low-Density Res. – 145 ac.

Site Information	
Location:	The 17 areas in this proposed Land Use Plan amendment request are distributed fairly evenly across the study area (see attached map). As noted above, the area lies generally west of Sandy Ridge, Kendale, and Skeet Club roads and north of the Davison County Line. It is bounded on the north by I-40 and extends, in the southwest, well into Forsyth County along US 311 and NC 66.
Current Land Use:	Farms, single-family dwellings, undeveloped, commercial/industrial uses and a quarry.
Existing Zoning District(s):	Conditional Use Light Industrial (CU LI), Conditional Use Public and Institutional (CU-PI), and Conditional Use Residential Single Family – 7 (CU-RS-7) in High Point's jurisdiction; Light Industrial (LI), Residential Single-Family-40 (RS-40) and Agriculture (AG) in Guilford County's jurisdiction; General Industry Special Use Permit (GI-S) and Residential Single Family-20 (RS-20) in Forsyth County's jurisdiction.

Physical Characteristics:	The existing land uses in the 17 areas of this Land Use Plan amendment request is a mixture of farmland with related structures, single-family dwellings on very large lots, undeveloped property, woodlands and several rural residential subdivisions. There are commercial/industrial uses near the intersection of Sandy Ridge Rd. and a large quarry in Forsyth County south of US 311. Most of the area drains toward the West Fork of the Deep River. Some areas of very steep slopes and extensive floodplains are associated with the river and its tributaries.
Overlay District(s):	Airport Overlay Zone, Oak Hollow Lake General Watershed Area and Oak Hollow Lake Watershed Critical Area Tier 4.

Adjacent Property Zoning and Current Land Use	
North:	See Maps 2 and 5 (pages 2 and 7) of the *Northwest Area Plan*
South:	
East:	
West:	

Adjacent Land Use Designations	
North:	See Map 11 (page 16) of the *Northwest Area Plan*.
South:	
East:	
West:	

Existing and Proposed Land Use Designations
The area designated for Community/Regional Commercial at the interchange of Sandy Ridge Rd. remains, though in a slightly changed configuration, while some Low Density Residential and Medium Density Residential areas are recommended for amendment from Restricted Industrial and Future Growth Area on either side of Bunker Hill Rd. at I-40. A substantial amendment from Future Growth Area and Restricted Industrial to Low Density Residential is also recommended on the north side of Bame Rd. The area designated for Mixed Use Development east of Sandy Ridge Road between Kendale and Sandy Camp Roads is proposed to be redesignated for Institutional and Medium Density Residential use, while immediately to the southwest, property currently designated for Low Density Residential use is recommended for Mixed Use and Medium Density Residential use. Collectively, these three new use areas are recommended to become a Focal Area. Property south of Squire Davis Rd. now designated for Low Density Residential use is proposed for redesignation to Rural Development. Two areas to the south and west of the quarry, west of NC 66, are recommended for redesignation from Future Growth Area to Heavy Industrial. An area in the southeast corner of Forsyth County is recommended for redesignation from Medium and Moderate Density Residential to Low Density Residential.

The following is a description of the Land Use Classifications that are new to the area within the *Northwest Area Plan*:

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

Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Rural Development: This classification is intended to preserve the rural character of an area through the maintenance of agriculture, the construction of homes on very large lots (ideally a minimum of five acres), or through the use of conservation subdivisions, which cluster residences and leave generous amounts of open space.

Relevant Land Use Plan Amendment History		
Case #:	**Date:**	**Description:**
N/A		

Details of Proposal

These 17 recommended amendments to the Land Use Plan are recommended by the *Northwest Area Plan* and are in response to the *Heart of the Triad Plan*, the FedEx air cargo hub at Piedmont Triad International Airport and the results of its related Part 150 noise study, and the revised High Point/Kernersville with its attendant sewer outfall constructed in 2009.

Relevant Land Use Plan Policies and Other City Plans	
Community Growth Vision Statement:	Goal 1: Preserve and enhance High Point's most important natural and cultural resources. Goal 3: Create more mixed use areas, while reinforcing existing ones, to minimize traffic, maximize the utilization of infrastructure, and so people can live, work and play in one location. • Objective 3B: Establish new or redeveloped mixed use areas at key intersections where suitable land use and development patterns exist. • Objective 3C: Attract commercial tenants that will offer daily goods and services to nearby neighborhoods. • Objective 3E: Apply development standards to ensure that mixed use areas are human scaled, pedestrian friendly, and physically integrated through mixed use buildings and buildings that front onto streets rather than large parking lots that separate buildings and their uses.

Land Use Plan Goals, Objectives and Policies:	Goal 1: Ensure that development respects the natural environment. Goal 5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.
Relevant Area Plan(s): *Northwest Area Plan*	The *Johnson Street/Sandy Ridge Area Plan*, adopted as amended in August 2003, covered a portion of the *Northwest Area Plan* study area, as explained on pages 17 and 18 of the of the *Northwest Area Plan*. It is intended that the *Northwest Area Plan* will replace the *Johnson Street/Sandy Ridge Area Plan* upon adoption. For the purposes of the proposed Land Use Plan amendments, the most pertinent goals and objectives from the *Northwest Area Plan* are the following: Goal 1: Protect the natural environment and its many features. • Objective 1a: Preserve streams, wetlands and steep slopes through the siting of development in appropriate locations. • Objective 1f: Understand that some areas are inappropriate for higher density development due to significant environmental values and constraints; instead, reserve these areas for passive recreation, conservation development or farming.

Analysis

As noted in the Details of Proposal section of this report, several factors made this an appropriate time to study the northwestern part of the city's Planning Area and to develop a small area plan. Staff analyzed existing land uses and the land use designations in the Land Use Plan in light of the opportunities and challenges presented by environmental and regulatory constraints, existing and proposed utilities and transportation improvements, employment generators like the FedEx air cargo hub at Piedmont Triad International Airport and the land use recommendations of the *Heart of the Triad Plan*. The jurisdictions involved in the Heart of the Triad planning process agreed to make their land use plans and, where necessary, their Development Ordinances compatible with each other, and all of the recommended amendments here are in accord with the *Heart of the Triad Plan*.

As a result of the analysis, amendments are recommended to the Land Use Map and the text of the Plan.

<u>Map Amendments</u>
Of the 10,260 acres in the study area, 1,619 acres in 17 separate areas are recommended for amendments to the Land Use Map.

The specific recommended map amendments are as follows:

Areas 1, 2 and 3 will result in a somewhat larger, yet more compact, area for commercial development and potential redevelopment to serve primarily the growing employment center that borders it on the east, west and south. Areas 4 and 6 will provide for higher density housing for employees of the employment center as well as the new center in Kernersville that the West Fork Outfall was built to serve. Area 5 recognizes existing single-family development. Area 7 "squares off" the existing Restricted Industrial designation to the east. This area will be opened to development by two proposed sewer outfalls, although significant transportation improvements will be required, especially a new road between Bunker Hill Rd. and Sandy Ridge Rd.

Areas 8 and 9 are recommended for Low Density Residential designation due to the existing and potential single-family residential use. Area 10 is the location of the prison camp and the NC DOT's road maintenance facility.

Areas 11, 12 and 13 encompasses a new Focal Area, which includes an activity center with a mixture of uses, primarily retail, office and services with a residential component, as well as some higher density residential development to the east and south of the activity center, probably a mixture of townhomes and apartment. This development will likely be spurred by the extension of Piedmont Parkway to intersect with Sandy Ridge Rd. and Johnson St.

Area 14 is recommended for a Rural Development designation, which allows for very low residential development, including conservation subdivisions and agricultural uses. This is due to environmental constraints including steep slopes.

Areas 15 and 16 are recommended for Heavy Industrial and they reflect an expanded rock quarry.

Area 17 is recommended for Low Density Residential due to multiple small parcels within this area that are unlikely to be combined. This is a better reflection of the current and anticipated conditions in the area.

Text Amendment

Based on the refinement of the focal area in the *Northwest Area Plan*, the written description of the focal area in the Land Use Plan needs to be amended to match the detailed description in the *Northwest Area Plan.* The existing Land Use Plan text and the proposed text are shown below:

Existing Text:

Johnson Street and Sandy Ridge Road at the Intersection of the Proposed Extension of Clinard Farms Road/Piedmont Parkway

This Developmental Focal Area provides excellent opportunities for quality residential development in the area surrounding the intersection of the proposed extension of Clinard Farms Road with Johnson Street and Sandy Ridge Road. With the completion of Piedmont Parkway and Clinard Farms Road, their combination with Hilltop Road, Sandy Ridge/Bunker Hill Road and NC Highway 66 will be an important east/west route through central and west Guilford County into Forsyth County connecting Interstate 85 east of High Point with Interstate 40 at

Kernersville. Large, mixed-density residential developments oriented away from the roads are most appropriate within this Developmental Focal Area, as are residentially compatible public and institutional uses such as schools, churches and parks. The minimum site size within each of the four highway quadrants in this Developmental Focal Area is fifty acres.

Proposed Text:

Sandy Ridge Road/Piedmont Parkway Extension Focal Area

The Sandy Ridge Road/Piedmont Parkway Extension Focal Area is depicted on the map to contain approximately 277 acres and is located on the east side of Sandy Ridge Road in the vicinity of Kendale Road, Sandy Camp Road and Johnson Street. The main idea of a Focal Area is to create an area with a mix of uses (retail, office, service and residential) integrated together into a cohesive unified development. It is shown on the land use map to include two land use classifications: an activity center and medium density residential.

Activity Center - The activity center is located just south of the Sandy Ridge Road and Kendale Road intersection and occupies the triangle formed by Sandy Ridge Road, Kendale Road and the proposed extension of Piedmont Parkway. Because the exact configuration of the intersection of Piedmont Parkway and Sandy Ridge Road is not known, the location of the center may differ somewhat from that shown on Map 18. The Activity Center, which is shown to be approximately 47 acres in size, will consist primarily of commercial, office and service uses along with supporting higher density residential uses.

This Activity Center is intended to accommodate compatible, mixed uses in a walkable setting. The center should consist of extremely well-integrated, neighborhood-scale retail and personal/professional service establishments rather than a regional shopping center. It could take the form, in part, of a double-loaded open air shopping street with pedestrian amenities, perhaps with upper-story residences or offices. Residential uses could also be incorporated in properly located, residence-only enclaves.

Most parking should be to the side or to the rear of the commercial development. An appropriately sized public open space would be a necessary amenity and could aid in meeting watershed regulations. The Activity Center is in Tier 4 of the Oak Hollow Watershed Critical Area; regulations limit it to 50 percent built-upon area, so creativity in site design is needed.

This Activity Center provides an excellent opportunity for a quality, coordinated/unified development in the vicinity surrounding the intersection of the extension of Piedmont Parkway with Johnson Street and Sandy Ridge Road. Both roadways are anticipated to be improved and are planned to consist of four lanes with landscaped medians. When completed, Piedmont Parkway, in combination with Hilltop Road, Sandy Ridge/Bunker Hill Road and NC 66, will be an important east/west route through central and western Guilford County into Forsyth County, connecting I-85 east of High Point with I-40 in Kernersville. Portions of the extension of Piedmont Parkway could be built by a developer during the construction of the Activity Center. The road intersection at the Activity Center, and the center itself, will gain even more prominence when Sandy Ridge Road is improved, the North-South Connector is constructed, and especially if the two roads are used to provide access to Piedmont Triad International Airport.

Medium Density Residential – Large, mixed-density residential development, including mostly townhomes with some condominiums and apartments, of perhaps eight to 10 units per acre, is the most appropriate primary use to the immediate east and south of the Activity Center. This mixed density housing is recommended for a land use designation of Medium Density Residential on the *Land Use Plan* and could occupy about 230 acres depending on when and how the development takes place. For example, if the Medium Density Residential area develops at the same time as the Activity Center it could be smaller or on just one side of the Activity Center.

Focal Area –The combined Activity Center and the Medium Density Residential area make up the Focal Area. This Focal Area contains quite a different set of target uses than the Focal Area on the existing *Land Use Plan* in roughly the same location, which was recommended to be essentially residential in nature.

However, this Focal Area is more than simply the combination of the Activity Center and the two areas designated for Medium Density Residential use. The Focal Area is a concept under which a unified development proposal is submitted covering the entire area or a significant share of it. Ideally the Focal Area would be developed together so as to fully integrate a mix of uses and capitalize on the roadway dedication, watershed regulations and extension of water and sewer. The Planned Unit Development (PUD) or the Traditional Neighborhood (TN) zoning district are the preferred zoning districts to implement a unified development in accordance with this Focal Area criteria while providing flexibility in the location of uses. That is, the uses targeted for the Activity Center and the Medium Density Residential uses must be accommodated under the proposal, but they may be present in a different spatial arrangement. This flexibility may be of benefit to the developer, while the public gains through high quality development ensured the high development standards expected of such development.

If components of the Focal Area are developed separately, efforts at coordination would be hampered, flexibility would be hindered and the opportunity for the highest quality development diminished.

Recommendation

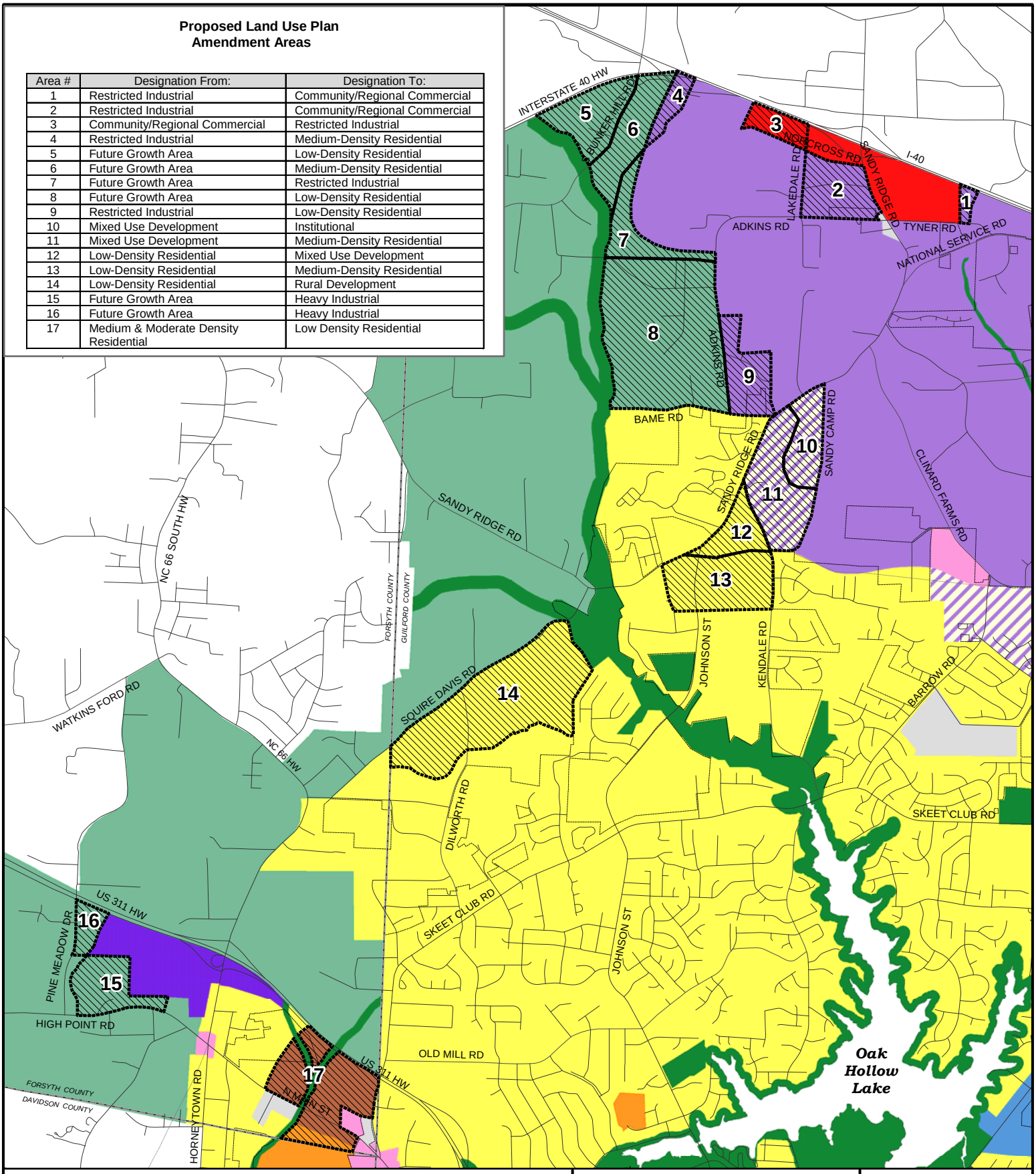
These amendments to the Land Use Plan respond to the recommendations of the *Northwest Area Plan* and position High Point to respond well to anticipated growth in the northwestern part of the planning area. Staff recommends approval of this Land Use Plan amendment request.

Report Preparation

This report was prepared by Planning and Development Department staff member Gregg Morris, AICP, Senior Planner and reviewed by Heidi Galanti, AICP, Planning Administrator and G. Lee Burnette, AICP, Planning and Development Director.

Proposed Land Use Plan Amendment Areas

Area #	Designation From:	Designation To:
1	Restricted Industrial	Community/Regional Commercial
2	Restricted Industrial	Community/Regional Commercial
3	Community/Regional Commercial	Restricted Industrial
4	Restricted Industrial	Medium-Density Residential
5	Future Growth Area	Low-Density Residential
6	Future Growth Area	Medium-Density Residential
7	Future Growth Area	Restricted Industrial
8	Future Growth Area	Low-Density Residential
9	Restricted Industrial	Low-Density Residential
10	Mixed Use Development	Institutional
11	Mixed Use Development	Medium-Density Residential
12	Low-Density Residential	Mixed Use Development
13	Low-Density Residential	Medium-Density Residential
14	Low-Density Residential	Rural Development
15	Future Growth Area	Heavy Industrial
16	Future Growth Area	Heavy Industrial
17	Medium & Moderate Density Residential	Low Density Residential



LAND USE PLAN AMENDMENT 10-04

Request: Multiple Areas

Subject Property Boundary ▬ ▬ ▬ ▬ ▬ ▬ ▬ ▬

Planning & Development Department

City of High Point

Date: November 11, 2010

N

Scale: 1'=3700'

y:/ba-pz/2010/pz/lupa10-04.mxd

A RESOLUTION ADOPTING THE *NORTHWEST AREA PLAN*

WHEREAS, the City Council of the City of High Point adopted the *Land Use Plan for the High Point Planning Area* on April 6, 2000, amended on August 7, 2003, and

WHEREAS, the Northwest Area is growing in importance as a development location for a variety of uses, and

WHEREAS, it is expected that development interest in the area will continue to increase with coming transportation and other improvements, thus precipitating a re-examination of the assumptions used in formulating the adopted Land Use Plan, and

WHEREAS, this re-examination has resulted in the preparation of the *Northwest Area Plan*, and

WHEREAS, the *Northwest Area Plan* incorporates the goals and policies of *Heart of the Triad Plan*, and

WHEREAS, *the Northwest Area Plan* will replace the *Johnson Street/Sandy Ridge Road Area Plan* upon adoption; and

WHEREAS, public hearings were held before the High Point Planning and Zoning Commission on September 28, 2010, October 26, 2010 and November 16, 2010 and before the City Council of the City of High Point on December 20, 2010 regarding the adoption of said *Northwest Area Plan:*

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT, NORTH CAROLINA that the Northwest Area Plan recommended for adoption by the Planning and Zoning Commission be adopted as a guide for future development of the Northwest Area.

Adopted by City Council
this 18th day of January 2011

Lisa Vierling

Lisa Vierling, City Clerk

City of High Point North Carolina

PLANNING AND ZONING COMMISSION RECOMMENDATION

On December 14, 2010, a public hearing was held before the Planning and Zoning Commission regarding the request described below. All members of the Commission were present except Mr. Keith McInnis.

Alicia Layton **Special Use Permit Case 10-01**

A request by Alicia Layton for a Special Use Permit to allow a bar with a capacity over 100 persons in a Conditional Use General Business (CU-GB District). The site is lying at the northwest corner of E. Parris Avenue and Kirkwood Street *(133 E. Parris Avenue).*

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

Speaking in favor of the request was the applicant, Mr. Daryl Layton of 3500 Langdale Drive in High Point. Mr. Layton stated that this location was chosen because he knew that this larger size facility would be appropriate for hosting special events and private parties. He advised the Commission that the landlord did not advise him of the maximum 100 person zoning restriction.

The Commission members questioned if similar uses had been permitted at this site and what were the previously approved capacity levels. Mr. Shannon noted that there have been bars at this location since the mid 1980s with a capacity over 100 persons in that the use was grandfathered and considered an existing nonconforming use. The nonconforming provision of the ordinance state that a nonconforming use can continue to operate, but if operations ceased for more than 180 days then the nonconforming status is lost. A bar over that capacity had not been in operation for more than 180 days, so the property lost its nonconforming status.

No one spoke in opposition to the request.

The Planning & Zoning Commission recommended ***approval*** of Special Use Permit 10-01, by a vote of 6-1. The one dissenting vote was from Member Davis.

CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT

STAFF REPORT
SPECIAL USE PERMIT 10-01
December 14, 2010

Request	
Applicant: Alicia Layton	**Owner(s):** Schwarz Properties, LLC
Proposal: A Special Use Permit request to allow a bar with a capacity over 100 persons in a Conditional Use General Business (CU-GB) District.	

Site Information	
Location:	Lying at the northwest corner of E. Parris Avenue and Kirkwood Street *(133 E. Parris Avenue)*
Tax Parcel Numbers:	Guilford County Tax Parcel 0199849
Site Acreage:	1.58 acres
Current Land Use:	Multi-tenant commercial building
Physical Characteristics:	The site is developed and has a relatively flat terrain.
Water and Sewer Proximity:	An 8-inch City water line and 8-inch City sanitary sewer line are both lying adjacent to the site along E. Parris Avenue and Kirkwood Street.
General Drainage and Watershed:	The site drains in a southerly direction towards E. Parris Avenue and development is subject to the Oak Hollow Lake GWA requirements. Engineered stormwater treatment measures are required for non-residential or multi-family development with a total impervious surface area greater than 24% of the site.
Overlay District(s):	Oak Hollow Lake GWA

Adjacent Property Zoning and Current Land Use			
North:	LB	Limited Business District	Multi-tenant retail building
South:	CU-GB	Conditional Use General Business District	Motored vehicle sales
East:	SC	Shopping Center District	Bank and vacant parcel
West:	SC	Shopping Center District	Retail Use

Relevant Land Use Policies and Related Zoning History	
Land Use Plan Map Classification:	**Community/Regional Commercial:** This classification includes a wider range of retail or service uses intended to serve the entire community and nearby regional customers.
Land Use Plan Goals, Objectives and Policies:	None.
Community Growth Vision Statement Goals and Objectives:	None.
Relevant Area Plan(s):	None.

Zoning History:	There have been several bar uses at this location since the mid 1980s. This site was granted a CU-GB District zoning in May 2010. Previous zoning activity in this area was in the late 1990s, where parcels to the south side of E. Parris Avenue and Kirkwood Street were rezoned to their current CU-GB District.

Transportation Information			
Adjacent Streets:	**Name**	**Classification**	**Approx. Frontage**
	Parris Avenue Kirkwood Street	Collector Street Local Street	170 ft. 370 ft.
Vehicular Access:	The existing access driveway access points on E. Parris Avenue and Kirkwood Street will be used.		
Traffic Counts: *(Average Daily Trips)*	Intersection count of E. Parris Avenue and Kirkwood Street	7,700 ADT (2005, over a 12 hour period)	
Estimated Trip Generation:	Based upon square footage of uses upon the site (restaurant and proposed) the site will generate between 600 to 650 trips per day.		
Traffic Impact Analysis:	**Required**	**Comment**	
	Yes / **No** X	None	
Pedestrian Access:	Not applicable to this case.		

School District Information
Not applicable to this case.

Details of Proposal

The applicant is requesting a special use permit approval to allow a bar with a capacity over 100 persons within a CU-GB District. A bar with a capacity of 100 persons or less is a permitted use in this zoning district. However, to ensure compatibility and to analyze the impact upon surrounding properties, the Development Ordinance requires a bar with a capacity over 100 persons to obtain a special use permit by the City Council.

The site is currently developed with a 9,600 square foot building. The front half of the structure is used as a restaurant (Fuji Japanese Steak & Seafood). The rear half of the structure (approximately 4,600 square feet) is the location associated with this application and a bar use within this portion of the building has a rated occupancy of 240 persons. The applicant now operates a bar with a capacity under 100 persons at this location. The special use permit application requests an expansion of the bar's capacity to over 100 people.

The Development Ordinance requires the following standards to be met for a bar with a capacity over 100 persons:

- Property Separation: No such establishment shall be located within 200 feet of a church, elementary or secondary school, public park, or residentially zoned property.
- Orientation: The main entrance of the building shall be toward a street zoned predominantly for nonresidential uses.

- Screening: A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residences, but this does not permit a reduction in planting yard width.

Identified Issues

Major Issues:

❖ None

Minor Issues:

❖ Parking: Based upon capacity of the existing restaurant and the maximum capacity of a bar within the structure, a minimum of 131 parking spaces are required by the Development Ordinance upon this site. The site is capable of meeting minimum parking standards. If approved, the applicant needs to demonstrate to staff that the required number of parking spaces are physically available (striped on site) and accessible to customers.

Findings

A special use is an additional use to those permitted by right in a zoning district. Such a use requires analysis for its potential impact on the proposed site and its impact on surrounding properties. The purpose of the Special Use Permit process is to allow the Planning and Zoning Commission and City Council an opportunity to perform this analysis.

Section 9-3-14 of the Development Ordinance requires that certain findings be made before a Special Use Permit may be approved. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these required findings.

That the use will not materially endanger the public health or safety if located where proposed; staff finds	
Compliance	❖ The site is currently developed with existing access points from E. Parris Avenue and Kirkwood Street. Staff found no evidence that suggests the requested special use permit would negatively impact traffic circulation or public safety in this area.

That the use meets all required standards, conditions and specifications of the Development Ordinance, and any additional restrictions imposed pursuant to Section 9-3-14(d) *Greater Restrictions*; staff finds	
Compliance as conditioned	❖ Subject to the applicant providing 11 additional parking spaces and removal of underbrush covering the northwestern area of the parking lot, based upon the site plan provided, the site is able to meet the requirements of the Development Ordinance.

That the use will not substantially injure the value of adjoining or abutting property, or that it is a public necessity; staff finds	
Compliance	❖ There is an existing bar with a capacity under 100 persons operating on the site. In addition, a bar/night club use has been operating along the southern portion of Kirkwood Street, behind a restaurant that faces Eastchester Drive,

	since the late 1990's. Although this request is for a higher capacity bar, this land use currently exists in this commercial area. ❖ The site is surrounded by commercial zoning and commercial uses, the nearest residential use is a multifamily development lying over 410 feet northeast of site *(measured from commercial property line to residential property line).* Staff has found no evidence that suggests the requested use would substantially injure the value of adjoining property owners.

That the location and character of the use shall be in harmony with the area in which it is located and in general conformity with the plan of development of the city and its environs; staff finds	
Compliance	❖ The site is located within an established commercial area. This segment of E. Parris Avenue, between Johnson Street and N. Main Street, and almost all of Kirkwood Street, except for its northern 450 foot portion, has a Land Use Map designation of Community/Regional Commercial which is intended for a wide range of retail or service uses. Except for an undeveloped commercially zoned parcel to the east the site is surrounded by existing commercial uses. The request is consistent with the Land Use Map and will be in harmony with area. ❖ The request will not be adding a new land use to this area. There is an existing bar, with capacity under 100 persons, currently operating upon the site and there have been previous bar uses at this location since the mid 1980s.

Recommendation

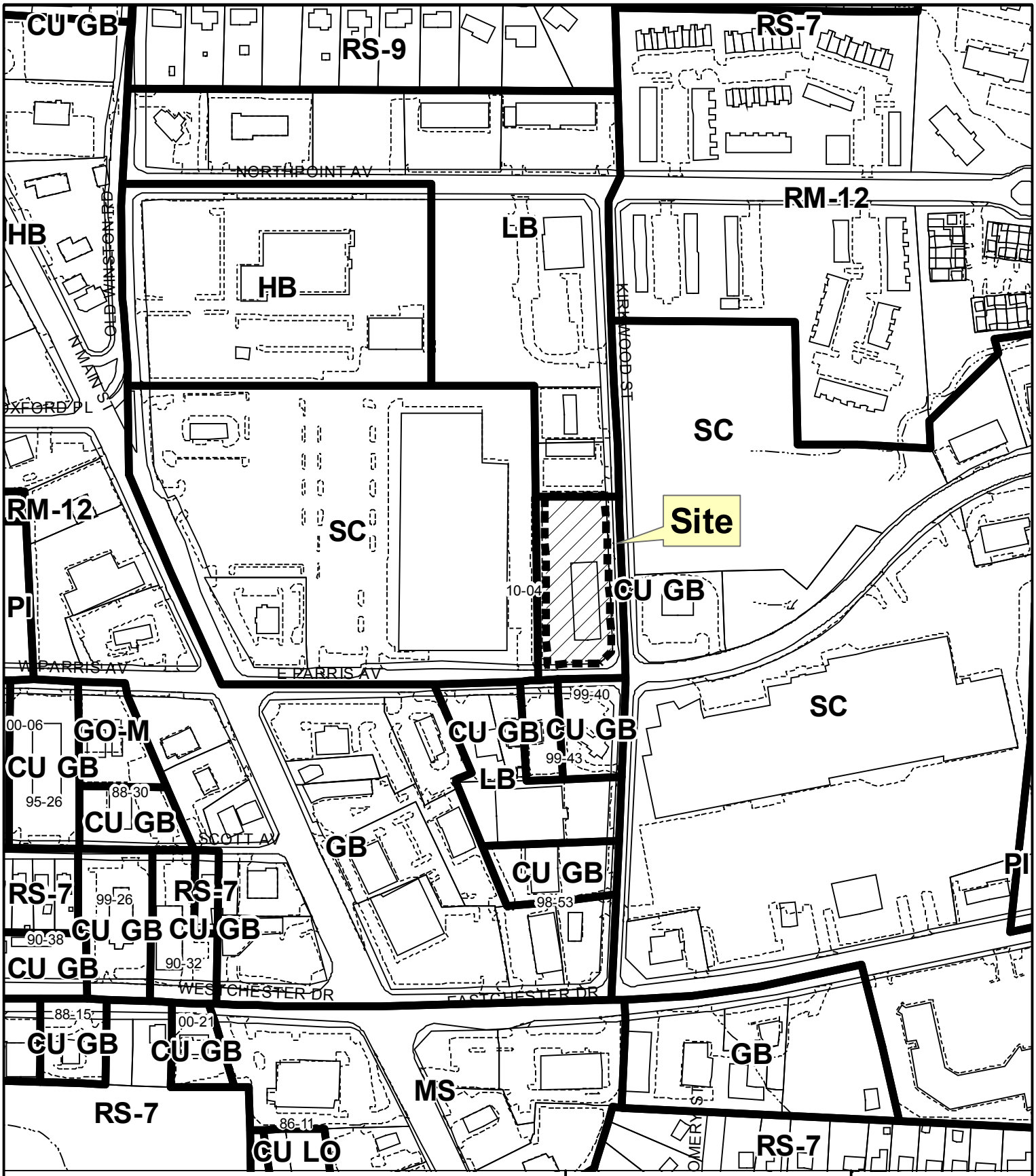
Staff recommends approval

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

The Planning and Development Department recommends approval of the Special Use Permit request, as conditioned to document and provide parking, to allow a bar with a capacity over 100 persons within this Conditional Use General Business (CU-GB) District.

Report Preparation

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



SPECIAL USE PERMIT CASE 10-01

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

Existing Zoning Boundary ———

Subject Property Boundary - - - - - - - - -

Planning & Development Department

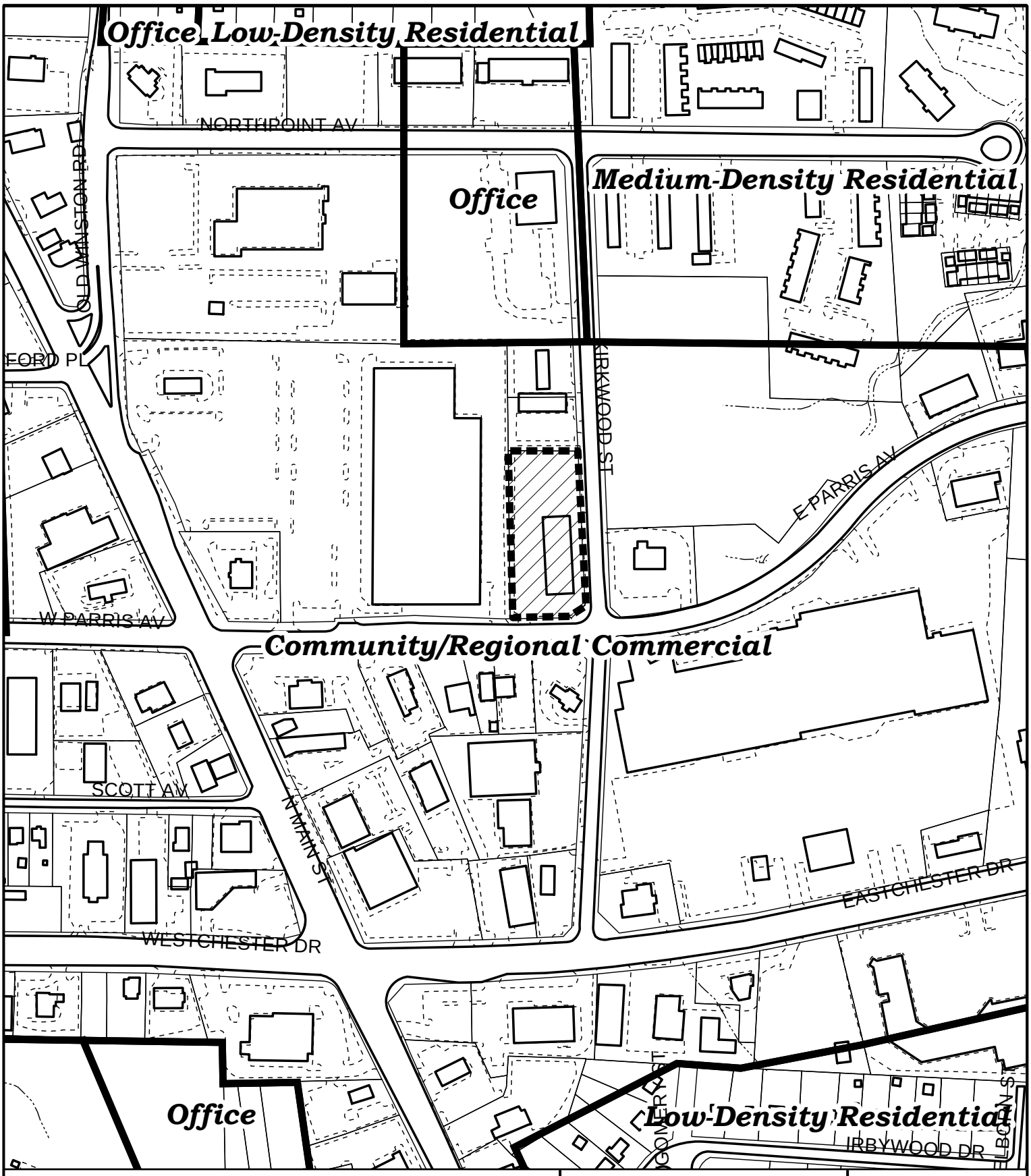
City of High Point

Date: November 9, 2010

N

Scale: 1'=300'

y:/ba-pz/2010/pz/sup10-01.mxd



SPECIAL USE PERMIT CASE 10-01

Land Use Plan

Existing Land Use Plan
Subject Property Boundary

Planning & Development Department

City of High Point

Date: November 24, 2010

N

Scale: 1'=300'

y:/ba-pz/2010/pz/sup10-01.mxd

SPECIAL USE PERMIT CASE 10-01

Topography

Subject Property Boundary - - - - - - - - - -

Planning & Development Department

City of High Point

Date: November 24, 2010

N

Scale: 1'=300'

y:/ba-pz/2010/pz/sup10-01topo.mxd

SPECIAL USE PERMIT CASE 10-01

SPECIAL USE PERMIT 10-01
CITY OF HIGH POINT, NORTH CAROLINA

December 14, 2010.
(Submitted)

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

USE: Bar (SIC Code 5813) with a maximum capacity over 100 person.

CONDITIONS:

1. The applicant is required to submit a site plan documenting the site is meeting Off-Street Parking Requirements of the Development Ordinance prior to increase in occupancy.
2. Parking shall be installed (striped upon the site) in compliance with standards of the Development Ordinance prior to increase in occupancy.

DESCRIPTION OF PROPERTY: An approximately 1.58 acre parcel lying at the northwest corner of E. Parris Avenue and Kirkwood Street *(133 E. Parris Avenue).* The property is also known as Guilford County Tax Parcel 0199849 (old number 335-4-1).

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

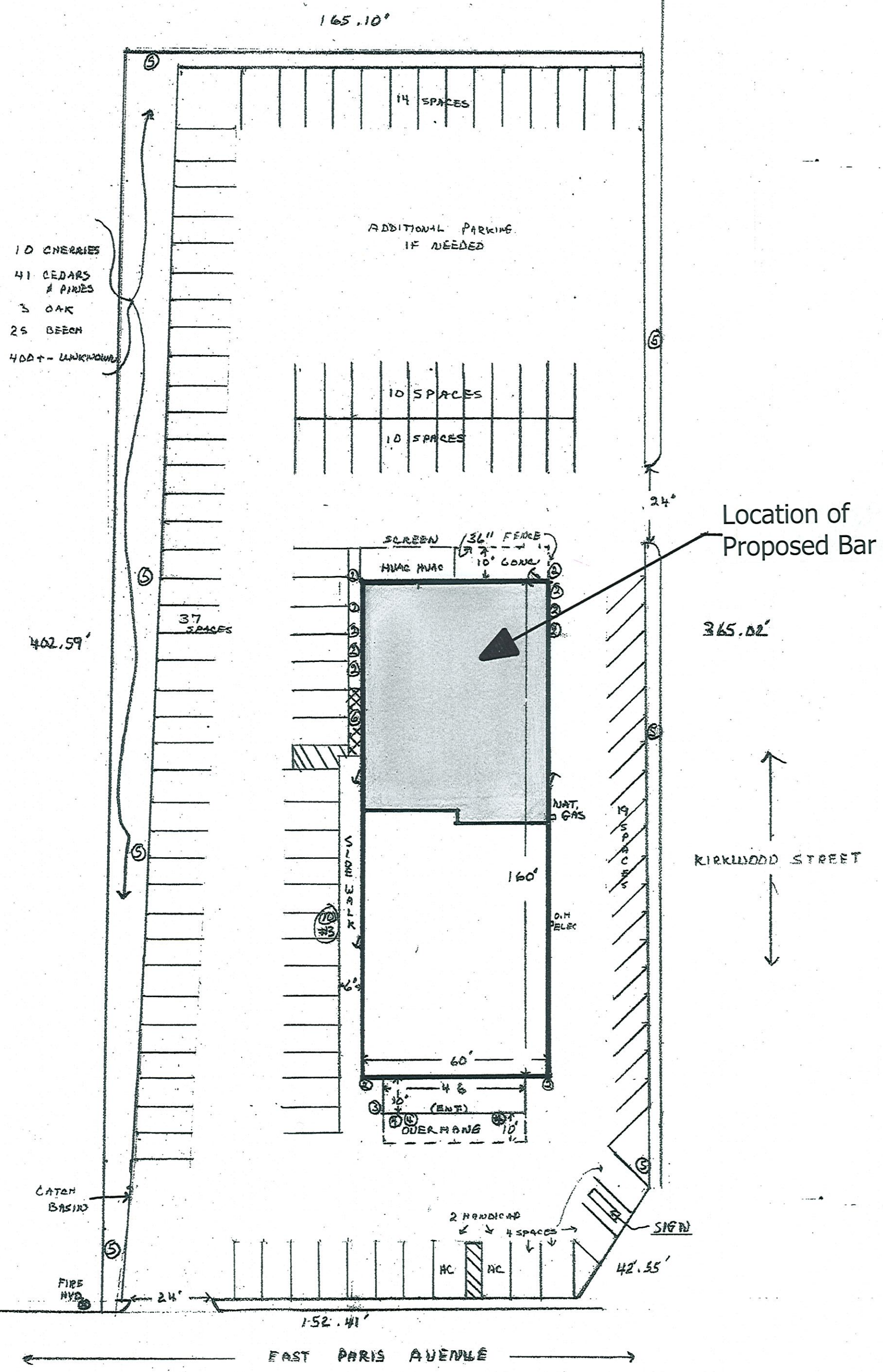
This Special Use Permit shall become void after eighteen (18) months from the date of City Council approval unless the Special Use authorized has begun and/or a footing inspection has been approved. If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced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

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

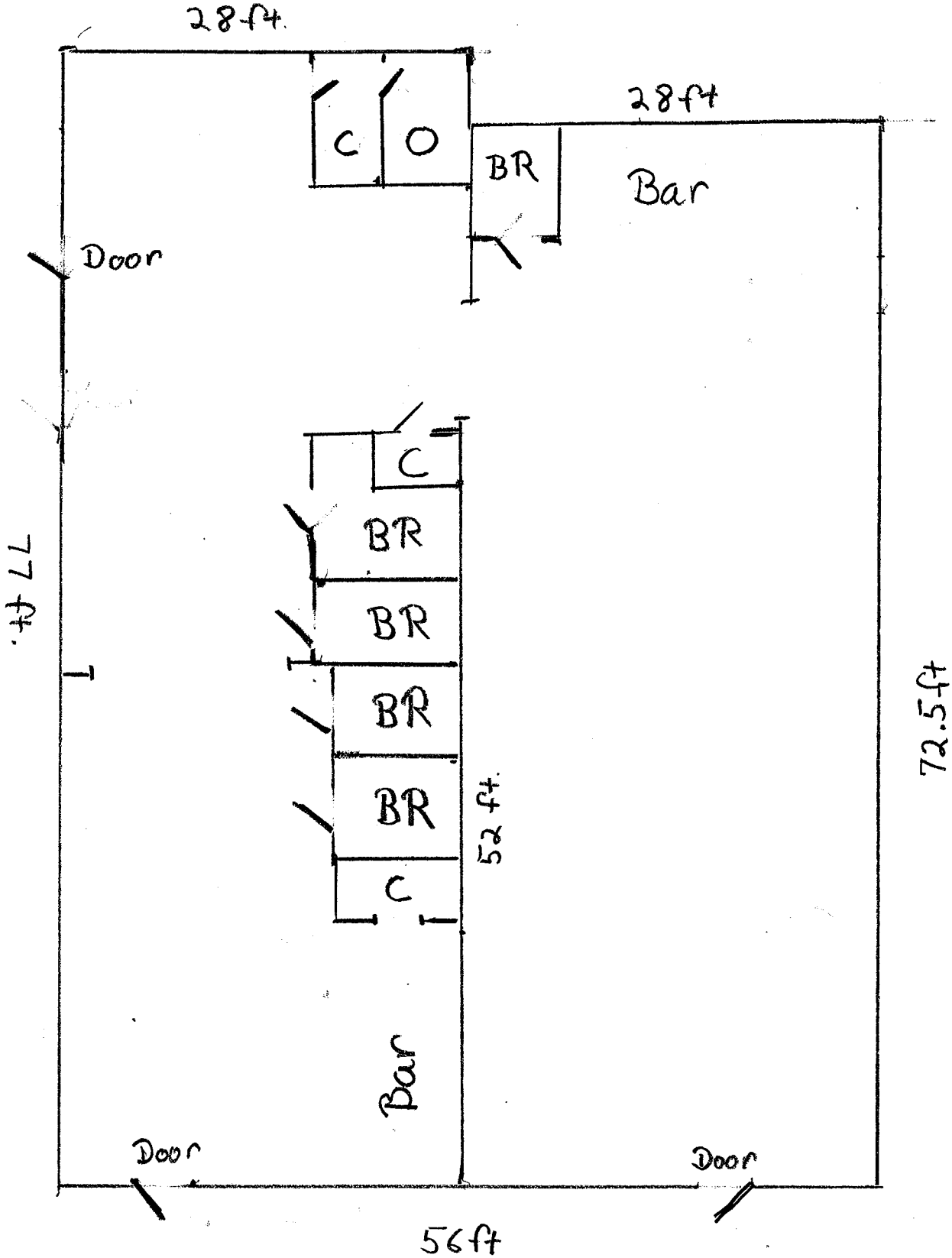
SPECIAL USE PERMIT 10-01 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE ____ DAY OF JANUARY, 2010.

_____ _____

Lisa B. Vierling Date
City Clerk


165.10'
14 SPACES
ADDITIONAL PARKING IF NEEDED
10 CHERRIES
41 CEDARS & PINES
3 OAK
25 BEECH
400+- UNKNOWNS
10 SPACES
10 SPACES
24'
Location of Proposed Bar
SCREEN
36" FENCE
10' CONC.
HVAC HVAC
37 SPACES
402.59'
365.02'
NAT. GAS
19 SPACES
KIRKWOOD STREET
SIDE WALK
160'
O.H. ELEC
60'
46
(ENT.)
OVERHANG
10'
CATCH BASIN
2 HANDICAP
4 SPACES
SIGN
HC
HC
42.55'
FIRE HYD.
24'
152.41'
EAST PARIS AVENUE

1" = 10 feet
BR = Bathroom
C = Closet
O = Office



#100357/100358
Mr. Morgan's Comments
HPCC - 12/20/2010

High Point City Council NW Plan Public Hearing 12/20/10

Welcome new Council Members Corey, Henley, and Moore. As a reminder and for the new members, I am the fifth- generation owner/operator of a North Carolina Century Farm. There are three other Century Farms in my immediate family, all located in the Heart of the Triad, and I operate two of those. A NC Century Farm is one that has been operated and owned by the same family for at least 100 years. Our farms have been in my family since the 1840s and 1850s.

For nearly three years, I have served as a resident representative member of the Heart of the Triad Stakeholders Committee. Our committee members represented various developer interests, businesses, and residents of Forsyth and Guilford Counties. With the assistance and guidance from the Technical Committee consisting of the planning directors of the participating municipalities and PART, the Piedmont Authority for Regional Transportation, the Heart of the Triad (HOT) Land Use Plan was produced and has been approved by the seven participating governing bodies.

One of the NW Plan's purpose is to use the HOT Plan as a guide for the NW area. The HOT Plan emphasizes revitalizing depressed neighborhoods, abandonded and brownfield business sites, and widening, improving and properly maintaining EXISTING roadways. Our committee recommended these guidelines for sustainable, less speculative growth while maintaining the area's high quality of life and protecting our environment.

The NW Plan seems to recognize that the area's challenging geographical features demand serious care by its first goal of "Protect the natural environment and its many features". In addition, advocating minimal grading, preserving mature trees, primary habitats, and encouraging farmland preservation, the plan's expressed intent to protect the environment is clear.
Seeking to achieve attractive, high quality development,and protecting existing neighborhoods from new, non-residential development, the NW Plan would be appealing to most anyone if they stopped reading here.

The Plan lacks specifics and allows questionable exceptions. The term "mature tree" is not defined and ways to protect them are not specified. There is no recommendation for High Point officials to work to adopt development standards that include an enforceable tree protection on private property instead of only considering tree protection whenever convenient.

Agribusiness is NC's largest economic contributor and employer, and with The Sandy Ridge Farmers Market, current farming operations, and farmland preservation efforts in the area, more serious consideration of their economic and environmental assets must be considered. If you seek urban growth, farms get in the way. However, they will work well in the NW area because of environmental constraints and the future potential airport and noise cone expansion, also not considered by the plan.

PTIA airport expansion plans that seek a third parallel runway would enlarge the noisecone extending into North High Point, only allow a certain minimal number of jobs

per square mile, and has the potential to chase away potential higher-paying, higher job-producing businesses. Farmers and tractors work well underneath planes, and it would be harder for one to hit a moving target than fixed sites

The proposed North/South Connector, generally following the Forsyth/Guilford County Line northward from Highway 311 to I-40, is the greatest violator of the plan. The years of word spin intending to appease area residents by telling them that "this is just a line on a map" and "the location is not definite", and "it may or may not be built" while they and their property are held hostage does nothing to build confidence in public officials or the NW Area Plan. The multi-lane freeway-style road crossing at least 17 known water features will require intense grading and land alteration of stream banks and floodplains threatening water quality. It will destroy thousands of mature trees, whatever they are, and will create a barrier to linking developments by open space and wildlife habitats.. It is not needed to serve a future growth area defined as primarily rural development and low-density residential in the plan and will not "protect existing residential neighborhoods from non-residential development". Everything that is required to construct the N/S Road in its general location shown on planning maps violates the plan, and it was not recommended by the HOT Stakeholders Committee.

When discussing the NW area in HOT meetings, Planning Director Burnette detailed how difficult and costly this area would be to develop. According to Burnette, environmental constraints would produce enormous costs of environmental permitting, transportation infrastructure, and water and sewer lines which would impede the growth here. How much revitalization could be made to inner city High Point with an equal serious committment and potential funding? The NW Plan's real position is that the area's future is totally dependent upon the speculative construction of the N/S Road, and only if it is not built, low-density residential neighborhoods and farms will populate the area.

The NW Plan should be rejected in its present form. Eliminating parts of the plan can be used to correct its flaws. Stated earlier, an enforceable ordinance that notes and preserves the scenic and environmental values of trees is needed. With the Sandy Ridge State Farmers Market near, meaningful support for agriculture and farmland preservation can produce economic and environmental protection opportunities. In addition, eliminating all references to the North/South connector along the county line as well as its line on the map will enable the plan to better attain its environmental goals.

Finally, it is worth noting that at this time, High Point still lacks Extraterritorial Jurisdiction or ETJ. I have confirmed this with Guilford County Commissioners and staff. I question High Point's ability to enforce this plan.

According to Dr. David Owens of the UNC School of Government, NCGS 160A-360 limits a city's development and zoning regulations within its corporate limits. GS160A-361 allows a city to make studies for "the area within its jurisdiction and its surrounding area" to "determine objectives to be sought in the development of the study area" and to "prepare and adopt plans for achieving these objectives".

The NW Plan is un-enforceable outside High Point city limits, will be governed by

Guilford or Forsyth County, and is like the HOT Plan as described in the past by members of this Council as a plan that "has no money" and "cannot do anything". High Point citizens should question if creating this un-enforceable plan is a proper use of their taxpayer dollars.

When I travel to these meetings, I pass many sites that possess boarded homes and closed buildings. In my younger years, I often came with my parents downtown to shop. What I see after I pass the exterior glitter of North High Point saddens me greatly. The NW Plan impacts an area whose residents, for the most part, do not need High Point's help to survive these economic times. Parts of inner city High Point need to be your focus, and not a flawed plan most of which you cannot enforce.

Jimmy Morgan
8625 Bull Rd.
Colfax, NC 27235

Subj: **RE: An ETJ Question**
Date: 10/26/2010 7:12:58 PM Eastern Standard Time
From: owens@sog.unc.edu (Owens, David W.)
To: GreeenieBoy@wmconnect.com (GreeenieBoy@wmconnect.com)
CC: Ducker@sog.edu (Ducker@sog.edu)

Mr. Morgan,

I have not heard of this situation before, as most cities only do plans for the area for which they have regulatory jurisdiction.

GS 160A-360 limits a city's development regulations to the area within its corporate limits and its ETJ. GS 160A-361 allows a city to make studies for "the area within its jurisdiction and surrounding areas," to "determine objectives to be sought in the development of the study area" and to "prepare and adopt plans for achieving these objectives." Thus it would seem a city could include a surrounding area outside of its regulatory jurisdiction within a study area for planning. But it would not be able to adopt any regulations affecting that area without getting ETJ or annexing the area.

I hope this helps clarify things a bit.

David W. Owens
Gladys H. Coates Professor of Public Law and Government
School of Government
The University of North Carolina at Chapel Hill
CB 3330, Knapp-Sanders Building
Chapel Hill, N.C. 27599-3330
Phone: 919-966-4208
Fax: 919-962-0654
Email: owens@sog.unc.edu

-----Original Message-----
From: GreeenieBoy@wmconnect.com [mailto:GreeenieBoy@wmconnect.com]
Sent: Monday, October 25, 2010 9:27 AM
To: Owens, David W.; Ducker@sog.edu
Cc: GreeenieBoy@wmconnect.com
Subject: An ETJ Question

I am a member of the North Carolina Alliance for Transportation Reform(NCATR). Its president, Joe McDonald, suggested that I call upon your expertise to answer my question.

A Triad municipality is seeking approval of a land-use plan which covers a large area outside its city limits for which it has no ETJ. I have been told by one NC state representative that the city could plan all it wanted, but it could not enforce its plan. The area would still be governed and planning enforced by the county. The city has requested ETJ from the county commissioners on multiple occasions, but requests have been denied. Is the representative's answer correct and if not, can you please provide myself and effected citizens an explanation of our quandry?

Thank you,
Jimmy Morgan
A fifth-generation owner of a NC Century Farm
Colfax, NC

BEGIN:VCARD
VERSION:2.1

12-20-2010
HPCC
#100357/100358
Donna Bond comments

It is of interest that the High Point Council mulls a growth plan for 10, 260 acres of which 1,619 acres are considered for an amendment. The amendment would change the future land use designation for the area in accordance with the recommendations in the Northwest Area Plan. Following the Northwest Area Plan, comes across as a strategy to circumvent the Heart of the Triad initiative that had landowner input and has been approved by seven municipalities.

Thus I am wondering what landowner considerations, if any, the Council plans regarding the property it considers disturbing by designation.

The landowners' acreage or "nests" represent a still point in a fast-paced life where owners are in touch with their heritage and their hands hold life's relics. Disturbing them, when incongruent with the nesters' wishes, affects the identity and well-being of the landowners.

What plan does the City of High Point have intact to compensate for the loss of identity and well-being of those whose wishes are incongruent with those of the Council members?

~~How~~ Are Council members planning to compensate any who suffer a loss of income as a result of their decisions? Is compensation planned if loss of health results?

Tell me to what extent will your designations impact the air, water, and soil quality of the 1,619 acres?

Can you tell me the cumulative % change in the Piedmont air, water and soil quality over the last ten years?

Landowners and the public at large have a right to understand the % of cumulative change in the environmental quality over the last ten years, so they may compare that with what you suggest for the next ten and make a thoughtful assessment of the implications.

A reasonable balance between environmental and business concerns is imperative for the health of ALL citizens. Otherwise, at some point, your progeny and mine will be taking air baths due to tainted water and consuming

SMITH MOORE LEATHERWOOD

MEMORANDUM

TO: **Mayor Smothers, Members of Council and Strib Boynton**

FROM: **Thomas E. Terrell, Jr.**

DATE: **December 22, 2010**

RE: **WCA Application for Franchise Expansion**

The attached book is, with the exception of some updated data, the same application for a franchise expansion of the WCA Construction and Demolition Debris Landfill that the City Council approved unanimously in 2009.

I apologize that you are being asked to consider the same application again. The State of North Carolina adopted extensive new regulations for the disposal of solid waste in 2008, and it was my opinion – backed up by the adopted statutes – that existing facilities followed a separate notification procedure than new facilities. This was an existing facility.

NC DENR disagrees with my statutory interpretation on how notice should have been handled. Instead of wasting time and money challenging the DENR interpretation of the statutes, it is easier to repeat the same request.

If you have any questions that I can answer, please call me at 336-378-5412. The engineer for the facility is Charlie Hiner with Golder Associates. His number is 336-852-4903.

We will attend the public hearing on January 3rd, and only plan to make a presentation if someone on council has questions or thinks it needs to be rediscussed.

Direct 336.378.5412 | Fax 336.433.7482 | tom.terrell@smithmoorelaw.com
Smith Moore Leatherwood LLP ▪ Attorneys at Law
PO Box 21927 (27420) 300 North Greene Street Suite 1400 Greensboro, NC 27401 ▪ 336.378.5200 ▪ www.smithmoorelaw.com
Atlanta, GA ▪ Charlotte, NC ▪ Greensboro, NC ▪ Greenville, SC ▪ Raleigh, NC ▪ Wilmington, NC

DEPARTMENT OF PLANNING AND DEVELOPMENT
INSPECTION SERVICES DIVISION
HOUSING ENFORCEMENT

ORDINANCE REQUEST:	Ordinance to Vacate (48-Hour Order)
PROPERTY ADDRESS:	804 Evans Street
OWNER:	Schwarz Properties, LLC.
FIRST INSPECTION 1-4-2011	Number of Violations: Major 2 Minor 0 1) Gas furnace is inoperable - Parts of the gas heater missing and is inoperable. 2) Plumbing drain system completely closed due to blockage.
HEARING RESULTS: 1-18-2011	Scheduled for City Council Agenda 1-18-2011
ORDER(S) ISSUED: 1-4-2011	Order to Repair Unsafe Equipment 48 - Hour
APPEALS:	No appeals to date.
OWNER ACTIONS: 1-10-2011	Plumbing blockage has been corrected. The sewer blockage was on the City side of the system. The owner has not complied with the order to repair and make the gas heater operable.
EXTENSIONS:	None requested by the owner.
CURRENT STATUS: 1-10-2011	The gas furnace is inoperable. The dwelling is still occupied by two adults and two minors.

804 Evans Street

Ordinance to Vacate/Close (48Hour Order)

Location of subject property

Department of Planning and Development

City of High Point

Date: January 10, 2011

N

Scale: 1'=200'

y:/ba-pz/Inspection/vacate

804 Evans Street

SMITH MOORE LEATHERWOOD

MEMORANDUM

TO: **Mayor Smothers, Members of Council and Strib Boynton**

FROM: **Thomas E. Terrell, Jr.**

DATE: **December 22, 2010**

RE: **WCA Application for Franchise Expansion**

The attached book is, with the exception of some updated data, the same application for a franchise expansion of the WCA Construction and Demolition Debris Landfill that the City Council approved unanimously in 2009.

I apologize that you are being asked to consider the same application again. The State of North Carolina adopted extensive new regulations for the disposal of solid waste in 2008, and it was my opinion – backed up by the adopted statutes – that existing facilities followed a separate notification procedure than new facilities. This was an existing facility.

NC DENR disagrees with my statutory interpretation on how notice should have been handled. Instead of wasting time and money challenging the DENR interpretation of the statutes, it is easier to repeat the same request.

If you have any questions that I can answer, please call me at 336-378-5412. The engineer for the facility is Charlie Hiner with Golder Associates. His number is 336-852-4903.

We will attend the public hearing on January 3rd, and only plan to make a presentation if someone on council has questions or thinks it needs to be rediscussed.

Direct 336.378.5412 | Fax 336.433.7482 | tom.terrell@smithmoorelaw.com
Smith Moore Leatherwood LLP ▪ Attorneys at Law
PO Box 21927 (27420) 300 North Greene Street Suite 1400 Greensboro, NC 27401 ▪ 336.378.5200 ▪ www.smithmoorelaw.com
Atlanta, GA ▪ Charlotte, NC ▪ Greensboro, NC ▪ Greenville, SC ▪ Raleigh, NC ▪ Wilmington, NC

WCA of High Point, LLC

Application for
Solid Waste Facility Franchise Amendment

TABLE OF CONTENTS

WCA of High Point, LLC
Application for
Solid Franchise Amendment

TABLE OF CONTENTS

APPLICATION

EXHIBITS NO.

N.C. Gen. Stat. §130A-294 (b)(20) (revised relevant portion)..... 1

City of High Point Code of Ordinances §11-8-5
(revised relevant portion)..... 2

N.C. County Existing and Proposed Franchise Map..... 3

N.C. County Area Existing and Proposed Site Map..... 4

Appreciation Letters 5

Booklet titled "A Day in the Life of a Load of Trash"..... 6

City of High Point's Solid Waste Plan 7

Corporate Charter Documents..... 8

2007 Annual Report 9

2008 Third Quarter Earnings Press Release 10

WCA Operations Map 11

2008 WCA Investor PowerPoint Presentation 12

WCA of High Point, LLC
Application for
Solid Waste Facility Franchise Amendment

N.C. Gen. Stat. §130A-294(b)(2) (2007)
City of High Point Code of Ordinances §11-8-5 (2005)

The following application for an amendment to the existing WCA of High Point, LLC sanitary landfill franchise is made pursuant to both the City of High Point Code of Ordinances §11-8-5 and N.C. Gen. Stat. §130A-294 (b)(2). The state statutes governing solid waste franchises were revised in the 2007 legislative session. Accordingly, state and local codes are no longer identical. Information required by each is provided below, along with background information and accompanying documentation.

The relevant portion of the revised state statute and City Code section are attached as Exhibit 1 and Exhibit 2.

I. History

Approximately twelve years ago High Point decided 1) not to allow builders to use the city's municipal solid waste (MSW) landfill for construction and demolition (C&D) debris. C&D debris could be disposed of more cheaply and easily without using an expensive, lined landfill; and 2) to privatize C&D disposal.

MRR of High Point, LLC, a D.H. Griffin affiliated company, developed a C&D recycling facility and landfill on Riverdale Road near High Point's MSW landfill. It was issued a franchise on December 20, 2001. The franchise was later slightly expanded on May 3, 2004 to include all, rather than portions of, Guilford, Forsyth, Davidson and Randolph counties.

MRR sold the facility to WCA of High Point, LLC, a wholly-owned subsidiary of WCA Waste Systems, Inc. The City approved the franchise transfer to WCA on February 21, 2005.

II. Need for Expansion of Service Area

WCA of High Point is currently providing disposal service for LEED (green building) projects throughout its four-county service area, and serves a large customer base comprised of many of the largest construction firms in the Piedmont Triad and in the state. As the number of "green" building projects in the region increases, the demand for comprehensive recycling facilities to accommodate the recycling component of these projects increases. Currently, WCA of High Point is the only disposal facility in the region that offers the recycling capabilities required for these projects. WCA of High Point has received numerous requests from customers outside of its service area to provide recycling and disposal services for LEED projects. WCA is requesting the

addition of the following counties to its service area: Rockingham, Caswell, Alamance, Orange, Cabarrus, Rowan, Davie, Yadkin, Surry and Stokes Counties.

III. Description of Area and Population to be Served (G.S. 130A-294(b)(2)(a); City Code 11-8-5(2))

A. Description of Area

Attached as Exhibit 3 is a map of the state of North Carolina showing the existing four county franchise area highlighted in black and the additional ten counties in green. There are sixteen (16) other C&D landfills in these fourteen counties or within fifty miles of the WCA facility, and several other C&D landfills outside of these fourteen counties that are more easily accessible to construction sites than the WCA landfill in High Point. Attached as Exhibit 4 is a map showing the location of other C&D landfills within this fourteen (14) county area. Unless a builder specifically needed to recycle C&D debris, these other landfills are substantially closer, easier to reach and cheaper to access (it costs an average of $75 per hour to run a truck with C&D debris).

B. Population to Be Served

The population of each county below is an estimate provided by the U.S. Census Bureau for 2009, obtained from the bureau's website http://quickfacts.census.gov.

Davidson County	158,582
Forsyth County	359,638
Guilford County	480,362
Randolph County	142,151
Pop. existing franchise	1,140,733
Alamance County	150,358
Cabarrus County	172,223
Caswell County	23,004
Davie County	41,420
Orange County	129,083
Rockingham County	92,252
Rowan County	140,798
Stokes County	46,150
Surry County	72,496
Yadkin County	37,713
Pop. requested area	905,497

C. C&D Alternatives to WCA

The following C&D facilities exist within the current franchise area, the requested expanded area or within fifty miles of the existing facility.

1) Surry County C&D (Mt. Airy)
2) Surry County C&D (Elkin)
3) Yadkin County C&D
4) Old Salisbury Road C&D (Forsyth)
5) PCM Pulp Road C&D Transfer (Forsyth)
6) Davidson County C&D
7) Rowan County C&D
8) Cabarrus County C&D
9) Highway 49 C&D (Cabarrus)
10) City of Albemarle C&D
11) Gold Hill C&D (Randolph)
12) A-1 Sandrock (Guilford)
13) City of Greensboro C&D
14) Coble C&D (Alamance)
15) Austin Quarter C&D (Alamance)
16) Orange Regional C&D

IV. Description of Volume and Characteristics of Waste Stream (G.S. 130A-294(b)(2)(b); City Code 11-8-5(3))

A. Characteristics of Incoming Waste

NC DENR has issued WCA of High Point, LLC a permit to operate a sanitary landfill for construction and demolition debris only. The North Carolina Administrative Code (15A NCAC 13B. .0532(8)) defines C&D Solid Waste as "solid waste generated solely from the construction, remodeling, repair, or demolition operations on pavement and buildings or structures. C&D waste does not include municipal and industrial wastes that may be generated by the on-going operations at buildings or structures."

C&D waste is "inert" debris.

B. The Secondary Waste Stream (Recycling Component)

Because WCA operates a recycling facility there is a secondary waste stream leaving the site as recycled products.

The onsite recycling operation begins when trucks entering the site are visibly inspected to confirm that only allowable waste has been delivered. Materials are then deposited on concrete slabs surrounding a conveyor/picking system and roughly sorted into different recyclable groupings, such as wood, stumps, bricks/concrete, etc. The remaining materials are loaded onto a conveyor that raises the waste to a "picking station" where trained workers remove debris into different bins for further processing.

Anything smaller than 2 inches in diameter is shaken out to produce "fines" which can be used for landfill cover. Anything that is not taken out of the waste stream is landfilled.

Attached as Exhibits 5 and Exhibit 6 are letters to Chad Morris, former WCA Sales Representative and Corporate Sustainability Manager, that broadly explain portions of this process and a booklet produced by WCA titled "A Day in the Life of a Load of Trash" that illustrates the recycling process visually.

Scrap lumber and pallets from construction sites are ground and sold as boiler fuel. Limbs and brush are ground and sold as landscape mulch. Concrete, brick and stone are crushed and sold as a substitute for virgin stone. Metals, cardboard and some plastics are removed and shipped to scrap yards for recycling.

C. Description of Volume

The WCA facility receives approximately 250 to 275 tons of construction and demolition debris each day, of which approximately 25% (60 to 70 tons) of recyclable material has been historically recycled. The tonnage is verifiable by reports to NC DENR and site inspections by NC DENR staff. The volume varies, however, depending upon the economy and time of year. These data will increase when the economy rebounds.

Because the expansion area is so heavily populated with competing C&D facilities, it is difficult to estimate the additional tonnage that will result from this expansion, although a good faith estimate is that an additional 50 tons per day will come in. The majority of incoming waste will continue to come from the City of High Point and its immediately surrounding area. The next largest growth area is Alamance County. The farther away from High Point the materials originate, the lower the volume from those areas.

V. **Projection of Useful Life of Landfill** (G.S. 130A-294(b)(2)(c); City Code 11-8-5(4))

The original projected useful life of the landfill, based upon engineering estimates in 2001, was 30 to 40 years. The first five-year phase was to have been completed and filled one year ago. Instead, it has approximately one more year of permitted capacity. The slower than expected growth is explained primarily by the difference between original projections of an average of seven hundred (700) tons of waste per day and substantially lower actual incoming tonnage. Accordingly, the projected life of the landfill should not appreciably change from original estimates if waste is accepted from the additional area.

VI. **Consistency with High Point's Solid Waste Management Plan** (G.S. 130A-294(b)(2)(d))

IX. Applicant's Qualifications, Legal and Financial Status and Reputation (City Code 11-8-5(1)

A. Legal Status

Attached as Exhibit 8 are copies of all documents filed with the North Carolina Secretary of State showing legal status and other pertinent information related to WCA's corporated existence, including Articles of Incorporation and Annual Report.

B. Financial Status

Attached as Exhibit 9 is the most recent 2009 Annual Report on Form 10-K for WCA Waste Corporation. Publicly held companies are required to file this report annually with the Securities and Exchange Commission. Attached as Exhibit 10 is a corporate press release related to its Second Quarter 2010 earnings.

C. Qualifications to Operate a Landfill

1) General Qualifications

WCA of High Point, LLC is a wholly owned subsidiary of parent company WCA Waste Corporation. Through its subsidiaries, WCA Waste Corporation has operations in eighteen states throughout the southern and southwest regions of the United States where it conducts hauling, transfer, recycling and disposal of municipal solid waste and C&D waste. Attached as Exhibit 11 is a color map showing the location of WCA's operations from North Carolina to Colorado. In North Carolina, the parent company also owns and operates two C&D recycling and transfer facilities in Raleigh and a C&D landfill in Raleigh. Also attached as Exhibit 12 is a 2008 Investor Presentation that broadly describes WCA's experience and operations in solid waste hauling, landfilling and recycling.

2) Local and Regional Management

The High Point operations are managed by John Walker, general manager, who has 17 years experience in the solid waste industry, including 8 years previously as general manager for a landfill, hauling and transfer station operation for Waste Industries in Tennessee, and 7 years prior to that working for Waste Industries of the Carolinas. The WCA Regional Vice-President is Vernon Smith who has 21 years in the industry in the field of landfill operation and the handling, hauling and recycling of C&D debris.

3) Senior Corporate Management

Corporate management of WCA Waste Corporation, including each person's background in the industry, is provided below.

a) **Tom J. Fatjo, Jr.** Mr. Fatjo, Jr. has served as WCA's chairman of the board of directors and chief executive officer since WCA's formation in September 2000. Since August 1998, Mr. Fatjo, Jr. has also served as the chairman of the board and chief executive officer of WCA's former parent, Waste Corporation of America, Inc., which was spun off as part of an internal corporate reorganization. From 1992 to August 1998, Mr. Fatjo, Jr. served as the chairman and chief executive officer, and from 1994 to 1996 as the president, of TransAmerican Waste Industries, Inc., or TransAmerican, a publicly-held waste management company that merged into USA Waste Services, Inc. in 1998. In 1990 and 1991, Mr. Fatjo, Jr. was the founder and the chairman of the board of directors and chief executive officer of Republic Waste Industries, Inc., or Republic Waste, another publicly held waste management company. Mr. Fatjo, Jr. also founded Browning-Ferris Industries, Inc., or BFI, formerly one of the nation's largest solid waste management companies and now a part of Allied Waste Industries, Inc., another publicly-held waste management company. From 1966 to 1976, Mr. Fatjo, Jr. served as the co-chief executive officer responsible for BFI's mergers and acquisitions and corporate development activities. Mr. Fatjo, Jr. remained on BFI's board until 1980. Mr. Fatjo, Jr. received a Bachelor of Arts degree from Rice University. Mr. Fatjo, Jr. has over 43 years of experience in the solid waste management industry.

b) **Jerome M. Kruszka.** Mr. Kruszka has served as a director and WCA's president and chief operating officer since WCA's formation in September 2000. Since August 1998, Mr. Kruszka has also served as a director and as the president and chief operating officer of WCA's former parent, Waste Corporation of America, which was spun off as part of an internal reorganization. From 1996 to August 1998, Mr. Kruszka served as the president and chief operating officer, and from 1997 to 1998 as a director, of TransAmerican. In 1971, Mr. Kruszka began his career with Waste Management, Inc., the largest publicly-held waste management company in the United States. From 1971 to 1996, Mr. Kruszka held several positions with Waste Management, Inc. and its affiliates, including regional vice president for northern California, where over 20 divisions involved in collection, transfer, recycling and landfill operations reported to him. Mr. Kruszka has over 38 years of - experience in the solid waste management industry.

c) **Charles A. Casalinova.** Mr. Casalinova has served as WCA's senior vice president and chief financial officer since WCA's formation in September 2000. Since July 1999, Mr. Casalinova has also served as the senior vice president and chief financial officer of WCA's former parent, Waste Corporation of America, which was spun off as part of an internal reorganization. From 1981 to July 1999, Mr. Casalinova held several positions at Waste Management, Inc., including division controller, regional chief information officer, acquisition controller, vice president/regional controller for Louisiana, Mississippi, Arkansas, Oklahoma and north Texas, and vice president/regional controller for Illinois and Indiana. Mr. Casalinova received a Bachelor of Business Administration degree in Accounting from the University of Akron and became a Certified Public Accountant in 1989. Mr. Casalinova has over 28 years experience in the solid waste management industry.

d) **Tom J. Fatjo, III.** Mr. Fatjo, III has served as WCA's senior vice president - finance since February 2004. Prior to that, Mr. Fatjo, III served as WCA's senior vice president and treasurer since WCA's formation in September 2000. Since September 2000, Mr. Fatjo, III has also served as the senior vice president and treasurer of WCA's former parent, Waste Corporation of America, which was spun off as part of an internal reorganization. From August 1998 to September 2000, Mr. Fatjo, III served as vice president, treasurer and director of Waste Corporation of America, Inc. From 1992 to August 1998, Mr. Fatjo, III served as vice president-treasurer of TransAmerican. Mr. Fatjo, III began his career in the solid waste industry with Republic Waste, where he was employed from 1990 through 1991. He received a Bachelor of Business Administration degree in Finance from the University of Texas at Austin. Mr. Fatjo has over 18 years of experience in the solid waste management industry.

D. Reputation

WCA of High Point, LLC has a strong reputation among local and regional construction companies as a reliable and efficient recycling and landfill operation. City staff who have worked with or intersected with WCA will attest to the efficiency of this operation and the cooperative nature with which local management has worked with the city. Nationally, WCA has an excellent reputation as a company that has grown through sound business planning and that complies with all federal, state and local laws.

X. Franchise Term

Pursuant to City Code Sec. 11-8-5, a franchise to operate a sanitary landfill cannot exceed thirty years. WCA respectfully requests that the new territory be folded into the existing franchise term (thirty years from February 21, 2005) and that the term of the franchise not be altered.

XI. Host Fee

Host fees are fees paid to the local government based on tonnage of waste disposed. Importantly, it is not the custom in the industry for C&D facilities to pay host fees. Typically, only MSW landfill operators pay host fees. Nonetheless, if the City of High Point will agree to add the additional ten counties to the WCA franchise territory for the same term as the original franchise, WCA will offer to pay the City forty cents per ton of waste from the added territory. As a rough estimate, if WCA adds approximately 50 tons per day from these counties, then, at forty cents per ton, the city will make approximately $4,800 per year.

EXHIBIT 1

Excerpt from N.C. Gen. Stat. §130A-294(b)(2)

◂ Previous Section **N.C.G.S.A. § 130A-294** Next Section ▸

§ 130A-294. Solid waste management program

(b)(2) A person who intends to apply for a new permit, the renewal of a permit, or a substantial amendment to a permit for a sanitary landfill shall obtain, prior to applying for a permit, a franchise for the operation of the sanitary landfill from each local government having jurisdiction over any part of the land on which the sanitary landfill and its appurtenances are located or to be located. A local government may adopt a franchise ordinance under G.S. 153A-136 or G.S. 160A-319. A franchise granted for a sanitary landfill shall include all of the following:

a. A statement of the population to be served, including a description of the geographic area.

b. A description of the volume and characteristics of the waste stream.

c. A projection of the useful life of the sanitary landfill.

d. An explanation of how the franchise will be consistent with the jurisdiction's solid waste management plan required under G.S. 130A-309.09A, including provisions for waste reduction, reuse, and recycling.

e. The procedures to be followed for governmental oversight and regulation of the fees and rates to be charged by facilities subject to the franchise for waste generated in the jurisdiction of the franchising entity.

f. A facility plan for the sanitary landfill that shall include the boundaries of the proposed facility, proposed development of the facility site in five-year operational phases, the boundaries of all waste disposal units, final elevations and capacity of all waste disposal units, the amount of waste to be received per day in tons, the total waste disposal capacity of the sanitary landfill in tons, a description of environmental controls, and a description of any other waste management activities to be conducted at the facility. In addition, the facility plan shall show the proposed location of soil borrow areas, leachate facilities, and all other facilities and infrastructure, including ingress and egress to the facility.

EXHIBIT 2

CHAPTER 8 Sanitary Landfills

§ 11-8-1 Sanitary landfills franchise required.
§ 11-8-2 Term of franchise.
§ 11-8-3 Franchise nonexclusive.
§ 11-8-4 Transfer of ownership or control.
§ 11-8-5 Contents of application.
§ 11-8-6 Grantee of franchise.
§ 11-8-7 Forfeiture or revocation.
§ 11-8-8 Equal opportunity policy.
§ 11-8-9 Notices.
§ 11-8-10 No recourse against the grantor.
§ 11-8-11 Incorporation of provisions.

Sec. 11-8-1 Sanitary landfills franchise required.

No sanitary landfill, as defined in Article 9, Chapter 130A, N.C. General Statutes, shall be operated within the corporate limits without a franchise granted pursuant to this chapter.

(Ord. No. 01-107, § 1, 12-20-01)

Sec. 11-8-2 Term of franchise.

The term of a franchise shall be stated in the franchise, but shall not exceed 30 years.

(Ord. No. 01-107, § 1, 12-20-01)

Sec. 11-8-3 Franchise nonexclusive.

A franchise is non-exclusive. The city reserves the right in its discretion to grant additional franchises at any time.

(Ord. No. 01-107, § 1, 12-20-01)

Sec. 11-8-4 Transfer of ownership or control.

(a) *Transfer of franchisee.* Any franchise granted hereunder cannot be sold, transferred, leased, assigned or disposed of, including but no limited to, by force or voluntary sale, merger, consolidation, receivership or other means without the prior consent of the city, which shall not be unreasonably withheld.

(b) *Transfer threshold.* The grantee shall promptly notify the city of any actual or proposed change in or transfer of, or acquisition by any other party of, control of the grantee. The word "control" as used herein is not limited to major stockholders but includes actual working control in whatever manner exercised. A rebuttal presumption that a transfer of control has occurred shall arise upon the disposal by the grantee, directly or indirectly, by gift, assignment, voluntary sale, merger, consolidation or otherwise, of 50 percent or more, at one (1) time, of the ownership or controlling interest in the system; or 50 percent cumulatively over the term of the franchise of such interest to a corporation, partnership, limited partnership, trust of association, or person or group of persons acting in concert. The city shall exercise its power to approve a transfer of ownership or control in a manner consistent with Section 617 of the Communications Act (47 U.S.C. 537).

(c) *Process.* Every transfer, sale, lease, assignment or disposition of, including but not limited to, by force or voluntary sale, merger, consolidation, receivership or other means or acquisition of control of the grantee shall make the franchise subject to cancellation unless and until the city shall have consented thereto, which consent will not be unreasonably withheld. For the purpose of determining whether it shall consent to such transfer, sale, lease, assignment or disposition of, including but not limited to, by force or voluntary sale, merger, consolidation, receivership or other means or acquisition of control of the grantee the city may inquire into the legal, financial, character, technical and other public interest qualifications of the prospective controlling party, and the grantee shall assist the city in any such inquiry. Failure to provide all information reasonably requested by the city as part of said inquiry may be grounds for denial of the proposed transfer, sale, lease, assignment or disposition of, including but not limited to, by force or voluntary sale, merger, consolidation, receivership or other means or acquisition of control of the grantee. If the city finds that such transfer, after considering the legal, financial, character, technical, and other public interest qualifications of the applicant, is satisfactory, the city will transfer and assign the rights and obligations of such franchise as may be in the public interest. The consent of the city to such transfer shall not be unreasonably withheld.

(d) *Assumption of control.* The city agrees that any financial institution having a pledge of the franchise or its assets for the advancement of money for the construction and/or operation of the system shall have the right to notify the city that it or its designee satisfactory to the city will take control of and operate the system. Further, said financial institution shall also submit a plan for such operation that will insure continued service and compliance with all franchise obligations during the term the financial institution exercises control over the system. The financial institution shall not exercise control over the system for a period exceeding one (1) year, unless extended by the city at its discretion and during said period of time it shall have the right to petition for transfer of the franchise to another grantee.

(e) *Signatory requirement.* Any approval by the city or transfer shall be contingent upon the prospective controlling party becoming a signatory to the franchise.

(Ord. No. 01-107, § 1, 12-20-01)

Sec. 11-8-5 Contents of application.

An application for a franchise shall include the following information:

(1) The qualifications of the applicant to operate a sanitary landfill, including information concerning the applicant's legal and financial status; the applicant's character, experience, and business reputation; technical expertise; and any other information relevant to the applicant's qualifications.

(2) A statement of the population to be served, including a description of the geographic area.

(3) A description of the volume and characteristics of the waste stream.

(4) A projection on the useful life of the landfill.

(Ord. No. 01-107, § 1, 12-20-01)

Sec. 11-8-6 Grantee of franchise.

Upon review of the application and consideration of any other information or factors it deems relevant, the city council may issue a franchise in its discretion, and may include whatever requirements, restrictions, or provisions it deems advisable in the public interest.

(Ord. No. 01-107, § 1, 12-20-01)

Sec. 11-8-7 Forfeiture or revocation.

(a) *Grounds of revocation.* The city reserves the right to revoke any franchise granted hereunder and rescind all rights and privileges associated with the franchise in accordance with the procedures set forth herein in the following circumstances, each of which represents a default and breach under this chapter and the franchise grant:

(1) Grantee's default in the performance of any of the material obligations under this chapter, the franchise or under such documents, contracts and other terms and provisions entered into by and between the city and the grantee.

(2) Grantee's violation of any orders or rulings of any regulatory body having jurisdiction over the grantee after notice thereof, continuing and not being remedied within 60 days of notice.

(3) Grantee's fraud or any unfair or deceptive act or practice with regard to the city or the public under the laws of the state.

(4) Grantee's insolvency, inability, or unwillingness to pay its debts; or [grantee] is adjudged bankrupt.

(5) Grantee's misrepresentation of a material fact in the application for or negotiation of the franchise or any extension or renewal thereof.

(b) *Procedure prior to revocation.*

(1) The city shall make written demand that the grantee comply with any material requirement, limitation, term, condition, rule or regulation or correct any action deemed cause for revocation. If the failure, refusal or neglect of the grantee continues for a period of 30 days following such written demand, the city shall place its intent to revoke the franchise upon a regular city council meeting agenda. The city shall cause to be mailed by certified mail to grantee at least 10 days prior to the date of such meeting, a written notice of intent to revoke and the reasons therefor, and the time and place of the meeting, notice of which shall be published by the city clerk at least once 10 days before such meeting in a newspaper of general circulation within the city.

(2) The city council shall hear any persons interested therein, and shall determine in its discretion, whether or not any failure, refusal or neglect by the grantee was with just cause.

(3) If such failure, refusal or neglect by the grantee was with just cause, as reasonably determined by the city, the city council shall direct the grantee to comply within such time and manner and upon such terms and conditions as are reasonable.

(4) If the city council shall determine that such failure, refusal, or neglect by the grantee was without just cause, then the city council shall, by resolution, declare that the franchise of the grantee shall be revoked.

(Ord. No. 01-107, § 1, 12-20-01)

Sec. 11-8-8 Equal opportunity policy.

Equal opportunity employment shall be afforded by the grantee to all qualified persons, and no person shall be discriminated against in employment because of race, color, religion, age, national origin, sex, or handicap. Grantee shall comply with all equal opportunity provisions enacted by federal,

state and local authorities.

(Ord. No. 01-107, § 1, 12-20-01)

Sec. 11-8-9 Notices.

All notices from grantee to the city pursuant to this chapter and the franchise shall be to the city manager or his/her designee. Grantee shall maintain with the city, throughout the term of the franchise, an address for service of notices by mail which address shall be noted in the franchise agreement.

(Ord. No. 01-107, § 1, 12-20-01)

Sec. 11-8-10 No recourse against the grantor.

Except when seeking equitable relief, the grantee shall have no recourse whatsoever against the city or its officials, boards, commissions, agents, or employees for any loss, cost, expense or damage arising out of any provision or requirements of the franchise or because of the enforcement of this chapter or the franchise.

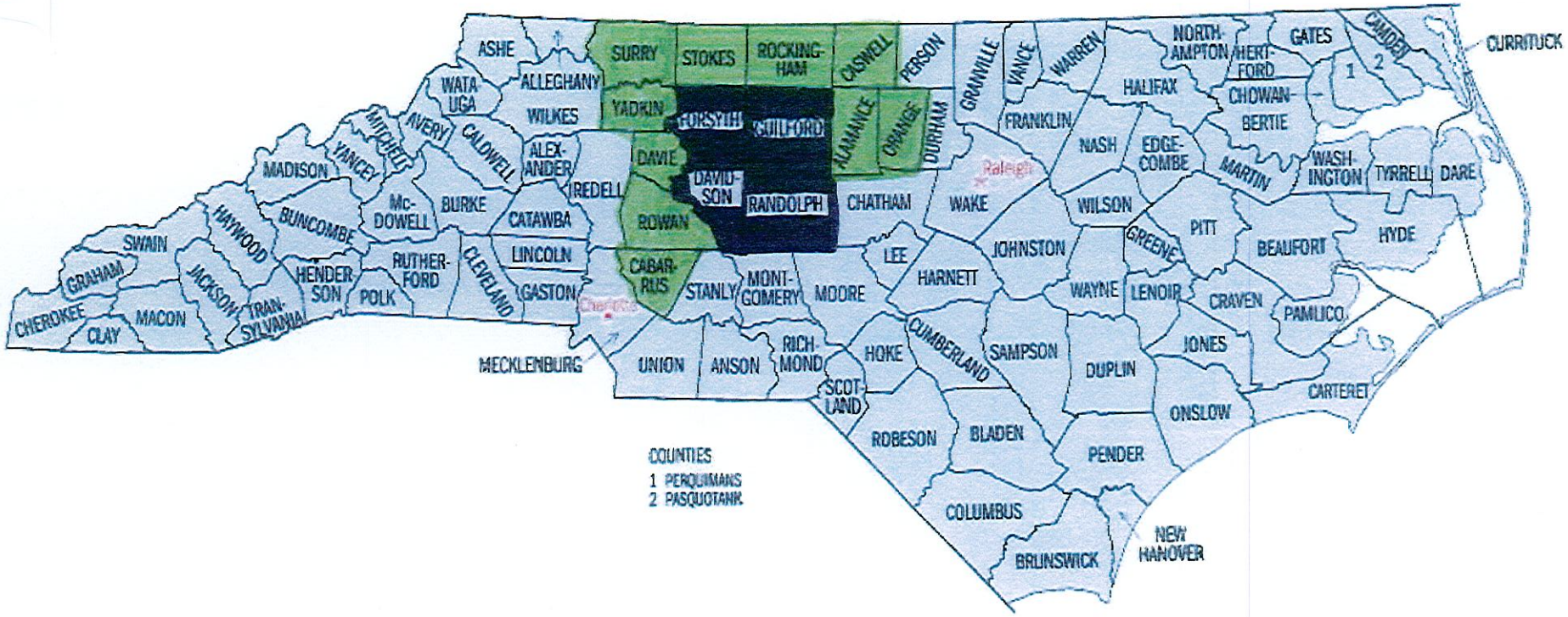
(Ord. No. 01-107, § 1, 12-20-01)

Sec. 11-8-11 Incorporation of provisions.

The requirements of this chapter shall be deemed to be included and binding on the grantee of any franchise.

(Ord. No. 01-107, § 1, 12-20-01)

EXHIBIT 3



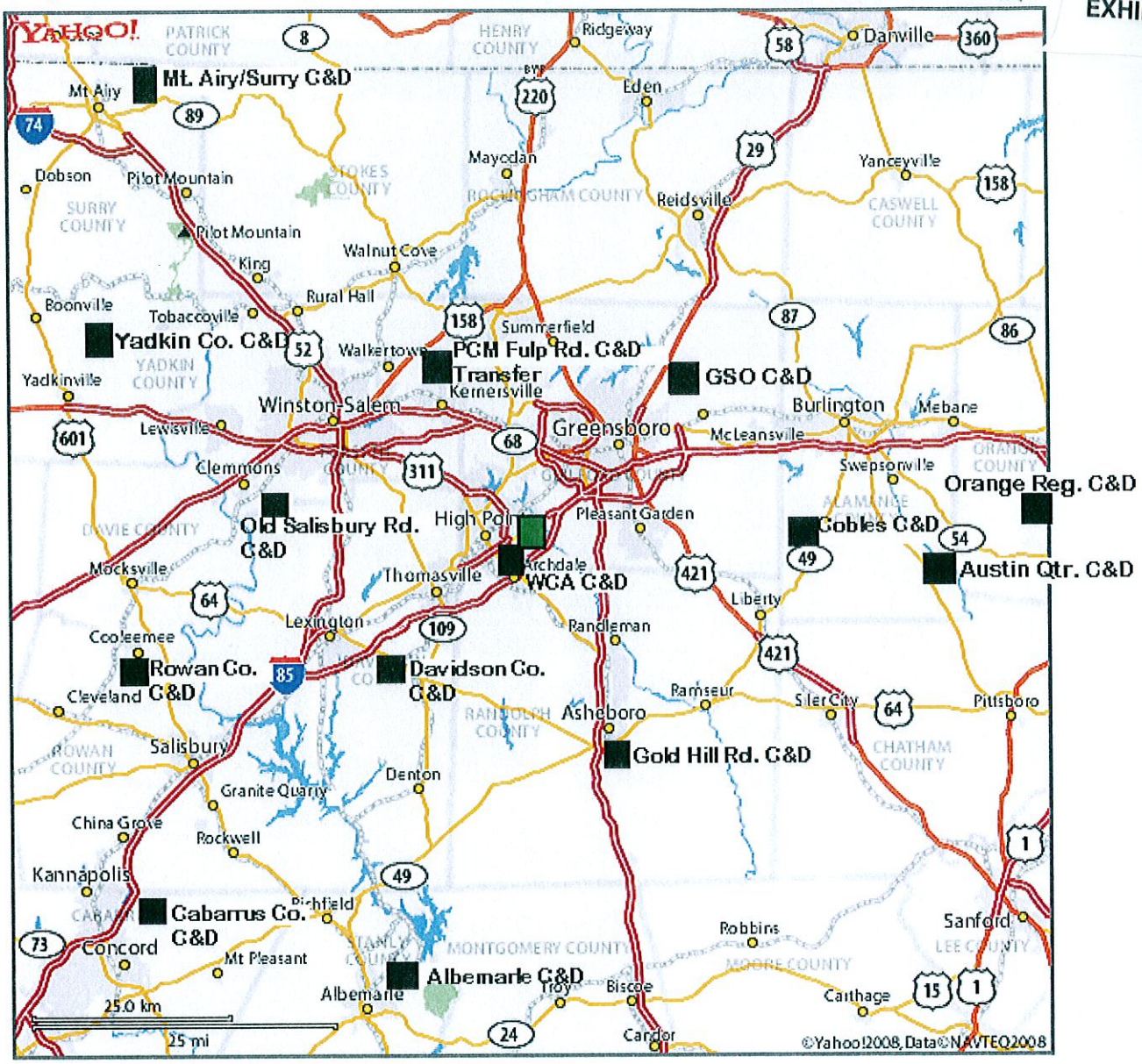
LEGEND

- Existing Franchise Territory
- Requested Franchise Territory

Map of Kivett Dr, High Point, NC 27282

YAHOO! LOCAL Maps

EXHIBIT 4



LEGEND

Proposed Site

Existing Sites

Bovis
Lend Lease

A Lend Lease Company

EXHIBIT 5

January 27, 2009

Chad Morris
WCA Waste Corporation
5830 Riverdale Drive
Jamestown, NC 27282

Reference: **Cornerstone Health Care Westchester MOB**
Waste Recycling Program

Dear Chad:

Please accept this letter as acknowledgement of Bovis Lend Lease Inc's appreciation for the cooperation received, and on-going, by WCA Waste Corporation during the construction of the CornerStone Health- Westchester MOB and Premier Medical Plaza projects in High Point, NC.

Sustainable building has been a focus area of ours for several years now, and it has been a challenge for us to find partners in the waste removal realm. WCA Waste Corporation has been able to provide us with accurate recycling reporting indicating a very large portion of our waste being diverted from landfills. This service that is being provided is invaluable to meeting our goals relating to sustainable building.

We look forward to a continued relationship with WCA Waste Corporation. Should you have any further questions, please do not hesitate to contact me at 704-357-2896, 843-495-0664, or jeff.bose@bovislendlease.com.

Sincerely,

Bovis Lend Lease, Inc.

Jeffrey Bose
Senior Project Manager
Jeff.bose@bovislendlease.com

CC: Jerry Taylor (BLL)
Todd Montgomery (BLL)
Justin Rider (BLL)
Wayne Peterson (BLL)

RodgersHardin

5701 N. Sharon Amity Road · Charlotte, NC 28215
Post Office Box 18446 · Charlotte, NC 28218
704.537.6044 FAX 704.535.0055

February 6, 2009

Re: WCA of High Point

To Whom it May Concern,

RodgersHardin has used WCA of High Point on a number of our projects in the Triad Area. I personally used them on the UNC Greensboro Aycock Auditorium Renovation project. I was extremely impressed by their knowledge of waste management and their efforts of sustainability on our project. Our project was not registered under the USGBC's LEED program, however, the Owner's goal was to track waste generated from our project in a similar manner to the USGBC's LEED waste management credit. WCA was invaluable in these efforts, they provided resources and insight to assist us in understanding this process and tracking this information for our Owner. It turned out to be a very successful venture for RodgersHardin, the Owner and WCA.

With the direction of our industry heading towards constructing more LEED certified projects in North Carolina. I am certain that it would be advantageous to all involved if WCA were able to expand their operations and efforts outside of the Triad Area.

Respectfully,

James Clayton
Project Manager

EXHIBIT 6

North Carolina Recycling Program
or
"A Day in the Life of a Load of Trash"

Chad Morris
Triad Sales Representative

Nextel: 151*137326*1
Mobile: (336) 669-8654

Grant Kiser
Triangle Sales Representative

Nextel: 150*19891*1
Mobile: (919) 795-6282

LEED + WCA Waste Corporation

Yellow + Blue = Green

U. S. Green Building Council

What is *"Green Building?"*

- An environmentally-friendly approach to construction
- Dedication to conserving natural resources
- Conserving landfill space by recycling construction debris
- Utilization of recycled building materials
- Futuristic planning for current and upcoming generations

Aspects of Green Building

- Land Development
- Resource Conservation
- Energy Efficiency
- Recycling Construction Debris
- Use of recycled materials

Who does this affect and involve?

- The entire construction industry
- Environmental Agencies
- Federal, State & Local Government
- ***You***

As a member of the **U. S. Green Building Council**, ***WCA*** is dedicated to **recycling**, knowledgeable in LEED building criteria, and we stand ready to assist you with your **Green Building** needs. Please contact your local representative for further information.

Chad Morris
Triad Sales Representative

Nextel: 151*137326*1
Mobile: (336) 669-8654

U.S. GREEN BUILDING COUNCIL MEMBER

Grant Kiser
Triangle Sales Representative

Nextel: 150*19891*1
Mobile: (919) 795-6282

WCA WASTE CORPORATION

Our Company

WCA Waste Corporation is a full service, non-hazardous solid waste company providing collection, transfer and disposal services for approximately 171,000 commercial, industrial and residential customers in nine states in the South and Central regions of the United States. We own and operate twenty-three collection landfills, twelve construction and demolition debris (C&D) landfills and three material recovery facilities. Our revenue mix for 2003 was approximately 65% collection, 33% disposal and 2% transfer/other.

We were formed and began operations in September 2000 upon our acquisition of particular assets from Waste Management, Inc. that in turn became the core of our operations. From our formation through December 31, 2003, we successfully integrated 42 separate operating locations acquired in a total of eight transactions (including the transaction with Waste Management, Inc.)

Our Philosophy

We believe the solid waste business is a "grass roots" disposal driven business. By maintaining a local focus we are able to develop strong relationships and provide our customers with the best possible service.

Our Team

Our management team is experienced and motivated. Our strength is that we are small enough to be responsive to our customer's needs, and large enough to tackle any industry project.

Environmental Statement

WCA Waste Corporation is committed to creating a company culture where employees understand and respect the value of protecting the environment. Compliance with governmental regulations and permit requirements in the markets in which we operate demonstrates our commitment to the communities we serve. WCA strives to be a leader in the solid waste industry by continually improving our operations, policies and procedures to reflect this commitment. Environmental responsibility, safety, and efficient transportation and disposal services are the avenues WCA utilizes to service our customers and achieve this goal.

Landfills

It is WCA Waste Corporation's belief that our industry is disposal driven. In keeping with this philosophy, WCA, with few exceptions, owns and operates a landfill in each of our market areas. WCA owns 12 Construction & Demolition and 7 Municipal Solid Waste landfills with an average remaining life of over 30 years as of December 31, 2003.

Transfer Stations

At our 18 strategically located transfer stations, WCA Waste Corporation consolidates incoming waste in preparation for hauling in transfer trailers; in most cases to a WCA owned and operated landfill.

It's the new Millennium! Do you know where your debris is going?

Recycler Overview

This is the star of our show. Our Construction Debris Recycler stretches the length of a football field.

WCA's recycling operations in Raleigh and High Point, North Carolina are the crown jewels of Construction Debris recycling in the country. As members of the **U.S. Green Building Council**, we stand behind our commitment to the environment. Both facilities recycle 36% (up to 75% on New Construction projects) from the waste stream.

Step One

After you have filled one of our Roll-Off containers, it is taken to one of our Construction Debris processing centers in Jamestown or Raleigh, NC. After driving across the scales, our trucks proceed to the tipping area.

Step Two

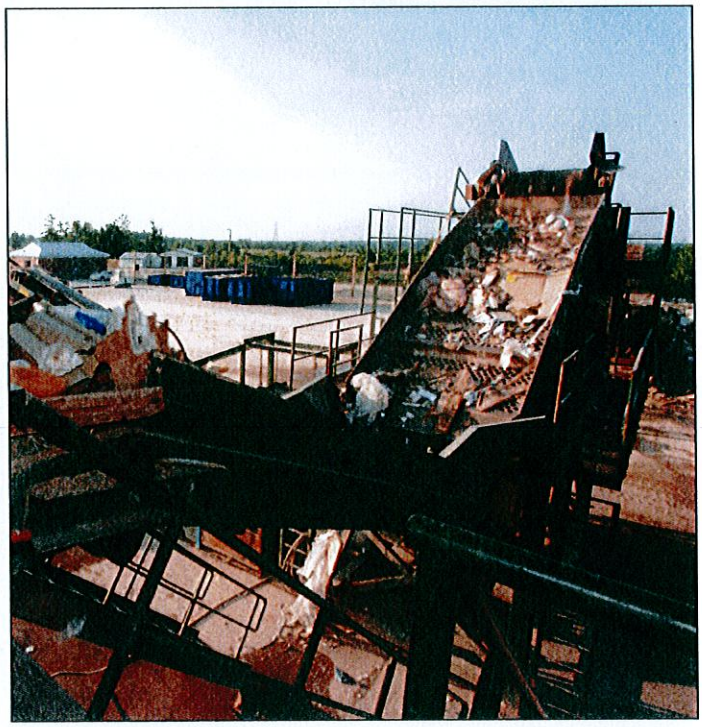
The truck arrives at the tipping area after being weighed. Segregated loads are placed in their respective piles while mixed loads of Construction Debris are emptied here, into our "co-mingled" pile, for further sorting.

Step Three

The sorting process begins here. The excavator picks up debris from the "co-mingled pile" and drops it into the recycling hopper.

Step Four

The debris begins the recycling process in the "shaker". Here, dirt and gravel are shaken out of the waste stream.

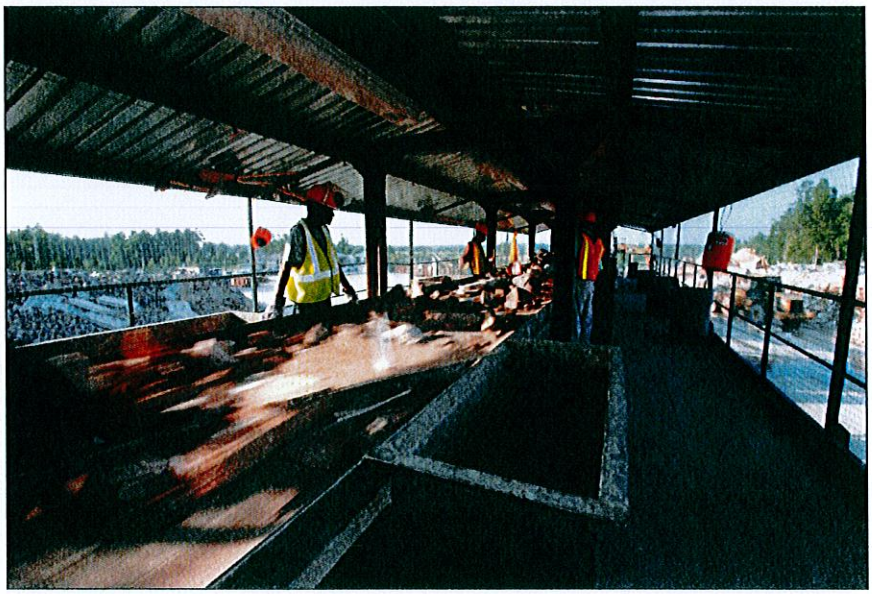


Step Four (a)

This heavy material travels up a side ramp and gets deposited here, where it is recycled as daily cover.

Step Five

After the "shaker", the debris continues the recycling process on the catwalk. Here our dedicated staff of recyclers is broken into teams. Each team has an assigned material to pull from the waste stream.



Step Five (a)

Here, they diligently watch for……

Step Five (b)

And remove their assigned material.

Step Six

Material that is removed from the waste stream is dropped down a chute, and into the containers below.

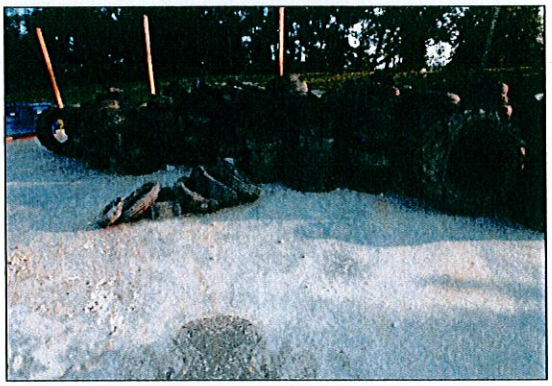
Some material is removed from the waste stream and sold to local processing centers for further recycling.

These materials include:

Metal

Cardboard, Paper, Vinyl

and Tires



Brick, Block, Mortar and Cement are removed from the waste stream, crushed on site and sold to local contractors for use in building pads.

Waste *Becomes* Crush and Run

Wood is also removed from the waste stream and ground on site. It is then sold to local contractors as landscaping mulch and boiler fuel.

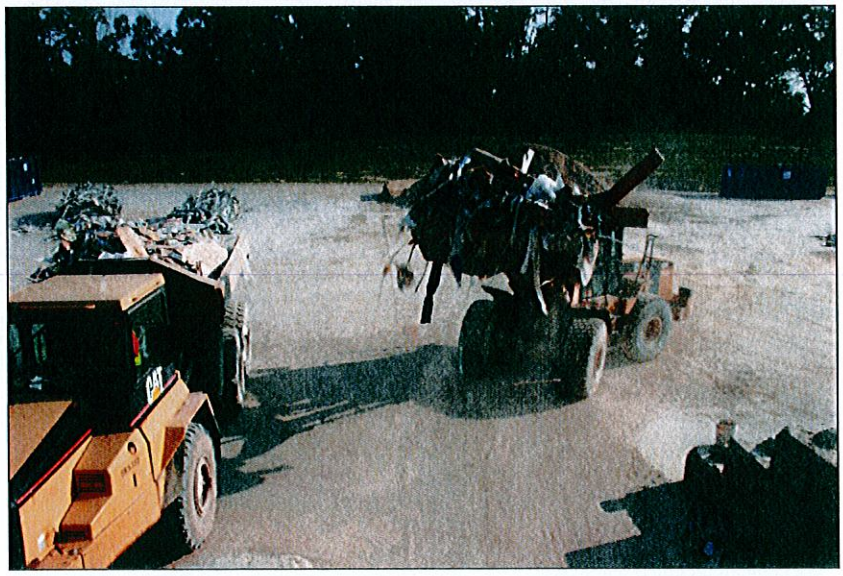
Waste *Becomes* Mulch

Step Seven

After all of the recyclable material has been removed from the waste stream, the balance drops into the holding cell at the end of the catwalk.

Step Eight

The material is then collected and loaded onto trucks for transfer to the landfill.



Step Nine

As little of the Construction Debris, as possible, from our processing center ends up here at the Landfill. Recycling not only helps the environment, it enables us to keep our landfills open twice as long.

Yellow + Blue = Green

Environmentally Friendly, Cost Friendly & Customer Friendly

Utilize our disposal facility on your next job. Couple it with our hauling for great service at a great price!

Recycling Data For Use In USGBC LEED Projects

WCA Waste Corporation

Customer:
Project: HIGH POINT UNIVERSITY

Date	Ticket#	Gross Wt.	Tare Wt.	Net Wt.	Lbs. Recovered		Wood	Metal	Cardboard	Aggregate / Sheet Rock*	Recovery Rate
6/1/2006	39970	49880	34260	15620	14058					0.90	0.90
6/1/2006	39988	50640	34240	16400	16400			0.05	0.05	0.90	1.00
6/5/2006	40242	43480	34540	8940	8046			0.1	0.8		0.90
6/5/2006	40256	46120	34600	11520	7488		0.1	0.05	0.5		0.65
6/8/2006	40532	44320	34220	10100	10100		0.1	0.1	0.8		1.00
6/8/2006	40549	40720	34320	6400	5120				0.8		0.80
6/9/2006	40641	40340	34180	6160	1540		0.05		0.2		0.25
6/12/2006	40902	39040	34400	4640	3480		0.1	0.05	0.6		0.75
6/12/2006	40924	41340	34480	6860	4802		0.1		0.3	0.3	0.70
6/14/2006	41285	39960	34700	5260	3156		0.1		0.5		0.60
6/16/2006	41397	37100	34600	2500	1625		0.05		0.6		0.65
6/20/2006	41649	43520	34360	9160	6870			0.1	0.6	0.05	0.75
6/20/2006	41659	38200	34440	3760	2820		0.05		0.7		0.75
6/22/2006	41827	44320	34200	10120	5060				0.5		0.50
6/29/2006	42184	49640	35300	14340	10755		0.2	0.05	0.5		0.75
6/30/2006	42343	45280	34920	10360	1554			0.05	0.1		0.15
					0						0.00

U.S. GREEN BUILDING COUNCIL MEMBER

Total Weight: 142,140 Lbs.
Total lbs. Recycled: 102,874 Lbs.
Total Tons Recycled: 51.44
Recovery Rate%: 72.4%

Certification Stamp
WCA, High Point Landfill
5830 Riverdale Drive
Jamestown, NC 27282

* Sheet Rock must be kept dry to be recyclable

01/21/2009

WCA Waste Corporation

Cory Avens
SRS, Inc.

WCA Waste Corporation, located at 5830 Riverdale Drive in Jamestown, NC, runs a construction debris recycling operation in conjunction with our construction debris landfill. All material that is received at this facility is run through a shaker followed by a 50yd covered conveyor / picking system where all recyclable material is removed from the waste stream.

WCA is committed to removing as many materials from the waste stream as is economically viable.

Sincerely,

Chad Morris

EXHIBIT 7

GUILFORD COUNTY
Solid Waste Services Guide

A complete guide to community solid waste services in Greensboro, High Point, Guilford County and surrounding communities.

WELCOME

Introduction

Thank you for taking the time to review this Solid Waste Guide. Whether you're a new or a long-time resident, we think you'll find this guide to be a valuable resource when dealing with any type of household waste. Be sure to keep it on hand for future use.

This guide is arranged by municipality and is color-coded for easy reference. Simply turn to the appropriate page and you'll find information on every type of solid waste, from recycling to household hazardous waste. Phone numbers and web addresses are also listed where available – so you can easily get your questions answered.

We've all heard about the importance of caring for the environment. What you may not know is trash that isn't properly handled can cause a variety of public health problems.

- Tires and other containers left outside can collect water, which can become a breeding ground for mosquitos.
- Trash that isn't cleaned up eventually ends up in our water system, increasing the cost of filtering the water to make it suitable to drink.
- Trash is dangerous to local wildlife, especially when they depend on local streams and lakes for their survival.

If we all take responsibility for disposing of trash properly, our community will continue to be a beautiful place that we can all be proud of.

Working together for a cleaner environment:
City of Greensboro
City of High Point
Greensboro Beautiful
Guilford County
Guilford County Department of Public Health
High Point Keep America Beautiful

Special thanks to Volvo Trucks North America for publishing this directory.

Gibsonville • Greensboro • Greensboro Beautiful • Guilford County • Guilford County Department of Public Health • High Point • Jamestown • Oak Ridge • Pleasant Garden • Sedalia • Stokesdale • Summerfield • Whitsett

GUILFORD COUNTY
Reduce • Reuse • Recycle

Caring for our environment is everyone's responsibility.

How Do *You* MEASURE UP?

WELCOME

Volvo Message

It's Volvo's pleasure to welcome you to the Guilford County Solid Waste Services Guide.

Care for the Environment is a core corporate value for Volvo. Our Environmental Policy, common to all Volvo operations worldwide, states that we strive to be the environmental leader in our industries through a holistic view, continual improvement, technical development and resource efficiency. Through this commitment, we can both strengthen our business operations and nurture environmental improvement in the communities in which our employees and customers live and work.

Volvo is putting this commitment to environmental care to work every day. In addition to our newest generation of trucks, which emit 90 percent less soot and 50 percent less smog-causing gases than trucks of just a few years ago, all of our facilities in North America are certified under international standards for environmental management systems, and several of them have been cited by environmental agencies for their efforts in reducing water and energy use. At our Greensboro facilities, thanks to a dedicated group of employees known as "the green team," we're recycling not just office paper and cardboard, but also printer cartridges, used batteries and waste oil, among other items. And by emphasizing greater energy efficiency in our operations, the facilities here in Guilford County are making a significant contribution to Volvo's national commitment to reduce greenhouse gas generation by 20 percent under the EPA's Climate Leaders program. (You can learn more about our environmental activities by visiting us at www.volvotrucks.us.com.)

We appreciate the opportunity to provide this useful information to our community.

Table of Contents

Welcome & Message from Volvo	2 – 3
City of Greensboro	4
Greensboro Beautiful	5
City of High Point	6
Guilford County	7 – 9
Surrounding Areas	10
Household Hazardous Waste Program	11

This brochure was printed on Ecologo Certified recycled paper made from 30% post-consumer recycled fibre.

Printed 12/07

CITY OF GREENSBORO

Garbage, Yard Waste, Recyclables, Bulk Trash and Appliances

The City of Greensboro provides weekly collection of garbage, yard waste and bulk items. Recyclables are collected every other week. Appliances are collected by calling **(336) 373-CITY (2489)**.

Additional Services

Solid Waste Transfer Station
6310 Burnt Poplar Road
Greensboro, NC 27409
(336) 373-3867
Hours: M – F, 6am – 6pm
Sa, 7am – 1pm

Accepts household garbage and commercial waste.

White Street Landfill
2503 White Street
Greensboro, NC 27405
(336) 373-CITY (2489)
Hours: M – F, 7am – 4:50pm
Sa, 7am – 1pm

Accepts construction debris and yard waste.

Household Hazardous Waste and E-Waste
ECOFLO, Inc.
2750 Patterson Street
Greensboro, NC 27407
(336) 373-2196
Hours: W – F, 10am – 6pm
Sa, 8am – 2pm

See page 11 for more information.

Special Services

Adopt-A-Street	The City of Greensboro operates an Adopt-A-Street program which allows residents to play an active role in keeping Greensboro clean. **(336) 373-CITY (2489)**
Commercial Services	The City of Greensboro provides trash and recycling collection services to commercial and multi-family developments. **(336) 335-5444**
E-Waste	Electronic items can be taken to the Household Hazardous Waste Collection Center for disposal and/or recycling. **(336) 373-CITY (2489)**
Loose Leaf Pick-Up	The City of Greensboro provides two rounds of loose leaf pick-up beginning each November through January. **(336) 373-CITY (2489)**
Recycling Drop Sites	The City of Greensboro has nine recycling drop sites located throughout the City for public use. **(336) 373-CITY (2489)**
Recycling Visits	The City of Greensboro encourages visits to the FCR recycling center. Call to schedule a visit. **(336) 373-2053**

GREENSBORO BEAUTIFUL

Greensboro Beautiful, Inc. is a private, non-profit volunteer organization which works in partnership with the City of Greensboro to bring private businesses, citizens, neighborhoods and community organizations together to conserve and enhance the beauty of our community through public and private cooperation.

As an affiliate of **Keep America Beautiful, Inc.**, Greensboro Beautiful engages individuals to take responsibility for improving their local community environment. Through litter cleanups and litter-prevention awareness programs, Greensboro Beautiful works to change attitudes and behavior about litter and solid waste.

Big Sweep Citywide Cleanup (3rd Saturday in September)

Greensboro Beautiful volunteers clean litter from our community's lakes and streams, neighborhoods and roadsides as part of the **Big Sweep Citywide Cleanup**. Thousands of volunteers from scout troops, neighborhoods, community organizations, churches, schools, businesses and families take part in the cleanup. The City of Greensboro assists neighborhoods with special equipment and collection needs.

Great American Cleanup (1st Saturday in April)

Greensboro Beautiful volunteers give the city a spring cleaning each year as a part of the **Great American Cleanup**. Our volunteers come together to clean up neighborhoods, roadsides, parks, and other littered areas on the first Saturday in April. City of Greensboro assists neighborhoods with special equipment and collection needs.

Clean Campus Program (April)

This program for area K-12 schools features hands-on activities designed to promote litter awareness, recycling, and campus beautification while utilizing interdisciplinary classroom skills. This week-long program instills a sense of individual responsibility and advocacy for school appearance and environment, while demonstrating that students of all ages can make a difference. Clean Campus Program Handbooks are distributed to all public schools in March. Interested teachers should contact their principal for a copy of the handbook.

Litter Index (January)

Greensboro Beautiful conducts an annual Litter Index. It is a simple and credible tool that allows a quick, reliable visual assessment of the litter presence in our community. The data obtained through the Litter Index is invaluable in determining the types of litter prevention programs needed to address current conditions and achieve long-term sustainable results. The primary use of the information obtained using the Litter Index is to assist Greensboro Beautiful and local government agencies in directing efforts to those areas of the city that require attention.

Greensboro Beautiful, Inc.
501 Yanceyville Street
Greensboro, NC 27405
Phone: (336) 373-2199
Fax: (336) 373-2943
www.greensborobeautiful.org

CITY OF HIGH POINT

Garbage, Yard Waste, Bulk Trash and Recyclables

The City of High Point provides once a week same-day collection for garbage, yard waste, bulk trash and recyclables.

211 South Hamilton Street
High Point, NC 27261
(336) 883-3111
www.high-point.net

Additional Services

Kersey Valley Landfill
3748 East Kivett Drive
High Point, NC 27262
(336) 883-3433
Hours: M – F, 7:30am – 4:30pm
Sa, 7:30am – 1pm

Household Hazardous Waste and E-Waste
ECOFLO, Inc.
2750 Patterson Street
Greensboro, NC 27407
(336) 373-2196
Hours: W – F, 10am – 6pm
Sa, 8am – 2pm

See page 11 for more information.

City of High Point
Material Recovery Facility (MRF)
5875 Riverdale Road
Jamestown, NC 27282
(336) 883-3621
Hours: M – Th, 7am – 5:30pm

Ingleside Compost Facility
3001 Ingleside Drive
High Point, NC 27265
(336) 883-8514
Hours: M – F, 9am – 4pm
Sa, 9am – 1pm

Special Services

Dead Animal Services	Dead animals weighing less than 100 lbs. will be picked up at the curb. **(336) 883-3111**
E-Waste	Electronic items can be taken to the Household Hazardous Waste Collection Center for disposal and/or recycling. **(336) 373-2196**
High Point Keep America Beautiful	Litter programs, Adopt-A-Street and Annual Cleanups. **(336) 883-3517**
Loose Leaf Pick-Up	The City of High Point provides two rounds of loose leaf pick-up beginning early November and ending mid January. **(336) 883-3455**
Medical Waste	Residents only. **(336) 883-3111**
Rent-A-Trailer	Residential use only. **(336) 883-3111**

GUILFORD COUNTY

With environmental concerns rising on everyone's list of priorities, it's good to know what environmentally friendly options residents have available to them for disposing of trash and unwanted possessions. Here are some pointers, along with a list of resources, that you may want to save for future reference. These services are available to all county residents.

Household Garbage and Trash

For disposal of regular household trash, residents have the option of hiring a private hauler to collect their trash and recycling or of taking it to a public facility themselves. When hiring a hauler, please keep in mind that the County requires private companies to obtain a County license to collect residential garbage and recycling. The licensing process helps to ensure that collection vehicles are maintained in good working order, so that they do not leak and cause contamination. In addition, companies operating under the County licensing program must adhere to these minimum service requirements and maximum collection fees: $16.00 per month for once per week garbage collection and twice per month recyclables collection at the curb/roadside.

In addition, licensed haulers may opt to provide "back-door" service for disabled or elderly customers who are unable to get their trash out to the curb, or twice per week garbage collection service for those with greater disposal needs, based on County licensing requirements and pricing guidelines for these specific services. Also, each company has its own rules for recycling, including the materials accepted and the guidelines for preparing those materials for collection. So contact your hauler directly for recycling information specific to your program.

For more information as well as a current listing of licensed garbage collectors, visit the Guilford County web site at www.co.guilford.nc.us or call Guilford County Environmental Services at **(336) 641-3792**.

There are two options for transporting garbage directly to a disposal facility in Guilford County. For hours of operation, load requirements and costs, please contact these facilities directly:

Solid Waste Transfer Station	**Kersey Valley Landfill**
6310 Burnt Poplar Road, Greensboro	3748 East Kivett Drive, High Point
(336) 373-3867	(336) 883-3435

Household Hazardous Waste and E-Waste

Household Hazardous Waste Center (HHW)
ECOFLO, Inc.
2750 Patterson Street
Greensboro, NC 27407
(336) 373-2196
Hours: W – F, 10am – 6pm, Sa, 8am – 2pm
See page 11 for more information.

Recycling

All licensed garbage collectors in Guilford County are required to provide recycling collection as part of their service. Each company has their own list of acceptable materials, but each collects aluminum and metal food and beverage cans, plastic bottles labeled with #1 PETE or #2 HDPE, and newspaper. Some services also collect cardboard, magazines, office paper and chipboard. Check with your collector about your specific program.

GUILFORD COUNTY

If you don't subscribe to a curbside collection service, there is one public recycling center in Guilford County. This material recovery facility (MRF) will accept many household recyclable materials and will even buy high quality recyclables. For more information, call the MRF directly.

City of High Point Material Recovery Facility
5875 Riverdale Road, Jamestown
(336) 883-3621

In the City of Greensboro, there are several unmanned recycling drop-off sites that are accessible 24 hours a day. Check the web site at **www.greensboro-nc.gov/Departments/fieldops** or call the Contact Center at **(336) 373-CITY (2489)** for locations and materials accepted.

Appliances/White Goods and Tires

Guilford County Scrap Tire and White Goods Collection Facility
2138 Bishop Road (located just south of the Wet 'n Wild Water Park, between Holden and Groometown Roads)
(336) 294-9431

Large household appliances, or "white goods," are prohibited from being disposed of in landfills and must be recycled. White goods include stoves, freezers, refrigerators, washers, dryers, dishwashers, water heaters and air conditioners. Many licensed garbage collectors provide curbside pick-up for a fee. However, you may bring your household appliances directly to the County facility for recycling. There is no charge, and we'll unload your vehicle for you. In addition, a drop-off site for appliances has been opened at the Northeast Fire Station, located at 7806 Jackson School Road, Brown Summit, NC. Call the fire station directly at (336) 656-7292.

Scrap tires are a large environmental problem in North Carolina. They are prohibited from disposal in landfills, and are very costly to recycle. The state has enacted a point-of-purchase disposal fee on tires, so when you purchase new tires be sure to take advantage of the fee and have your retailer dispose of your old tires for you. If you do have tires you need to get rid of, please be aware that there are restrictions. Call the facility at **(336) 294-9431** for more information.

Christmas Tree Recycling

Put your Christmas tree to good use after the holidays by taking advantage of the County's recycling program that turns live Christmas trees into much-needed mulch and compost for County parks. Simply remove all lights, decorations, stands and covers, then drop your tree(s) off at one of the three locations between December 26th and January 15th. Wreaths, garland and artificial trees are not accepted.

Guilford County Prison Farm 7315 Howerton Road, Gibsonville (336) 449-4720	Open 24 hours a day, 7 days a week from 12/26 – 1/15. Call for more information and directions.
Piedmont Triad Farmers' Market Off I-40 at Sandy Ridge Road (336) 605-9157	Open 6am – 6pm daily from 12/26 – 1/15. Call for directions.
Tabernacle United Methodist Woody Mill and Methodist Roads (behind the ball fields)	Open 24 hours a day, 7 days a week from 12/26 – 1/15. Call (336) 641-3792 for more information and directions to this southeast Guilford County location.

Yard Waste

Grass clippings, hedge trimmings, tree limbs and leaves are all considered yard waste. Most yard waste can be composted and reused in gardens and flower beds to provide nutrients and mulch for plants. For information about composting, please contact the Guilford County Cooperative Extension at **(336) 375-5876**. If composting isn't an option for you, many of the County's licensed haulers provide curbside collection service for yard waste for an additional fee. Contact your hauler directly for more information.

There are two composting facilities available to Guilford County residents. Both of these composting centers often have compost and mulch available for residents. Please contact the facilities directly for information about availability, pricing, materials accepted and hours of operation.

Greensboro: White Street Landfill 2503 White Street, Greensboro (336) 373-7657 or (336) 373-CITY	**High Point: Ingleside Compost Facility** 3001 Ingleside Drive, High Point (336) 883-8514

Land Clearing and Inert Debris (LCID)

LCID is limited to the following materials: concrete, brick, concrete block, uncontaminated soil, rock, gravel, untreated wood, limbs, leaves and stumps. LCID landfills do not accept materials that have been painted or coated with sealants or finishes. For LCID landfill facilities closest to you, check the County web site at **www.co.guilford.nc.us**, or contact the Environmental Inspector at **(336) 641-2082** for more information.

Construction Debris

Unwanted materials that result from the construction or demolition of buildings and other structures are termed construction and demolition (C&D) waste. While these materials can be disposed of in the same manner as municipal solid waste, or regular household trash, it is less expensive and more environmentally friendly to dispose of them at a C&D facility where they may be able to be recycled. There are currently three C&D facilities available to residents in Guilford County. Please contact each facility directly for hours of operation, costs and other pertinent information.

White Street Landfill 2503 White Street, Greensboro (336) 373-7657 or (336) 373-CITY	**WCA of High Point, LLC** 5830 Riverdale Road, Jamestown (336) 886-3560
Salvage America, Inc. 3001 Holts Chapel Road, Greensboro (336) 215-5228	

More Information

Guilford County is working to provide additional solid waste services and options for citizens. Check the County web site at **www.co.guilford.nc.us** for information about new programs as they become available. If you have questions or would like additional information, please contact Susan Heim, Environmental Services Coordinator, at **(336) 641-3792**, or by e-mail at **sheim@co.guilford.nc.us**. Comments, ideas and suggestions are always welcome.

SURROUNDING AREAS

See Guilford County pages for additional services available to all Guilford County residents.

	Trash	Yard Waste	Large Item	Recycling
Gibsonville 129 W. Main Street M – F, 8am – 5pm (336) 449-4144 www.gibsonville.net	Collected weekly curbside.		Collected every other week, alternating with recycling.	Collected every other week, alternating with large item pick up.
Jamestown 301 E. Main Street M – F, 8:30am – 5pm (336) 454-1138 www.jamestown-nc.us	Trash, yard waste and bulky items are collected weekly curbside.			Deposit in community bins. (rear parking lot of town hall)
Oak Ridge 8315 Linville Road M – F, 8:30am – 4:30pm (336) 644-7009 www.oakridgenc.com	Collected weekly curbside. Waste Industries (336) 668-3712	Not provided. See the Guilford County Services page for available options.	Contact Waste Industries directly at (336) 668-3712.	Collected weekly curbside. Waste Industries (336) 668-3712
Pleasant Garden 4920 Alliance Church Rd. M – F, 8am – 5pm (336) 674-3002 www.pleasantgarden.net	Residents may contract individually with any private company licensed by Guilford County. Visit the county web site at www.co.guilford.nc.us or call (336) 641-3792 for a list of licensed garbage collectors.			
Sedalia 6121 Burlington Road M – F, 8am – 12pm (336) 449-1132	Collected weekly curbside. Waste Industries (336) 229-0525	Not provided. See the Guilford County Services page for available options.	Contact Waste Industries directly at (336) 229-0525.	Collected weekly curbside. Waste Industries (336) 229-0525
Stokesdale 8416 US Hwy. 158 Tu – F, 8:30am – 2:30pm (336) 643-4011 www.stokesdale.org	Collected weekly curbside. Republic Waste Services (336) 299-0815	Available for an additional fee. Contact Republic Waste Services directly at (336) 299-0815.		Collected weekly curbside. Republic Waste Services (336) 299-0815
Summerfield 4117 Oak Ridge Road M – F, 8:30am – 4:30pm (336) 643-8655 www.townofsummerfield.com	Collected weekly curbside. Republic Waste Services (336) 299-0815	Available for an additional fee. Contact Republic Waste Services directly at (336) 299-0815.		Collected weekly curbside. Republic Waste Services (336) 299-0815
Whitsett 811 NC Highway 61 Tu – Th, 9:30am to 3pm (336) 449-3380 www.whitsettnc.com	Collected weekly curbside. Republic Waste Services (336) 299-0815	Available for an additional fee. Contact Republic Waste Services directly at (336) 299-0815.		No recycling collection.

HOUSEHOLD HAZARDOUS WASTE

Household Hazardous Waste Program (HHW)

The HHW Collection Program is open to all residents of Guilford County and provides safe and environmentally sound disposal of hazardous materials. There is no charge at the site for dropping off materials. Commercial use is prohibited.

The HHW Center is located at Ecoflo, Inc., 2750 Patterson Street and is open W – F, 10am – 6pm, Sa, 8am – 2pm. If you have questions, contact the HHW Hotline at **(336) 373-2196**. The following items can be brought to the HHW Center.

Garage & Workshop

- Acids/bases (i.e. acetone, parts cleaners, and turpentine)
- Auto fluids (i.e. antifreeze, brake, motor oil, starter, transmission)
- Car and other wet cell batteries
- Contact cement, driveway sealer, fiberglass epoxy
- Gasoline and other fuels
- Glue (solvent-based)
- Lighter fluid, paint, paint thinner, paint stripper
- Photographic chemicals
- Shellac, stain, varnishes, deck sealers, wood preservatives

Home & Garden

- All types of batteries
- Fluorescent bulbs
- Furniture polish, metal polish (solvent-based)
- Fungicide
- Mercury thermometers and thermostats
- Pesticides, insect spray, rat poison, weed killer
- Pool chemicals

Kitchen & Bath

- Cleaners (solvent based)
- Drain cleaners
- Floor care products
- Hair remover
- Nail polish and polish remover
- Oven cleaner

E-Waste (Electronic Waste)

- Unwanted computers
- Cell phones
- Televisions

Prohibited Items: Do not bring the following items to the HHW Center.

- Explosives/shock-sensitive materials
- Garbage
- Medical waste
- Radioactive materials
- Reactive/unstable materials
- Recyclables
- Commercial hazardous waste
- Unknown/unlabeled materials

HELPFUL INFORMATION

Recycling Facts

- Each person throws away an average of 50 pounds of trash every week.
- Making products from recycled materials saves energy and natural resources. Recycling in North Carolina is a growing part of our state's economy, employing more than 13,000 North Carolinians statewide, and recycling jobs have increased about 48 percent in the last 10 years.
- In Guilford County, volunteers pick up nearly 20,000 pounds (10 tons) of trash each year from our roadsides, streams, neighborhoods and public areas as part of volunteer cleanup efforts.
- Each month, North Carolinians throw out enough glass to fill up more than 13 miles worth of tractor-trailers lined up end-to-end. That's a half marathon of tractor-trailers each month!
- North Carolina fills enough trash dumpsters to reach from Greensboro to Greenville every 23 days.
- Glass bottles can be used hundreds of times over to make new bottles. North Carolina has three glass plants capable of consuming thousands of tons of "cullet" or recovered glass.
- North Carolina recycles 26 percent of its waste stream, composts 6 percent, sends 67 percent to landfills and incinerates 1 percent.
- The term "global warming" makes us think about the whole planet, but sea level rises and more frequent and stronger hurricanes should make climate change a big deal for all North Carolinians. You know that waste reduction saves energy and resources, but did you know that it could also slow the accumulation of greenhouse gases?
- North Carolinians recycle 68 pounds of materials a second, but throw away 679 pounds of trash a second. That's almost 10 times what we recycle.
- If one-third of North Carolina's households sent junk mail reduction cards to the Mail Preference Association, it would save North Carolina local governments almost $1.3 million in disposal fees per year. www.dmachoice.org/consumerassistance.html
- Making products from recovered materials instead of virgin materials saves energy. For aluminum cans, the energy saved is more than 90 percent, for newspaper 40 percent and for steel 60 percent.
- Nearly all the steel made in the United States and in the world is made from scrap.
- With the amount of trash North Carolinians throw away, we could fill enough dumpsters to line the length of NC's Interstate 40 more than six times in one year. That's 2,555 miles of dumpsters each year.
- Steel is one of the most recycled materials with a 64 percent national recycling rate. Many steel products are recycled at a high rate in North Carolina, though less than 20 percent of steel cans were recovered in 2001.
- Newspaper and corrugated cardboard are the highest recycled types of paper. In North Carolina, we recycle 57 percent of all newspaper and 50 percent of all cardboard.
- Only half of aluminum cans are recycled despite a statewide disposal ban on the material. Other items banned from disposal in North Carolina landfills include whole tires, appliances (white goods), yard waste, lead acid batteries, used oil and antifreeze.

NORTH CAROLINA

EXHIBIT 8

Department of The Secretary of State

CERTIFICATE OF EXISTENCE
(Limited Liability Company)

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify that

WCA OF HIGH POINT, LLC

is a limited liability company duly formed under the laws of the State of North Carolina, having been formed on the 15th day of May, 2001, with its period of duration being Perpetual.

I FURTHER certify that the said limited liability company's articles of organization are not suspended for failure to comply with the Revenue Act of the State of North Carolina; that the said limited liability company is not administratively dissolved for failure to comply with the provisions of the North Carolina Limited Liability Company Act; and that the said limited liability company has not filed articles of dissolution as of this date of this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 24th day of February, 2009.

Elaine F. Marshall

Secretary of State

NORTH CAROLINA
Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF ORGANIZATION

OF

WCA OF HIGH POINT, LLC

the original of which was filed in this office on the 15th day of May, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 24th day of February, 2009.

Elaine F. Marshall

Secretary of State

State of North Carolina
Department of the Secretary of State
LIMITED LIABILITY COMPANY

SOSID: 591270
Date Filed: 5/15/2001 4:04 PM
Elaine F. Marshall
North Carolina Secretary of State

ARTICLES OF ORGANIZATION

211369007

Pursuant to §57C-2-20 of the General statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is: MRR of High Point, LLC.

2. The name and address of each organizer executing these articles of organization is as follows:

   L. James Blackwood, II
   108 Commerce Place
   Greensboro, N.C. 27401

3. The street address and county of the initial registered office of the limited liability company is:

   108 Commerce Place
   Greensboro, N.C. 27401 Guilford County

4. The mailing address **if different from the street address** of the initial registered office is: SAME

5. The name of the initial registered agent is L. James Blackwood, II.

6. Check one of the following:

   __ (i) Member-managed LLC: all of the members by virtue of their status as members shall be managers of this limited liability company.

   XXX (ii) Manager-managed LLC: except as provided by N.C.G.S.§57C-3-20(a), the members of this limited liability company shall not be managers by virtue of their status as members.

7. Any other provisions which the limited liability company elects to include are attached. There are no other provisions which the limited liability company elects to include.

8. These articles will be effective upon filing, unless a date and/or time is specified: Effective upon filing.

This 14 day of May 2001.

L. James Blackwood

Signature

L. JAMES BLACKWOOD, II, Organizer

NOTES: Filing fee is $125. This document and one exact or conformed copy of these articles must be filed with the SECRETARY OF STATE CORPORATIONS DIVISION 300 N. SALISBURY STREET RALEIGH, NC 27603-5909

NORTH CAROLINA
Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF AMENDMENT

OF

WCA OF HIGH POINT, LLC

the original of which was filed in this office on the 7th day of April, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 24th day of February, 2009.

Elaine F. Marshall

Secretary of State

SOSID: 0591270
Date Filed: 4/7/2005 1:16:00 PM
Elaine F. Marshall
North Carolina Secretary of State
C200509600458

State of North Carolina
Department of the Secretary of State

Limited Liability Company
AMENDMENT OF ARTICLES OF ORGANIZATION

Pursuant to §57C-2-22 of the General Statutes of North Carolina, the undersigned limited liability company hereby submits the following Articles of Amendment for the purpose of amending its Articles of Organization.

1. The name of the limited liability company is: MRR OF HIGH POINT, LLC

2. The text of each amendment adopted is as follows (attach additional pages if necessary):

1. The name of the limited liability company is: WCA of High Point, LLC

3. The street address and county of the registered office of the limited liability company is 120 Penmarc Drive, Suite 118, Raleigh NC 27603, Wake County.

5. The name of the registered agent is Capitol Corporate Services, Inc.

3. (Check either a or b, whichever is applicable)

a.____ The amendment(s) was (were) duly adopted by the unanimous vote of the organizers of the limited liability company prior to the identification of initial members of the limited liability company.

b. ✓ The amendment(s) was (were) duly adopted by the unanimous vote of the members of the limited liability company or was (were) adopted as otherwise provided in the limited liability company's Articles of Organization or a written operating agreement.

4. These articles will be effective upon filing, unless a date and/or time is specified: _____

This the 4TH day of April, 20 05.

MRR OF HIGH POINT, LLC
Name of Limited Liability Company

Signature

J. EDWARD MENGER, V.P. of
Type or Print Name and Title
~~WCA Wake County Management General, Inc.~~
General Partner of WCA of Wake County, L.P.
its Sole Member

NOTES:
1. Filing fee is $50. This document must be filed with the Secretary of State.

(Revised January 2000) *(Form L-17)*
CORPORATIONS DIVISION P. O. BOX 29622 RALEIGH, NC 27626-0622

SOSID: 0591270
Date Filed: 7/25/2007 11:15:00 AM
Elaine F. Marshall
North Carolina Secretary of State
C200720000324

STATE OF NORTH CAROLINA
DEPARTMENT OF THE SECRETARY OF STATE

STATEMENT OF CHANGE OF REGISTERED OFFICE AND/OR REGISTERED AGENT

Pursuant to §55D-31 of the General Statutes of North Carolina, the undersigned entity submits the following for the purpose of changing its registered office and/or registered agent in the State of North Carolina.

INFORMATION CURRENTLY ON FILE

The name of the entity is: WCA of High Point, LLC

Entity Type: ☐Corporation, ☐Foreign Corporation, ☐Nonprofit Corporation, ☐Foreign Nonprofit Corporation, ☒Limited Liability Company, ☐Foreign Limited Liability Company ☐Limited Partnership, ☐Foreign Limited Partnership, ☐Limited Liability Partnership, ☐Foreign Limited Liability Partnership

The street address and county of the entity's registered office currently on file is:

Number and Street: 120 Penmare Drive, Suite 118

City, State, Zip Code: Raleigh, NC 27603 County: Wake

The mailing address ***if different from the street address*** of the registered office currently on file is:

The name of the current registered agent is: Hector Jr., F. Norbert

NEW INFORMATION

1. The street address and county of the new registered office of the entity is:
(complete this item only if the address of the registered office is being changed)

   Number and Street: 120 Penmarc Drive, Suite 118

   City, State, Zip Code: Raleigh NC 27603 County: Wake County

2. The mailing address ***if different from the street address*** of the new registered office is:
(complete this item only if the address of the registered office is being changed)

3. The name of the new registered agent and the new agent's consent to appointment appears below:
(complete this item only if the name of the registered agent is being changed)

   Capitol Corporate Services, Inc.
   Type or Print Name of New Agent

   Delanie Case, Delanie Case, Assistant Secretary on behalf of Capitol Corporate Services, Inc.
   ** Signature & Title*

4. The address of the entity's registered office and the address of the business office of its registered agent, as changed, will be identical.

5. This statement will be effective upon filing, unless a date and/or time is specified:

This is the 13th day of JULY, 2007.

WCA of High Point, LLC
Entity Name

Signature

J. EDWARD MENGER, VICE SEC'Y
Type or Print Name and Title

Notes: Filing fee is $5.00. This document must be filed with the Secretary of State.
* Instead of signing here, the new registered agent may sign a separate written consent to the appointment, which must be attached to this statement.

CORPORATIONS DIVISION
Revised January 2002

P. O. BOX 29622

RALEIGH, NC 27626-0622
Form BE-06

LIMITED LIABILITY COMPANY ANNUAL REPORT

E-Filed Annual Report
-1-0-5337467
For year 2007
Do not data enter manually.

NAME OF LIMITED LIABILITY COMPANY: *WCA of High Point, LLC*

STATE OF INCORPORATION: *NC*

SECRETARY OF STATE L.L.C. ID NUMBER: *0591270*

NATURE OF BUSINESS: *Reclamation and Landfill*

REGISTERED AGENT: *Capitol Corporate Services, Inc*

REGISTERED OFFICE MAILING ADDRESS: *120 Penmarc Drive, Suite 118*
Raleigh, NC 27603

REGISTERED OFFICE STREET ADDRESS: *120 Penmarc Drive, Suite 118*
Raleigh, NC 27603 Wake County

PRINCIPAL OFFICE TELEPHONE NUMBER: *713-292-2422*

PRINCIPAL OFFICE MAILING ADDRESS: *One Riverway, Suite 1400*
Houston, TX 77056

PRINCIPAL OFFICE STREET ADDRESS: *One Riverway, Suite 1400*
Houston, TX 77056

MANAGERS/MEMBERS/ORGANIZERS:

Name: WCA Waste Systems, Inc.
Title: Member
Address:
One Riverway, Suite 1400
Houston, TX 77056

Name: Tom J. Fatjo, III
Title: Manager
Address:
One Riverway, Suite 1400
Houston, TX 77056

Name: Jerome M. Kruszka
Title: Manager
Address:
One Riverway, Suite 1400
Houston, TX 77056

Name: Tom J. Fatjo, Jr.
Title: Manager
Address:
One Riverway, Suite 1400
Houston, TX 77056

CERTIFICATION OF ANNUAL REPORT MUST BE COMPLETED BY ALL LIMITED LIABILITY COMPANIES

WCA Waste Systems, Inc.

FORM MUST BE SIGNED BY A MANAGER/MEMBER

02/24/2009

DATE

WCA Waste Systems, Inc.

TYPE OR PRINT NAME

Member

TYPE OR PRINT TITLE

ANNUAL REPORT FEE: $200 MAIL TO: Secretary of State • Corporations Division • Post Office Box 29525 • Raleigh, NC 27626-0525

LIMITED LIABILITY COMPANY ANNUAL REPORT

E-Filed Annual Report
-1-0-5337467
For year 2008
Do not data enter manually.

NAME OF LIMITED LIABILITY COMPANY: *WCA of High Point, LLC*

STATE OF INCORPORATION: *NC*

SECRETARY OF STATE L.L.C. ID NUMBER: *0591270*

NATURE OF BUSINESS: *Reclamation and Landfill*

REGISTERED AGENT: *Capitol Corporate Services, Inc*

REGISTERED OFFICE MAILING ADDRESS: *120 Penmarc Drive, Suite 118*
Raleigh, NC 27603

REGISTERED OFFICE STREET ADDRESS: *120 Penmarc Drive, Suite 118*
Raleigh, NC 27603 Wake County

PRINCIPAL OFFICE TELEPHONE NUMBER: *713-292-2422*

PRINCIPAL OFFICE MAILING ADDRESS: *One Riverway, Suite 1400*
Houston, TX 77056

PRINCIPAL OFFICE STREET ADDRESS: *One Riverway, Suite 1400*
Houston, TX 77056

MANAGERS/MEMBERS/ORGANIZERS:

Name: WCA Waste Systems, Inc.
Title: Member
Address:
One Riverway, Suite 1400
Houston, TX 77056

Name: Tom J. Fatjo, III
Title: Manager
Address:
One Riverway, Suite 1400
Houston, TX 77056

Name: Jerome M. Kruszka
Title: Manager
Address:
One Riverway, Suite 1400
Houston, TX 77056

Name: Tom J. Fatjo, Jr.
Title: Manager
Address:
One Riverway, Suite 1400
Houston, TX 77056

CERTIFICATION OF ANNUAL REPORT MUST BE COMPLETED BY ALL LIMITED LIABILITY COMPANIES

WCA Waste Systems, Inc.

FORM MUST BE SIGNED BY A MANAGER/MEMBER

02/24/2009

DATE

WCA Waste Systems, Inc.

TYPE OR PRINT NAME

Member

TYPE OR PRINT TITLE

ANNUAL REPORT FEE: $200 MAIL TO: Secretary of State • Corporations Division • Post Office Box 29525 • Raleigh, NC 27626-0525

LIMITED LIABILITY COMPANY ANNUAL REPORT

E-Filed Annual Report
-1-0-5337467
For year 2009
Do not data enter manually.

NAME OF LIMITED LIABILITY COMPANY: *WCA of High Point, LLC*

STATE OF INCORPORATION: *NC*

SECRETARY OF STATE L.L.C. ID NUMBER: *0591270*

NATURE OF BUSINESS: *Reclamation and Landfill*

REGISTERED AGENT: *Capitol Corporate Services, Inc*

REGISTERED OFFICE MAILING ADDRESS: *120 Penmarc Drive, Suite 118*
Raleigh, NC 27603

REGISTERED OFFICE STREET ADDRESS: *120 Penmarc Drive, Suite 118*
Raleigh, NC 27603 Wake County

PRINCIPAL OFFICE TELEPHONE NUMBER: *713-292-2422*

PRINCIPAL OFFICE MAILING ADDRESS: *One Riverway, Suite 1400*
Houston, TX 77056

PRINCIPAL OFFICE STREET ADDRESS: *One Riverway, Suite 1400*
Houston, TX 77056

MANAGERS/MEMBERS/ORGANIZERS:

Name: WCA Waste Systems, Inc.
Title: Member
Address:
One Riverway, Suite 1400
Houston, TX 77056

Name: Tom J. Fatjo, III
Title: Manager
Address:
One Riverway, Suite 1400
Houston, TX 77056

Name: Jerome M. Kruszka
Title: Manager
Address:
One Riverway, Suite 1400
Houston, TX 77056

Name: Tom J. Fatjo, Jr.
Title: Manager
Address:
One Riverway, Suite 1400
Houston, TX 77056

CERTIFICATION OF ANNUAL REPORT MUST BE COMPLETED BY ALL LIMITED LIABILITY COMPANIES

WCA Waste Systems, Inc. — 02/24/2009

FORM MUST BE SIGNED BY A MANAGER/MEMBER — DATE

WCA Waste Systems, Inc. — Member

TYPE OR PRINT NAME — TYPE OR PRINT TITLE

ANNUAL REPORT FEE: $200 MAIL TO: Secretary of State • Corporations Division • Post Office Box 29525 • Raleigh, NC 27626-0525

Elaine F. Marshall
Secretary

North Carolina
DEPARTMENT OF THE
SECRETARY OF STATE
PO Box 29622 Raleigh, NC 27626-0622 (919-807-2000)

Date: 11/29/2010

Click here to:
View Document Filings | Sign Up for E-Notifications |
Print apre-populated Annual Report Form | Annual Report Count | File an Annual Report |

Corporation Names

Name	Name Type
NC WCA OF HIGH POINT, LLC	LEGAL
NC MRR OF HIGH POINT, LLC	PREV LEGAL

Limited Liability Company Information

SOSID:	0591270
Status:	Current-Active
Effective Date:	5/15/2001
Dissolution Date:	
Annual Report Due Date:	
Citizenship:	DOMESTIC
State of Inc.:	NC
Duration:	PERPETUAL

Registered Agent

Agent Name:	CORPORATION SERVICE COMPANY
Office Address:	327 HILLSBOROUGH STREET RALEIGH NC 27603
Mailing Address:	327 HILLSBOROUGH STREET RALEIGH NC 27603

Principal Office

Office Address:	ONE RIVERWAY, SUITE 1400 HOUSTON TX 77056
Mailing Address:	ONE RIVERWAY, SUITE 1400 HOUSTON TX 77056

Officers

Title:	**MANAGER**
Name:	TOM FATJO, III
Business Address:	ONE RIVERWAY, SUITE 1400 HOUSTON TX 77056
Title:	**MANAGER**
Name:	JEROME KRUSZKA
Business Address:	ONE RIVERWAY, SUITE 1400 HOUSTON TX 77056
Title:	**MANAGER**

Name:	TOM FATJO, JR.
Business Address:	ONE RIVERWAY, SUITE 1400 HOUSTON TX 77056
Title:	**MEMBER**
Name:	
Business Address:	ONE RIVERWAY, SUITE 1400 HOUSTON TX 77056

This website is provided to the public as a part of the Secretary of State Knowledge Base (SOSKB) system. Version: 2489

EXHIBIT 9

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 10-K/A
(AMENDMENT NO. 1)

☑ ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended December 31, 2009

OR

☐ TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the transition period from _____ to _____

Commission File Number 000-50808

WCA Waste Corporation
(Exact name of registrant as specified in its charter)

Delaware	20-0829917
(State or other jurisdiction of incorporation or organization)	(I.R.S. Employer Identification Number)

One Riverway, Suite 1400

Houston, Texas	77056
(Address of principal executive offices)	(Zip Code)

Registrant's telephone number, including area code: (713) 292-2400

Securities registered pursuant to Section 12(b) of the Act:

Title of Each Class	Name of Each Exchange On Which Registered
Common Stock	The NASDAQ Global Market

Securities registered pursuant to Section 12(g) of the Act: None

Common Stock, par value $0.01 per share

Indicate by check mark whether the registrant is a well-known seasoned issuer (as defined in Rule 405 of the Securities Act). Yes ☐ No ☑

Indicate by check mark if the registrant is not required to file reports pursuant to Section 13 or Section 15(d) of the Act. Yes ☐ No ☑

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes ☑ No ☐

Indicate by check mark whether the registrant has submitted electronically and posted on its corporate Web site, if any, every Interactive Data File required to be submitted and posted pursuant to Rule 405 of Regulation S-T during the preceding 12 months (or for such shorter period that the registrant was required to submit and post such files). Yes ☐ No ☐

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. ☑

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer, or a smaller reporting company. See the definitions of "large accelerated filer," "accelerated filer" and "smaller reporting company" in Rule 12b-2 of the Exchange Act. (Check One):

Large accelerated filer £ Accelerated filer £ Non-accelerated filer £ Smaller reporting company þ

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Act). Yes ☐ No ☑

The aggregate market value of the voting and non-voting common equity held by non-affiliates of the registrant as of June 30, 2009 based on the closing sales price as reported on The Nasdaq Global Market on such date was approximately $32.7 million.

Number of shares of common stock outstanding as of March 2, 2010: 20,203,836 (excluding 1,073,957 shares of treasury stock).

DOCUMENTS INCORPORATED BY REFERENCE

None

TABLE OF CONTENTS

	Page
PART III	
Item 10. Directors and Executive Officers of the Registrant	1
Item 11. Executive Compensation	7
Item 12. Security Ownership of Certain Beneficial Owners and Management and Related Stockholder Matters	20
Item 13. Certain Relationships and Related Transactions, and Director Independence	24
Item 14. Principal Accounting Fees and Services	26
PART IV	
Item 15. Exhibits and Financial Statement Schedules	27
Signatures	28
Rule 13a-14(a)/15d-14(a) Certification of CEO	
Rule 13a-14(a)/15d-14(a) Certification of CFO	

Table of Contents

EXPLANATORY NOTE

On March 9, 2010, the Registrant filed its Annual Report on Form 10-K for the year ended December 31, 2009 with the Securities and Exchange Commission and indicated that it would be incorporating portions of its Proxy Statement for the 2010 Annual Meeting of Stockholders. This Amendment No. 1 on Form 10-K/A amends such Annual Report on Form 10-K solely to amend Part III, Item 10 through Item 14. The reference on the cover of the Annual Report on Form 10-K to the incorporation by reference of Registrant's Definitive Proxy Statement into Part III of the Annual Report is hereby amended to delete that reference. Except as discussed above, no other revisions are being made to such Annual Report on Form 10-K and this amendment does not reflect events occurring after the filing of such Annual Report on Form 10-K.

PART III

ITEM 10. DIRECTORS AND EXECUTIVE OFFICERS OF THE REGISTRANT

Identification of Directors

Name	Age	Director Since
Tom J. Fatjo, Jr. (1)	69	2000
Jerome M. Kruszka	61	2000
Richard E. Bean	66	2004
Roger A. Ramsey	71	2004
Preston R. Moore, Jr.	77	2006
Honorable John V. Singleton	92	2006
Daniel J. Clark	55	2010

(1) Mr. Fatjo, Jr. is the father of Tom J. Fatjo, III, our senior vice president — finance and secretary.

Tom J. Fatjo, Jr. Mr. Fatjo, Jr. has served as Chairman of the Board of Directors and Chief Executive Officer since our formation in September 2000. Since August 1998, Mr. Fatjo, Jr. has also served as the Chairman of the Board and Chief Executive Officer of our former parent, Waste Corporation of America, LLC ("WCA LLC"). From 1992 to August 1998, Mr. Fatjo, Jr. served as the chairman and chief executive officer, and from 1994 to 1996 as the president, of TransAmerican Waste Industries, Inc., or TransAmerican, a publicly-held waste management company that merged into USA Waste Services, Inc. in 1998. In 1990 and 1991, Mr. Fatjo, Jr. was the co-founder and the chairman of the board of directors and chief executive officer of Republic Waste Industries, Inc., or Republic Waste, another publicly-held waste management company. Mr. Fatjo, Jr. also founded Browning-Ferris Industries, Inc., or BFI, formerly one of the nation's largest solid waste management companies and now a part of Republic Services, Inc., another publicly-held waste management company. From 1966 to 1976, Mr. Fatjo, Jr. served as the co-chief executive officer responsible for BFI's mergers and acquisitions and corporate development activities. Mr. Fatjo, Jr. remained on BFI's board until 1980. Mr. Fatjo, Jr. received a Bachelor of Arts degree from Rice University. Mr. Fatjo, Jr. has over 44 years of experience in the solid waste management industry, and this experience, along with his service as our Chief Executive Officer, qualifies him to serve as Chairman of our Board of Directors. Mr. Fatjo, Jr. is the father of Tom J. Fatjo, III, our senior vice president — finance and secretary.

Jerome M. Kruszka. Mr. Kruszka has served as one of our directors and our President and Chief Operating Officer since our formation in September 2000. Since August 1998, Mr. Kruszka has also served as a director and as the President and Chief Operating Officer of our former parent, WCA LLC. From 1996 to August 1998, Mr. Kruszka served as the president and chief operating officer, and from 1997 to 1998 as a director, of TransAmerican. In 1971, Mr. Kruszka began his career with Waste Management, Inc., the largest publicly-held waste management company in the United States. From 1971 to 1996, Mr. Kruszka held several positions with Waste Management, Inc. and its affiliates, including general manager,

Table of Contents

district manager and regional manager for northern California, where over 20 divisions involved in collection, transfer, recycling and landfill operations reported to him, and including vice president of operations, western region manager and member of the executive committee of Chemical Waste Management, Inc. (an affiliate of Waste Management). Mr. Kruszka has over 39 years of experience in the solid waste management industry, and this experience, along with his service as our President and Chief Operating Officer, qualifies him to serve as a member of our Board of Directors.

Richard E. Bean. Mr. Bean has served as one of our directors and as a member of our Audit Committee and Compensation Committee since June 2004. Mr. Bean is also a member of our Acquisition Committee. Mr. Bean is the Chair of our Audit Committee. Since 1976, Mr. Bean has served as the Executive Vice President and as a director of Pearce Industries, Inc., a privately held company that markets a variety of oilfield equipment and construction machinery. Mr. Bean served as Chief Financial Officer of Pearce Industries from 1976 to 2004. Mr. Bean is currently the chairman of the board and audit committee of First City Financial Corp., and a director and the chairman of the audit committee of Sanders Morris Harris Group Inc., both of which are publicly-held companies. Mr. Bean served as a member of the portfolio administration committee of First City Bancorporation Liquidating Trust from July 1995 until February 2004 when the trust was terminated and distributed its remaining assets. Mr. Bean also served as a director of our former parent, WCA LLC, from its inception in August 1998 through September 2000, and as a director of and chairman of the audit committee of TransAmerican from February 1997 to May 1998. Mr. Bean is also a stockholder and director of several closely held corporations. Mr. Bean is involved in numerous civic organizations such as the Houston Livestock Show and Rodeo where he serves as a director and member of the audit committee. Mr. Bean received an M.B.A. in Accounting and a Bachelor of Business Administration in Finance with honors from the University of Texas at Austin and has been a Certified Public Accountant since 1968. Mr. Bean's independence and experience as an accountant qualifies him to serve as a member of our Board of Directors.

Roger A. Ramsey. Mr. Ramsey has served as one of our directors and as a member of our Audit Committee and Compensation Committee since June 2004. Mr. Ramsey is also a member of our Acquisition Committee. Mr. Ramsey is the Chair of our Compensation Committee. From December 1999 until its sale in August 2007, Mr. Ramsey served as Chairman of the Board of VeriCenter, Inc., a privately-owned managed hosting services provider. Since October 2004, Mr. Ramsey has served as Chairman and Chief Executive Officer of Medserve, Inc., a privately-owned medical waste company. From July 1997 to December 1998, Mr. Ramsey served as the Chairman of the Board (non-executive) of Allied Waste Industries, Inc. and as a director from January 1999 to December 2002. From 1989 to June 1997, Mr. Ramsey served as the founder, Chairman and Chief Executive Officer of Allied Waste Industries, Inc. Mr. Ramsey is also the former Vice President and Chief Financial Officer, and a co-founder, of BFI. Mr. Ramsey received a B.S. in Commerce (cum laude) from Texas Christian University and has been a Certified Public Accountant since 1962. Mr. Ramsey is a director and member of the audit and compensation committees of Carrizo Oil & Gas, Inc., a publicly-held company. Mr. Ramsey's independence and experience as an accountant qualifies him to serve as a member of our Board of Directors.

Preston R. Moore, Jr. Mr. Moore has served as one of our directors since November 2006. Mr. Moore is a 1954 graduate of the University of Texas at Austin. Mr. Moore has served as Chairman and Chief Executive Officer of Wilson Business Products, Systems & Services, Inc., and later as President of Wilson Industries. He also served as President of Volcano Therapeutics, Inc. a publicly-held company, a position from which he retired in 2001. Mr. Moore was

appointed by President George H.W. Bush to serve as the Chief Financial Officer and Assistant Secretary for Administration for the United States Department of Commerce from 1990 through 1992. From 1995 through 1998, Mr. Moore served as a Director of TransAmerican. Mr. Moore currently serves on the Advisory Council of the University of Texas McCombs School of Business, and on the James A. Baker School of Public Policy Leadership Committee at Rice University. Mr. Moore's independence and experience as an executive officer of a publicly-held company qualifies him to serve as a member of our Board of Directors.

Honorable John V. Singleton. Judge Singleton has served as one of our directors since November 2006. Judge Singleton is a graduate of the University of Texas at Austin and obtained his license to practice law in the State of Texas in 1942. Judge Singleton served as a Lieutenant and Gunnery Officer on the USS Dempsey and the USS Greenwood in the United States Navy from 1942 until 1946. Mr. Singleton practiced law in Houston, Texas until 1966, when President Lyndon Johnson appointed him to serve as a District Judge for the United States District Court for the Southern District of Texas.

Table of Contents

In 1979, Judge Singleton was appointed Chief Judge of the Southern District, and took senior status in 1988. Judge Singleton also served as a District Judge Representative to the Judicial Conference of the United States from 1980 through 1983. Judge Singleton retired from the bench in 1992. He continues to practice law in association with Richard Haynes & Associates. From 1995 through 1998, Judge Singleton served as a Director of TransAmerican. Judge Singleton's independence, experience in legal matters and as a former director of a publicly-held company qualifies him to serve as a member of our Board of Directors.

Daniel J. Clark. On January 15, 2010, Mr. Clark was appointed to fill a vacancy on our Board of Directors. Since 2000, Mr. Clark has served as a principal of United Nations Insurance Agency, a privately held company that engages in underwriting surety bonds in the waste industry. Mr. Clark has been responsible for the strategic planning and implementation for national surety programs, the fiscal management of a waste industry surety bond portfolio and the development and supervision of national marketing campaigns. From 1997 to 2000, Mr. Clark served as Senior Vice President of Corporate Relations for Century Business Services, Inc. From 1983 to 1993, Mr. Clark served as Chief of Staff for United States Congressman Edward F. Feighan. Mr. Clark received a B.A. in Political Science from Kalamazoo College and a J.D. from the Cleveland State University Marshall College of Law. Mr. Clark's experience in the waste industry qualifies him to serve as a member of our Board of Directors.

Directors Designated by Ares Corporate Opportunities Fund II, L.P.

Ares Corporate Opportunities Fund II, L.P. ("ACOF II"), as the sole owner of our Preferred Stock, is entitled to elect members to the Board of Directors voting as a separate class as follows: (i) two directors to the Board of Directors for so long as ACOF II continues to hold Preferred Stock representing at least 20% of "post-conversion equity" (outstanding Common Stock assuming conversions into common shares of all securities, including the Preferred Stock and assuming the PIK Dividends accelerated to include a full five years); (ii) one director for so long as it continues to hold at least 10% of post-conversion equity; and (iii) no directors if its post-conversion equity is below 10%. Accordingly, ACOF II has designated the two members to the Board of Directors as set forth below. Such members, when officially elected by ACOF II, serve a one-year term or until their successors are duly elected and qualified or until their earlier death, resignation or removal. Although the Preferred Stock votes together with the Common Stock on all other matters on an as-converted basis, the Preferred Stock does not vote with respect to directors elected by holders of Common Stock. In connection with its right to elect directors, ACOF II also agreed to certain limits on the qualifications of such directors, and it receives rights to directors and officers insurance and indemnification and observation rights on committees of the Board of Directors.

The names and certain additional information with respect to each of the ACOF II-designated members are set forth below. Although ACOF II has already designated the following persons as their nominees to the Board of Directors, ACOF II has informed us that these persons will be officially elected and become members of the Board of Directors immediately following the Annual Meeting. The members of the Board of Directors designated by ACOF II have consented to being named in this proxy statement. There are no family relationships among any of our executive officers and the directors designated by ACOF II.

Name	Age	Director Since
Jeffrey S. Serota	44	2006
Jeffrey B. Schwartz	35	2008

Jeffrey S. Serota. Mr. Serota has served as one of our directors since September 2006. Mr. Serota is a member of our Acquisition Committee. Mr. Serota is a senior partner in the Private Equity Group of Ares Management. Prior to joining Ares Management in 1997, Mr. Serota was a vice president in the Investment Banking Department of Bear, Stearns & Co. where he specialized in providing investment banking services to financial sponsor clients of the firm. Prior to joining Bear Stearns, Mr. Serota was with Dabney/Resnick, Inc., a boutique investment bank. At Dabney/Resnick, Mr. Serota specialized in merchant banking and capital raising activities for middle market companies and had primary responsibility for the firm's bridge financing activities. Mr. Serota also worked at Salomon Brothers Inc. focusing on mergers and acquisitions and merchant banking transactions. Mr. Serota also serves on the boards of directors of EXCO Resources, Inc., Douglas Dynamics, Inc. and SandRidge Energy, Inc. and previously served as a director of EXCO Resources, Inc. from July 2003 to October

2005, as well as the boards of

directors of several private companies. Mr. Serota's qualifications to serve on our Board of Directors include his leadership experience as a partner at Ares Management, his investment banking and financial expertise and his years of experience providing advisory services to other middle-market companies in the industrial sector. Mr. Serota graduated magna cum laude with a B.S. in Economics from the University of Pennsylvania's Wharton School of Business and received an M.B.A. from UCLA's Anderson School of Management.

Jeffrey B. Schwartz. Mr. Schwartz's has served as one of our directors since June 2008. Mr. Schwartz is a Principal in the Private Equity Group of Ares Management. Prior to joining Ares Management in 2004, Mr. Schwartz was a Vice President in the Financial Sponsors Group at Lehman Brothers where specialized in providing acquisition advice to financial sponsors on potential leveraged buyouts. Prior to Lehman Brothers, Mr. Schwartz was with the Wasserstein Perella Group where he specialized in mergers and acquisitions and leveraged finance. Mr. Schwartz also currently serves on the boards of directors of Stream Global Services, Inc., Nortek, Inc., GNC Acquisition Holdings Inc., and previously was a member of the board of directors of Samsonite Corporation from September 2005 until May 2007. Mr. Schwartz's experience with acquisitions and leveraged buyouts and his experience serving on other boards of public companies allows him to bring valuable insight to our Board of Directors. Mr. Schwartz graduated from the University of Pennsylvania's Wharton School of Business with a B.S. in Economics.

Identification of Executive Officers

EXECUTIVE OFFICERS

The following persons served as our executive officers, at the discretion of the Board of Directors, during 2009. Except as set forth below, there are no family relationships among any of our executive officers or nominees for director. The biographies for Mr. Tom J. Fatjo, Jr., our chairman of the board and chief executive officer, and Mr. Jerome M. Kruszka, our president and chief operating officer, are listed above under the heading "Identification of Directors."

Name	Age	Position Held
Tom J. Fatjo, Jr.	69	Chairman of the Board and Chief Executive Officer

Jerome M. Kruszka	61	President and Chief Operating Officer
Charles A. Casalinova	51	Senior Vice President and Chief Financial Officer
Tom J. Fatjo, III	45	Senior Vice President — Finance and Secretary

---

(1) Mr. Fatjo, Jr. is the father of Tom J. Fatjo, III, our senior vice president — finance and secretary.

The biographical information of Tom J. Fatjo, Jr. and Jerome M. Kruszka are included under the heading "Identification of Directors" above.

Charles A. Casalinova. Mr. Casalinova has served as our senior vice president and chief financial officer since our formation in September 2000. Since July 1999, Mr. Casalinova has also served as the senior vice president and chief financial officer of WCA LLC. From 1981 to July 1999, Mr. Casalinova held several positions at Waste Management, Inc., including division controller, regional chief information officer, acquisition controller, regional vice president/controller for Louisiana, Mississippi, Arkansas, Oklahoma and north Texas, and regional vice president/controller for Illinois and Indiana. Mr. Casalinova received a Bachelor of Business Administration degree in Accounting from the University of Akron and became a Certified Public Accountant in 1989. Mr. Casalinova has over 29 years of experience in the solid waste management industry.

Tom J. Fatjo, III. Mr. Fatjo, III has served as our senior vice president — finance and secretary since February 2004. Prior to that, Mr. Fatjo, III served as our senior vice president and treasurer since our formation in September 2000. Since September 2000, Mr. Fatjo, III has also served as the senior vice president and treasurer of WCA LLC. From August 1998 to September 2000, Mr. Fatjo, III served as vice president, treasurer and director of Waste Corporation of America, Inc. From 1992 to August 1998, Mr. Fatjo, III served as vice president-treasurer of TransAmerican. Mr. Fatjo, III began his career in the solid

waste industry with Republic Waste, where he was in charge of investor relations from 1990 through 1991. Mr. Fatjo, III received a Bachelor of Business Administration degree in Finance from the University of Texas at Austin. Mr. Fatjo, III has over 20 years of experience in the solid waste management industry. Mr. Fatjo, III is the son of Tom J. Fatjo, Jr. our Chairman of the Board and Chief Executive Officer.

Risk Management

Our Board of Directors oversees our management, which is responsible for the day-to-day management of the inherent risks of our business. Such oversight is facilitated in large part by the Audit Committee, which receives reports from management, the internal audit team and our independent registered public accounting firm. In addition, members of management (including the Chief Executive Officer, Chief Financial Officer, Chief Accounting Officer and General Counsel) also report directly to the Board of Directors on significant risk management issues.

Identification of Audit Committee and Financial Expert

Audit Committee

The Audit Committee is comprised of Messrs. Bean, Ramsey and Moore. Mr. Bean serves as chairman of the Audit Committee.

Our Board of Directors has determined that Mr. Bean qualifies as an "audit committee financial expert" as that term is defined by Item 407 of Regulation S-K and a "financially sophisticated audit committee member" as that term is defined under Rule 5605(c)(2)(A) of the Marketplace Rules of the NASDAQ Stock Market, Inc. The Board of Directors has determined that each member of the Audit Committee is "independent," as that term is defined in the applicable Marketplace Rules of the NASDAQ Stock Market, Inc. and Rule 10A-3 under the Securities Exchange Act of 1934. The SEC has indicated that the designation of a person as an "audit committee financial expert" does not (i) mean that such person is an expert for any purpose, including without limitation for purposes of Section 11 of the Securities Act of 1933, as amended (the "Securities Act"), (ii) impose on such person any duties, obligations or liability that are greater than the duties, obligations and liability imposed on such person as a member of the audit committee and the board of directors in the absence of such designation, or (iii) affect the duties, obligations or liability of any other member of the audit committee or the board of directors. The other members of our audit committee satisfy the financial literacy and other requirements for audit committee members under the NASDAQ Marketplace Rules.

The Audit Committee adopted an audit committee charter in May 2004. Pursuant to the charter, the Audit Committee assists the Board in overseeing: (i) our accounting and financial reporting processes; (ii) the audits of our financial statements; (iii) our compliance with legal and regulatory requirements; (iv) our internal controls and risk management procedures; (v) the qualifications and independence of our independent auditors; and (vi) the performance of our internal audit function and our independent auditors. The Audit Committee Charter further provides that the Audit Committee, among other things:

- ~~C~~has sole authority to appoint, compensate, retain, evaluate and terminate our independent auditors;

- ~~€€~~has sole authority to review and approve in advance all audit and permissible non-audit engagement fees, scope and terms with our independent auditors;

- ~~€€~~will review with members of management and discuss with our independent auditors the annual audited financial statements to be included in our annual reports on Form 10-K (including our disclosures under MD&A) prior to the filing of each annual report on Form 10-K;

- ~~€€~~will review with members of management and discuss with our independent auditors the quarterly financial statements to be included in our quarterly reports on Form 10-Q prior to the filing of each quarterly report on Form 10-Q;

Table of Contents

- ~~€€~~review and approve all related party transactions between us and any executive officer or director for potential conflict of interest situations;

- ~~€€~~will monitor the compliance of our officers, directors and employees with our code of business conduct and ethics;

- ~~€€~~will discuss periodically with members of management and our independent auditors the adequacy and effectiveness of our disclosure controls and procedures, including applicable internal controls and procedures for financial reporting and changes in internal controls designed to address any significant deficiencies in the design or operation of internal controls or material weaknesses therein and any fraud involving management or other employees that are reported to the committee;

- ~~€€~~will establish and maintain procedures for (i) the receipt, retention and treatment of complaints received by us regarding accounting, internal accounting controls and auditing matters and (ii) the confidential, anonymous submission by our employees of concerns regarding questionable accounting or auditing matters; and

- ~~€€~~will prepare the Audit Committee Report included elsewhere in this statement.

The Audit Committee Charter is available on the "Investor Relations-Corporate Governance" section of our website at www.wcawaste.com.

Section 16(a) of the Securities Exchange Act Beneficial Ownership Reporting Compliance

Section 16(a) of the Securities Exchange Act of 1934 requires our executive officers, directors and persons who own more than ten percent of a registered class of our equity securities, to file with the SEC initial reports of ownership and reports of changes in ownership of our common stock and other equity securities. Executive officers, directors and greater than ten percent stockholders are required by SEC regulations to furnish us with copies of all Section 16(a) forms they file.

To our knowledge, based solely on a review of the copies of such reports furnished to us and written representations that no other reports were required, during the fiscal year ended December 31, 2009, all Section 16(a) filing requirements applicable to our executive officers, directors and greater than ten percent beneficial owners were complied with.

COMMUNICATIONS WITH THE BOARD OF DIRECTORS

Stockholders may communicate with the Board of Directors or with individual directors by sending a letter to our secretary or general counsel at the following address: WCA Waste Corporation, One Riverway, Suite 1400, Houston, Texas 77056.

Communications to one or more directors will be collected and organized by our secretary or general counsel, who will forward such communications to the identified director(s) as soon as practicable after receipt of the communication.

CODE OF ETHICS

We have adopted a code of business conduct and ethics applicable to all of our officers, directors and employees, including our principal executive officer, principal financial officer and principal accounting officer. The code of business conduct and ethics is filed as Exhibit 14.1 to our Annual Report on Form 10-K for the fiscal year ended December 31, 2004 and is also available on the "Investor Relations-Corporate Governance" section of our website at www.wcawaste.com. If we amend the code of business conduct and ethics or grant a waiver, including an implicit waiver, from the code of business conduct and ethics, we intend to disclose the information on a current report on Form 8-K within four business days of such amendment or waiver, as applicable.

Table of Contents

ITEM 11. EXECUTIVE COMPENSATION

Compensation of Directors

The table below sets forth the aggregate compensation paid during 2009 to our directors for the current year's board service. We did not grant options, non-equity incentive plan awards, or any compensation other than the payment of fees and the grant of restricted stock as shown below. Our two employee directors, Tom J. Fatjo, Jr. and Jerome M. Kruszka, did not receive any additional compensation for board service during 2009.

Name	Fees Earned or Paid in Cash ($)	Stock Awards ($) (1) (2)	Total ($)
Richard E. Bean	45,750	29,527	75,277
Preston Moore, Jr.	35,000	29,527	64,527
Roger A. Ramsey	41,250	29,527	70,777
Jeffrey B. Schwartz (3)	33,500	29,527	63,027
Jeffrey S. Serota (3)	32,500	29,527	62,027
John V. Singleton	35,000	29,527	64,527
Daniel J. Clark (4)	—	—	—

(1) This column represents the dollar amount recognized for financial statement reporting purposes with respect to shares of restricted stock granted pursuant to the 2004 WCA Waste Corporation Incentive Plan, as amended and restated (the "Amended Plan"), as determined pursuant to accounting standards related to stock-based compensation. The aggregate grant date fair value is computed by multiplying the closing market price of our Common Stock on the grant date by the number of restricted shares granted. See Note 9 to the consolidated financial statements included in our Annual Report on Form 10-K for the fiscal year ended December 31, 2009, filed with the SEC on March 9, 2010, for further discussion on the recognition of stock-based compensation.

(2) As of December 31, 2009, Messrs. Bean, Moore, Ramsey, Schwartz and Serota and Judge Singleton each had 6,316 outstanding unvested stock awards. Restricted stock awards are made to each of our outside directors annually following their election at our Annual Meeting of Stockholders. These annual restricted stock awards to our outside directors vest one year from the grant date.

(3) These shares are held by Messrs. Schwartz and Serota for the benefit of Ares Management LLC ("Ares Management") and the other Ares Entities. Messrs. Schwartz and Serota are associated with Ares Management LLC and the other Ares Entities. Pursuant to the policies of the Ares Entities, each of Messrs. Schwartz and Serota holds these securities as a nominee for the sole benefit of the Ares Entities and has assigned all economic, pecuniary and voting rights in respect of such securities to Ares Management. Messrs. Schwartz and Serota each disclaim beneficial ownership of these shares.

(4) Mr. Clark was appointed to the Board of Directors on January 15, 2010 and, therefore, did not receive any director compensation during 2009.

The following table sets forth the fees paid in 2009 to our non-employee directors for their service on the Board of Directors and committees of the Board and attendance at Board and committee meetings:

Annual Retainer	Annual Fee for Audit Committee Chairperson	Annual Fee for Compensation Committee Chairperson	Board Attendance Fee (in person)	Board Attendance Fee (telephonic)	Committee Attendance Fee (in person)	Committee Attendance Fee (telephonic)
$25,000	$10,000	$5,000	$1,000	$500	$500	$250

Table of Contents

For 2009, Messrs. Bean, Moore, Ramsey, Schwartz and Serota and Judge Singleton each received $25,000 as their annual retainer for membership on the Board. Messrs. Bean and Ramsey received $10,000 and $5,000 for serving as chair of the Audit and Compensation Committees, respectively. Pursuant to the attendance fee schedule, Mr. Bean received $10,750, Mr. Moore received $10,000, Mr. Ramsey received $11,250, Mr. Schwartz received $8,500, Mr. Serota received $7,500 and Judge Singleton received $10,000 for attendance at the Board of Directors and committee meetings during 2009.

At the Board meeting immediately following the 2009 Annual Meeting of Stockholders, which was held in June 2009, Messrs. Bean, Ramsey, Moore, Schwartz and Serota and Judge Singleton each received 6,316 shares of restricted Common Stock for the current year of Board service. The number of shares received by the non-executive officer directors in 2009 was determined by dividing $60,000 by the greater of $9.50 per share or the closing price per share of our Common Stock on the grant date. The closing price of our Common Stock on the date of grant was less than $9.50 per share. The restricted shares issued to the non-executive officer directors vest in full one year from the grant date, with full vesting upon termination of such non-employee director's board service on account of his death, permanent disability or a Change in Control (as defined under the Amended Plan).

Each director will be fully indemnified by us for actions associated with being a director to the extent permitted under Delaware law. All directors receive reimbursements for out-of-pocket expenses incurred in connection with attending meetings of the Board of Directors or committees thereof.

No members of our Board, other than Messrs. Fatjo, Jr. and Kruszka whose compensation is described under "Executive Compensation" above, were paid any compensation in 2009 for their services as a director of the company other than the standard compensation arrangement for directors described in this narrative and reimbursement of expenses. In 2009, our officers and employees who also served as directors did not receive additional compensation for their service as a director and each non-employee director received the cash compensation indicated above.

Compensation of Executive Officers

EXECUTIVE COMPENSATION

The following tables set forth the aggregate compensation earned during 2009, 2008 and 2007 by the chief executive officer, the chief financial officer and our two mostly highly compensated executive officers other than the chief executive officer and the chief financial officer who were serving as executive officers at the end of the last completed fiscal year (collectively, the "Named Executive Officers" or "NEOs").

Summary Compensation Table

Name and Principal Position	Year	Salary ($)	Stock Awards ($) (1) (3)	Non-Equity Incentive Plan Compensation ($) (2)	All Other Compensation ($) (4)	Total ($)

Tom J. Fatjo, Jr., Chairman of the Board and Chief Executive Officer	2009 2008 2007	395,430 395,430 385,785	345,183 401,639 316,711	449,703 123,572 385,785	79,786 129,374 122,881	1,270,102 1,050,015 1,211,162
Jerome M. Kruszka, President and Chief Operating Officer	2009 2008 2007	395,430 395,430 385,785	345,183 401,639 316,711	449,703 123,572 385,785	6,529 28,840 7,091	1,196,845 949,481 1,095,372
Charles A. Casalinova, Senior Vice President and Chief Financial Officer	2009 2008 2007	296,599 296,599 289,365	250,801 294,984 237,552	337,307 83,418 260,429	35,323 22,483 22,832	920,030 697,484 810,178
Tom J. Fatjo, III, Senior Vice President—Finance and Secretary	2009 2008 2007	-----296,599 296,599 241,046	224,953 255,969 197,886	337,307 83,418 216,941	27,788 14,946 26,534	886,647 650,932 682,407

Columns without data have been omitted.

Table of Contents

(1) This column represents the dollar amount recognized for financial statement reporting purposes in fiscal 2009, 2008 and 2007, respectively, with respect to shares of restricted Common Stock granted pursuant to the Amended Plan, as determined pursuant to accounting standards related to stock-based compensation. The aggregate grant date fair value is computed by multiplying the closing market price of our Common Stock on the grant date by the number of restricted shares granted. See Note 9 to the consolidated financial statements included in our Annual Report on Form 10-K for the fiscal year ended December 31, 2009, filed with the SEC on March 9, 2010, for further discussion on the recognition of stock-based compensation. For more information on these awards, see the Grants of Plan-Based Awards table below.

(2) This column represents cash payments made under the 2007 Management Incentive Plan (the "MIP").

(3) Amounts shown in this column include both (i) restricted stock grants made pursuant to the terms of each of the NEOs' employment agreements which are awarded annually in an amount equal to their respective NEO's annual salary divided by the greater of $9.50 per share or the average closing and bid price of our Common Stock for the last 10 days proceeding the grant date and (ii) MIP awards made in the form of restricted stock; however, the amounts shown for 2009 do not reflect that portion of awards granted pursuant to the MIP that were made in the form of restricted Common Stock in February 2010 with respect to the achievement of performance goals in 2009 and, therefore, do not include the fair value of the restricted stock awards earned in 2009 and granted to the NEOs in February 2010 under the MIP. All restricted shares reflected in this column vest over three years and are subject to forfeiture under certain circumstances. The table below reflects the number and fair value of the shares of restricted Common Stock that were granted to each of the NEOs under the MIP in February 2010 with respect to the achievement of performance goals established for 2009:

Named Executive Officer	Grant Date	Stock Awards: Number of Shares of Stock (#)	Grant Date Fair Value of Stock Awards ($) (*)
Tom J. Fatjo, Jr.	2/12/2010	22,363	93,701
Jerome M. Kruszka	2/12/2010	22,363	93,701
Charles A. Casalinova	2/12/2010	16,773	70,279
Tom J. Fatjo, III	2/12/2010	16,733	70,279

_____

* Based on the market value per share of Common Stock on the date of grant of $4.19 per share.

(4) The amounts reported for each of the named executive officers in "All Other Compensation" are show below (in dollars):

Named Executive Officer	401(k) Matching Contributions ($) (1)	Health Insurance Premiums ($)	Personal Use of Company Aircraft ($) (2)
Tom J. Fatjo, Jr.	—	8,264	71,522
Jerome M. Kruszka	4,125	2,404	—
Charles A. Casalinova	5,500	8,264	21,559
Tom J. Fatjo, III	4,125	8,264	15,399

(1) We sponsor a 401(k) Profit Sharing Plan for its eligible employees including the NEOs. Under this plan, eligible employees are permitted to make salary deferrals of amounts up to the Internal Revenue Service limitation. Salary deferrals will be matched 25% by us, subject to IRS limitations, and employees are 100% vested in these matching contributions after three years of service with us. Salary deferrals are 100% vested at all times.

Table of Contents

(2) We calculate the amount of the personal aircraft usage perquisite based on our incremental cost. The calculation is based on the cost of fuel, trip-related maintenance, crew travel expenses, on-board catering, landing fees, trip-related hangar and parking costs, and other variable costs. Under applicable Internal Revenue Service regulations, we impute income to the NEOs for their personal aircraft usage based upon the Standard Industry Fare Level (SIFL) rates set by the U.S. Department of Transportation. The amount of imputed income for each NEO, based on the SIFL rates, may not exceed annual limits established by our Board of Directors. The imputed income to each of the NEOs for the personal aircraft usage in 2009 was as follows (with the maximum amounts established by the Board of Directors indicated in parentheses): $30,870 ($50,000 limit) for Mr. Fatjo, Jr.; $8,553 ($35,000 limit) for Mr. Casalinova; and $8,423 ($35,000 limit) for Mr. Fatjo, III.

Grants of Plan-Based Awards for Fiscal Year 2009

We did not grant non-equity or equity incentive plan awards or stock options during 2009. Rather, we granted stock awards consisting of restricted Common Stock under the Amended Plan and pursuant to employment agreements with each of our NEOs. All of the stock awards granted in 2009 vest in equal one-third increments on January 8, 2010, January 8, 2011 and January 8, 2012. The specific awards of restricted Common Stock that were granted by the Compensation Committee to each of the NEOs in 2009 under the Amended Plan and the terms of their respective employment agreements are as follows:

Named Executive Officer	Grant Date	All Other Stock Awards: Number of Shares of Stock (#) (1)	Grant Date Fair Value of Stock and Option Awards ($) (2)
Tom J. Fatjo, Jr.	1/8/2009	41,624	104,060
Jerome M. Kruszka	1/8/2009	41,624	104,060
Charles A. Casalinova	1/8/2009	31,220	78,050
Tom J. Fatjo, III	1/8/2009	31,220	78,050

---

(1) The number of shares of restricted Common Stock was computed by dividing the NEOs base salary for 2009 by the market value of one share of our Common Stock as of the grant date, but such amount will not be less than $9.50 per share regardless of the market value on the grant date.

(2) Based on the market value on the date of grant of $2.50 per share.

In accordance with the terms of the MIP and the employment agreements with each of our NEOs, stock awards were granted to each of the NEOs in 2009 for 50% of the performance compensation earned under the MIP in 2008. The specific awards of restricted Common Stock that were granted by the Compensation Committee to each of the NEOs in 2009 under the MIP and the terms of their respective employment agreements are as follows:

Named Executive Officer	Grant Date	All Other Stock Awards: Number of Shares of Stock (#) (1)	Grant Date Fair Value of Stock and Option Awards ($)
Tom J. Fatjo, Jr.	2/12/2009	13,008	27,967
Jerome M. Kruszka	2/12/2009	13,008	27,967
Charles A. Casalinova	2/12/2009	8,781	18,879
Tom J. Fatjo, III	2/12/2009	8,871	18,879

---

(1) The number of shares of restricted Common Stock was computed by dividing 50% of the incentive compensation amount earned under the MIP by each of the NEOs in 2008 by the market value of one share of our Common Stock as of the grant date, but such amount will not be less than $9.50 per share regardless of the market value on the grant date.

(2) Based on the market value on the date of grant of $2.15 per share.

Table of Contents

Narrative to Summary Compensation Table and Plan-Based Awards Table

Employment Agreements

On January 5, 2007, our subsidiary, WCA Management Company, L.P. ("WCA Management"), entered into an employment agreement (retroactively effective to January 1, 2007, the "Effective

Date") with each of Tom J. Fatjo, Jr., our chief executive officer, Jerome M. Kruszka, our president and chief operating officer, Charles A. Casalinova, our senior vice president and chief financial officer, and Tom J. Fatjo, III, our senior vice president-finance and secretary. We have guaranteed WCA Management's obligations under these employment agreements. On December 8, 2008, the employment agreement with each NEO was amended and restated to make adjustments required by the regulations promulgated under Section 409A of the Internal Revenue Code, as amended. No changes were made to any of the NEO's respective employment agreements relating to the financial benefits available to the NEOs in connection with their employment or resulting from a change in control. Below is a summary description of the material terms of these employment agreements and, as such, is not complete. Complete copies of each of these employment agreements are filed as exhibits to our Current Report on Form 8-K filed December 12, 2008 with the SEC.

- Term of Each Employment Agreement. The employment agreement for each of the NEOs provides for a term of three years commencing on the Effective Date plus any extensions (the "Term"). On the first day of each calendar month, the Term is automatically extended for an additional calendar month unless WCA Management or the NEO gives notice not to extend the Term. The agreements terminate on the earlier of (i) the last day of the Term (as extended), (ii) the NEO's death, (iii) notice that the NEO is "permanently disabled" (as defined in the employment agreements), (iv) WCA Management's termination of the NEO's employment for "cause" (as defined in the employment agreements) or (v) the NEO's termination of his employment for "good reason" (as defined in the employment agreements).

- Compensation. The employment agreements provide for the following base salaries for the NEOs for 2009 and 2010:

Named Executive Officer	2009 Base Salary ($)	2010 Base Salary ($)
Tom J. Fatjo, Jr.	395,430	395,430
Jerome M. Kruszka	395,430	395,430
Charles A. Casalinova	296,599	296,599
Tom J. Fatjo, III	296,599	296,599

In accordance with our compensation policies and the employment agreements with each of the NEOs, the base salaries are increased each year by not less than the increase during the immediately preceding year in the Consumer Price Index for the Houston Standard Metropolitan Statistical Area. However, no increase in 2009 base salaries for any of the NEOs was made due to a company-wide cost reduction initiative.

• €€Participation in Compensation Plans. Each NEO and various other key officers are eligible to participate in the following plans:

• €€2007 Management Incentive Plan. Pursuant to the MIP, each participant, including the NEOs, has the opportunity to earn an annual bonus based on performance measures and annual incentive plan goals, which are established by the Compensation Committee. The opportunity to earn a bonus under the MIP is expressed as percentage of base salary and is set each year for each NEO separately. For 2009 and 2010, the maximum percentage of base salary for each NEO is 200%. For 2009, the Compensation Committee and the Board of Directors established three performance goals. The first performance goal consisted of an EBITDA target amount established by the Compensation Committee which represented 35% of the total potential MIP incentive award for each NEO for 2009. The second performance goal, which also represented 35% of the total potential MIP incentive award for 2009, consisted of a targeted level of cash earnings before income taxes ("Cash EBIT," which is determined by subtracting cash expenditures from company EBITDA for 2009). The third performance goal under the MIP for 2009

Table of Contents

€onsisted of various strategic and operational non-financial performance goals that were jointly established by the Compensation Committee and the Board of Directors, which goals represented 30% of the total potential MIP incentive award for each NEO for 2009. For 2009, 53.5% of the EBITDA target was met and each of the NEOs received MIP awards equal to 37.45% of their respective base salaries, with one-half of the award paid in cash and one-half paid in restricted shares of our Common Stock. 100% of the Cash EBIT target was met in 2009 and each of the NEOs received MIP awards equal to 70% of their respective base salaries, with one-half of the award paid in cash and one-half paid in restricted shares of our Common Stock. All of the non-financial performance goals were achieved in 2009 and each of the NEOs received MIP awards equal to 60% of their respective base salaries, all of which was paid in cash.

- €€Restricted Stock Grants. Under the terms of their respective employment agreements, the NEOs receive annual grants of restricted Common Stock under the Amended Plan, with such grants being made in January of each year. The number of shares of restricted Common Stock granted to each NEO in such year is equal to the fair market value of his base salary for the relevant year divided by the market value of one share of our Common Stock on the date of grant. Fair market value for these purposes will not be less than $9.50 per share. For purposes of the January 2010 grant, the number of shares received was calculated using $9.50 per share, which was greater than the current market value on such date. Under the terms of the employment agreements, each NEO will be entitled to receive a restricted stock grant based on the same formula in each subsequent year in which such NEO remains an employee. These restricted stock grants vest in one-third increments over the three-year period following the date of grant. Dividends are payable on these awards, whether or not they are vested, to the extent any dividends are paid on the Common Stock.

- €€Other Plans. The NEOs and, to the extent applicable, the NEOs' family, dependents and beneficiaries, may participate in the benefit or similar plans, policies or programs provided to similarly situated employees under our standard employment practices as in effect from time to time.

- €€Termination and Change in Control Payments. The employment agreements provide for the following termination payments:

- €€Upon termination for any reason whatsoever, an NEO (or in case of death, his estate) is entitled to all salary and expense reimbursements due through the date of such termination and such benefits as are available pursuant to the terms of any benefit or similar plans, policies or programs in which he was participating at the time of such termination.

- €€Upon termination for death or permanent disability (as defined in the employment agreement), in lieu of any further salary, bonus payments, or other severance, an NEO (or his estate, as applicable) will be entitled to a lump-sum cash severance payment equal to the amount of his base salary (computed at the rate then in effect) for the remaining Term of the employment agreement.

- Upon termination of an NEO for any reason other than death, permanent disability or cause (as defined in the employment agreement), or if the NEO terminates his employment for good reason (as defined in the employment agreement), he will be entitled to continued salary payments throughout the balance of the Term, to continue coverage under any annual and long-term incentive plans, and to other benefits pursuant to the employment agreement. If WCA Management pays this salary and benefits for the Term of the employment agreement, the NEO will be subject to non-competition and confidentiality covenants through that full Term.

Table of Contents

- Upon a Change in Control (as defined below) or within 24 months thereafter, an NEO (and certain other key officers) will be entitled to certain change of control payments if (a) his employment is involuntarily terminated other than for cause, (b) his reporting level is significantly reduced (as determined by the officer in good faith), (c) his base salary and annual incentive compensation is reduced by 10% or more, or (d) he is required to relocate by more than 50 miles. If triggered, the Change in Control payments to an NEO (or other key officers) will be made in a lump sum cash payment equal to three times the sum of (i) his base salary and (ii) his average annual bonus pursuant to any annual bonus plan in effect as to any of the three consecutive calendar years ending immediately before the calendar year in which the last event triggering the right to the payment occurred. "Change in Control" is defined to mean any one of the following events:

(i) a change in the ownership of WCA Waste Corporation, a change in the effective control of a company or a change in the ownership of a substantial portion of the assets of a corporation, as specifically provided in Section 409A of the Internal Revenue Code of 1986, as amended (the "Code"), which includes if one person or more persons acting as a group acquires ownership of more than fifty percent (50%) of the total fair market value or voting power of our stock;

(i) one person, or more than one person acting as a group, acquires (or has acquired during the twelve (12) month period ending on the date of the most recent acquisition by such person or persons) ownership of our stock; or

(ii a majority of members of our Board of Directors is replaced during any twelve (12) month
i) period by directors whose appointment or election is not endorsed by a majority of the Board of Directors before the date of the appointment or election.

If this definition of Change in Control does not conform to the definition of change in control under Section 409A of the Code, as in effect from time to time, the definition will be deemed amended for purposes of the NEOs' employment agreements to conform to the requirements of Section 409A of the Code.

- Any payment to be made to the respective NEOs resulting from his "separation from service," as defined in Section 409A of the Code, will be delayed for six months following such separation from service.

- Gross-Up Payments for Excise Taxes. If payments to be made to NEOs or other key officers (whether under the employment agreements or any other agreement or plan) are subject to state or federal excise taxes (and any interest or penalties with respect to such taxes), such officers will be entitled to additional payments so that the net amount after payment of the excise tax (and any such interest or penalties) will equal the total payments they are entitled to receive under their employment agreements. However, if no excise tax would be payable if the total payments were reduced by 3% or less, then the aggregate payments shall be reduced by the amount necessary to avoid application of the excise tax.

- Other provisions. The employment agreements with the NEOs (and other key officers) also contain other provisions, including provisions to prevent duplication of benefits to waive any requirement that an officer seek other employment, to prevent any reduction in payments because of compensation earned from other employers, and to waive any offset rights by WCA Waste. The employment agreements also subject each NEO and other key officers to certain non-compete and confidentiality covenants during the Term of the employment agreements.

Additional information regarding the termination and Change-in-Control provisions of the NEOs' employment agreements are set forth below under "- Potential Payments Upon Termination or Change-in-Control."

Table of Contents

The following table sets forth certain information regarding equity-based awards received by

each of the NEOs as of December 31, 2009.

Outstanding Equity Awards at Fiscal Year-End 2009

Name	Option Awards					Stock Awards			
	Number of Securities Underlying Unexercised Options (#) Exercisable	Number of Securities Underlying Unexercised Options (#) Unexercisable	Equity Incentive Plan Awards: Number of Securities Underlying Unexercised Unearned Options (#)	Option Exercise Price ($)	Option Expiration Date	Number of Shares or Units of Stock That Have Not Vested (#)	Market Value of Shares or Units of Stock That Have Not Vested ($) (1)	Equity Incentive Plan Awards: Number of Unearned Shares, Units or Other Rights That Have Not Vested (#)	Equity Incentive Plan Awards: Market or Payout Value of Unearned Shares, Units or Other Rights That Have Not Vested ($)
Tom J. Fatjo, Jr.	100,000	—	—	9.50	6/22/2014	—	—	—	—
	—	—	—	—	—	13,537 (2)	58,209	—	—
	—	—	—	—	—	27,750 (3)	119,325	—	—
	—	—	—	—	—	27,073 (4)	116,414	—	—
	—	—	—	—	—	41,624 (5)	178,983	—	—
	—	—	—	—	—	13,008 (6)	55,934	—	—

Jerome M. Kruszka	100,000	—	—	9.50	6/22/2014	—	—	—	—
	—	—	—	—	—	13,537 (2)	58,209	—	—
	—	—	—	—	—	27,750 (3)	119,325	—	—
	—	—	—	—	—	27,073 (4)	116,414	—	—
	—	—	—	—	—	41,624 (5)	178,983	—	—
	—	—	—	—	—	13,008 (6)	55,934	—	—
Charles A. Casalinova	75,000	—	—	9.50	6/22/2014	—	—	—	—
	—	—	—	—	—	10,155 (2)	43,667	—	—
	—	—	—	—	—	20,814 (3)	89,500	—	—
	—	—	—	—	—	18,276 (4)	78,587	—	—
	—	—	—	—	—	31,220 (5)	134,246	—	—
	—	—	—	—	—	8,781 (6)	37,758	—	—
Tom J. Fatjo, III	65,000	—	—	9.50	6/22/2014	—	—	—	—
	—	—	—	—	—	8,458 (2)	36,369	—	—

—	—	—	—	—	20,814 (3)	89,500	—	—
—	—	—	—	—	15,224 (4)	65,463	—	—
—	—	—	—	—	31,220 (5)	134,246	—	—
—	—	—	—	—	8,781 (6)	37,758	—	—

(1) Determined by multiplying the closing market price of our Common Stock as of December 31, 2009 ($4.30) by the number of shares in the prior column.

Table of Contents

(2) These restricted stock awards were granted on January 8, 2007 under the terms of the NEOs' respective employment agreements and the Amended Plan. The first two one-third increment of these restricted stock awards vested on January 8, 2008 and 2009. The remaining one-third increments of the restricted stock awards vested as follows:

Named Executive Officer	1/8/2010
Mr. Fatjo, Jr.	13,537
Mr. Kruszka	13,537
Mr. Casalinova	10,155
Mr. Fatjo, III	8,458

(3) These restricted stock awards were granted on January 8, 2008 under the terms of the NEOs' respective employment agreements and the Amended Plan. The first one-third increment of these restricted stock awards vested on January 8, 2009 and the remaining restricted stock awards vest as follows:

Named Executive Officer	1/8/2010	1/8/2011
Mr. Fatjo, Jr.	13,875	13,875
Mr. Kruszka	13,875	13,875
Mr. Casalinova	10,407	10,407
Mr. Fatjo, III	10,407	10,407

(4) These restricted stock awards were granted on February 12, 2008 in payment of the incentive compensation earned for 2007 be each of the NEOs under the MIP. The first one-third increment of these restricted stock awards vested on February 12, 2009 and the remaining restricted stock awards vest as follows:

Named Executive Officer	2/12/2010	2/12/2011
Mr. Fatjo, Jr.	13,536	13,537
Mr. Kruszka	13,536	13,537
Mr. Casalinova	9,138	9,138
Mr. Fatjo, III	7,612	7,612

(5) These restricted stock awards were granted on January 8, 2009 under the terms of the NEOs' respective employment agreements and the Amended Plan and vest as follows:

Named Executive Officer	1/8/2010	1/8/2011	1/8/2012
Mr. Fatjo, Jr.	13,874	13,875	13,875
Mr. Kruszka	13,874	13,875	13,875

Mr. Casalinova	10,406	10,407	10,407
Mr. Fatjo, III	10,406	10,407	10,407

(6) These restricted stock awards were granted on February 25, 2009 in payment of the incentive compensation earned for 2008 be each of the NEOs under the MIP and vest as follows:

Named Executive Officer	2/25/2010	2/25/2011	2/25/2012
Mr. Fatjo, Jr.	4,336	4,336	4,336
Mr. Kruszka	4,336	4,336	4,336
Mr. Casalinova	2,927	2,927	2,927
Mr. Fatjo, III	2,927	2,927	2,927

Table of Contents

In 2009, none of the NEOs exercised any of the options previously granted to them, all of which are vested in full. The following table sets forth certain information regarding vesting of restricted stock held by the NEOs during the year ended December 31, 2009.

Stock Vested In Fiscal Year 2009

	Stock Awards	
Named Executive Officer	Number of Shares Acquired on Vesting	Value Realized on Vesting ($) (1)
Tom J. Fatjo, Jr.	54,037	129,135
Jerome M. Kruszka	54,037	129,135
Charles A. Casalinova	39,515	94,471
Tom J. Fatjo, III	34,656	83,044

---

(1) Determined by multiplying the number of shares of stock that vested during 2009 by the closing market price of our Common Stock on the respective vesting dates, but excluding any tax obligation incurred in connection with such vesting.

Potential Payments Upon Termination or Change-in-Control

The following summaries set forth potential payments payable to our NEOs upon termination of employment or a Change in Control of us under their current employment agreements and our stock plans and other compensation programs. For purposes of the following summaries, dollar amounts are estimates based on salary as of December 31, 2009, benefits paid to the named executive officer in fiscal year 2009 (and any prior years as applicable) and stock and option holdings of the name executive officer as of December 31, 2009. The summaries assume a price per share of our common stock of $4.30 per share, which was the closing price per share on December 31, 2009, as reported on the NASDAQ Global Market.

Termination and Change in Control. Each of our NEOs is entitled to certain benefits under his employment agreement upon any of the following:

- €€we terminate his employment as a result of his death;
- €€we terminate his employment as a result of his permanent disability;
- €€we terminate his employment for cause;
- €€he NEO terminates his employment for good reason; and
- €€he NEO involuntarily terminates for any reason other than cause within 24 months following a Change in Control.

Upon our Change in Control, all of the NEOs restricted stock that is unvested will automatically accelerate and become fully vested.

Upon termination for any reason whatsoever, each NEO (or in case of death, his estate) is entitled to all salary and expense reimbursements due to such NEO through the date of his termination and such benefits as are available pursuant to the terms of any benefit or similar plans, policies or programs in which he was participating at the time of such termination.

Death or Permanent Disability. Upon termination for death or permanent disability, in lieu of further salary, bonus payments, or other severance, we will pay to such NEO (or his estate), within 30 days of such termination, a lump sum cash severance payment equal to his base salary for the remaining term of his employment agreement as in effect immediately prior to such termination.

Table of Contents

Termination by Us for Reason Other than Death, Permanent Disability, or Cause, or by the NEO for Good Reason. Throughout the full term of each NEO's employment agreement, we shall continue to pay such NEO's salary, continue coverage in any annual and long-term incentive plans, and provide benefits as described in his employment agreement.

Termination by Us within 24 Months Following a Change in Control. We shall pay to each NEO, within thirty (30) days after termination (in the event such termination occurs within 24 months of a Change in Control), a lump sum cash payment equal to three times the sum of (i) the NEO's annual base salary in effect immediately prior to the Change in Control and (ii) the NEO's average annual bonus. The average annual bonus shall mean the average annual bonus earned by the affected NEO pursuant to any annual bonus plan in which such NEO participated during any of the three consecutive calendar years ending immediately prior to the year of termination.

If any payment or benefit under each NEO's employment agreement is determined to be subject to the excise tax for "excess parachute payments" under U.S. federal income tax rules, such NEO is entitled to receive an additional amount ("tax gross-up") to adjust for the incremental tax costs of those payments to him. However, if any NEO's payments due on a termination following a Change in Control do not exceed 103% of his average compensation for the previous five years, then his payments shall be scaled back such that an excise tax is not due.

Tom Fatjo Jr.

Assuming that Tom Fatjo Jr.'s employment was terminated under each of these circumstances, or a change in control occurred on December 31, 2009, such payments and benefits have an estimated value as follows (less applicable withholding taxes):

Scenario	Cash Severance ($)	Tax Gross-Ups ($)	Value of Equity Awards Received or to be Received ($)

Death or Permanent Disability	1,186,290 (1)	—	—
Termination for cause	—	—	—
Termination for good reason by Mr. Fatjo Jr. or without cause by WCA Waste Corporation	3,583,662 (2)	—	982,993 (3)
Involuntary Termination other than for cause within 24 months of a change in control	2,867,152 (4)	—	528,866 (5)

---

(1) This amount represents three times the 2009 base salary for Mr. Fatjo.

(2) This amount represents three times the sum of (a) Mr. Fatjo's annual base salary for 2009; (b) the maximum award for which Mr. Fatjo was eligible in 2009 under the MIP in accordance with the terms of his employment agreement; (c) matching 401(k) contribution made to his account for 2009; and (d) the health insurance premiums made for Mr. Fatjo's benefit in 2009.

(3) This amount represents the sum of the amount of accelerated unvested restricted stock currently owned plus any grants of restricted stock to be granted during the remaining three year term of the employment agreement based on the closing price of our Common Stock on December 31, 2009 ($4.30).

(4) Cash severance is equal to three times the sum of Mr. Fatjo's 2009 base salary ($395,430) and his average annual bonus over the prior three calendar years ($560,287).

(5) As of December 31, 2009, Mr. Fatjo held 122,992 shares of unvested restricted stock. The value of accelerated unvested restricted stock was calculated by multiplying 122,992 shares underlying Mr. Fatjo's unvested restricted stock by $4.30 (our closing price per share on December 31, 2009).

Table of Contents

Jerome M. Kruszka

Assuming that Jerome M. Kruszka's employment was terminated under each of these circumstances, or a Change in Control occurred on December 31, 2009, such payments and benefits have an estimated value as follows (less applicable withholding taxes):

Scenario	Cash Severance ($)	Tax Gross-Ups ($)	Value of Equity Awards Received or to be Received ($)
Death or Permanent Disability	1,186,290 (1)	—	—
Termination for cause	—	—	—
Termination for good reason by Mr. Kruszka or without cause by WCA Waste Corporation	3,578,456 (2)	—	982,993 (3)
Involuntary Termination other than for cause within 24 months of a change in control	2,867,152 (4)	—	528,866 (5)

---

(1) This amount represents three times the 2009 base salary for Mr. Kruszka.

(2) This amount represents three times the sum of (a) Mr. Kruszka's annual base salary for 2009; (b) the maximum award for which Mr. Kruszka was eligible in 2009 under the MIP in accordance with the terms of his employment agreement; (c) matching 401(k) contribution made to his account for 2009; and (d) the health insurance premiums made for Mr. Kruszka's benefit in 2009.

(3) This amount represents the sum of the amount of accelerated unvested restricted stock currently owned plus any grants of restricted stock to be granted during the remaining three year term of the employment agreement based on the closing price of our Common Stock on December 31, 2009 ($4.30).

(4) Cash severance is equal to three times the sum of Mr. Kruszka's base salary ($395,430) and average annual bonus over the prior three calendar years ($560,287).

(5) As of December 31, 2009, Mr. Kruszka held 122,992 shares of unvested restricted stock. The value of accelerated unvested restricted stock was calculated by multiplying 122,992 shares underlying Mr. Kruszka's unvested restricted stock by $4.30 (our closing price per share on December 31, 2009).

Charles A. Casalinova

Assuming that Charles A. Casalinova's employment was terminated under each of these circumstances, or a Change in Control occurred on December 31, 2009, such payments and benefits have an estimated value as follows (less applicable withholding taxes):

Scenario	Cash Severance ($)	Tax Gross-Ups ($)	Value of Equity Awards Received or to be Received ($)
Death or Permanent Disability	889,797 (1)	—	—
Termination for cause	—	—	—
Termination for good reason by Mr. Casalinova or without cause by WCA Waste Corporation	2,532,723 (2)	—	724,374 (3)
Involuntary Termination other than for cause within 24 months of a change in control	2,074,146 (4)	—	383,758 (5)

Table of Contents

(1) This amount represents three times the 2009 base salary for Mr. Casalinova.

(2) This amount represents three times the sum of (a) Mr. Casalinova's annual base salary for 2009; (b) the maximum award for which Mr. Casalinova was eligible in 2009 under the MIP in accordance with the terms of his employment agreement; (c) matching 401(k) contribution made to his account for 2009; and (d) the health insurance premiums made for Mr. Casalinova's benefit in 2009.

(3) This amount represents the sum of the amount of accelerated unvested restricted stock currently owned plus any grants of restricted stock to be granted during the remaining three year term of the employment agreement based on the closing price of our Common Stock on December 31, 2009 ($4.30).

(4) Cash severance is equal to three times the sum of Mr. Casalinova's base salary ($296,599) and average annual bonus over the prior three calendar years ($394,783).

(5) As of December 31, 2009, Mr. Casalinova held 89,246 shares of unvested restricted stock. The value of accelerated unvested restricted stock was calculated by multiplying 89,246 shares underlying Mr. Casalinova's unvested restricted stock by $4.30 (our closing price per share on December 31, 2009).

Tom Fatjo, III

Assuming that Tom Fatjo, III's employment was terminated under each of these circumstances, or a Change in Control occurred on December 31, 2009, such payments and benefits have an estimated value as follows (less applicable withholding taxes):

Scenario	Cash Severance ($)	Tax Gross-Ups ($)	Value of Equity Awards Received or to be Received ($)
Death or Permanent Disability	889,797 (1)	—	—
Termination for cause	—	—	—
Termination for good reason by Mr. Fatjo, III or without cause by WCA Waste Corporation	2,528,598 (2)	—	703,953 (3)
Involuntary Termination other than for cause within 24 months of a change in control	1,987,170 (4)	—	363,337 (5)

---

(1) This amount represents three times the 2009 base salary for Mr. Fatjo, III.

(2) This amount represents three times the sum of (a) Mr. Fatjo's annual base salary for 2009; (b) the maximum award for which Mr. Fatjo was eligible in 2009 under the MIP in accordance with the terms of his employment agreement; (c) matching 401(k) contribution made to his account for 2009; and (d) the health insurance premiums made for Mr. Fatjo's benefit in 2009.

(3)This amount represents the sum of the amount of accelerated unvested restricted stock currently owned plus any grants of restricted stock to be granted during the remaining three year term of the employment agreement based on the closing price of our Common Stock on December 31, 2009 ($4.30).

(4) Cash severance is equal to three times the sum of Mr. Fatjo's base salary ($296,599) and average annual bonus over the prior three calendar years ($365,791).

(5) As of December 31, 2009, Mr. Fatjo held 84,497 shares of unvested restricted stock. The value of accelerated unvested restricted stock was calculated by multiplying 84,497 shares underlying Mr. Fatjo's unvested restricted stock by $4.30 (our closing price per share on December 31, 2009).

Table of Contents

ITEM 12. SECURITY OWNERSHIP OF CERTAINBENEFICIAL OWNERS AND MANAGEMENT AND RELATED STOCKHOLDER MATTERS

The information provided below indicates the beneficial ownership, as of the dates indicated, of the Common Stock by each director, by each named executive officer, by all directors and executive officers as a group and by each person known by us to own more than 5% of the outstanding shares of Common Stock based on the number of shares outstanding as of the record date.

For purposes of the tables below, the amounts and percentages of Common Stock beneficially owned are reported on the basis of regulations of the SEC governing the determination of beneficial ownership of securities. Under the rules of the SEC, a person is deemed to be a "beneficial owner" of a security if that person has or shares "voting power," which includes the power to vote or to direct the voting of such security, or "investment power," which includes the power to dispose of or to direct the disposition of such security. A person is also deemed to be a beneficial owner of any securities of which that person has a right to acquire beneficial ownership within 60 days, including through the exercise of options or warrants. Under these

rules, more than one person may be deemed a beneficial owner of the same securities and a person may be deemed a beneficial owner of securities as to which he has no economic interest.

Owners of More Than 5% of Common Stock and Preferred Stock

Based solely upon filings made with the SEC, the following persons are the only persons known by us to own beneficially more than 5% of the outstanding shares of Common Stock as of the dates indicated.

Name and Address of Beneficial Owner	Amount and Nature of Beneficial Ownership of Common Stock	Percent of Class of Common Stock (1)	Amount and Nature of Beneficial Ownership of Preferred Stock	Percent of Class of Preferred Stock (1)
Ares Corporate Opportunities Fund II, L.P. (2)	9,324,503 (2)	31.6%	891,514 (2)	100.0%
River Road Asset Management, LLC (3)	1,013,187	5.0%	—	—
Dimensional Fund Advisors LP (4)	1,391,123	6.9%	—	—
Joseph E. LoConti and Group Members (5)				
Joseph E. LoConti (5)	1,526,093	7.6%	—	—
Daniel J. Clark (5)	588,827	2.9%	—	—
Patricia A. Skoda, Trustee, Patricia A. Skoda Revocable Trusts (5)	115,146	0.6%	—	—

---

(1) Other than the beneficial ownership of Common Stock by ACOF II, which percentage amount is presented on a fully-converted basis, all other beneficial ownership percentages are based on 20,203,836 shares of Common Stock and 891,514 shares of Preferred Stock outstanding as of March 2, 2010. For additional information regarding the Preferred Stock, please see "Additional Terms of the Preferred Stock" below.

(2) The following information is based on the Schedule 13D filed with the SEC on October 1, 2009 by ACOF II and certain affiliated entities. The general partner of ACOF II is ACOF Management II, L.P. ("ACOF Management II") and the general partner of ACOF Management II is ACOF Operating Manager II, L.P. ("ACOF Operating Manager II"). ACOF Operating Manager II is indirectly controlled by Ares Management LLC ("Ares Management"),

Table of Contents

which, in turn, is indirectly controlled by Ares Partners Management Company LLC. Each of the foregoing entities (collectively and together with Ares Management, the "Ares Entities") and the partners, members and managers thereof, other than ACOF II, disclaims beneficial ownership of the shares of the Company's securities owned by ACOF II, except to the extent of any pecuniary interest therein. The address of each Ares Entity is 2000 Avenue of the Stars, 12th Floor, Los Angeles, CA 90067.

Shares reported include 25,264 and 12,632 shares held of record for the benefit of the Ares Entities by Jeffrey S. Serota and Jeffrey B. Schwartz, respectively, two of our directors who are associated with the Ares Entities. Pursuant to the policies of the Ares Entities, each of Messrs. Serota and Schwartz holds these securities as a nominee for the sole benefit of the Ares Entities and has assigned all economic, pecuniary and voting rights in respect of such securities to Ares Management. Accordingly, Messrs. Serota and Schwartz each disclaim beneficial ownership of these shares.

(3) Based on the amended Schedule 13G filed with the SEC on January 15, 2010, River Road Asset Management, LLC has sole voting power with respect to 1,013,187 shares of Common Stock and sole dispositive power with respect to 1,347,835 shares of Common Stock. The address of River Road Asset Management, LLC is 462 S. 4th Street, Suite 1600, Louisville, KY 40202.

(4) Based on the Schedule 13G filed with the SEC on February 8, 2010, Dimensional Fund Advisors LP has sole voting power with respect to 1,391,123 shares of Common Stock and sole dispositive power with respect to 1,400,473 shares of Common Stock. The address for Dimensional Fund Advisors LP is 6300 Bee Caves Road, Austin, TX 78746.

(5) The information in the table above and the following information is based on Amendment No. 3 to the Schedule 13D filed with the SEC on January 20, 2010. Joseph E. LoConti has sole voting and dispositive power with respect to 1,526,093 shares of Common Stock. Daniel J. Clark has sole voting and dispositive power with respect to 588,827 shares of Common Stock and shared voting and dispositive power with respect to 777,778 shares of Common Stock. Patricia A. Skoda, as Trustee of the Patricia A. Skoda Revocable Trust, has shared voting and dispositive power with respect to 892,924 shares of Common Stock. We have not included in the shares beneficially owned by Daniel J. Clark and Patricia A. Skoda, Trustee 777,778 shares of Common Stock (the "Clark and Skoda Earn-Out Shares") that may be issued to Live Earth Funding LLC upon the satisfaction of certain earn-out conditions set forth in an Equity Interest and Asset Purchase Agreement dated December 9, 2009, among WCA Waste Corporation, Live Earth LLC and certain other entities. The Clark and Skoda Earn-Out Shares can not be issued prior to December 31, 2010. Mr. Clark and Mrs. Skoda, as Trustee, have an ownership interest and voting discretion as members of Live Earth Funding LLC, and as such may be deemed to beneficially own the Clark and Skoda Earn-Out Shares. The address for Mr. LoConti and the other members of the group is 6140 Parkland Boulevard, suite 300, Mayfield Heights, OH 44124.

Directors and Executive Officers

Except under applicable community property laws or as otherwise indicated in the footnotes to the table below, the persons named in the table have sole voting and investment power with respect to all shares of Common Stock beneficially owned. The address of all directors and executive officers in this table is c/o WCA Waste Corporation, One Riverway, Suite 1400, Houston, Texas 77056. Ownership amounts are as of March 2, 2010.

Table of Contents

Name of Beneficial Owner	Amount and Nature of Beneficial Ownership of Common Stock	Percent of Common Stock (1)
Tom J. Fatjo, Jr. (2)	1,055,138	5.2%
Jerome M. Kruszka (3)	727,847	3.6%
Charles A. Casalinova (4)	398,980	2.0%
Tom J. Fatjo, III (5)	527,672	2.6%

Daniel J. Clark (6)	588,527	2.9%
Richard E. Bean (7)	140,725	*
Roger A. Ramsey (8)	55,580	*
Preston R. Moore, Jr.	73,630	*
Honorable John V. Singleton	25,264	*
Jeffrey S. Serota (9)	25,264	*
Jeffrey B. Schwartz (10)	12,632	*
All directors and executive officers as a group (11 persons)	3,568,985	17.7%

---

* Represents beneficial ownership of less than 1%.

(1) Percent of shares beneficially owned is based on 20,203,836 shares of Common Stock outstanding as of March 2, 2010.

(2) Includes: (a) 98,368 shares owned by Tom J. Fatjo, Jr. Trust; (b) 12,296 shares owned by Jacqueline Fatjo 1998 Gift Trust; and (c) 12,296 shares owned by Channing Fatjo 1998 Gift Trust. Mr. Fatjo, Jr. is the trustee of each of these trusts, and as such, he has voting and investment power over the assets of such trusts, including shares of Common Stock. Also includes: (w) 211,491 shares owned by Fatjo WCA Partners, L.P., a limited partnership, controlled by Mr. Fatjo, Jr.; (x) 58,131 shares owned by First Sugar Hill Partners, LP, a limited partnership, the sole general partner of which is a corporation controlled by Mr. Fatjo, Jr. ("FSH Partners"); and (y) 100,000 shares underlying options currently exercisable. Mr. Fatjo, Jr. disclaims beneficial ownership of the securities held by Fatjo WCA Partners, L.P. and FSH Partners except to the extent of his pecuniary interest therein. Includes 122,992 shares of restricted Common Stock that will not be vested within 60 days of March 2, 2010. Mr. Fatjo, Jr. has voting power over such unvested shares of restricted stock.

(3) Includes 100,000 shares underlying options currently exercisable. Includes 122,992 shares of restricted Common Stock that will not be vested within 60 days of March 2, 2009. Mr. Kruszka has voting power over such unvested shares of restricted stock.

(4)Includes 75,000 shares underlying options currently exercisable. Includes 89,246 shares of restricted Common Stock that will not be vested within 60 days of March 2, 2010. Mr. Casalinova has voting power over such unvested shares of restricted stock.

(5) Includes: (a) 3,074 shares owned by Thomas J. Fatjo, IV Descendant's Trust; (b) 3,074 shares owned by Berkeley E. Fatjo Descendant's Trust; (c) 3,074 shares owned by Travis C. Fatjo Descendant's Trust; (d) 3,074 shares owned by Justin D. Ruud Descendant's Trust; (e) 3,074 shares owned by Landon C. Ruud Descendant's Trust; (f) 12,296 shares owned by Jacqueline Fatjo 1998 Gift Trust; and (g) 12,296 shares owned by Channing Fatjo 1998 Gift Trust. Mr. Fatjo, III is the trustee of each of these trusts, and as such, he has voting and investment power over the assets of such trusts, including their shares of Common Stock. Also includes: (v) 3,000 shares held by Tom J. Fatjo, III IRA;

Table of Contents

(w) 11,510 shares held by Mr. Fatjo, III as a limited partner of FSH Partners; (x) 26,172 shares held by Mr. Fatjo, III as a limited partner of Fatjo WCA Partners, L.P.; and (y) 65,000 shares underlying options currently exercisable. Includes 84,497 shares of restricted Common Stock that will not be vested within 60 days of March 2, 2010. Mr. Fatjo, III has voting power over such unvested shares of restricted stock.

(6) Does not include shares over which Mr. Clark shares voting and dispositive power that he may be deemed to beneficially own as a member of Live Earth Funding LLC. For additional information, please see above "Security Ownership of Certain Beneficial Owners and Management – Owners of More Than 5% of Common and Preferred Stock."

(7) Includes 20,000 shares underlying options currently exercisable.

(8) Includes 20,000 shares underlying options currently exercisable.

(9) Mr. Serota is a Senior Partner in the Private Equity Group of Ares Management, which indirectly controls ACOF II. Mr. Serota disclaims beneficial ownership of the shares owned by ACOF II, except to the extent of any pecuniary interest therein and further disclaims beneficial ownership of 25,264 shares for which he is the record holder of, but has assigned all economic, pecuniary and voting rights to, Ares Management.

(10) Mr. Schwartz is a Principal in the Private Equity Group of Ares Management, which indirectly controls ACOF II. Mr. Schwartz disclaims beneficial ownership of the shares owned by ACOF II, except to the extent of any pecuniary interest therein and further disclaims beneficial ownership of 12,632 shares for which he is the record holder of, but has assigned all economic, pecuniary and voting rights to, Ares Management.

Equity Compensation Plans

We maintain one equity compensation plan, the 2004 WCA Waste Corporation Incentive Plan, as amended and restated, under which we may issue stock options, restricted stock awards and performance awards to employees, directors, and other key persons. This plan was approved by our shareholders. The Company does not maintain any retirement or pension benefit plans for its executive officers.

The following table provides information as of December 31, 2009, on this plan:

Plan Category	(a) Number of securities to be issued upon exercise of outstanding options, warrants and rights	(b) Weighted-average exercise price of outstanding options, warrants and rights	(c) Number of securities available for future issuance under equity compensation plans (excluding securities reflected in column (a))
Equity Compensation Plans Approved by Stockholders (1)	1,163,060	$9.52 (2)	492,611
Equity Compensation Plans Not Approved by Stockholders	—	—	—
Total	1,163,060	$9.52 (2)	492,611

_____

(1) Consists of the 2004 WCA Waste Corporation Incentive Plan, as amended and restated.

(2) Includes 525,000 options to purchase shares of common stock.

Table of Contents

ITEM 13. CERTAIN RELATIONSHIPS AND RELATED TRANSACTIONS, AND DIRECTOR INDEPENDENCE

We have entered into indemnity agreements with our executive officers and directors which provide, among other things, that we will indemnify such executive officer or director, under the circumstances and to the extent provided for therein, for expenses, damages, judgments, fines and settlements he or she may be required to pay in actions or proceedings which he or she is or may be made a party by reason of his or her position as a director, executive officer or other agent of WCA Waste Corporation, and otherwise to the fullest extent permitted under Delaware law and our Bylaws. We also intend to execute these agreements with our future executive officers and directors.

Business Combinations with Interested Stockholders

WCA LLC owned all of the outstanding capital stock of WCA prior to our initial public offering in June 2004. In anticipation of and in connection with the initial public offering, we completed an internal corporate reorganization, pursuant to which WCA briefly became the parent of WCA LLC and pursuant to which WCA spun off WCA LLC as a separate company with operations in Florida, Colorado and New Mexico. Shares of our Common Stock were issued to WCA LLC in connection with the reorganization and our acquisition of a 227-acre landfill located in Ft. Meade, Florida from WCA LLC on September 30, 2005. On July 14, 2009, WCA LLC sold all of the shares it owned in WCA to Joseph E. LoConti (300,611 shares), Daniel J. Clark (141,000 shares), the Patricia A. Skoda Revocable Trust (the "Skoda Trust") (50,000 shares) and United Nations Insurance Agency (100,000 shares). Mr. LoConti is special counsel to United Nations Insurance Agency and the shares acquired by United Nations Insurance Agency have since been distributed to Messrs. LoConti and Clark. Messrs. LoConti and Clark and the Skoda Trust own more than 5% of our Common Stock. Mr. Clark serves on our Board of Directors. Mr. LoConti serves as an advisor to our Board of Directors, for which he receives no compensation. Although certain of our directors and officers held membership interests in WCA LLC, they did not have voting or dispositive power over the shares of our Common Stock held by WCA LLC, including the shares sold to Mr. LoConti, Mr. Clark, the Skoda Trust and United

Nations Insurance Agency. WCA LLC is in the process of liquidating its assets.

Mr. LoConti, Mr. Clark, and the Skoda Trust, of which Patricia A. Skoda is trustee, are non-managing members of Live Earth LLC ("Live Earth"), as is Mrs. Skoda's husband, Greg Skoda. On December 31, 2009, we acquired all of the equity interests of the four operating subsidiaries of Live Earth and certain of its assets. The consideration that we paid for the Live Earth acquisition consisted of $2,000,000 in cash, the repayment of $16,750,000 of indebtedness, the issuance of 3,555,556 shares of our Common Stock and the future issuance of up to 2,000,000 shares of Common Stock (the "Earn-Out Shares") which are subject to certain earn-out provisions. The earn-out payments are based on the achievement of specified EBITDA targets with respect to the acquired business for any four consecutive fiscal quarters from January 1, 2010 to December 31, 2012 as described in the Live Earth acquisition agreement. If on or before December 31, 2012, the acquired business achieves $6.25 million in EBITDA for any four consecutive fiscal quarters, then 1,555,556 of the Earn-Out Shares will be issued subject to the terms of the Live Earth acquisition agreement. If on or before December 31, 2012, the acquired business achieves $7.0 million in EBITDA for any four consecutive fiscal quarters, then 444,444 of the Earn-Out Shares will be issued subject to the terms of the Agreement. Up to 777,778 of the Earn-Out Shares are issuable to Live Earth Funding LLC, in which Messrs. Clark and Skoda and the Skoda Trust have an ownership interest.

On October 25, 2009, prior to the transaction disclosed above Messrs. LoConti, Clark and Skoda entered into a letter agreement with WCA Waste Corporation with respect to their desire to enter into the transaction with one of our affiliates, pursuant to which they, as a group, would become beneficial owners of more than 15% of the outstanding WCA Common Stock. The letter agreement approved the transaction solely for the purposes of Section 203(a)(1) of the DGCL, in order to provide that the restrictions on business combinations with interested stockholders set forth in Section 203 of the DGCL shall not apply to transactions between us and Messrs. LoConti, Clark and Skoda.

Table of Contents

Voting Agreement

In connection with the execution of the Live Earth acquisition agreement, Mr. LoConti, Mr. Clark and the Trust, who in the aggregate beneficially own more than 5% of our Common Stock and own and hold limited liability company interest holders of Live Earth, entered into a Voting Agreement with us pursuant to which they agreed to vote all shares of our Common Stock held by them at the time of the special meeting called for purposes approving the issuance up to a maximum of 5,555,556 shares of our Common Stock as consideration in connection with the proposed acquisition by us of the Live Earth Companies in favor of such proposal. They also

agreed not to revoke their consent, as holders of limited liability company interests of Live Earth, to the Live Earth acquisition.

Stockholders' Agreement

In connection with the Live Earth acquisition, we entered into a Stockholders' Agreement with Messrs. LoConti, Clark and Skoda and the Skoda Trust (collectively, the "Stockholders") on January 15, 2009 (the "Stockholders' Agreement"). The Stockholders' Agreement provides that, unless approved by a majority of the members of the Board of Directors, the Stockholders will not, subject to certain exclusions, acquire more than 30% of any class of our voting securities (the "Maximum Ownership Limitation") or sell or transfer shares of our Common Stock representing more than 10% of our Common Stock in any single transaction or series of related transactions to any person or entity. In addition, the Stockholders have agreed to vote their shares of our voting stock at all meetings of our stockholders and shall vote such shares in a manner recommended by the majority of the members of our Board of Directors.

The obligations of the Stockholders under the Stockholders' Agreement, other than the Maximum Ownership Limitation, terminate in the event that either Tom Fatjo, Jr. or Jerome M. Kruszka are no longer serving in as our CEO and President, respectively. In addition, the Stockholders' Agreement will terminate on the earlier of (i) January 15, 2015 or (ii) the 180th day after the date on which the Messrs. LoConti, Clark and Skoda and the Skoda Trust collectively own voting securities representing less than 5% of the outstanding voting power represented by all of our voting securities then outstanding.

Performance Bonds

Mr. LoConti, Mr. Clark and other members of Live Earth LLC and Live Earth Funding, LLC are members, officers or otherwise related to Evergreen Indemnity Company. Evergreen issues substantially all of the closure and post-closure bonds that provide the required financial assurance for WCA's obligations with respect to our landfill and transfer station operations, as well as certain other financial assurance instruments such as performance bonds with respect to our municipal waste collection contracts. In connection therewith, WCA has paid the following amounts to Evergreen for the last two fiscal years: $1,288,000 for the year ended December 31, 2008 and $1,359,000 for the year December 31, 2009. Mr. Clark was not a member of our Board of Directors until January 2010. We have had a business relationship with Evergreen pre-dating Messrs. Clark and LoConti's ownership of our Common Stock.

Gecko Transaction

In 2005, we acquired the Eagle Ridge landfill in Missouri from Gecko Investments, LLC. Both Messrs. LoConti and Clark had an interest in that transaction and received a portion of the approximate $12 million in consideration that we paid in that transaction.

Affirmative Determinations Regarding Director Independence

Under applicable NASDAQ and SEC requirements, (i) we are required to have a majority of independent directors and (ii) all of the members of each committee, including our audit and compensation committees, must be independent. The Board of Directors has affirmatively determined that each of Richard E. Bean, Daniel J. Clark, Preston Moore, Jr., Roger A. Ramsey and Honorable John V. Singleton is an "independent director" as such term is defined in The Marketplace Rules of the NASDAQ Stock Market, Inc. and Rule 10A-3 under the Securities Exchange Act of 1934. The Board of Directors has also affirmatively determined that each member of the Compensation Committee satisfies the independence requirements applicable to the Compensation Committee as prescribed by The Marketplace Rules of the NASDAQ Stock Market, Inc. and the rules and regulations of the SEC.

Table of Contents

ITEM 14. PRINCIPAL ACCOUNTANT FEES AND SERVICES

Fees Billed by the Independent Auditors

KPMG LLP, an independent registered public accounting firm, has served as our independent auditors since 2000 and audited our consolidated financial statements for the year ended December 31, 2009. KPMG LLP has billed WCA Waste Corporation the aggregate fees set forth in the table below for 2009 and 2008.

	2009	2008
Audit Fees (1)	$ 825,000	$ 850,000
Audit-Related Fees (2)	100,000	—
Tax Fees	—	—
All Other Fees	—	—
Total	$ 925,000	$ 850,000

---

(1) These represent the aggregate fees billed for professional services rendered by KPMG LLP for the audit of WCA Waste's interim condensed consolidated annual financial statements for the years ended December 31, 2009 and 2008 and reviews of the consolidated financial statements included in WCA Waste's quarterly reports on Form 10-Q for the years then ended and the audit of internal control over financial reporting of WCA Waste as of December 31, 2009.

(2) The 2009 audit-related fees represent fees billed for professional services in connection with the Live Earth acquisition and other matters.

All of the above fees were pre-approved by either the Audit Committee or the Chairman of the Audit Committee acting on behalf of the Audit Committee. The Audit Committee concluded that the provision of the aforementioned services by KPMG LLP were compatible with the maintenance of that firm's independence in the conduct of its auditing functions.

The Audit Committee Charter provides that pre-approval of non-audit services (other than review and attestation services) are not required if such services fall within exceptions established by the rules and regulations of the SEC. No such services provided in 2009 or 2008 were pre-approved pursuant to any such exceptions.

The Audit Committee delegates to the chairman the authority to approve in advance all audit, audit-related, tax and other services and permissible non-audit services to be provided by KPMG LLP if presented to the full committee at the next regularly scheduled meeting.

Table of Contents

Part IV

Item 15. Exhibits and Financial Statement Schedules

(3) Exhibits

The exhibits filed as a part of this Amendment No. 1 on Form 10K/A are as follows:

Exhibit Number	Description

31.1 #	Rule 13a-14(a)/15d-14(a) Certification of Chief Executive Officer.
31.2 #	Rule 13a-14(a)/15d-14(a) Certification of Chief Financial Officer.

Filed herewith.

Table of Contents

SIGNATURES

Pursuant to the requirements of Section 13 or 15(d) of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

WCA WASTE CORPORATION

By: /s/ Charles A. Casalinova

Charles A. Casalinova
Senior Vice President and
Chief Financial Officer

Date: April 29, 2010

Pursuant to the requirements of the Securities Exchange Act of 1934, this Amendment No. 1 to the Annual Report on Form 10-K has been signed below by the following persons on behalf of the Registrant and in the capacities and on the dates indicated.

Name	Title	Date
/s/ Tom J. Fatjo, Jr.	Chairman of the Board of Directors	April 29, 2010

Tom J. Fatjo, Jr.	and Chief Executive Officer (Principal Executive Officer)	
/s/ Charles A. Casalinova Charles A. Casalinova	Senior Vice President and Chief Financial Officer (Principal Financial Officer)	April 29, 2010
/s/ joseph J. Scarano, Jr. Joseph J. Scarano, Jr.	Vice President and Controller (Principal Accounting Officer)	April 29, 2010

Exhibit 31.1

CERTIFICATION

I, Tom J. Fatjo, Jr., certify that:

1. I have reviewed this Annual Report on Form 10-K/A of WCA Waste Corporation;

2. Based on my knowledge, this report does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in light of the circumstances under which such statements were made, not misleading with respect to the period covered by this report;

3. Based on my knowledge, the financial statements, and other financial information included in this report, fairly present in all material respects the financial condition, results of operations and cash flows of the registrant as of, and for, the periods presented in this report;

4. The registrant's other certifying officer and I are responsible for establishing and maintaining disclosure controls and procedures (as defined in Exchange Act Rules 13a-15(e) and 15d-15(e)) and internal control over financial reporting (as defined in Exchange Act Rules 13a-15(f) and 15d-15(f)) for the registrant and have:

(a) Designed such disclosure controls and procedures, or caused such disclosure controls and procedures to be designed under our supervision, to ensure that material information relating to the registrant, including its consolidated subsidiaries, is made known to us by others within those entities, particularly during the period in which this report is being prepared;

(b) Designed such internal control over financial reporting, or caused such internal control over financial reporting to be designed under our supervision, to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles;

(c) Evaluated the effectiveness of the registrant's disclosure controls and procedures and presented in this report our conclusions about the effectiveness of the disclosure controls and procedures, as of the end of the period covered by this report based on such evaluation; and

(d) Disclosed in this report any change in the registrant's internal control over financial reporting that occurred during the registrant's most recent fiscal quarter (the registrant's fourth fiscal quarter in the case of an annual report) that has materially affected, or is reasonably likely to materially affect, the registrant's internal control over financial reporting; and

5. The registrant's other certifying officer and I have disclosed, based on our most recent evaluation of internal control over financial reporting, to the registrant's auditors and the audit committee of the registrant's board of directors (or persons performing the equivalent functions):

(a) All significant deficiencies and material weaknesses in the design or operation of internal control over financial reporting which are reasonably likely to adversely affect the registrant's ability to record, process, summarize and report financial information; and

(b) Any fraud, whether or not material, that involves management or other employees who have a significant role in the registrant's internal control over financial reporting.

Date: April 29, 2010 By: /s/ Tom J. Fatjo, Jr.

Tom J. Fatjo, Jr.
Chief Executive Officer

Exhibit 31.2

CERTIFICATION

I, Charles A. Casalinova, certify that:

1. I have reviewed this Annual Report on Form 10-K/A of WCA Waste Corporation;

2. Based on my knowledge, this report does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in light of the circumstances under which such statements were made, not misleading with respect to the period covered by this report;

3. Based on my knowledge, the financial statements, and other financial information included in this report, fairly present in all material respects the financial condition, results of operations and cash flows of the registrant as of, and for, the periods presented in this report;

4. The registrant's other certifying officer and I are responsible for establishing and maintaining disclosure controls and procedures (as defined in Exchange Act Rules 13a-15(e) and 15d-15(e)) and internal control over financial reporting (as defined in Exchange Act Rules 13a-15(f) and 15d-15(f)) for the registrant and have:

(a) Designed such disclosure controls and procedures, or caused such disclosure controls and procedures to be designed under our supervision, to ensure that material information relating to the registrant, including its consolidated subsidiaries, is made known to us by others within those entities, particularly during the period in which this report is being prepared;

(b) Designed such internal control over financial reporting, or caused such internal control over financial reporting to be designed under our supervision, to provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with generally accepted accounting principles;

(c) Evaluated the effectiveness of the registrant's disclosure controls and procedures and presented in this report our conclusions about the effectiveness of the disclosure controls and procedures, as of the end of the period covered by this report based on such evaluation; and

(d) Disclosed in this report any change in the registrant's internal control over financial reporting that occurred during the registrant's most recent fiscal quarter (the registrant's fourth fiscal quarter in the case of an annual report) that has materially affected, or is reasonably likely to materially affect, the registrant's internal control over financial reporting; and

5. The registrant's other certifying officer and I have disclosed, based on our most recent evaluation of internal control over financial reporting, to the registrant's auditors and the audit committee of the registrant's board of directors (or persons performing the equivalent functions):

(a) All significant deficiencies and material weaknesses in the design or operation of internal control over financial reporting which are reasonably likely to adversely affect the registrant's ability to record, process, summarize and report financial information; and

(b) Any fraud, whether or not material, that involves management or other employees who have a significant role in the registrant's internal control over financial reporting.

Date: April 29, 2010 By: /s/ Charles A. Casalinova

Charles A. Casalinova
Chief Financial Officer

WCA

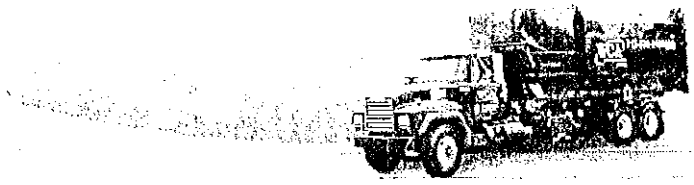


EXHIBIT 10

News Release

<< Back

WCA Waste Corporation Announces Results for the Quarter Ended June 30, 2010

- -- Reported net income available to common stockholders of $0.01 per share
- -- Revenues increased 20% compared to the second quarter of 2009, boosted by acquisitions
- -- Operating income more than doubled from the first quarter of 2010
- -- Successfully amended credit facility, extending term to January 2014

HOUSTON, Aug. 4, 2010 (GLOBE NEWSWIRE) -- WCA Waste Corporation (Nasdaq:WCAA) announced today financial results for the three months ended June 30, 2010.

For the second quarter of 2010:

- -- Revenue was $60.3 million, up 20.2% from $50.2 million in the second quarter of 2009.
- -- Operating income was $7.6 million compared to $6.8 million in the same quarter last year.
- -- Net income available to common stockholders was $0.01 per share while adjusted net income available to common stockholders was $0.02 per share.

For the first six months of 2010:

- -- Revenue was $112.6 million, up 14.5% from $98.4 million in 2009.
- -- Operating income was $11.2 million compared to $13.3 million in the prior year period.
- -- Net loss available to common stockholders was $0.08 per share while adjusted net loss available to common stockholders was $0.06 per share.

Tom Fatjo, Chairman and CEO stated, "We are very pleased by the recovery in revenue and earnings in the second quarter which clearly rebounded following the severe weather in the first quarter of 2010. Our focus remains on driving growth in our Houston and Ohio markets and maximizing the operating leverage of these assets while creating value for our shareholders."

Mr. Fatjo went on to say, "Volumes in our solid waste operations have begun to stabilize with municipal solid waste volumes positive year over year. And while we have adjusted pricing in some markets to reflect the slow growth economy, we have taken out more cost to maintain appropriate margins."

President and COO Jerry Kruszka noted that "The integration of the acquired Live Earth assets, located in Ohio and Massachusetts, is proceeding smoothly with improved operating efficiency and increased volume. We are very excited about the opportunity this acquisition affords WCA. We now have disposal capacity in the Midwest with service to the high population based northeast markets."

Tom Fatjo added, "Acquisitions are a core component of WCA's growth. It remains a buyer's market and as such we are placing emphasis on increasing the total volume into our existing landfills."

2010 Guidance

We are reiterating our 2010 forecast:

- -- Revenue of $225 million and
- -- EBITDA of $55 million

Adjusted net income (loss) available to common stockholders excludes the write-off of deferred financing costs, impact of interest rate swap agreements, merger and acquisition related expenses, and tax impact of vested restricted shares, and is reconciled in the attached table below.

WCA Waste Corporation is an integrated company engaged in the transportation, processing and disposal of non-hazardous solid waste. The Company's operations currently consist of 25 landfills, 24 transfer stations/material recovery facilities and 25 collection operations located throughout Alabama, Arkansas, Colorado, Florida, Kansas, Massachusetts, Missouri, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee and Texas. The Company's common stock is traded on the NASDAQ Global Market under the symbol "WCAA."

The WCA Waste Corporation logo is available at http://www.globenewswire.com/newsroom/prs/?pkgid=1736

RISK FACTORS AND CAUTIONARY STATEMENTS REGARDING FORWARD-LOOKING STATEMENTS

This press release and other communications, such as conference calls, presentations, statements in public filings, other press releases, include forward-looking statements within the meaning of Section 27A of the Securities Act of 1933 and Section 21E of the Securities and Exchange Act of 1934. Forward-looking statements generally include discussions and descriptions other than historical information. These forward-looking statements can generally be identified as such because the context of the statement will include words such as "may," "should," "outlook," "project," "intend," "seek," "plan," "believe," "anticipate," "expect," "estimate," "potential," "continue," or "opportunity," the negatives of these words, or similar words or expressions. The forward-looking statements made herein are only made as of the date of this press release and we undertake no obligation to publicly update such forward-looking statements to reflect subsequent events or circumstances.

Our results will be subject to a number of operational and other risks, including the following: general economic conditions have impacted and may continue to impact our business; we may not be successful in expanding the permitted capacity of our current or future landfills; our business is capital intensive, requiring ongoing cash outlays that may strain or consume our available capital; increases in the costs of disposal, labor and fuel could reduce operating margins; increases in costs of insurance or failure to maintain full coverage could reduce operating income; we may be unable to obtain financial assurances necessary for our operations; we are subject to environmental and safety laws, which restrict our operations and increase our costs, and may impose significant unforeseen liabilities; we are subject to a broad range of risks with respect to our acquisition activities and may be unable to successfully integrate acquired businesses or execute on our acquisition plans; we compete with large companies and municipalities with greater financial and operational resources and we also compete with alternatives to landfill disposal; covenants in our credit facilities and the instruments governing our other indebtedness may limit our ability to grow our business and make capital expenditures; changes in interest rates may affect our results of operations; a downturn in U.S. economic conditions or the economic conditions in our markets may have an adverse impact on our business and results of operations; and our success depends on key members of our senior management, the loss of any of whom could disrupt our customer and business relationships and our operations.

We describe these and other risks in greater detail in the sections entitled "Risk Factors" and "--Cautionary Statement about Forward-Looking Statements" included in our Form 10-K for the year ended December 31, 2009, to which we refer you for additional information.

WCA -- 2nd Quarter 2010 Earnings Release Information

WCA Waste Corporation
Condensed Consolidated Statements of Operations
(In thousands, except per share amounts)
(Unaudited)

	Three Months Ended June 30,		Six Months Ended June 30,	
	2010	2009	2010	2009
Revenue	$ 60,295	$ 50,174	$ 112,602	$ 98,364
Expenses:				
Cost of services	43,264	33,184	81,403	65,121
Depreciation and amortization	7,771	6,841	15,059	13,373
Merger and acquisition related expenses	36	259	134	259
General and administrative	2,550	3,145	5,684	6,395
Gain on sale of assets	(880)	(16)	(889)	(45)
	52,741	43,413	101,391	85,103
Operating income	7,554	6,761	11,211	13,261
Other income (expense):				
Interest expense, net	(4,687)	(4,555)	(9,379)	(9,014)
Write-off of deferred financing costs	(184)	--	(184)	--
Impact of interest rate swap	68	(465)	(184)	(843)
	(4,803)	(5,020)	(9,747)	(9,857)
Income before income taxes	2,751	1,741	1,464	3,404
Income tax provision	(1,429)	(908)	(890)	(2,007)
Net income	1,322	833	574	1,397
Accrued payment-in-kind dividend on preferred stock	(1,112)	(1,062)	(2,220)	(2,116)
Net income (loss) available to common stockholders	$ 210	$ (229)	$ (1,646)	$ (719)
PER SHARE DATA (Basic and diluted):				
Net income (loss) available to				

common stockholders				
-- Basic	$ 0.01	$ (0.01)	$ (0.08)	$ (0.05)
-- Diluted	$ 0.01	$ (0.01)	$ (0.08)	$ (0.05)
WEIGHTED AVERAGE SHARES OUTSTANDING (Basic)	19,580	15,810	19,552	15,776
WEIGHTED AVERAGE SHARES OUTSTANDING (Diluted)	19,735	15,810	19,552	15,776

Non-GAAP Financial Measures

Our management evaluates our performance based on non-GAAP measures, of which the primary performance measure is adjusted EBITDA. EBITDA, as commonly defined, refers to earnings before interest, taxes, depreciation and amortization. Our adjusted EBITDA consists of earnings (net income or loss) available to common stockholders before preferred stock dividend, interest expense (including write-off of deferred financing costs and debt discount), impact of interest rate swap agreements, income tax expense, depreciation and amortization, impairment of goodwill, net (gain) loss on early disposition of notes receivable/payable, and merger and acquisition related expenses. We also use these same measures when evaluating potential acquisition candidates.

We believe adjusted EBITDA is useful to an investor in evaluating our operating performance because:

- it is widely used by investors in our industry to measure a company's operating performance without regard to items such as interest expense, depreciation and amortization, which can vary substantially from company to company depending upon accounting methods and book value of assets, financing methods, capital structure and the method by which assets were acquired;
- it helps investors more meaningfully evaluate and compare the results of our operations from period to period by removing the impact of our capital structure (primarily interest charges from our outstanding debt and the impact of our interest rate swap agreements and payment-in-kind dividend) and asset base (primarily depreciation and amortization of our landfills and vehicles) from our operating results; and
- it helps investors identify items that are within our operational control. Depreciation charges, while a component of operating income, are fixed at the time of the asset purchase in accordance with the depreciable lives of the related asset and as such are not a directly controllable period operating charge.

Our management uses adjusted EBITDA:

- as a measure of operating performance because it assists us in comparing our performance on a consistent basis as it removes the impact of our capital structure and asset base from our operating results;
- as one method to estimate a purchase price (often expressed as a multiple of EBITDA or adjusted EBITDA) for solid waste companies we intend to acquire. The appropriate EBITDA or adjusted EBITDA multiple will vary from acquisition to acquisition depending on factors such as the size of the operation, the type of operation, the anticipated growth in the market, the strategic location of the operation in its market as well as other considerations;
- in presentations to our board of directors to enable them to have the same consistent measurement basis of operating performance used by management;
- as a measure for planning and forecasting overall expectations and for evaluating actual results against such expectations;
- in evaluations of field operations since it represents operational performance and takes into account financial measures within the control of the field operating units;
- as a component of incentive cash and stock bonuses paid to our executive officers and other employees;
- to assess compliance with financial ratios and covenants included in our credit agreements; and
- in communications with investors, lenders, and others concerning our financial performance.

The following presents a reconciliation of net income (loss) available to common stockholders to our adjusted EBITDA (in thousands):

	Three Months Ended June 30,		Six Months Ended June 30,	
	2010	2009	2010	2009
Net income (loss) available to common				

or Netscape 6x or higher
© 2004 WCA All Rights Reserved

EXHIBIT 11

Locations

Please click on a State for address information.

Best viewed in IE 5.x or higher
or Netscape 6x or higher
© 2004 WCA, All Rights Reserved

Advanced Web Site Publishing

WCA Waste Corporation
Investor Presentation

June 2008

EXHIBIT 12

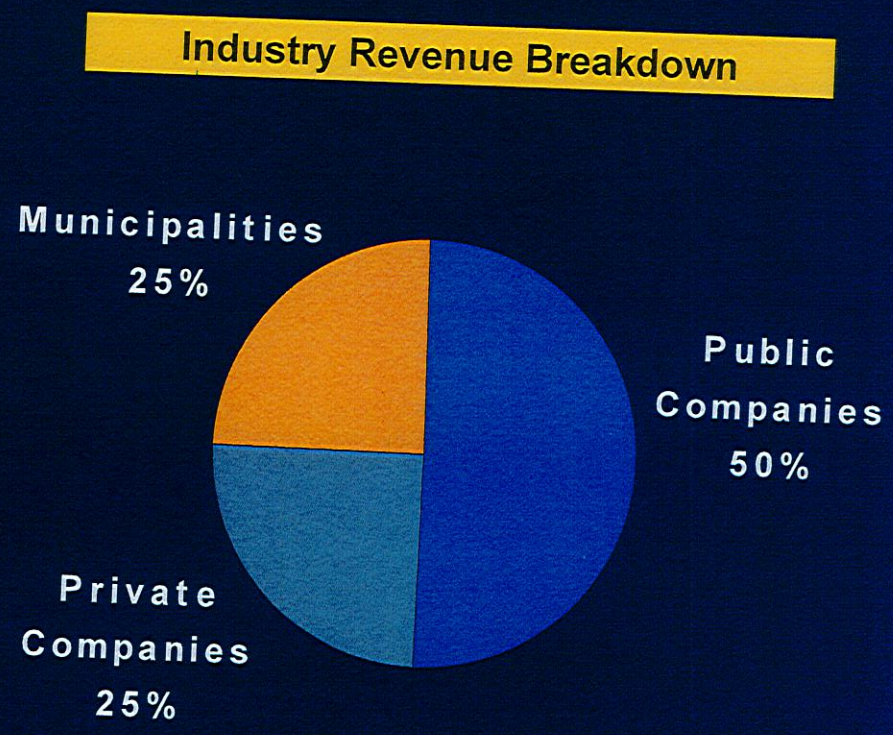
Safe Harbor Statement

- Some of the statements included in this report are forward-looking statements within the meaning of Section 27A of the Securities Act of 1933 and Section 21E of the Securities Exchange Act of 1934. From time to time, our public filings, press releases and other communications (such as conference calls and presentations) will contain forward-looking statements. These forward-looking statements can generally be identified as such because the context of the statement will include words such as "may," "will," "should," "outlook," "project," "intend," "seek," "plan," "believe," "anticipate," "expect," "estimate," "potential," "continue," or "opportunity," the negatives of these words, or similar word expressions. Similarly, statements that describe our future plans, objectives or goals are also forward-looking statements. This is true of our description of our 2008 – 2010 strategic plan.

- We caution that forward-looking statements are not guarantees and are subject to known and unknown risks and uncertainties. Some of the known risks and uncertainties are described in greater detail in our Annual Report on Form 10-K or our Quarterly Report on Form 10-Q as filed with the Securities and Exchange Commission and available through the Investor Relations Page of our website www.wcawaste.com. Since our business, operations and strategies are subject to a number of risks, uncertainties and other factors, actual results may differ materially from those described in the forward-looking statements. Also, our presentation includes non-GAAP financial measures.

Non-Hazardous Solid Waste Industry

- Collection, processing and disposal services
- Approximately $52 billion in revenue
- 3 – 4% annual growth



Industry Overview

- U.S. disposal volumes exceed 400 million tons annually
- Over 20,000 landfills in 1970 to fewer than 2,000 today
- However, total landfill capacity has increased

Consistent Industry Fundamentals

- "Grass roots" and "disposal driven" industry
- Waste collection and disposal is a necessary and recession-resistant industry
- Strong and reliable cash flow
- Pricing fundamentals have been strong in recent years

WCA Waste Proven Management Team

Experienced leadership with deep supporting team

Tom Fatjo, Jr.
Chairman and CEO

- Founded Browning-Ferris Industries in 1966
- Founded Republic Services in 1990
- Founded TransAmerican Waste Industries in 1992
- Founded WCA / Waste Corporation of America in 2000

Jerry Kruszka
President and COO

- Over 35 years in the industry
- Various senior management positions at Waste Management, Inc. including Northern California Regional Manager
- TransAmerican Waste Industries, Inc., President and COO
- Founded WCA / Waste Corporation of America in 2000

Chuck Casalinova
Senior Vice President and CFO

- 27 years in the industry
- Key financial positions at Waste Management, Inc., including Acquisition Controller and Regional VP/Controller
- Founded WCA / Waste Corporation of America in 2000

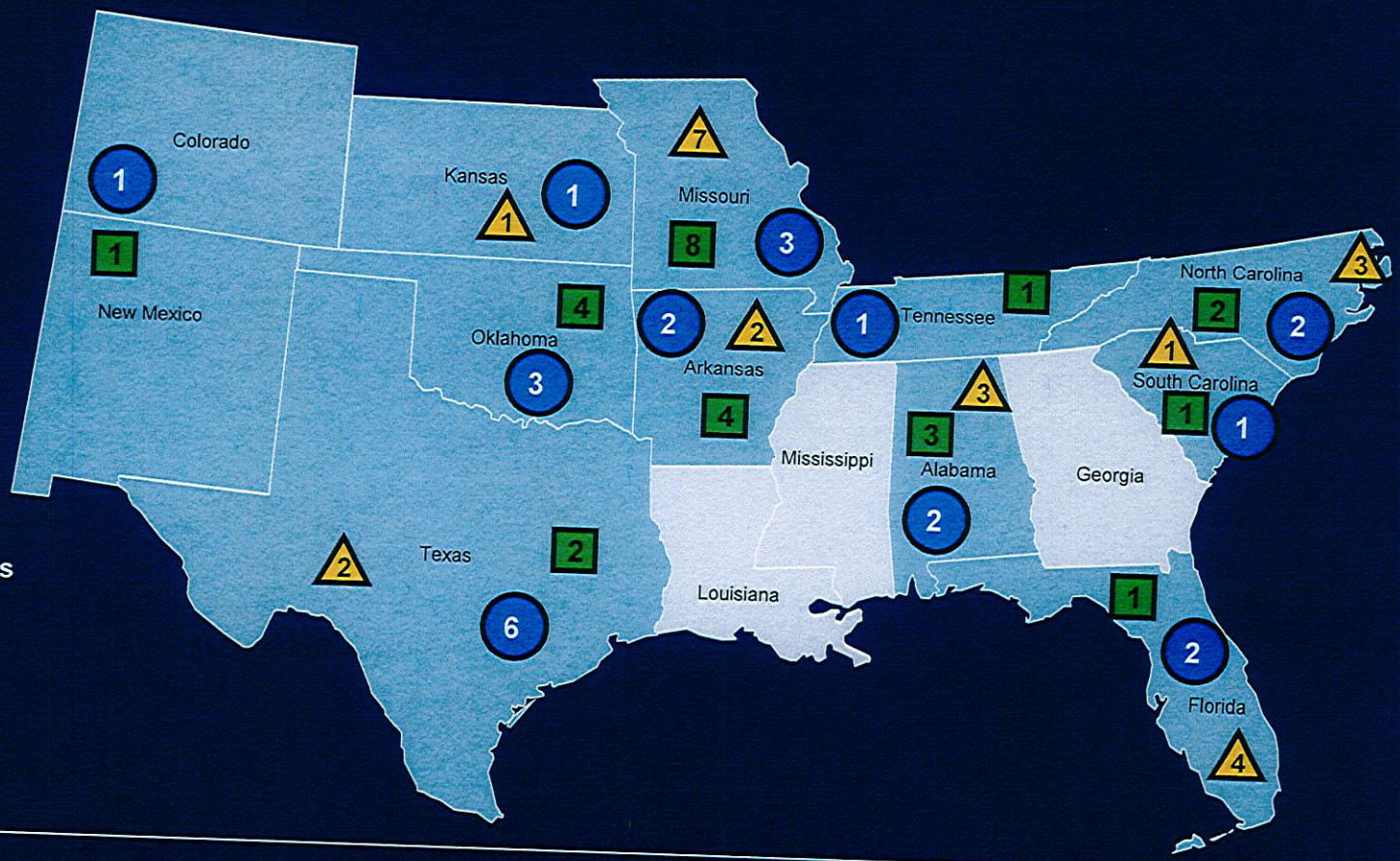
Tommy Fatjo
Senior Vice President of Finance

- 18 years in the industry
- Republic Services – Investor Relations
- TransAmerican Waste Industries – Vice President and Treasurer
- Founded WCA / Waste Corporation of America in 2000

- *Region Vice Presidents presidents and mid-management also have extensive waste industry tenure and expertise.*

WCA Waste Overview

- 24 landfills, 27 collection operations and 23 transfer stations
- Servicing approximately 334,000 customers
- Approximately 400 collection routes and 1,100 employees
- Diversified footprint with attractive sunbelt exposure



Growth Platform

Maintain core business initiatives

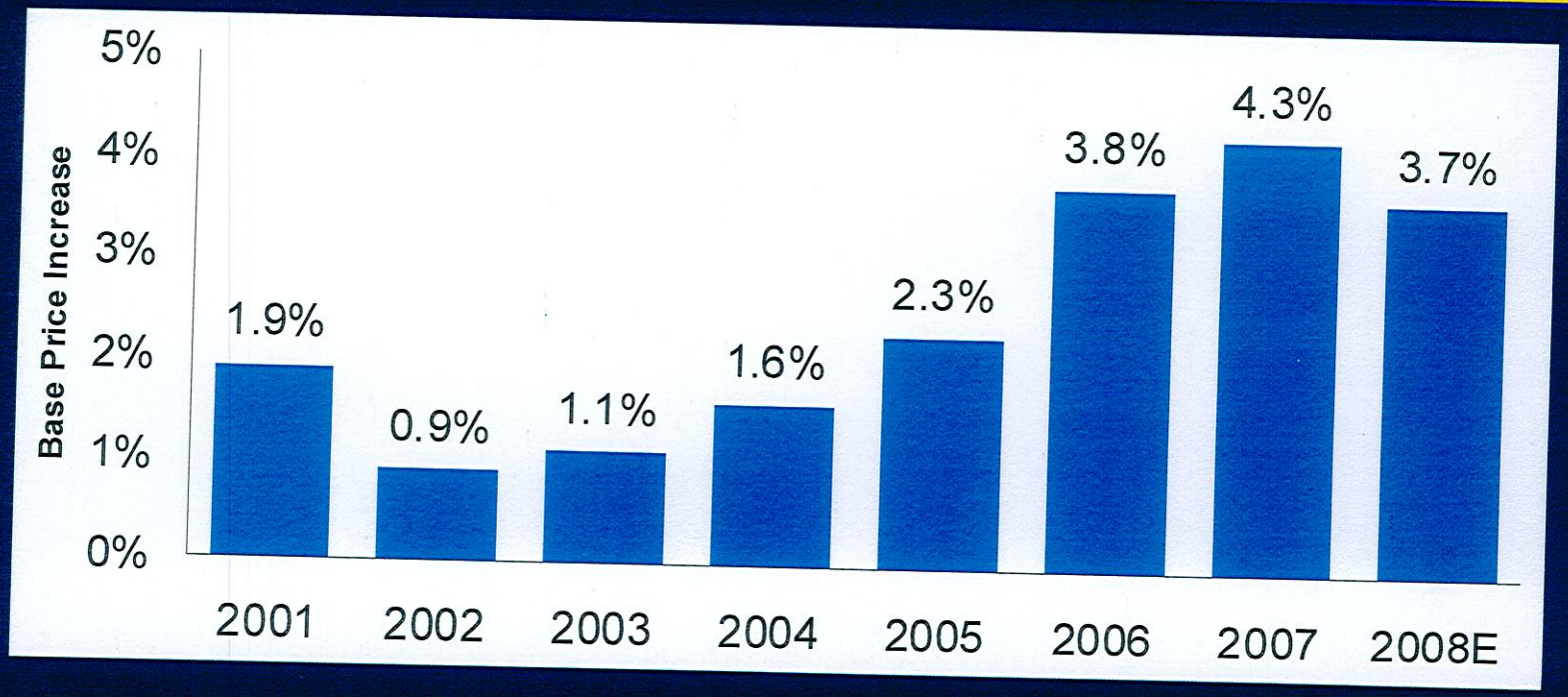
- **Maximize internalization rate through continued vertical integration**
  - Leverage existing landfill capacity to absorb additional collection volume
  - Pursue disciplined "tuck-in" acquisition opportunities of collection operations and transfer stations in areas where we currently operate disposal facilities
- **Drive internal growth through price and volume increases**
  - Rational behavior by industry competitors has resulted in industry-wide price increases
  - Pricing and volume improvements in 2007 led to 6.9% organic growth
- **Target markets in the high-growth south and central regions of the U.S.**
  - Anticipate strong population growth in our markets as "baby boomers" retire in Sunbelt states
  - Growing base of working families / professionals migrating to these regions
- **Continue to pursue disciplined strategic acquisitions**
  - First acquire landfills, then "tuck-in" collection operations
- **Provide consistently outstanding customer service**

Strong Industry Fundamentals

Sustained Improvement in Pricing

"Pricing to Remain Robust, Despite Modest Easing"
JPMorgan Analyst – February 25, 2008

Year-Over-Year Price Increases – Large Waste Companies*



** Company reports and JPMorgan estimates as of February 25, 2008. Pricing growth is calculated as an average of Allied Waste (AW), Waste Management (WMI), Republic (RSG) and Waste Connections (WCN).*

Proven Operator

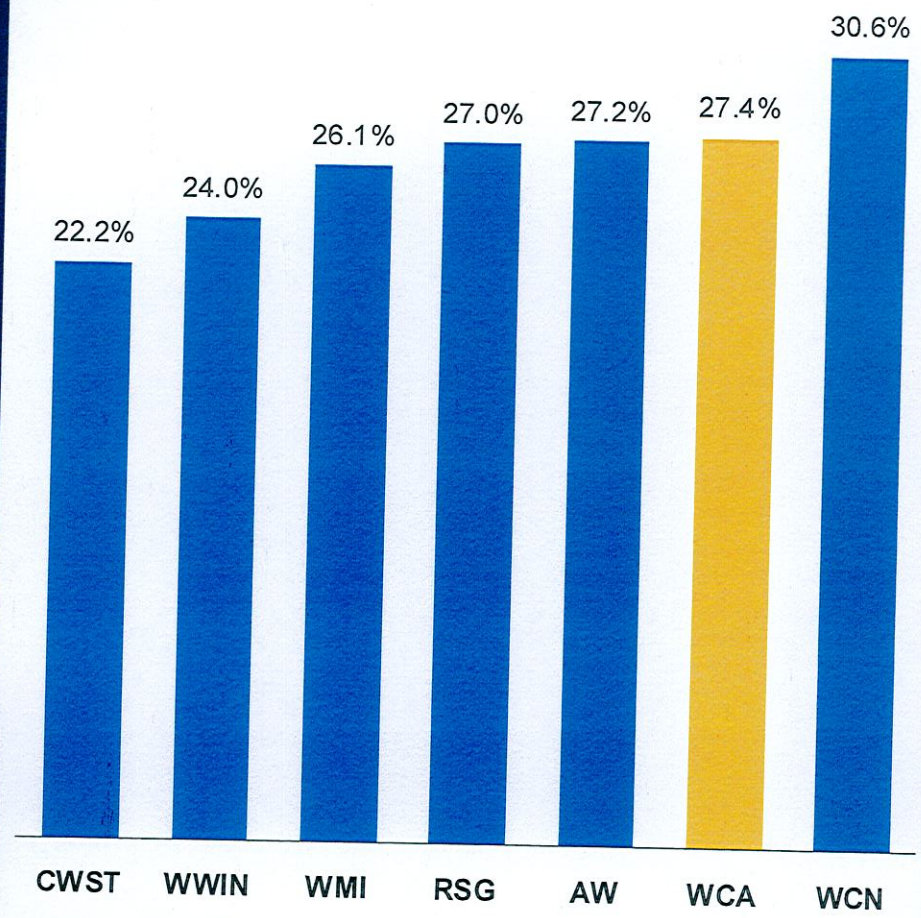
Top-tier organic revenue growth and EBITDA margins

FY'07 Organic Revenue Growth

	Price	Volume	CORE
Allied (AW)	5.5%	(3.4%)	**2.2%**
Casella (CWST)	3.2%	(3.3%)	**(0.1%)**
Republic (RSG)	4.2%	(1.5%)	**2.7%**
Waste Connections (WCN)	4.4%	3.9%	**8.3%**
Waste Industries (WWIN)	3.6%	(2.3%)	**1.3%**
Waste Management (WMI)	3.3%	(4.5%)	**(1.2%)**
Average	**4.0%**	**(1.8%)**	**2.2%**
WCA Waste (WCAA)	2.6%	3.5%	**6.1%**
Rank of 7			**#2**

Source: Per latest company filings and JPMorgan. Core organic growth comprised of price and volume components and before fuel, commodity and other.

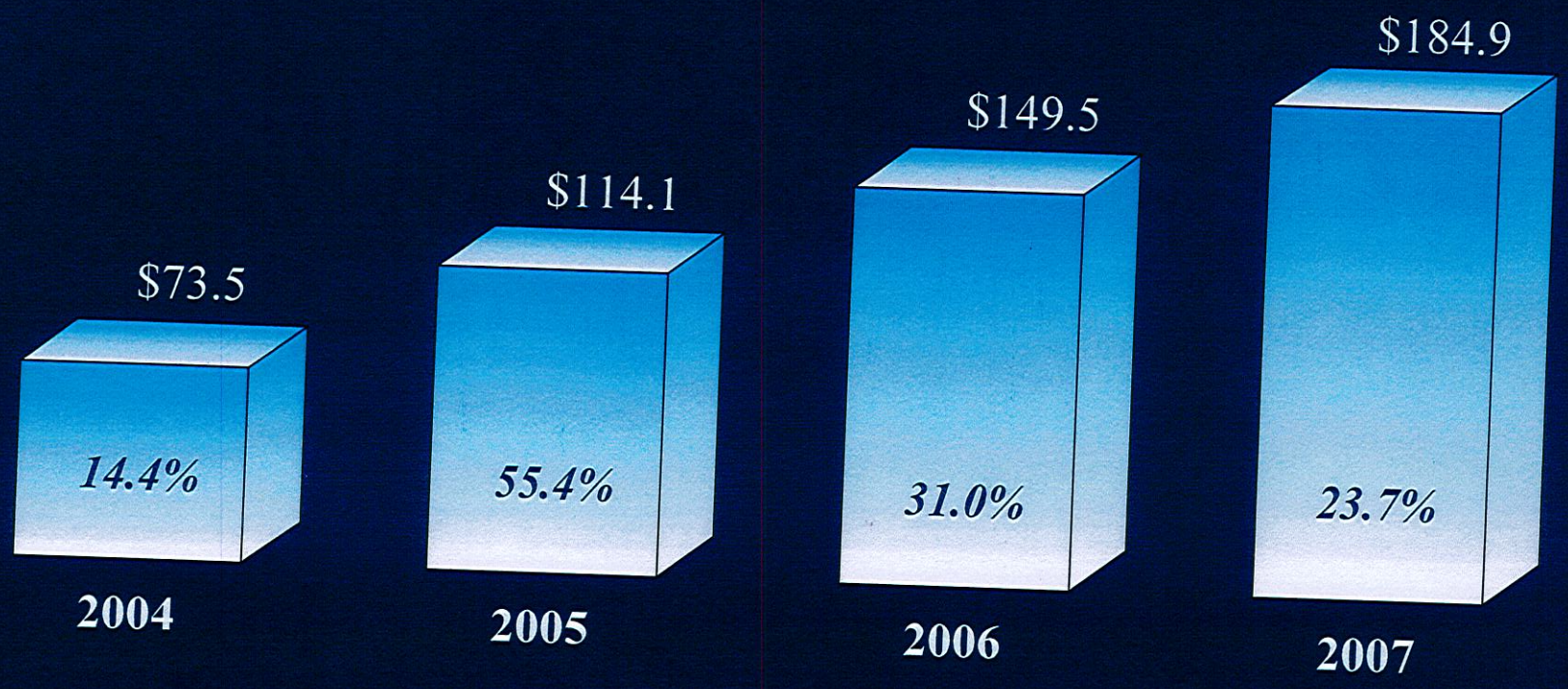
Trailing EBITDA Margin



Source: CapitalIQ

WCA Revenue Trend

(in millions)

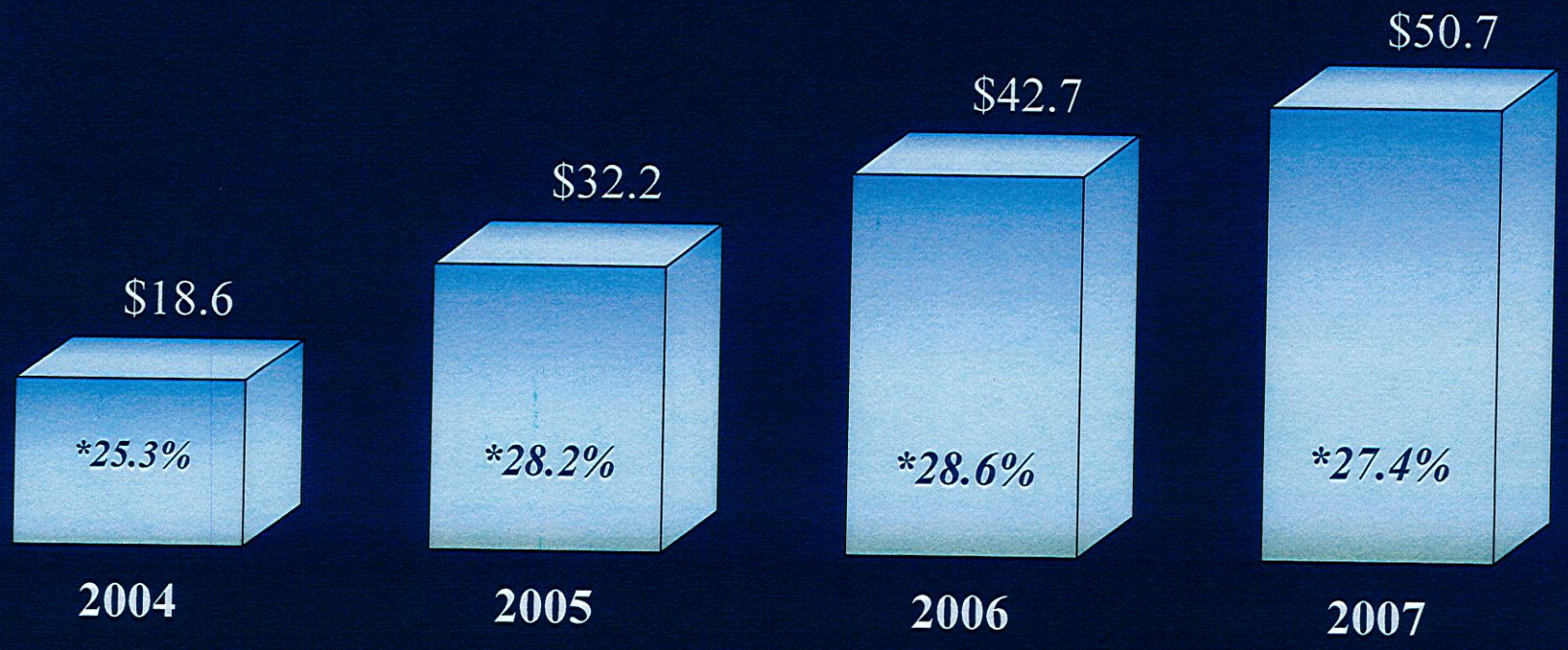


Internal Revenue Growth
2004 - 2007

	As of December 31,			
	2004	2005	2006	2007
Price Increase - Base		5.0%	2.5%	2.5%
- Fuel		2.8%	2.6%	0.9%
Volume Increase	5.5%	4.1%	6.5%	3.5%
Total Internal Growth	5.5%	11.9%	11.6%	6.9%
Acquisition Growth	8.9%	43.5%	19.4%	16.8%
Total Revenue Growth	14.4%	55.4%	31.0%	23.7%

WCA EBITDA Trend

(in millions)



Note: 2004 EBITDA adjusted for a stock-based compensation charge.
Note: * Indicates % of Revenue

WCA Waste Corporation
Strategic Plan
2008 - 2010

Build shareholder value by acquiring a variable asset base through 2010

Acquisition Investment Objectives

2008 – 2010

- Up to $160 million in Strategic & Tuck In Acquisitions

Acquisition Funding Goal

No Additional Equity

- Senior Revolver
- Internal Cash Flow

Projected 2008 – 2010 Results

- 15% - 20% Annual Revenue Growth

WCA Waste Corporation

2011 Objective:

Maximize profit and either sell assets or refinance and grow for the next 3-4 years influenced by the state of the economy.

Ten waste management growth companies in the 90's maximized shareholder value in this way:

- Sanifill
- United Waste
- Western Waste
- Addington Environmental
- Allied Waste
- USA Waste
- Eastern Environmental
- American Waste
- Transamerican Waste
- Chambers Environmental

WCA Waste Corporation
Investor Presentation
Supplemental Schedules

Acquisitions since IPO
Through March 31, 2008

Company Name	Location	Date Acquired
Texas Environmental Waste	Houston, TX	July 2004
Ashley Trash Service	Springfield, MO	August 2004
Power Waste	Birmingham, AL	August 2004
Blount Recycling	Birmingham, AL	September 2004
Translift	Little Rock, AR	September 2004
Rural Disposal	Willow Springs, MO	November 2004
Trash Away	Piedmont, SC	November 2004
Gecko Investments	Bowling Green, MO	January 2005
MRR Southern	Raleigh & High Point, NC	April 2005
Triangle Environmental	Raleigh, NC	May 2005
Foster Ferguson Disposal	El Dorado, MO	May 2005
Triad Waste Services	High Point, NC	May 2005
Proper Disposal	Chanute, KS	May 2005
Meyer & Gabbart	Sarasota, FL	October 2005
Ft. Meade Landfill	Ft. Meade, FL	October 2005
Pendergrass Hauling	Springfield, MO	October 2005
Andy's Hauling	Sarasota, FL	October 2005

Acquisitions since IPO (cont'd)
Through March 31, 2008

Company Name	Location	Date Acquired
Transit Waste	Bloomfield, NM	February 2006
Ft. Myers Transfer Station	Ft. Myers, FL	August 2006
St. Lucie Transfer Station	Port St. Lucie, FL	October 2006
Sunrise Disposal	Springfield, MO	December 2006
Southwest Dumpster	Ft. Myers, FL	January 2007
American Waste	Oklahoma City, OK	February 2007
Klean Way Disposal	Springfield, MO	March 2007
Carpenter Waste Systems	Oklahoma City, OK	May 2007
WSI of Texas	Houston, TX	June 2007
Big Red Containers	Ardmore, OK	August 15, 2007
Roll-Off Rentals	Huntsville, AL	September 4, 2007
DH Griffin Container Services	Greensboro, NC	October 1, 2007
DH Griffin Container of Raleigh	Raleigh, NC	October 1, 2007
Waste Pro Services	Houston, TX	October 1, 2007
Maguire Disposal	Noble, OK	January 2, 2008

Number of Acquisitions - 32

Investment - $ 252,763,000

Pro-forma EBITDA Acquired - $ 40,503,000

Average Acquisition Multiple - 6.2x

PLANNING AND ZONING COMMISSION RECOMMENDATION

On September 28, 2010; October 26, 2010; and November 16, 2010 public hearings were held before the Planning and Zoning Commission regarding the requests described below.

City of High Point **Northwest Area Plan**

A request by the Planning and Development Department to approve the Northwest Area Plan.

AND

City of High Point **Land Use Plan Amendment Case 10-04**

A request by the Planning and Development Department to amend the city's Land Use Plan in accordance with recommendations of the Northwest Area Plan. The land area associated with this amendment is approximately 10,260 acres lying within the northwestern portion of the City's Planning area generally lying south of I-40, west of Kendale Road & Sandy Ridge Road, northwest of Skeet Club Road and north of the Davidson/Forsyth County line.

The requests were presented by Mr. Gregg Morris, who provided an overview and addressed questions from the Commission members. The Planning and Development Department recommended approval of both items as outlined in the staff report.

The Commission initially delayed the request until the City Council endorsed the Heart of Triad Plan. Questions raised by the Commission included:

- The North/South Connector Road and its impact on the waterways and other alternatives, such as widening existing roads.
- Impact of a potential fourth runway at the airport on the location of areas designated for residential uses.
- Lack of tree preservation.
- Limited Rural Development designation.
- Residential uses adjacent to state property on Sandy Camp Road.
- Possible location of a new school.
- Allowing development in this area will take focus away from the Core City area.
- How does the Federal Clean Air standards impact future development of housing and farming in the Northwest Area Plan area.

At the September 28, 2010 and October 26, 2010 public hearings comment were received from Mr. Rafe Royal of 1609 Squire Davis Road in Kernersville, Mr. Fred Mabe of 8839 Boyeston Road, Ms. Cathy Poole of 1607-A Squire Davis Road and Mr. Jimmy Morgan of 8625 Bull Road in Colfax. Primary concerns voiced were:

- Delaying P&Z Action until Council adopted Heart of Triad Plan.
- Potential environmental impact that may be caused by proposed North/South Connector Road and other traffic corridor options other than the North/South Connector Road.
- Why the Northwest Area Plan only had one rural development category.
- Why the plan does not have conservation developments which would come closer to protecting the wildlife and trees.

- Proposed sewer outfalls or pump stations that may be built as development continues around the US 311/NC 66/Quarry area.

Over the course of the meetings, the Planning & Development Department addressed the various questions raised by the Commission members and the public. At the November 16, 2010 public hearing, staff provided the Commission members with a detailed memorandum addressing issues raised by the Commission at the previous meetings. A recurring point of discussion was regarding the environmental impact that may be caused by proposed North/South Connector Road.

The Commission recommended approval of the Northwest Area Plan and Land Use Plan Amendment Case 10-04, as recommended by staff by a vote of 5-2, with Ms. Davis and Mr. McInnis the dissenting votes. Ms. Davis expressed concerns included wanting to further clarify and study the North/South Connector Road, the impact of airport upon an area designated for residential uses, and the impact the state prison facility has upon a designated residential area.

HIGH POINT
NORTH CAROLINA'S INTERNATIONAL CITY™

MEMORANDUM

December 20, 2010

To: Honorable Mayor and City Council
From: G. Lee Burnette, AICP, Director
Subject: **Northwest Area Plan**

Attached for your consideration is an executive summary of the Northwest Area Plan and Land Use Plan Amendment Case 10-04. A number of initiatives and events, including the FedEx air cargo hub and the associated Part 150 Study, the Heart of the Triad plan and the revised High Point/Kernersville Annexation Agreement, with its attendant extension of a major sewer outfall from High Point to Kernersville, have great potential to affect the northwest part of High Point's planning area. It was therefore an appropriate time to assess the development potential of an area where High Point, Kernersville and Greensboro are growing together. Staff started working on this project in the latter part of 2007.

The *Northwest Area Plan* was presented to the City Council's Planning and Development Committee on September 7th. Two open house public meetings were held in the study area on September 2nd and September 9th. Approximately 40 people attended the public meetings. The Plan was presented to the Planning and Zoning Commission on August 24th and public hearings were held on September 28th and October 26th and the Plan and amendment Case 10-04 were recommended for approval by a vote of 5 to 2 on November 16th.

If you have any questions, please do not hesitate to contact me at 883-3328.

Plan Purpose

A number of initiatives and events, including the FedEx air cargo hub and the associated Part 150 Study, the Heart of the Triad plan and the revised High Point/Kernersville Annexation Agreement, with its attendant extension of a major sewer outfall from High Point to Kernersville, have great potential to affect the northwest part of High Point's planning area. This is therefore an appropriate time to assess the development potential of an area where High Point, Kernersville and Greensboro are growing together.

The Study Area

The study area comprises about 10,260 acres in Guilford and Forsyth counties. The study area is generally west and northwest of Kendale, Sandy Ridge and Skeet Club roads and south of I-40. The western boundary roughly follows the Guilford County/Forsyth county line. The southeast corner of Forsyth County is also included in the study area, and it extends westward and south along US 311 to its interchange with High Point Road. The Forsyth/Davidson county line forms the southern boundary of this part of the study area.

Northwest Area Plan Goals and Objectives

The following summary goals and objectives were developed for the *Northwest Area Plan*. Goals articulate the desired outcomes that land use planning policies and related development regulations strive to attain. Objectives are specific actions intended to achieve the goals.

Goal 1: Protect the natural environment and its many features.

- Objective 1a: Preserve natural environmental features during site development
- Objective 1b: Maintain high water quality through minimal grading and management techniques
- Objective 1c: Where possible preserve mature trees
- Objective 1d: Maintain linked open space between developments
- Objective 1e: Encourage farmland preservation
- Objective 1f: Properly place higher density development
- Objective 1g: Preserve primary habitats

Goal 2: Achieve high quality development in the built environment.

- Objective 2a: Require high aesthetic standards in site and building design
- Objective 2b: Promote development with human scale
- Objective 2c: Encourage mixed-use development near residential areas
- Objective 2d: Provide mixed residential densities for all income levels
- Objective 2e: Protect existing residential neighborhoods from new non-residential development
- Objective 2f: Promote efficient, environmentally-friendly development

Goal 3: Create a fully integrated transportation system that recognizes and accommodates a wide variety of transportation needs and users.

- Objective 3a: Maintain integrity of major thoroughfares
- Objective 3b: Provide intra and inter-development transportation connectivity
- Objective 3c: Ensure that new development provides infrastructure for multi-modal transportation

- Objective 3d: Provide landscaping along transportation corridors
- Objective 3e: Expand mass transit services as growth in the area warrants
- Objective 3f: Encourage higher density around transportation centers
- Objective 3g: Create a transportation scheduling and routing that permits easy shifting from one mode to another

Goal 4: Continue economic development programs to respond to the needs of a growing area and a changing economic environment.

- Objective 4a: Target high value-jobs that diversify the economy
- Objective 4b: Participate in local and regional economic development activities
- Objective 4c: Support educational facilities that train workers for targeted businesses
- Objective 4d: Strongly consider the environmental impacts of economic development projects
- Objective 4e: Ensure that economic development policies and incentives are consistent with the plan

Design Guidelines for New Non-Residential Development

Guidelines have been established for all new non-residential development within the study area. They have been divided into two sections; the first section applies to all new non-residential development and the second section contains additional guidelines that apply only to Business Center Areas. The goal of the design guidelines is to create high quality development that is harmonious and visually attractive and which also supports multiple modes of transportation.

The general guidelines that apply to all non-residential development include those regarding signs, access, site buffers, architecture, landscaping, pedestrian circulation, parking, outdoor display, lighting and exterior mechanical equipment. The design guidelines that are specific to Business Center Areas pertain mainly to development size, common open space, structure location, storage/process areas, fences and loading docks.

Northwest Area Plan Land Use Recommendations

The *Northwest Area Plan* introduces non-standard land use classifications including Activity Center, Business Support Area and Business Center Area to denote future land uses in parts of the study area. The particular land use descriptions within these areas are specifically applicable only within this area plan. This area plan also incorporated the Rural Development classification from the *Land Use Plan* and further refined the definition to better describe the type of development that is desired in this area. This revised definition should also be considered for use in the *Land Use Plan*.

The descriptions of land use within the *Northwest Area Plan* are presented in significantly greater detail and are generally more restrictive than those in the *Land Use Plan*. For example, a development proposed in the Sandy Ridge Road Business Center Area, which is recommended for a Restricted Industrial land use designation on the *Land Use Plan*, would likely be subject to higher standards than would a similar development located in a Restricted Industrial area in another part of the city because of

the in-depth study that has taken place as part of this area plan. Map 20 (on page 39) shows the entire study area, and it represents the future land use recommendations of the *Northwest Area Plan*.

This area plan recommends distinct development nodes, most of which are clearly best suited for particular purposes due to environmental constraints, transportation access or other factors. They are as follows:

- I-40/Sandy Ridge Road/Bunker Hill Road;
- Sandy Ridge Road/Piedmont Parkway Extension; and
- US 311/NC 66.

The designation of these nodes and the descriptions of the recommended uses within them are very specific to this area plan. The last section of the plan translates the specific land uses into the more general land use categories currently used in the city's adopted *Land Use Plan*. As the northwest area develops, this area plan should be used to guide the type and style of development.

Recommended Land Use Plan Amendments

Of the 10,260 acres in the Northwest Area Plan study area, 1,619 acres are proposed for amendment in the existing *Land Use Plan*. See Map 21 on page 47.

CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT

STAFF REPORT
LAND USE PLAN AMENDMENT CASE 10-04
December 10, 2010

Request	
Applicant: City of High Point	**Owner(s):** Various
Proposal: To change the future land use designation for approximately 1,619 acres in the northwest portion of the High Point Planning Area in accordance with the recommendations in the *Northwest Area Plan*. The area lies generally west of Sandy Ridge, Kendale, and Skeet Club Roads and north of the Davison County Line.	**From/To/Acreage** **Area:** 1. Restricted Industrial/Community/Regional Commercial - 9 ac. 2. Restricted Industrial/Community/Regional Commercial - 77 ac. 3. Restricted Industrial/Community/Regional Commercial - 30 ac. 4. Restricted Industrial/Medium-Density Residential - 29 ac. 5. Future Growth Area/Low-Density Residential – 79 ac. 6. Future Growth Area/Medium-Density Residential - 91 ac. 7. Future Growth Area/Restricted Industrial - 50 ac. 8. Future Growth Area/Low-Density Residential - 337 ac. 9. Restricted Industrial/Low-Density Residential - 68 ac. 10. Mixed Use Development/Institutional - 57 ac. 11. Mixed Use Development/Medium Density Residential -116 ac. 12. Low-Density Development/Mixed Use Development - 47 ac. 13. Low-Density Residential/Medium-Density Residential -114 ac. 14. Low-Density Residential/Rural Development - 276 ac. 15. Future Growth Area/Heavy Industrial - 69 ac. 16. Future Growth Area/Heavy Industrial - 25 ac. 17. Medium & Moderate Res./Low-Density Res. – 145 ac.

Site Information	
Location:	The 17 areas in this proposed Land Use Plan amendment request are distributed fairly evenly across the study area (see attached map). As noted above, the area lies generally west of Sandy Ridge, Kendale, and Skeet Club roads and north of the Davison County Line. It is bounded on the north by I-40 and extends, in the southwest, well into Forsyth County along US 311 and NC 66.
Current Land Use:	Farms, single-family dwellings, undeveloped, commercial/industrial uses and a quarry.
Existing Zoning District(s):	Conditional Use Light Industrial (CU LI), Conditional Use Public and Institutional (CU-PI), and Conditional Use Residential Single Family – 7 (CU-RS-7) in High Point's jurisdiction; Light Industrial (LI), Residential Single-Family-40 (RS-40) and Agriculture (AG) in Guilford County's jurisdiction; General Industry Special Use Permit (GI-S) and Residential Single Family-20 (RS-20) in Forsyth County's jurisdiction.

Physical Characteristics:	The existing land uses in the 17 areas of this Land Use Plan amendment request is a mixture of farmland with related structures, single-family dwellings on very large lots, undeveloped property, woodlands and several rural residential subdivisions. There are commercial/industrial uses near the intersection of Sandy Ridge Rd. and a large quarry in Forsyth County south of US 311. Most of the area drains toward the West Fork of the Deep River. Some areas of very steep slopes and extensive floodplains are associated with the river and its tributaries.
Overlay District(s):	Airport Overlay Zone, Oak Hollow Lake General Watershed Area and Oak Hollow Lake Watershed Critical Area Tier 4.

Adjacent Property Zoning and Current Land Use	
North:	See Maps 2 and 5 (pages 2 and 7) of the *Northwest Area Plan*
South:	
East:	
West:	

Adjacent Land Use Designations	
North:	See Map 11 (page 16) of the *Northwest Area Plan*.
South:	
East:	
West:	

Existing and Proposed Land Use Designations
The area designated for Community/Regional Commercial at the interchange of Sandy Ridge Rd. remains, though in a slightly changed configuration, while some Low Density Residential and Medium Density Residential areas are recommended for amendment from Restricted Industrial and Future Growth Area on either side of Bunker Hill Rd. at I-40. A substantial amendment from Future Growth Area and Restricted Industrial to Low Density Residential is also recommended on the north side of Bame Rd. The area designated for Mixed Use Development east of Sandy Ridge Road between Kendale and Sandy Camp Roads is proposed to be redesignated for Institutional and Medium Density Residential use, while immediately to the southwest, property currently designated for Low Density Residential use is recommended for Mixed Use and Medium Density Residential use. Collectively, these three new use areas are recommended to become a Focal Area. Property south of Squire Davis Rd. now designated for Low Density Residential use is proposed for redesignation to Rural Development. Two areas to the south and west of the quarry, west of NC 66, are recommended for redesignation from Future Growth Area to Heavy Industrial. An area in the southeast corner of Forsyth County is recommended for redesignation from Medium and Moderate Density Residential to Low Density Residential.

The following is a description of the Land Use Classifications that are new to the area within the *Northwest Area Plan*:

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

Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Rural Development: This classification is intended to preserve the rural character of an area through the maintenance of agriculture, the construction of homes on very large lots (ideally a minimum of five acres), or through the use of conservation subdivisions, which cluster residences and leave generous amounts of open space.

Relevant Land Use Plan Amendment History		
Case #:	**Date:**	**Description:**
N/A		

Details of Proposal

These 17 recommended amendments to the Land Use Plan are recommended by the *Northwest Area Plan* and are in response to the *Heart of the Triad Plan*, the FedEx air cargo hub at Piedmont Triad International Airport and the results of its related Part 150 noise study, and the revised High Point/Kernersville with its attendant sewer outfall constructed in 2009.

Relevant Land Use Plan Policies and Other City Plans	
Community Growth Vision Statement:	Goal 1: Preserve and enhance High Point's most important natural and cultural resources. Goal 3: Create more mixed use areas, while reinforcing existing ones, to minimize traffic, maximize the utilization of infrastructure, and so people can live, work and play in one location. • Objective 3B: Establish new or redeveloped mixed use areas at key intersections where suitable land use and development patterns exist. • Objective 3C: Attract commercial tenants that will offer daily goods and services to nearby neighborhoods. • Objective 3E: Apply development standards to ensure that mixed use areas are human scaled, pedestrian friendly, and physically integrated through mixed use buildings and buildings that front onto streets rather than large parking lots that separate buildings and their uses.

Land Use Plan Goals, Objectives and Policies:	Goal 1: Ensure that development respects the natural environment. Goal 5: Promote an urban growth pattern that occurs in an orderly fashion and conserves the land resources of the city and its planning area.
Relevant Area Plan(s): *Northwest Area Plan*	The *Johnson Street/Sandy Ridge Area Plan*, adopted as amended in August 2003, covered a portion of the *Northwest Area Plan* study area, as explained on pages 17 and 18 of the of the *Northwest Area Plan*. It is intended that the *Northwest Area Plan* will replace the *Johnson Street/Sandy Ridge Area Plan* upon adoption. For the purposes of the proposed Land Use Plan amendments, the most pertinent goals and objectives from the *Northwest Area Plan* are the following: Goal 1: Protect the natural environment and its many features. • Objective 1a: Preserve streams, wetlands and steep slopes through the siting of development in appropriate locations. • Objective 1f: Understand that some areas are inappropriate for higher density development due to significant environmental values and constraints; instead, reserve these areas for passive recreation, conservation development or farming.

Analysis

As noted in the Details of Proposal section of this report, several factors made this an appropriate time to study the northwestern part of the city's Planning Area and to develop a small area plan. Staff analyzed existing land uses and the land use designations in the Land Use Plan in light of the opportunities and challenges presented by environmental and regulatory constraints, existing and proposed utilities and transportation improvements, employment generators like the FedEx air cargo hub at Piedmont Triad International Airport and the land use recommendations of the *Heart of the Triad Plan*. The jurisdictions involved in the Heart of the Triad planning process agreed to make their land use plans and, where necessary, their Development Ordinances compatible with each other, and all of the recommended amendments here are in accord with the *Heart of the Triad Plan*.

As a result of the analysis, amendments are recommended to the Land Use Map and the text of the Plan.

<u>Map Amendments</u>
Of the 10,260 acres in the study area, 1,619 acres in 17 separate areas are recommended for amendments to the Land Use Map.

The specific recommended map amendments are as follows:

Areas 1, 2 and 3 will result in a somewhat larger, yet more compact, area for commercial development and potential redevelopment to serve primarily the growing employment center that borders it on the east, west and south. Areas 4 and 6 will provide for higher density housing for employees of the employment center as well as the new center in Kernersville that the West Fork Outfall was built to serve. Area 5 recognizes existing single-family development. Area 7 "squares off" the existing Restricted Industrial designation to the east. This area will be opened to development by two proposed sewer outfalls, although significant transportation improvements will be required, especially a new road between Bunker Hill Rd. and Sandy Ridge Rd.

Areas 8 and 9 are recommended for Low Density Residential designation due to the existing and potential single-family residential use. Area 10 is the location of the prison camp and the NC DOT's road maintenance facility.

Areas 11, 12 and 13 encompasses a new Focal Area, which includes an activity center with a mixture of uses, primarily retail, office and services with a residential component, as well as some higher density residential development to the east and south of the activity center, probably a mixture of townhomes and apartment. This development will likely be spurred by the extension of Piedmont Parkway to intersect with Sandy Ridge Rd. and Johnson St.

Area 14 is recommended for a Rural Development designation, which allows for very low residential development, including conservation subdivisions and agricultural uses. This is due to environmental constraints including steep slopes.

Areas 15 and 16 are recommended for Heavy Industrial and they reflect an expanded rock quarry.

Area 17 is recommended for Low Density Residential due to multiple small parcels within this area that are unlikely to be combined. This is a better reflection of the current and anticipated conditions in the area.

Text Amendment

Based on the refinement of the focal area in the *Northwest Area Plan*, the written description of the focal area in the Land Use Plan needs to be amended to match the detailed description in the *Northwest Area Plan.* The existing Land Use Plan text and the proposed text are shown below:

Existing Text:

Johnson Street and Sandy Ridge Road at the Intersection of the Proposed Extension of Clinard Farms Road/Piedmont Parkway

This Developmental Focal Area provides excellent opportunities for quality residential development in the area surrounding the intersection of the proposed extension of Clinard Farms Road with Johnson Street and Sandy Ridge Road. With the completion of Piedmont Parkway and Clinard Farms Road, their combination with Hilltop Road, Sandy Ridge/Bunker Hill Road and NC Highway 66 will be an important east/west route through central and west Guilford County into Forsyth County connecting Interstate 85 east of High Point with Interstate 40 at

Kernersville. Large, mixed-density residential developments oriented away from the roads are most appropriate within this Developmental Focal Area, as are residentially compatible public and institutional uses such as schools, churches and parks. The minimum site size within each of the four highway quadrants in this Developmental Focal Area is fifty acres.

Proposed Text:

Sandy Ridge Road/Piedmont Parkway Extension Focal Area

The Sandy Ridge Road/Piedmont Parkway Extension Focal Area is depicted on the map to contain approximately 277 acres and is located on the east side of Sandy Ridge Road in the vicinity of Kendale Road, Sandy Camp Road and Johnson Street. The main idea of a Focal Area is to create an area with a mix of uses (retail, office, service and residential) integrated together into a cohesive unified development. It is shown on the land use map to include two land use classifications: an activity center and medium density residential.

Activity Center - The activity center is located just south of the Sandy Ridge Road and Kendale Road intersection and occupies the triangle formed by Sandy Ridge Road, Kendale Road and the proposed extension of Piedmont Parkway. Because the exact configuration of the intersection of Piedmont Parkway and Sandy Ridge Road is not known, the location of the center may differ somewhat from that shown on Map 18. The Activity Center, which is shown to be approximately 47 acres in size, will consist primarily of commercial, office and service uses along with supporting higher density residential uses.

This Activity Center is intended to accommodate compatible, mixed uses in a walkable setting. The center should consist of extremely well-integrated, neighborhood-scale retail and personal/professional service establishments rather than a regional shopping center. It could take the form, in part, of a double-loaded open air shopping street with pedestrian amenities, perhaps with upper-story residences or offices. Residential uses could also be incorporated in properly located, residence-only enclaves.

Most parking should be to the side or to the rear of the commercial development. An appropriately sized public open space would be a necessary amenity and could aid in meeting watershed regulations. The Activity Center is in Tier 4 of the Oak Hollow Watershed Critical Area; regulations limit it to 50 percent built-upon area, so creativity in site design is needed.

This Activity Center provides an excellent opportunity for a quality, coordinated/unified development in the vicinity surrounding the intersection of the extension of Piedmont Parkway with Johnson Street and Sandy Ridge Road. Both roadways are anticipated to be improved and are planned to consist of four lanes with landscaped medians. When completed, Piedmont Parkway, in combination with Hilltop Road, Sandy Ridge/Bunker Hill Road and NC 66, will be an important east/west route through central and western Guilford County into Forsyth County, connecting I-85 east of High Point with I-40 in Kernersville. Portions of the extension of Piedmont Parkway could be built by a developer during the construction of the Activity Center. The road intersection at the Activity Center, and the center itself, will gain even more prominence when Sandy Ridge Road is improved, the North-South Connector is constructed, and especially if the two roads are used to provide access to Piedmont Triad International Airport.

Medium Density Residential – Large, mixed-density residential development, including mostly townhomes with some condominiums and apartments, of perhaps eight to 10 units per acre, is the most appropriate primary use to the immediate east and south of the Activity Center. This mixed density housing is recommended for a land use designation of Medium Density Residential on the *Land Use Plan* and could occupy about 230 acres depending on when and how the development takes place. For example, if the Medium Density Residential area develops at the same time as the Activity Center it could be smaller or on just one side of the Activity Center.

Focal Area –The combined Activity Center and the Medium Density Residential area make up the Focal Area. This Focal Area contains quite a different set of target uses than the Focal Area on the existing *Land Use Plan* in roughly the same location, which was recommended to be essentially residential in nature.

However, this Focal Area is more than simply the combination of the Activity Center and the two areas designated for Medium Density Residential use. The Focal Area is a concept under which a unified development proposal is submitted covering the entire area or a significant share of it. Ideally the Focal Area would be developed together so as to fully integrate a mix of uses and capitalize on the roadway dedication, watershed regulations and extension of water and sewer. The Planned Unit Development (PUD) or the Traditional Neighborhood (TN) zoning district are the preferred zoning districts to implement a unified development in accordance with this Focal Area criteria while providing flexibility in the location of uses. That is, the uses targeted for the Activity Center and the Medium Density Residential uses must be accommodated under the proposal, but they may be present in a different spatial arrangement. This flexibility may be of benefit to the developer, while the public gains through high quality development ensured the high development standards expected of such development.

If components of the Focal Area are developed separately, efforts at coordination would be hampered, flexibility would be hindered and the opportunity for the highest quality development diminished.

Recommendation

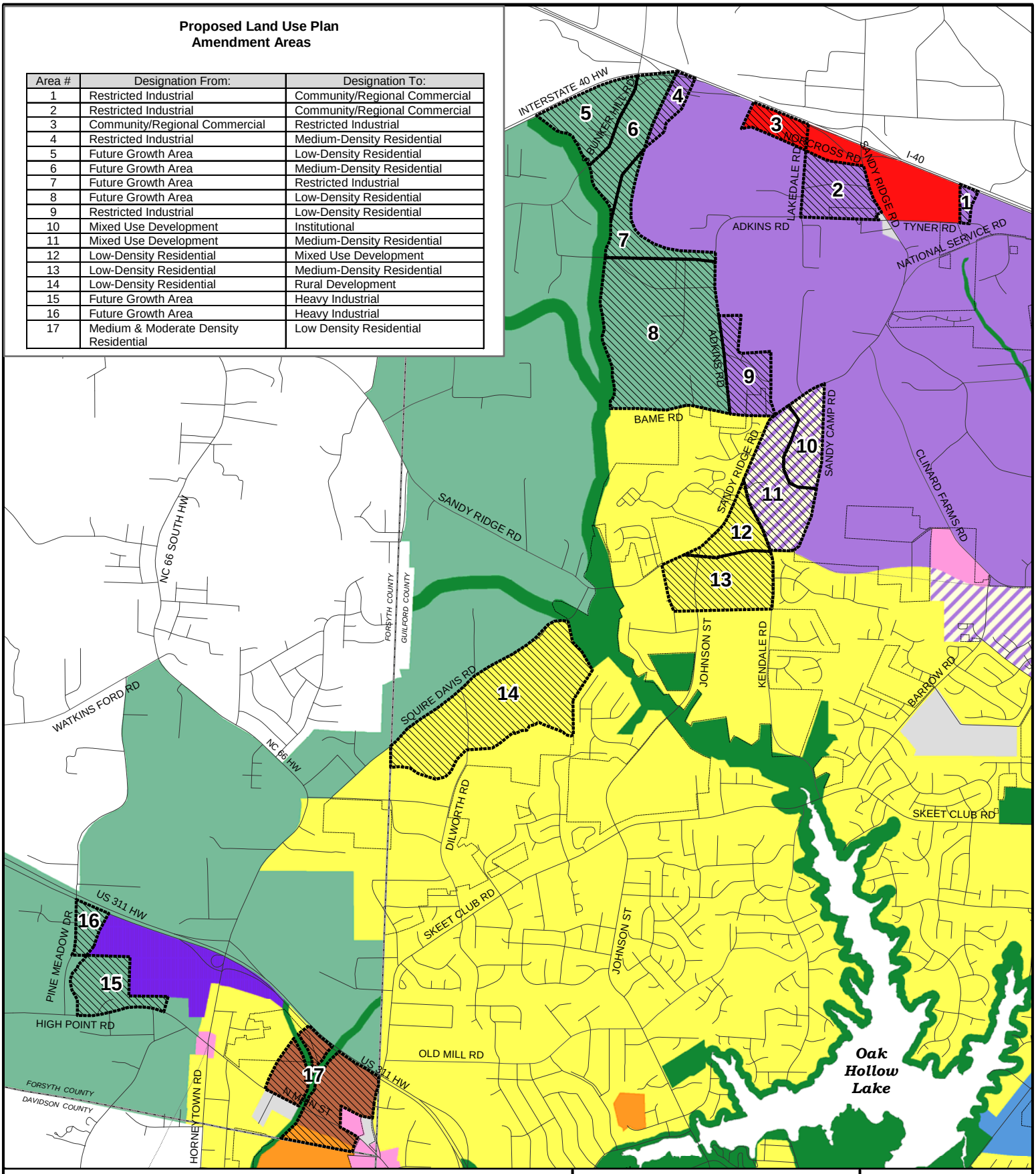
These amendments to the Land Use Plan respond to the recommendations of the *Northwest Area Plan* and position High Point to respond well to anticipated growth in the northwestern part of the planning area. Staff recommends approval of this Land Use Plan amendment request.

Report Preparation

This report was prepared by Planning and Development Department staff member Gregg Morris, AICP, Senior Planner and reviewed by Heidi Galanti, AICP, Planning Administrator and G. Lee Burnette, AICP, Planning and Development Director.

Proposed Land Use Plan Amendment Areas

Area #	Designation From:	Designation To:
1	Restricted Industrial	Community/Regional Commercial
2	Restricted Industrial	Community/Regional Commercial
3	Community/Regional Commercial	Restricted Industrial
4	Restricted Industrial	Medium-Density Residential
5	Future Growth Area	Low-Density Residential
6	Future Growth Area	Medium-Density Residential
7	Future Growth Area	Restricted Industrial
8	Future Growth Area	Low-Density Residential
9	Restricted Industrial	Low-Density Residential
10	Mixed Use Development	Institutional
11	Mixed Use Development	Medium-Density Residential
12	Low-Density Residential	Mixed Use Development
13	Low-Density Residential	Medium-Density Residential
14	Low-Density Residential	Rural Development
15	Future Growth Area	Heavy Industrial
16	Future Growth Area	Heavy Industrial
17	Medium & Moderate Density Residential	Low Density Residential



LAND USE PLAN AMENDMENT 10-04

Request: Multiple Areas

Subject Property Boundary ▬ ▬ ▬ ▬ ▬ ▬ ▬ ▬

Planning & Development Department

City of High Point

Date: November 11, 2010

N

Scale: 1'=3700'

y:/ba-pz/2010/pz/lupa10-04.mxd

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

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

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

WHEREAS, the *Northwest Area Plan* makes certain recommendation for amendments to the *Land Use Plan for the High Point Planning Area*; and

WHEREAS, public hearings were held before the High Point Planning and Zoning Commission on September 28, 2010, October 26, 2010 and November 16, 2010 and before the City Council of the City of High Point on December 20, 2010 regarding these proposed amendment s to said *Land Use Plan for the High Point Planning Area*:

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

SECTION 1. That the *Land Use Plan for the High Point Planning Area* be amended by redesignating various properties as shown on the accompanying land use map;

SECTION 2. That the text of the *Land Use Plan for the High Point Planning Area* be amended by replacing language on page 16 of the plan describing a Developmental Focal in the vicinity of the future intersection of Sandy Ridge Road and the future extension of Piedmont Parkway as follows:

Existing Text:

- **Johnson Street and Sandy Ridge Road at the Intersection of the Proposed Extension of Clinard Farms Road/Piedmont Parkway**

This Developmental Focal Area provides excellent opportunities for quality residential development in the area surrounding the intersection of the proposed extension of Clinard Farms Road with Johnson Street and Sandy Ridge Road. With the completion of Piedmont Parkway and Clinard Farms Road, their combination with Hilltop Road, Sandy Ridge/Bunker Hill Road and NC Highway 66 will be an important east/west route through central and west Guilford County into Forsyth County connecting Interstate 85 east of High Point with Interstate 40 at Kernersville. Large, mixed-density residential developments oriented away from the roads are most appropriate within this Developmental Focal Area, as are residentially compatible public and institutional uses such as schools, churches and parks. The minimum site size within each of the four highway quadrants in this Developmental Focal Area is fifty acres.

Residential on the *Land Use Plan* and could occupy about 230 acres depending on when and how the development takes place. For example, if the Medium Density Residential area develops at the same time as the Activity Center it could be smaller or on just one side of the Activity Center.

Focal Area –The combined Activity Center and the Medium Density Residential area make up the Focal Area. This Focal Area contains quite a different set of target uses than the Focal Area on the existing *Land Use Plan* in roughly the same location, which was recommended to be essentially residential in nature.

However, this Focal Area is more than simply the combination of the Activity Center and the two areas designated for Medium Density Residential use. The Focal Area is a concept under which a unified development proposal is submitted covering the entire area or a significant share of it. Ideally the Focal Area would be developed together so as to fully integrate a mix of uses and capitalize on the roadway dedication, watershed regulations and extension of water and sewer. The Planned Unit Development (PUD) or the Traditional Neighborhood (TN) zoning district are the preferred zoning districts to implement a unified development in accordance with this Focal Area criteria while providing flexibility in the location of uses. That is, the uses targeted for the Activity Center and the Medium Density Residential uses must be accommodated under the proposal, but they may be present in a different spatial arrangement. This flexibility may be of benefit to the developer, while the public gains through high quality development ensured the high development standards expected of such development.

If components of the Focal Area are developed separately, efforts at coordination would be hampered, flexibility would be hindered and the opportunity for the highest quality development diminished.

SECTION 3. Should any section or provision of this resolution be declared invalid, such decision shall not affect the validity of remaining portions of this resolution.

SECTION 4. This resolution shall become effective immediately upon adoption.

Adopted by City Council
this 18th day of January 2011

Lisa Vierling

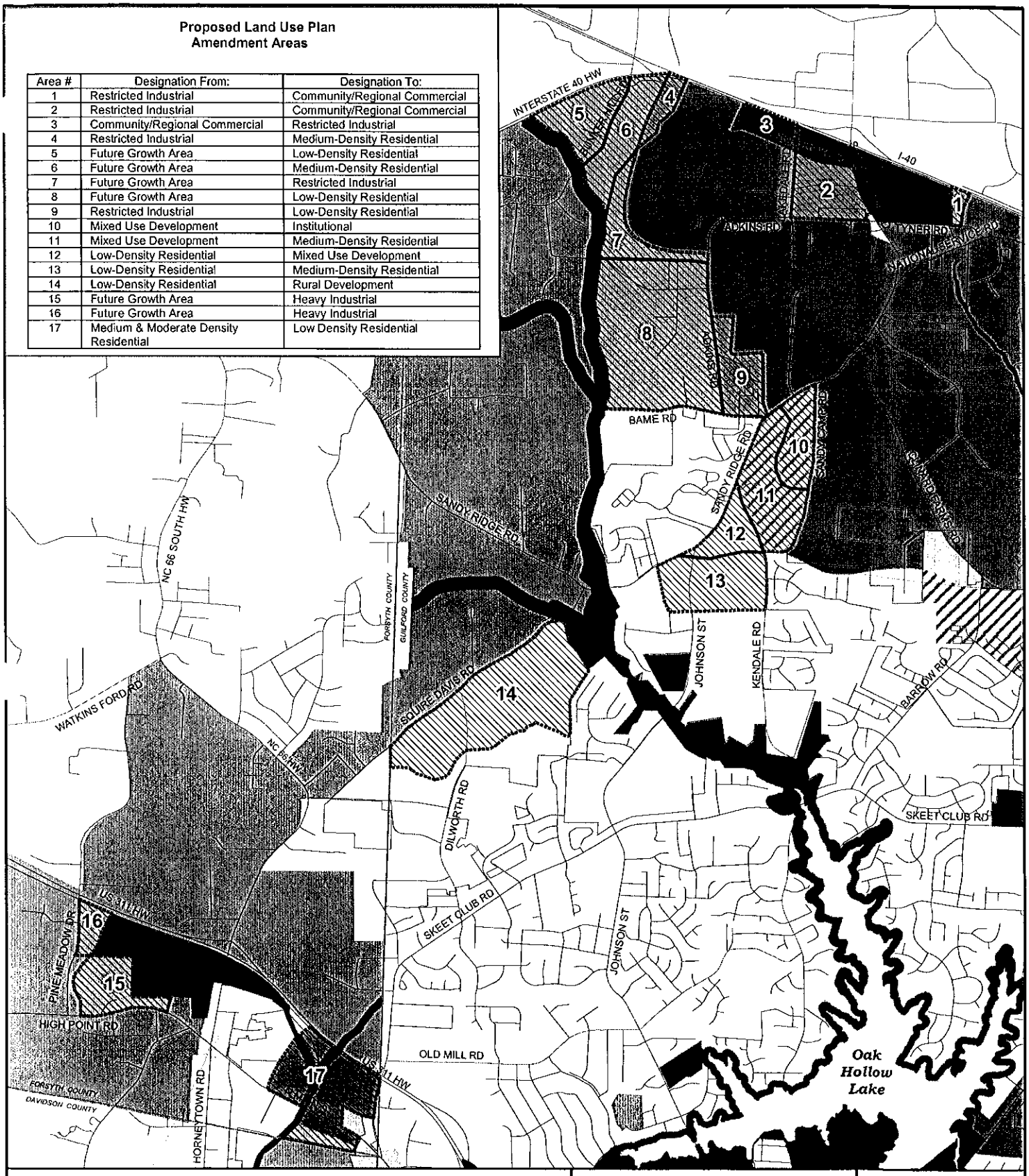
Lisa Vierling, City Clerk

City of High Point North Carolina

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

Proposed Land Use Plan Amendment Areas

Area #	Designation From:	Designation To:
1	Restricted Industrial	Community/Regional Commercial
2	Restricted Industrial	Community/Regional Commercial
3	Community/Regional Commercial	Restricted Industrial
4	Restricted Industrial	Medium-Density Residential
5	Future Growth Area	Low-Density Residential
6	Future Growth Area	Medium-Density Residential
7	Future Growth Area	Restricted Industrial
8	Future Growth Area	Low-Density Residential
9	Restricted Industrial	Low-Density Residential
10	Mixed Use Development	Institutional
11	Mixed Use Development	Medium-Density Residential
12	Low-Density Residential	Mixed Use Development
13	Low-Density Residential	Medium-Density Residential
14	Low-Density Residential	Rural Development
15	Future Growth Area	Heavy Industrial
16	Future Growth Area	Heavy Industrial
17	Medium & Moderate Density Residential	Low Density Residential



LAND USE PLAN AMENDMENT 10-04

Request: Multiple Areas

Subject Property Boundary

Planning & Development Department

City of High Point

Date: November 11, 2010

N

Scale: 1'=3700'

y:/ba-pz/2010/pz/lupa10-04.mxd

SPECIAL USE PERMIT 10-01
CITY OF HIGH POINT, NORTH CAROLINA

January 18, 2011.
(Adopted)

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

USE: Bar (SIC Code 5813) with a maximum capacity over 100 person.

CONDITIONS:

1. The applicant is required to submit a site plan documenting the site is meeting Off-Street Parking Requirements of the Development Ordinance prior to increase in occupancy.
2. Parking shall be installed (striped upon the site) in compliance with standards of the Development Ordinance prior to increase in occupancy.

DESCRIPTION OF PROPERTY: An approximately 1.58 acre parcel lying at the northwest corner of E. Parris Avenue and Kirkwood Street *(133 E. Parris Avenue)*. The property is also known as Guilford County Tax Parcel 0199849 (old number 335-4-1).

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

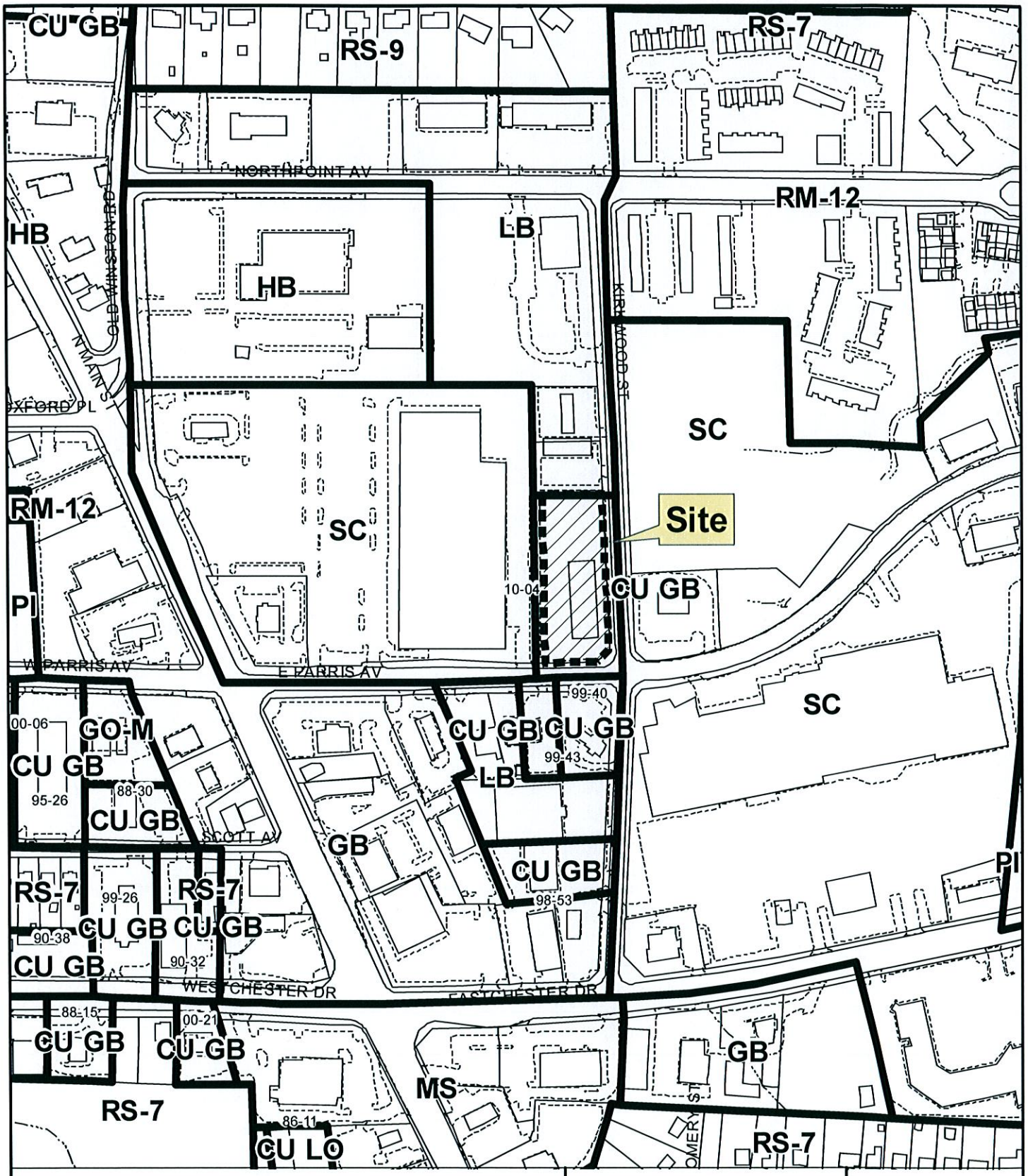
This Special Use Permit shall become void after eighteen (18) months from the date of City Council approval unless the Special Use authorized has begun and/or a footing inspection has been approved. If the Special Use authorized is discontinued for a period exceeding eighteen (18) months or replaced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

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

SPECIAL USE PERMIT 10-01 AND THE ACCOMPANYING SITE PLAN WERE APPROVED BY THE CITY COUNCIL OF HIGH POINT, NORTH CAROLINA ON THE 18TH DAY OF JANUARY, 2010.

Lisa B. Vierling
City Clerk

1-18-2011
Date



SPECIAL USE PERMIT CASE 10-01

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

Existing Zoning Boundary ———

Subject Property Boundary - - - - - - - -

Planning & Development Department

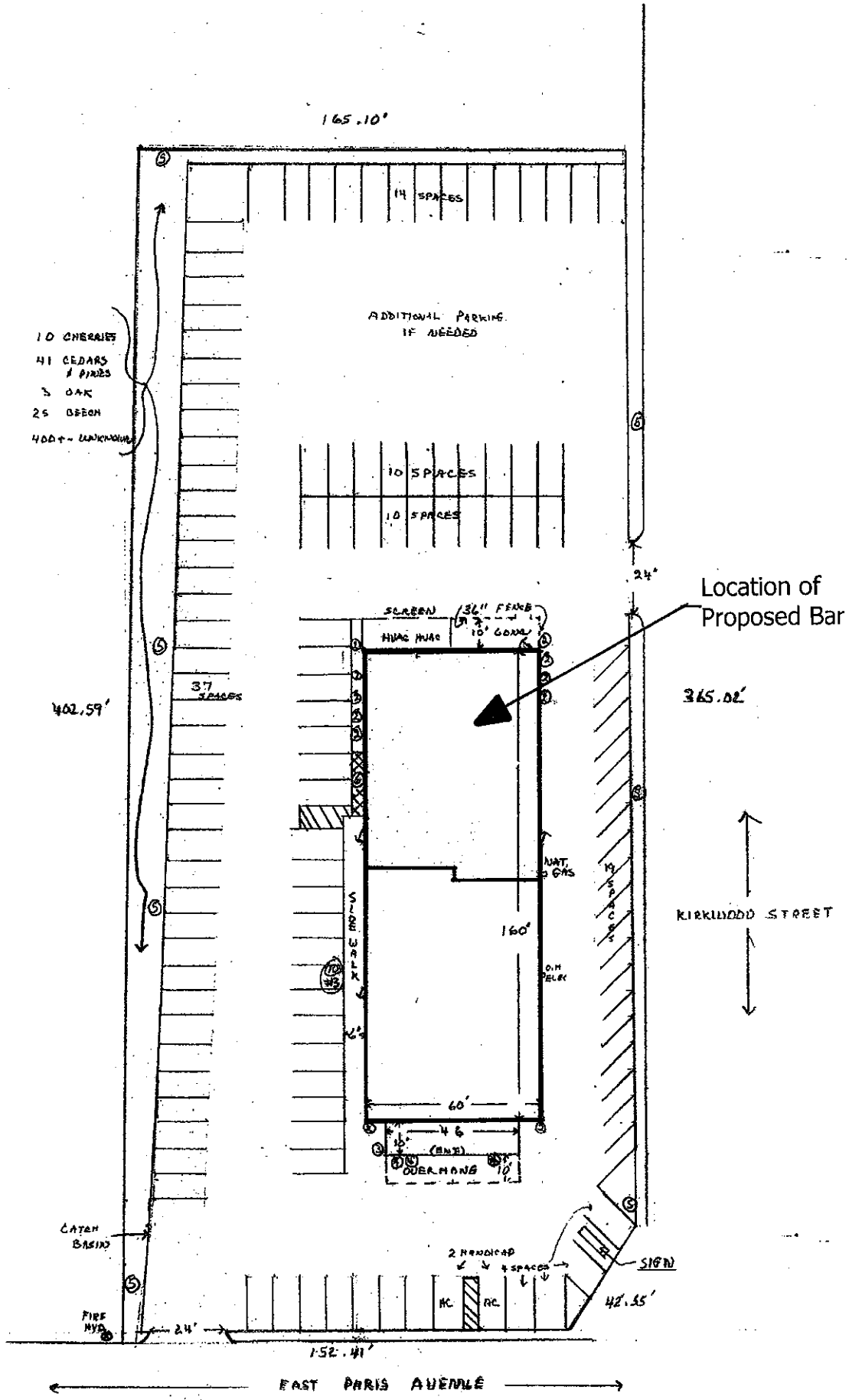
City of High Point

Date: November 9, 2010

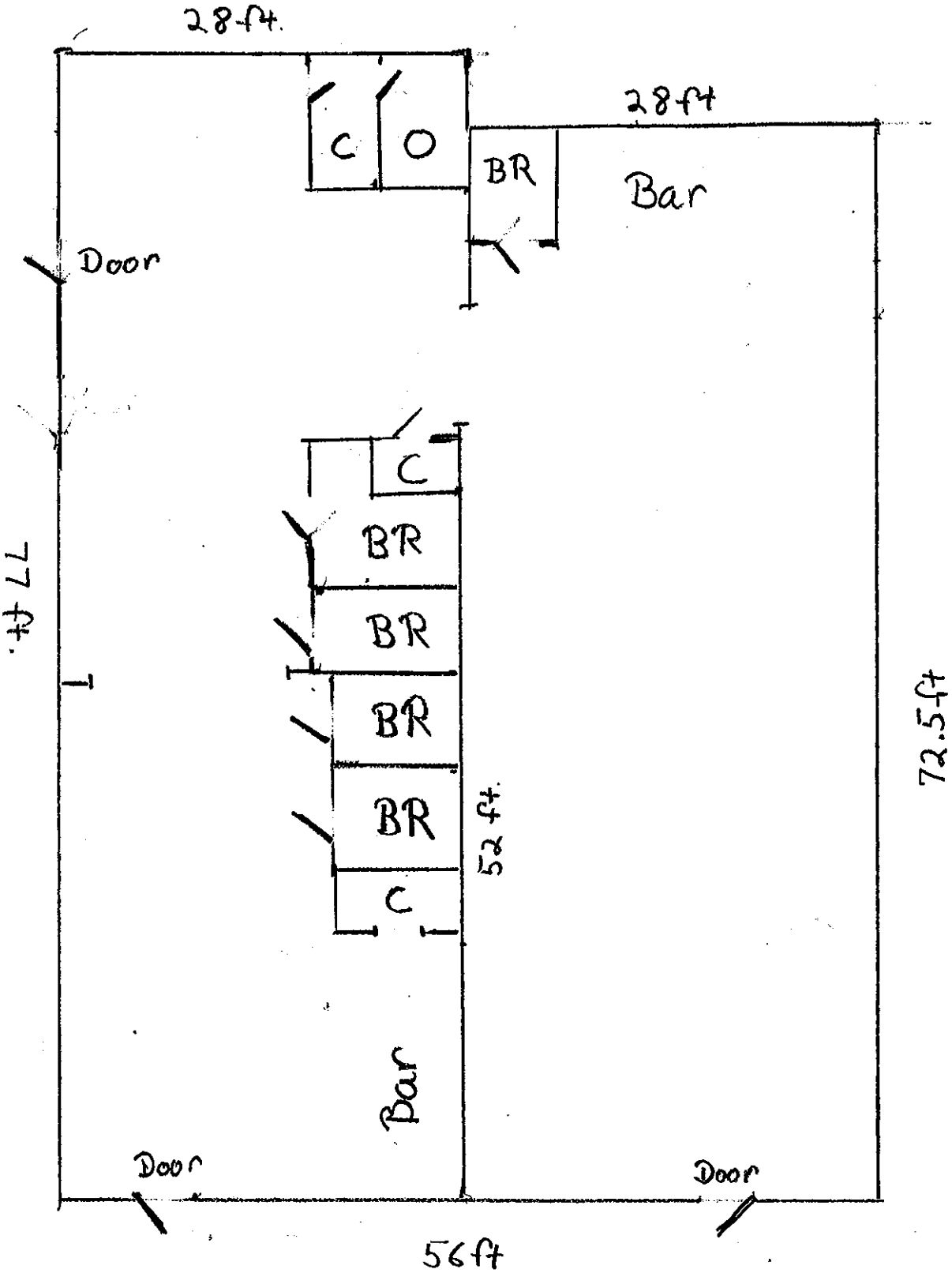
N

Scale: 1'=300'

y:/ba-pz/2010/pz/sup10-01.mxd


165.10'
14 SPACES
ADDITIONAL PARKING IF NEEDED
10 CHERRIES
41 CEDARS & PINES
3 OAK
25 BEECH
400+- UNKNOWN
10 SPACES
10 SPACES
24'
Location of Proposed Bar
SCREEN
36" FENCE
10' GONE
HVAC HVAC
37 SPACES
402.59'
365.02'
NAT. GAS
SIDE WALK
160'
O.H. ELEC
14 SPACES
KIRKWOOD STREET
60'
46
10'
(BNT)
OVERHANG
10'
CATCH BASIN
2 HANDICAP
4 SPACES
SIGN
HC
HC
42.55'
FIRE HYD.
24'
152.41'
EAST PARIS AVENUE

1" = 10 feet
BR = Bathroom
C = Closet
O = Office



10035 7 / 100 358
Cathy Poole written comments

LISA VIERLING

From:	Cathy Poole [cathypoole@northstate.net]
Sent:	Sunday, December 19, 2010 8:27 AM
To:	BECKY SMOTHERS; Bernita Sims; Foster Douglas; Michael Pugh; Chris Whitley; Jim Corey; Britt Moore; Latimer Alexander
Cc:	LISA VIERLING; Cynthia Davis; MARK MCDONALD; LEE BURNETTE
Subject:	Fw: Comments for the Public Hearing record regarding the Northwest Area Plan 12-20-2010
Attachments:	August 24 2010 P & Z Commission Meeting - Heart of the Triad Questions - Updated.docx; October 26 -2010 Planning & Zoning Commission.doc; November 16 - 2010 Planning & Zoning Commission.doc

Dear High Point City Council:

Please accept my comments for the December 20, 2010 Public Hearing Record for the Northwest Area Plan. I am employed at the High Point Medical Center as a medical practice administrator for Dr. Stephen S. Ruehle, and it is highly unlikely that I will be able to leave our office to attend the 5:30pm public hearing.

I am also forwarding the comments of Ms. Cynthia Davis from the High Point Planning & Zoning Commission's public hearing on the Northwest Area Plan. (Attachments from forwarded email are below)
Ms. Davis made numerous excellent comments that should certainly be taken into consideration by Council prior to your vote.

The Goals of the Northwest Area Plan articulate the desired outcomes that land-use planning policies and development regulations strive to attain. The Objectives are specific actions intended to achieve the Goals. Land-use planning must be integrated with transportation planning according to the Federal Highway Administration guidelines/website.

Every Objective in Goal One, of the Northwest area plan will be obliterated by the inclusion of the North-South Connector included in the High Point Major Thoroughfare Plan. (Feasibility Study # FS-0707B)

In 2007 the High Point MPO-TAC webpage stated, "Every member jurisdiction must approve the Long-Range Thoroughfare Plan" (LRTP). Three local governments opposed High Point's Long-Range Thoroughfare Plan. The Guilford County Commissioners *unanimously rejected* the plan because of the North-South Connector and Davidson County Commissioners and Wallburg approved the plan *without the North-South Connector.* When I questioned the TAC about moving the LRTP forward in spite of the negative votes of three member jurisdictions, the TAC subsequently changed wording on the website and Mayor Smothers indicated that she believes the word "approve simply means to take action". I totally disagree that a vote of unanimous rejection by an elected body can be twisted into an approval.

During a community meeting with Latimer Alexander and Mark McDonald, I specifically ask Mr. McDonald if the North-South Connector was drawn on High Point maps due to the exaggerated estimates of population growth in the ***original*** Heart of the Triad Plans and he said ***"YES".*** The original HOT plans included "NO roadway widenings, for development purposes of the *New Center City of the Piedmont".*

Page#28 of the **current** Heart of the Triad plan contains a (boxed statement).
The map reflects existing recommendations for roads from the currently adopted plans from the (3) MPOs with jurisdiction in the area and does not reflect the transportation related recommendations of the Heart of the Triad plan. The Stakeholders Committee supports improvements of existing roadways to enhance travel safety and to accommodate increasing travel demands; supports the development of a public transportation system, supports the integration of adopted land uses into future transportation planning, but does not see the need for the North-South Connector Project nor the I 73-74 Airport Connector Project.

The Greensboro MPO-TAC's planning area meets High Point near the Sandy Ridge Road I-40 Interchanges. Greensboro plans to improve the I-40 interchanges, widen Sandy Ridge Road to Market Street/Hwy 421, widen Market Street/Hwy 421 and widen Pleasant Ridge Road as their Airport Connector project. High Point also has plans to widen Sandy Ridge Road, (also called the Airport Connector). Improvements to existing facilities tend to have a benign environmental impact and significantly lower costs to the taxpayers as opposed to building a new road.

Removing the widening of NC Hwy 66 as an alternative to building the North-South Connector as mentioned in the October 2009 High Point MPO Newsletter completely disregards the devastating environmental consequences of destroying thousands of old growth trees, farmland and **crossing 17 water features between HWY 311 and I-40, as indicated in FS0707B study.**

A much sited National Environmental Policy Act (NEPA) case, "Environmental Defense Fund vs. Corps of Engineers held that the purpose of Section 102-(2)(E) was to insist that no project should be undertaken without intense consideration of other more sound ecologically courses of action, including shelving the entire project, or of accomplishing the same result by entirely different means."

Secondly, from the American Planning Association Policy on Climate Change:
"It is the role of planners to promote a major shift in public policies that drive development decisions, growth and infrastructure investment. We have clear evidence of climate change and measurable effects. Planning outcomes should lead to lower Greenhouse Gas Emissions, such as mixed use development, development near transit, infill and re-development utilizing existing utilities, infrastructure and services."

In September, South Carolina received $10 million as a federal stimulus grant for work on U.S.17, a highway that was built on filled in creeks and often floods in heavy rains. U.S. 17 is the main north-south route along the South Carolina coast. Building roads through wetlands also drains taxpayer pockets.

High Point's residents and business owners should demand that their tax dollars are spent within the City limits as opposed to the current focus on ETJ and land grabs. Only when this occurs can High Point possibly become the vibrant place that I remember and enjoyed as a child.

Thank you for your consideration of my comments of opposition to the Northwest Area Plan.
PLEASE FORWARD TO A.B. HENLEY. HIS EMAIL ADDRESS WAS INCORRECT.

Cathy M. Poole
1607A Squire Davis Road
Kernersville, NC 27284

Phone: 869-0256

CathyPoole@northstate.net

----- Original Message -----
From: Cynthia Y Davis
To: cathypoole@northstate.net
Sent: Wednesday, November 17, 2010 8:17 PM
Subject: Request of Notes

Ms. Poole,

I have attached the HOT and NWAP notes that you requested. I hope they will be of use to you.

I am very fortunate to have met you and others, who are interested in preservation and quality development in their area.

If I can be of any assistance please feel free to contact me ANYTIME.

Thank you for your continued interest in the HOT and NWAP.

Take care and God bless!

Cynthia Y. Davis
336-906-7477

Life is a journey, so hold onto your boot straps! It's going to be a bumpy ride! Hold on tight! God has a perfect plan for your life!

Purpose

Why do we want to create a city within a city? A community of haves over a community of have nots?

Are we walking away from High Point, as we know it, just to start a new and let the High Point of yesterday turn into ghettos and slum of tomorrow? Will the families, who live here, be forgotten, in the hustle of things, such as the push for the Heart of the Triad plan?

Why

Why are we pulling the plug on the existing commercial/industrial buildings that all ready exist in High Point? Such as those on English/Kivett and Green/Russell Tear, it down and build it back to specs. If the city can pass down standards for homes that are abandoned to come up to code or standard within a year, by the owner, then why not make the same true for abandoned/unused buildings, too? This would allow industry to build a new within the current industrial areas of the city.

Statement

What kind of statement are we sending to the rest of High Point, to those families and residents who are hoping the factory around the corner from their home will reopen, but doesn't. Is there no incentive for companies to use what is already here?

Existing Potential

1. How is **the Heart of the Triad plan complementing and supporting the existing city and town centers** of High Point, when we have empty useable buildings throughout the city that could be utilized, revamped or combined to meet the needs of new growth and business? Oak Hallow Mall is not located at the airport. It has had difficulties staying afloat for several years now. The High Point Showrooms are not located at the airport, nor is Main Street of High Point, where many small businesses reside. This plan states that it is going to complement and support existing city and town centers; I do not think so. I believe it will only draw more businesses away from High Point as we currently know it, which will increase the empty buildings and cause additional businesses to either close or relocate to the new Heart of High Point I am sorry the Heart of the Traid. I believe that not only will we see businesses relocate, but citizens, too. Citizens, who have stuck by High Point through thick and thin, will be drawn away, into a better thriving community, abandoning the current High Point. High Point will suffer monetarily, due to businesses within various jurisdictions, which will provide what High Point does not. If we would only work on revitalizing what is here, by bringing business and industry back into High Point, by putting people back to work. ***Pg. 1***

2. The plan states it will **identify abandoned commercial and industrial sites to determine suitable re-use opportunities given the location of such buildings**; what about doing the same within the existing High Point industrial areas, along English/Kivett and Russell/Green? **Pg. 5**

Why allow the current heart, although, slumbering to remain down?

Why not revamp and bring back to life what is already here?

Cost? Cost does not seem to be a concern for creating a new heart for the the city of high point/triad and leaving behind the blood sweat and tears of families that will be forced to drive further away from home in a difficult economic time just to provide for their families.

Codes and Ordinances

Why should we re-work codes and ordinances to accommodate t he Heart of the Triad plan? Will we re-work the codes and ordinances for every special project or plan, just to have our own "Field of Dreams" scenario? If we build it they will come mentality. I hope so, but what if we build it and they do not come or they come with incentive money and then leave? Then, we are left with empty dreams and hopes, not to mention empty buildings or sites for potential business, much like we already have in the city right now.

3. I am aware that current notification only requires notifying residents up to 300 feet of impact, but this is a citywide impact plan that should have special notification requirements, in my opinion. **The Heart of the Triad plan states that it is an effort to stimulate our regional economy and provide quality of life for all** I feel it is only fair or good manners to include all those impacted by such a plan. After, all we are going to have to amend the codes and ordinances to make this Field of Dreams happen or become a reality, throughout the entire process. Why not include those impacted the most by such a project, all of High Point will definitely be impacted by this project/plan? ***Pg.1***

4. **Skepticism and opposition from some property owners and citizens** I believe to be valid concerns, from inception to now, pg 2, pg 16, pg 21 are some of the pages, in which I found concerns of my own. I am skeptic when I read about ways in which to allow for multiple process changes to current procedures, ordinances, codes, etc… depending on the immediate needs to make the Heart of the Triad plan become a reality, even developmental standards that are negotiation able outside the zoning process (pg 16). Red flags are thrown up at me when considering this plan, do whatever it takes, just make it happen mentality, does not work for me. I feel there is a lot more to consider here than just getting the job done. We must consider the entire impact of these changes, not for just a few, but for an existing community, for all of High Point will be impacted by this plan. **Pg. 1**

Immediate Interest/Future Commitments

Do we have businesses, corporations, industrial parks that have committed to come or relocate? If so, how long do they plan to stay?

Risks

What are the pros and cons of this plan?

Are we willing to put High Point businesses at risk for the Heart of the Triad plan, such as small businesses, mom and pop businesses, plazas, strip malls, the Oak Hallow Mall, etc….?

Why should we risk a Dell situation? If we build it they will come….

Money

5. Would someone please give us a **Projected Cost** breakdown? ***Pg.4***

6. How does the plan intend on **using tax dollars wisely and always pursue the best options for tax expenditures in terms of cost/benefit**? **Pg. 4**

Are we still looking to build revenue, which allows us to build a stronger community or is this a special interest plan for the elite to make money without any real expectation of truly contributing to the total well being of High Point? If so, how much revenue, taxes, fees and the like will High Point receive or make monthly, quarterly, annually with this plan?

What are the anticipated profits and losses of such a plan?

How much tax money and bond money will be used during the entirety of this plan?

I know the answer to this question, but it needs to be asked aloud. Where is the incentive money to get these businesses interested in coming here come from?

How much money is going to be made on such a project? How much money will the City of High Point receive for its part in this endeavor?

I know the answer to this question, but it needs to be asked aloud. Who will be paying for the widening of the roadways for the Heart of the Triad?

Employment

7. Please elaborate on the types of **healthy economic development strategies you are considering that will include all economic/income levels.** ***Pg. 4***

8. How does the plan intend to **develop high salary primary jobs that spin-off quality secondary jobs**? Please provide some secure/definite examples of such jobs. ***Pg. 4***

9. Does the plan already have **COMMITTED** BUSINESSES, INDUSTRY OR THE LIKE TO GUARNTEE High Point resident's jobs? ***Pg. 4***

Why do we need an industrial rail system when we can haul whatever needs to be hauled by putting businesses and citizens back to work?

Will the construction of the subdivisions, various facilities, be kept local or will the work go to outsiders; will High Point crews and surrounding areas bid for the jobs? If the work is done by outsiders, what are their expectations for hiring X number of locals to assist in the project or have there been any consideration to local workers to participate in this project?

Education & Cultural Opportunities

10. The low income citizens, who work and pay their taxes, day to day, within High Point are contributors to the plan through taxes, fees, bound referendums, but have no real utilization of the plan. The low-income citizens will have to drive further on less available funds in order to enjoy the **educational and cultural opportunities** that this plan would provide. Why not focus on the existing educational and cultural opportunities that currently exist and make them bigger and better for all to enjoy? ***Pg. 1***

Social Diversity

11. The plan says it will **strive for social diversity**; how can you have social diversity if all classes of people are not included in the plan? **Pg. 4**

Housing

12. **The Heart of the Triad is to provide new living**, for whom, the more fortunate? What about our residents who live in section 8, HUD, subsidized housing are they included in this plan or excluded, because the housing standards are set too high, to include the low income citizens of High Point in this Field of Dreams endeavor? ***Pg. 1***

13. The plan states that it is a **allowing for diversity in housing options**, does this include housing for low-income families, such as Section 8, HUD, subsidized housing and Habitat for Humanity homes? **Pg. 5**

    It does not. I have read and re-read the plan and the low-income families are not even considered under the current plan.

    The plan does cover: (section 4-2)

Pg 3	High Density Residential 4-7 per unit acre Low Density Residential 1-1.9 per unit acre
Pg 6	Multi-Family Residential High Density Single Family Residential
Pg 7	Low Density Residential 1-3 per unit acre Medium Density Resident 3-7 per unit acre Traditional Neighborhood Development 5 per unit acre High Density Residential 4-7 per unit acre
Pg 13	Rural Residential/Agricultural 1 per 5 unit acres Low Density Residential 1-3 per unit acre Medium Density Residential 3-7 per unit acre High Density Residential 4-7 per unit acre Traditional Neighborhood Development 5 per unit acre Conservation Subdivisions

Why divide our citizens through ritzy subdivisions that only benefit the fortunate or upper class?

What about housing for low-income families, such as section 8, HUD or even Habitat for Humanity, so the labors can be close to home? Have you considered them, according to this plan you have not.

Transportation

14. **The Heart of the Triad may be near major urban centers and adjacent our area's key highways, rail and air transportation facilities**, but to whom is it expanding the job opportunities to exactly? Is the focus on the citizens of High Point? How far away from these access points are we, really. We are not hours away from these access points; we are just minutes away. ***Pg. 1***

    We have a responsibility to the citizens of High Point to help them get back to work, which will in turn help boost the economy in High Point. Moving jobs to an area where most families could not afford to live or travel to work is not helping the citizens of High Point return to work, nor is it allowing High Point, to grow financially long term. We need opportunities that allow citizens to work here, live here and spend here, in High Point, not surrounding jurisdictions. Our goal should be to grow what is here first, making High Point a better place to work, live and grow, then branch out, which would add to the quality of life of High Point citizens.

Why do we need a new commuter rail system, when we already have one? Why not expand the one we already have?

Why do we need a new bus system, when we already have one? Why not expand the one we already have?

Why do we need to be close to a distribution hub when we are approximately 15 miles from the airport, right now?

Northwest Area Plan

Jobs should come first. We should focus on employment first and foremost, without allowing developers tax breaks for developments that will more than likely sit empty, until the economy fully recovers. Right now homes are being foreclosed and it is a buyers' market, huge discounts available for homebuyers. New developments are top dollar purchases and without employment in and around the area, it is naive to consider such endeavors at this time. Housing should only be considered when it is absolutely necessary and the need for housing is not there, as employment and community services are not available yet. We should focus on these needs and revisit the housing needs at a later time or on a case by case bases/needs.

Rural Development
The changes to the Northwest Area plan only shows one desired designation of Rural Development and we are suppose to keep the area as close to the same as possible. Yes, we are to expand and increase housing when housing is needed once jobs and services are in place, but we are to work within the scope of the already developed areas preserving the current way of life, as well. Why are there not more designations for Rural Development with in this plan?

Infilling
We are suppose to have the best from the past and incorporate the best from the present,, while maintaining a healthy and pleasant natural environment, so my question is … Has all the infilling that can be done in the Northwest Area plan been completed?

Farmlands/Pollution
I am very concerned about the farmlands and the impact of pollution from the desired additional roadways, as well as the additional airstrip. Basic Science tells us that what goes up, into the air, must come down, through rain and snow, right into the very soil farmers are farming. We should be very concerned about the quality of food produced by our farmers, as they may become a source of our food, in hard economic times, as well as agricultural needs that they are currently meeting within our community and surrounding area. How does the Federal Clean Air Standards impact future development in the Northwest Area Plan, especially housing and farming?

Forest/Trees
We are supposed to protect wildlife and trees within our forest area and this plan does not do that. Why does this plan not have Conservation Development, which would come closer to protecting our wildlife and trees than the plan's current proposals?

Day/Night Noise (DNL OR LDN = SAME THING)
Peak Noise and how that currently affects the area of this plan and how it could affect or impact the plan area once the completion of the 3rd runway is complete.

Landfill/Waste Management
This plan nor did the HOT plan specify how and where the daily waste from residential, business and industrial waste would be handled. Shouldn't we also plan ahead for such needs seeing how we are making future plans for housing and the like?

Northwest Area Plan

Additional Questions At The Last Minute

Page 4 referes to 8 Historical Sites Mentioned, but not properly ID'ed for protection

Page 36 referes to 2 New Sewer Outfalls and a new Police Station & Fire Station/Protection
The Communities/Facilities states the new Police Station is going to cost taxpayers $15 million in FY 2011

Page 37 referes to a New Pump Station and under this scenario there is no annexation for Guilford Co., thus the Colfax area should not be included in our plans as there is no ETJ

HOW MANY WATERSHEDS are in the planning area? How many waterways would be impacted by the desired transportation plans? The answer is 17.

Northwest Area Plan

Northwest Area Plan Land Use Amendments

AREA	FROM	TO	YES/NO
1	Restricted Industrial	Community/Regional Commercial	YES
2	Restricted Industrial	Community/Regional Commercial	YES
3	Community/Regional Commercial	Restricted Industrial	YES
4	Restricted Industrial	Medium-Density Residential	NO

Currently in the Zone 2 Area and would need to be changed to Zone 4. What is important here is why was it zoned as Zone 2 to begin with. Nothing has changed other than an additional air strip being installed, which shows me that the Zone 2 status should remain the same, which does not allow for residential housing, and for good reason, as it is in the Airport Overlay Area.
29 acres

5	Future Growth Area	Low-Density Residential	NO

Currently in the Zone 2 Area and would need to be changed to Zone 4. What is important here is why was it zoned as Zone 2 to begin with. Nothing has changed other than an additional air strip being installed, which shows me that the Zone 2 status should remain the same, which does not allow for residential housing, and for good reason, as it is in the Airport Overlay Area.
79 acres
There may be existing single - family development in this area, but I would almost bet it was there when the Fed-Ex Hub was built, too. This area should remain as it is and if it too falls in the Airport Overlay Area there should not be any residential housing built in this area under the Zone 2 status.

6	Future Growth Area	Medium-Density Residential	NO

Currently in the Zone 2 Area and would need to be changed to Zone 4. What is important here is why was it zoned as Zone 2 to begin with. Nothing has changed other than an additional air strip being installed, which shows me that the Zone 2 status should remain the same, which does not allow for residential housing, and for good reason, as it is in the Airport Overlay Area.
91 acres

7	Future Growth Area	Restricted Industrial	NO

The area needs two sewer outfalls and significant transportation improvements, especially between Bunker Hill Rd and Sandy Ridge Road. I do not feel there is a need for additional Restricted Industrial designation at this time, as there are no overwhelming needs for specified road improvements. Once employment picks up in this area and the need for additional Restricted Industrial is there then it would be appropriate to consider such additions to this area of Land Use and possible roadways.

Northwest Area Plan

My views of this plan have changed very little from our previous meeting, so I will roughly review my position concerning the Northwest Area Plan. I will include my motion to table the Northwest Area Plan until further changes are made to the plan, as well as staff specified data, which was mentioned by staff in our packet, is provided to this commission.

- *I believe, as planners, we are to use current information, as well as proposed future plans, anticipate the unforeseen future needs, concerns, and changes that may impact or affect the quality of life for our residents, as well as the economic needs of our city.*

- *I believe, we should try to allow for* ***sound solid investment*** *opportunities for both, residents and developers, alike, as well as business longevity.*

  The Land Use Plan plainly states on page 2 under Purposes of the Land Use Plan ***to give developers greater certainty with respect to investment decisions; to protect and enhance property values.***

- *I believe, we should look at the past, present and future, learning as we go. I believe, we should not recommend or approve any plan or portion of any plan that could potentially add to our current status, such as what we can currently see within the core city.*

- *I believe, we should not allow new construction of new businesses or new residential development, when these needs can be met within the core city or if these changes cannot ensure long-term status and success, through such a plan. Failure of such a plan would only add to our vacant businesses within our city, as well as add to the foreclosures of residential properties, due to lack of employment.*

- *I believe, we should consider addressing these future designations on a case by case bases, as business and housing needs arise, to better control the outcome of the development area and to ensure good stewardship of land use, within this plan and surrounding areas,* ***during this economic downturn.***

- *I believe, we should* ***utilize the immediate resources*** *already at hand,* ***during these economic times****, safeguarding our land, and ensuring solid decision-making. Jobs are scarce, foreclosures provide housing opportunities throughout our city and abandoned or closed industrial buildings lay throughout our city, which await new business opportunities or revitalization.*

  The Core City Plan plainly states in the Appendix B section on page 32 of the Community Facilities Plan that the ***re-use of existing buildings as well as infill development*** *on vacant properties –* ***as opposed to directing development toward the outer fringes of the city*** *– would* ***reduce the burden on taxpayers and utility customers*** *by keeping facilities costs down.*

  It is recommended that the ***adoption of zoning changes ensure that land use regulations encourage re-use and reinvestment in properties in the Core***

Northwest Area Plan

capacity with residential development to avoid such negative impacts as school crowding.

The Johnson Street/Sandy Ridge Road Area Plan plainly states on the Executive Summary page under land use polices the ***in the Developmental Focal Area at the Intersection of the proposed extension of Clinard Farms Road/Piedmont Parkway that the public and institutional uses should allow for schools, churches and parks.***

- ***I believe we should move to table the Northwest Area Plan due to the fore mentioned reasons, as well as the pending data from staff concerning:***

  1. ***The Feasibility Study on the North/South Connector from 311 to I-40, which will not be available to this board until February 2011. (reference page 2 of our packet)***

  2. ***Staff's complete report to this board in 2011 regarding the desired rezoning of the Airport Overlay portion of this plan. (reference page 6 of our packet)***

I, therefore, make such a motion at this time.

copy to JF 6-22-09

HIGH POINT
NORTH CAROLINA'S INTERNATIONAL CITY™

RECEIVED
JUN 18 2009
Ward 6

Application for Appointment To Boards and Commissions

Please TYPE *or* PRINT *the information requested on this application.* ***You may attach additional pages and / or your resume if you wish.*** *All appointments to City boards and commissions are made by the Mayor and City Council and are not limited to those persons who fill out applications.*

Name Jerry E. Southern

Street Address 4210 Oak Hollow Dr.

City, State, Zip High Point, NC 27265

Employer Retired

Business Address

Phone: home 454-4782 work _____ fax _____

Email

Do you live inside the corporate limits of High Point? Yes If not, do you live within High Point's extraterritorial zoning jurisdiction? _____

Please list (*in order of preference*) the boards and commissions on which you would be willing to serve.

1. Parks & Rec
2.
3.

Please list any work, volunteer, and/or educational experience that you would like us to consider in the review of your application. Volunteer @ Oak Hollow Golf Course

Have you participated in the City Government 101 Course? No Year _____

---------- RETURN TO: ----------

City Clerk, City of High Point, P. O. Box 230, High Point, NC 27261 • 211 S. Hamilton Street
Phone: 336-883-3536 • Fax: 336-883-3052