

**HIGH POINT CITY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING  
February 15, 2016 – 5:30 P.M.**

**ROLL CALL AND MOMENT OF SILENCE**

*Mayor Bencini called the meeting to order and asked for a moment of silence, which was followed by the Pledge of Allegiance.*

*Upon call of the roll, the following Council Members were present:*

**Present:**

*Mayor William S. Bencini, Jr., Mayor Pro Tem Jeffrey Golden (Ward 1); and Council Members Cynthia Y. Davis (At-Large), Latimer Alexander (At-Large); Christopher Williams (Ward 2), Alyce Hill (Ward 3), Jay Wagner (Ward 4), James C. Davis (Ward 5) and Jason Ewing (Ward 6).*

**CONSENT AGENDA ITEMS**

*Chairman J. Davis announced that the Finance Committee met on February 10, 2016 and recommended the following matters for approval: 160036 Contract Extension- Sodium Hydroxide; 160037 Contract Extension- Sodium Hypochlorite; 160038 Contract- Bid No. 49- Liquid Aluminum Sulfate; 160039 Contract- Bid No. 21- Pro-Active Storm Debris Removal Services; 160040 Property Acquisition- Proposed University Parkway Electric Substation.*

**Council Member J. Davis then moved to approve the preceding matters. Council Member Alexander made a second. The motion carried unanimously.**

*Note: Although one motion was made to approve/adopt these matters, action on all of these matters will be reflected throughout these minutes as being made and seconded by the same persons.*

**FINANCE COMMITTEE** - *Council Member J. Davis, Chair  
Committee Members: J. Davis, C. Davis, Hill and Williams  
(all were present)*

**160036 Contract Extension - Sodium Hydroxide**

Council is requested to approve a contract extension to Univar USA in the amount of \$147,968.00 for the purchase of Sodium Hydroxide a chemical used at the water and wastewater treatment facilities.

Approved a contract extension to the Univar USA in the amount of \$147,968.00 for the purchase of Sodium Hydroxide.

**A motion was made by Council Member J. Davis, seconded by Council Member Alexander, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.**

**160037      Contract Extension - Sodium Hypochlorite**

Council is requested to approve a contract extension to Water Guard, Inc. in the amount of \$127,492.50 for the purchase of Sodium Hypochlorite a chemical used at the water and wastewater treatment facilities.

Approved a contract extension to the Water Guard, Inc. contract in the amount of \$127,492.50 for the purchase of Sodium Hypochlorite.

**A motion was made by Council Member J. Davis, seconded by Council Member Alexander, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.**

**160038      Contract - Bid No. 49 - Liquid Aluminum Sulfate**

Council is requested to approve a contract awarding Bid No. 49 to Chemtrade Chemicals US LLC in the amount of \$383,834.00 for the purchase of Liquid Aluminum Sulfate a chemical used at the water and wastewater treatment facilities.

Approved a contract with Chemtrade Chemicals US, LLC in the amount of \$383,834.00 for the purchase of Liquid Aluminum Sulfate.

**A motion was made by Council Member J. Davis, seconded by Council Member Alexander, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.**

**160039      Contract - Bid No. 21 - Pro-Active Storm Debris Removal Services**

Council is requested to approve a contract awarding Bid No. 21 to Crowder Gulf, LLC in the event the City experience a storm event occurs generating the need to remove/clean up vegetative debris.

Approved contract with Crowder Gulf, LLC for pro-active storm debris removal services.

**A motion was made by Council Member J. Davis, seconded by Council Member Alexander, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.**

**160040      Property Acquisition - Proposed University Parkway Electric Substation**

Council is requested to authorize the City Attorney's office to proceed with the purchase of property at 1605 Graves Avenue, 1404, 1406 and 1408 Boundary Avenue for the proposed University Parkway Electric Substation. The total purchase amount is \$127,000.

Authorized the City Attorney's office to proceed with the purchase of property at 1605 Graves Avenue, 1404, 1406, and 1408 Boundary Avenue for the proposed University Parkway Electric Substation for the total purchase amount of \$127,000.

**A motion was made by Council Member J. Davis, seconded by Council Member Alexander, to authorize the City Attorney's office to proceed with the purchase of property at 1605 Graves Avenue, 1404, 1406, and 1408 Boundary Avenue for the University Parkway Electric Substation. The motion PASSED by a 9-0 unanimous vote.**

REGULAR AGENDA ITEMSFINANCE COMMITTEE - Council Member J. Davis, Chair**160055      Contract - Jewell Engineering Consultants**

Council is requested to approve a contract to Jewell Engineering Consultants, PC in the amount of \$160,800.00 for engineering services for stream stabilization and infrastructure improvements in the area of Dovershire Place and Kensington Drive.

*Deputy City Manager Randy McCaslin explained this matter was inadvertently left off the agenda. The contract is for the consultant to do the storm drainage study for the Kensington/Dovershire/Country Club area. He explained since the amount is over the amount that can be approved, it requires City Council approval. He noted that staff needs to move forward with the study to come back to Council in a reasonable amount of time with the results of the study to handle the storm drainage issues in this basin. The study is anticipated to take about eight months. Council Member J. Davis asked if this was due to the complaints received from the citizens in that area. Mr. McCaslin replied that it has been expanded to address some of the complaints and made reference to the map included in the packet, which identifies a yellow line as the drainage basin; a blue line which is the creek line, and outside the corner of the drainage basin is where some of these residents live that have been coming to Council. The study is expanding to cover that area.*

**A motion was made by Council Member J. Davis, seconded by Council Member Williams, that this Contract be approved. The motion PASSED by a 9-0 unanimous vote.**

COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE - Mayor Pro Tem Golden, Chair

*Committee Members: Golden, Alexander, Ewing, and Williams  
(all were present)*

**160041      Ordinance to Vacate - 905 Hickory Chapel Road**

Council is requested to adopt an ordinance ordering the inspector to effectuate the vacating of a dwelling located at 905 Hickory Chapel Road belonging to Mohammad Sabir & Musarat Shaheen Sabir.

*Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report regarding this matter, which is hereby attached in Legistar as a permanent part of these proceedings. Ms. Bossi reported this action started due to receipt of a complaint from the tenant. The first inspection was on November 13, 2015. The owner did appear for the hearing and indicated the repairs would be made, but only after the tenant vacates the property. On November 30, 2015, staff issued an order to Repair or Vacate with a*

*compliance date of December 30th; however, no permits have been pulled, nor have any repairs been made. The conditions remain the same for the property. A summary of the violations include: rotten flooring; rotten door casing; leaking roof; hole in interior wall.*

*Council Member Alexander inquired about how staff would deal with the tenant in this situation. Ms. Bossi explained that they can do a summary ejectment based on the adoption of the Ordinance to Vacate. she shared that the tenant did come in to see staff last week and did appeal the Magistrate's decision, but is in the process of trying to find another place to live. Council Member C. Davis asked about a timeframe for the process and Ms. Bossi stated the property owner would be sent a notice after the adoption of the ordinance and they would have 30 days, then after the 30 days is up staff will proceed with the summary ejectment.*

*Mayor Pro Tem Golden asked if the eviction was already in the the works before the tenant filed the complaint. Ms. Bossi shared that the tenant was actually being evicted for non-pay.*

Adopted Ordinance ordering the vacating of a dwelling located at 905 Hickory Chapel Road.

**A motion was made by Mayor Pro Tem Golden, seconded by Council Member Ewing, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance No. 7188/16-08  
Introduced 2/15/2016; Adopted 2/15/2016  
Ordinance Book XIX, Page 71**

**160042**

**Ordinance to Demolish - 1029 Montlieu Avenue**

Council is requested to adopt an ordinance ordering the demolition to effectuate the demolition of a dwelling located at 1029 Montlieu Avenue belonging to Farley Farms, LLC.

*Katherine Bossi, Local Codes Enforcement Supervisor, provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings. Mr. Bossi reported the first inspection on the property took place July 27, 2015 and noted the owner acquired the property in 2011, came in to get the building permits, trade permits, etc.... and was pursuing making the repairs; however, there has been no enforcement/activity since that point. She reported there are severe structural issues and summarized the major violations as follows: ceiling material susceptible for falling; missing all plumbing fixtures, water heater and pipes; electrical system is unsafe due to exposed wiring and will require it to be upgraded; missing heating unit; front porch roof is not properly supported and is rotten; subflooring requires replacement. The owner did not appear for the hearing that was held on August 12, 2015. Staff reported that the estimate for the repairs exceed 50% of the tax value for the property. On August 12, 2015, staff issued an order to repair or demolish with a compliance date of November 10, 2015 and no new repairs have been made.*

Adopted Ordinance to effectuate the demolition of a single-family dwelling and accessory structure located at 1029 Montlieu Avenue.

**A motion was made by Mayor Pro Tem Golden, seconded by Council Member Ewing, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.**

**Ordinance No. 7189/16-09**  
**Introduced 2/15/2016; Adopted 2/15/2016**  
**Ordinance Book Volume XIX, Page 72**

**160043**

**Public Hearing - Application for Section 108 Loan from HUD**

Monday, February 15, 2015 at 5:30 p.m. is the date and time established for the first of two public hearings required to authorize the Community Development & Housing Department to proceed with a Section 108 loan application from HUD in the amount of \$694,000.00; and to approve necessary actions associated with the amendment to the City's current Action Plan. Second public hearing will be held Monday, March 21, 2015 at 5:30 p.m.

*Mike McNair, Director of Community Development & Housing, reported that Council has approved Section 108 loans in the past to develop Addington Ridge and the proposed Kirkwood Crossing. These loans combined were \$3.35 million and staff managed to get these in right before the 5-year authorization expired, which is September 30th. He explained there is still funding that can be accessed, but it would require a re-application for it. Staff anticipates approximately \$694,000 to be available that can be tapped into. Since High Point is an entitlement city, the city can borrow up to five times the entitlement from HUD.*

*He explained this would require a 30-day comment period, two public hearings, amendment of the city's Action Plan and Consolidated Plan and noted the latter could be done concurrently. This money would support the development of 72-84 units. Mr. McNair then shared a site plan identifying the proposed site located at 700 W. Hartley. The second required public hearing is scheduled for March 21st and after then, staff would ask for Council's approval to move forward to submit the application to HUD. Mr. McNair explained the plan is to get synced with the State's process because the State typically makes their announcements in late July or early August and they generally like assurance that the revenue is legitimate. He recognized Craig Stone of Wynnefield Properties and noted he would be able to answer any questions.*

*At this time, Chairman Golden opened the public hearing and asked if there was anybody present who would like to speak in favor of or in opposition.*

*Craig Stone, 5614 Riverdale Road in Jamestown, with Wynnefield Properties, shared that he would like to extend for Hartley Ridge a similar application/process to Addington Ridge and Admiral Pointe, that was recently submitted in January of this year for application in the 2016 cycle. He pointed out there has been an overwhelming response to Addington Ridge, the 58-unit complex that just opened up.*

*Chairman Golden asked if there was anyone else who would like to speak. There being no further comments from the public, the public hearing was closed.*

*For additional information, Mr. McNair advised that there would be a grand opening celebration for Addington Ridge on March 11th and Council would be receiving invitations in the near future.*

Acknowledged that the first required public hearing was held; the second required public hearing will be held on Monday, March 21st.

### **Request to Excuse Council Member J. Davis**

**Motion by Council Member Alexander, second by Council Member Ewing to excuse Council Member J. Davis from the remainder of the meeting. The motion carried unanimously.**

**PLANNING & DEVELOPMENT COMMITTEE** - *Council Member Wagner, Chair*  
*Committee Members: Ewing, Alexander, Hill and Wagner*  
*(all were present)*

#### **160044      Resolution of Intent - Annexation 15-09**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, March 21, 2016, at 5:30 p.m. to consider a voluntary non-contiguous annexation request. The proposed annexation site is approximately 114.79 acres, and lying along the south side of Boylston Road, approximately 1,300 feet west of Adkins Road. The property is addressed as 8809, 8813 & 8819-R1 Boylston Road, and is also known as Guilford County Tax Parcel 0169014, 0169013 and 0168988.

Adopted Resolution of Intent establishing a public hearing date of Monday, March 21, 2016 at 5:30 p.m. to consider a voluntary contiguous annexation request for approximately 114.79 acres lying along the south side of Boylston Road, approximately 1,300 feet west of Adkins Road.

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member J. Davis was absent]**

**Resolution No. 1605/16-06**  
**Introduced 2/15/2016; Adopted 2/15/2016**  
**Resolution Book XIX, Page 76**

#### **160045      Resolution of Intent - Annexation 16-02**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, March 21, 2016, at 5:30 p.m. to consider a voluntary contiguous annexation request. The proposed annexation site is approximately 2.03 acres and lying along the east and west side of St. Johns Street, approximately 750 feet north of Skeet Club Road. The property is known as Guilford County Tax Parcels 0169447, 0169448, 0169450 and 0169451.

Adopted Resolution of Intent establishing a public hearing date of Monday, March 21, 2016 at 5:30 p.m. to consider a voluntary contiguous annexation request for approximately 2.03 acres lying along the east and west side of St. Johns Street, approximately 750 feet north of Skeet Club Road.

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member J. Davis was absent]**

**Resolution No. 1606/16-07**

**Introduced 2/15/2016**

**Resolution Book Volume XIX, Page 77**

**160046**

**Resolution of Intent - Street Abandonment 16-01**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, March 21, 2016 at 5:30 p.m. to consider a request by West Mountain Funding, LLC to abandon a portion (approximately 250 feet) of the unimproved Indian Drive right-of-way. The right-of-way to be abandoned is lying along the east side of St. Johns Street, approximately 750 feet north of Skeet Club Road.

Adopted Resolution of Intent establishing a public hearing date of Monday, March 21, 2016 at 5:30 p.m. to consider a request by West Mountain Funding LLC to abandon a portion (approximately 250 feet) of the unimproved Indian Drive right-of-way.

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that this Resolution be adopted. The motion PASSED by an 8-0 unanimous vote. [Council Member J. Davis was absent]**

**Resolution No. 1607/16-08**

**Introduced 2/15/2016; Adopted 2/15/2016**

**Resolution Book XIX, Page 78**

**160047**

**Fibertech Networks - Right-Of-Way Encroachment RE-15-0024, RE-15-0025 & RE-15-0026**

A request by Fibertech Networks to allow 3 utility poles to be erected within the right-of-way in various areas of the City where utilities have been placed underground. The poles encroach into the right-of-way at differing amounts dependent upon location.

*Justin Westbrook with Planning & Development, explained that Fibertech is moving forward in expanding their network and this is a similar request to the one that Council approved in November. The Technical Review Committee (TRC) reviews these types of requests involving any above ground poles and require City Council approval. The proposed three utility poles to be erected in the city's right-of-way require stealth poles as deemed or requested by TRC and put forth by the applicant. These poles have been deemed by TRC to be in underground utility areas and basically fall into two areas: one, where the city or commercial entities around that have buried utilities for streetscape or other purposes; and two, in areas where the city plans on burying the utilities. This group of three proposed pole*

*locations are in areas where the city has placed existing utility lines underground. Mr. Westbrook also shared a rendering of the stealth poles that Fibertech Networks has proposed.*

*TRC reviewed these three requests on December 2, 2015 and determined that the proposed encroachments would not affect public safety or interfere with maintenance needs. Staff recommends approval of these three requested right-of-way encroachments contingent upon the applicant addressing any individual site plan comments and installing stealth poles as depicted on the drawings included in the staff report.*

*Following Mr. Westbrook's presentation of the staff report, he recognized Mike Ross with Fibertech, who was present to address any questions.*

Approved the request by Fibertech Networks to allow three (3) utility poles to be erected within the right-of-way in various areas of the city where utilities have been placed underground.

**A motion was made by Council Member Wagner, seconded by Council Member Hill, that this Right-of-Way Encroachment request be approved. The motion PASSED by an 8-0 unanimous vote. [Council Member J. Davis was absent]**

## PUBLIC HEARINGS

### **160048 Cascade Die Casting Group, Inc. - Street Abandonment 15-13**

A request by Cascade Die Casting Group, Inc. to abandon the eastern portion (approximately 200 feet) of the Albertson Road right-of-way.

*The public hearing for this matter was held as advertised on Monday, February 15, 2016 at 5:30 p.m.*

*Herb Shannon with Planning and Development provided an overview of the staff report for Street Abandonment 15-13.*

*The applicant, Cascade Die Casting Group, has submitted this petition to abandon the easternmost portion of Albertson Road. Mr. Shannon reported that the West Market Center corridor was developed in the late 1980s and as part of that, the Albertson Road corridor was mostly eliminated with this section being the only one remaining, which is about 940 feet in length. It serves approximately eight (8) parcels along the north side of West Market Center.*

*The applicant owns all the property to the eastern portion of Albertson Road and they are in the process of doing a building expansion and site improvements. In order to facilitate the project, they are requesting that approximately 200 feet of the eastern portion of this right-of-way be abandoned.*

*Mr. Shannon advised that the property owner will obtain all the land area associated with this abandonment if it is approved because it is abutting property they own. The Technical Review Committee reviewed this request and expressed no objections to the abandonment. A*



*water easement, a water line, a sewer line and Duke Power lines were identified within the right-of-way, which would be retained.*

*Mr. Shannon further stated since the early 1990s, this area has basically been used as parking for this facility and since the applicant owns all abutting properties, no adjacent property owner will be deprived access to their property. The Planning and Development Department reviewed this request at their January 26th meeting and is also recommending approval of this request. Staff also recommends approval with the retention of a water easement, sewer easement, and the Duke Power easement.*

*Following the presentation of the staff report, Chairman Wagner opened the public hearing and asked if there was anyone present who would like to speak.*

*Paul Stimpson, a professional engineer, 615 St. George Square Court in Winston Salem, spoke in favor and concurred with staff's recommendation for approval. He made himself available for any questions.*

*Chairman Wagner asked if there were any additional comments. There being none, the public hearing was closed.*

Adopted the Resolution authorizing the abandonment of the eastern portion (approximately 200 feet) of the Albertson Road right-of-way.

**A motion was made by Council Member Alexander, seconded by Council Member Wagner, that this Resolution be adopted to abandon the eastern portion (approximately 200 feet) of the Albertson Road right-of-way. The motion PASSED by an 8-0 unanimous vote. [Council Member J. Davis was absent]**

**Resolution No. 1608/16-09  
Introduced 2/15/2016; Adopted 2/15/2016  
Resolution Book, XIX, Page 79**

**160049 Redwolf Development Company, LLC. - Plan Amendment 15-06**

A request by Redwolf Development Company, LLC to change the Land Use Map classification for approximately 8.7 acres from the Low Density Residential classification to the Moderate Density Residential classification. The site is lying along the east side of Penny Road, abutting the north side of Horney Road (2000 Penny Road).

The joint public hearing for this matter and related matter **160050 Redwolf Development Company, LLC- Zoning Map Amendment 15-19** was held on Monday, February 15, 2016 at 5:30 p.m.

*Note: Although staff will be presenting these matters jointly, separate action is required on both matters.*

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Transcript

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**Andy Piper:** *This is Land Use Plan Amendment Case 15-06, which is in conjunction with the Zoning Amendment case. I'm going to go ahead and talk about the Land Use Plan Amendment, and then Herb will follow it with the Zoning Map Amendment, but you'll have to vote on these separately.*

*To orient everyone, the site is located east of Penny Road. East of Penny Road, just north of Horney Road. The site is currently undeveloped to the north and to the east you obviously have single family detached residences, as well on the south I think you have three single family residences and a couple of undeveloped lots and a church. And of course over here is the Florence Elementary School. Across Penny Road, to the west, you also have an existing townhome development. The applicant is requesting that the Land Use Plan Map designation be changed for approximately 8.78 acres, from Low Density Residential to Moderate Density Residential, which would allow residential development and densities from 5-8 dwelling units per acre.*

*In evaluating the request, we looked at the existing goals and objectives of the Land Use Plan. This meets a couple of them providing a wide range of housing opportunities, promoting efficient use of the city's land resources through higher density and infill development at appropriate locations. We also looked at the surrounding area. Although there is quite a bit of single-family residential development to the north and to the west we do have some commercial as well as some higher density development that has already occurred in that area. There is some precedent for this higher density development that has already occurred in that area. There is some precedent for this higher density development coming in.*

*Therefore, staff recommends approval. The Planning & Zoning Commission looked at this at their January 26th meeting and recommended approval by a vote of 8-0. I'll be happy to answer any questions you have about the Land Use Plan Amendment portion before I turn it over to Herb.*

**Chairman Wagner:** *Any questions for Mr. Piper? [none at this time].*

**Herb Shannon:** *In regards to the zoning portion of this application, currently the site has a Conditional Use Public & Institutional Zoning Designation, which was granted in 1999. The current zoning limits the site to be used only for a church or daycare use. The applicant is requesting rezoning to a Conditional Zoning RM-8 District in order to allow a townhome development on the property. They have included with their petition a Conditional Zoning Ordinance, which outlines the manner in which the site is to be developed. Within that Conditional Zoning Ordinance, they have restricted some of the allowable uses and offered various transportation conditions.*

*I want to touch base on some of the key factors that I noted in the Analysis section of the staff report. One of the items that staff looked at in reviewing this request is will it be compatible with the surrounding area. Conditions offered by the applicant specifically prohibits*

*apartment complexes or condominiums, thus you're looking at the site either being available for single-family uses, townhomes or twin home development. Additionally there was concern as to the compatibility of abutting residential development to the north and to the east. The Development Ordinance has an existing landscaping criteria that whenever townhomes or new townhome developments abut single-family development, a Type C planting yard is required. That planting yard is required to have an average width of 20 feet and have 5 trees and 17 shrubs to every 100 linear feet. Thus, staff has noted that based upon the restrictions that they've offered on no apartments, limiting the building to two stories and the landscaping requirements, development of this site would be compatible with the surrounding use.*

*Another item we looked at is the impact with the development. With the proposed RM-8 District, the maximum density is 8 units per acre. Therefore, approximately 69 dwelling units could be developed on this site. That number of units would not trigger a Traffic Impact Analysis for this site. The Transportation Department has noted that as part of any approvals, they would have to improve Horney Road to NCDOT standards.*

*Another factor under consideration, have there been any changes in this area? The Penny Road corridor has changed over the past 25 years. In the early 1990s, this area was considered on the outer fringes of the City of High Point's planning area. Since then, there have been multiple annexations or zonings in this area. This property is basically at the heart of the northeast portion of the city's planning area. That corridor over the past 20 years has seen multiple development with the single-family developments, twin-home developments, and recently a townhome development across the street from this site. Penny Road now acts as a major thoroughfare connecting Greensboro Road to West Wendover Avenue. Therefore, there have been significant changes in this area and the proposed development, as the applicant has proposed would address any of the policies of the Land Use Plan as far as locating higher densities at appropriate in-fill type situations. The allowance of a modern density townhome development at 8 units per acre addresses the objectives of the Land Use Plan and encourages in-fill, mixed-use and higher residential developments at appropriate locations.*

*I would note that when this case was reviewed by the Planning & Zoning Commission, the Commission recommended approval by a vote of 8-0. However, their approval was contingent upon the applicant accepting all the transportation conditions that were outlined in the Transportation Department's Memorandum, which is included in your packet. At that time, the applicant did not include those recommendations. Since that time, they have amended their Conditional Zoning Ordinance to include all recommendations from the Transportation Department. The only discrepancy is regarding how much right-of-way is to be dedicated along Horney Road. Initially the Transportation Department was recommending 30 feet of right-of-way as measured from the centerline. That would be about an additional ten feet. The applicant has offered a right-of-way dedication of 25 feet from the centerline on Horney Road with the understanding that there would not be a curb and gutter street. That has been reviewed by the Transportation Department and they have no objections with that condition. Therefore, the applicant is addressing those issues that the Planning & Zoning Commission had noted.*

*The Planning staff is recommending approval of the request for Conditional Zoning RM-8 District. We have included in the staff report's findings for your consideration, subject to approval of Plan Amendment Case 15-03, the requested CZ-RM-8 District would be consistent with the Land Use Plan. Conditions offered by the applicant prohibiting multi-family uses, multi-family-specifically apartments or condominiums-limiting development to two stories and the landscaping standards in the Development Ordinance will ensure compatibility with the surrounding area and the request does address various policies of the Land Use Plan.*

*That is a brief summary of the zoning application. Are there any questions on the Land Use Plan Amendment or the Zoning Request that staff can answer at this time?*

**Council Member Williams:** *If it's alright, Mr. Mayor, is.....I mean I'm familiar with that area because I used to go to church right over there. That seems kind of tight when you consider the school that's right there and the surrounding neighborhoods and you want it increased to a moderate density. Are they adjusting the roads? I mean I heard you mention that they'd have to bring it up to NCDOT standards. Are they going to address that? Because it's a small road. It's not really big. I can imagine if you have all those places full of apartments and then the amount of traffic in the afternoons and mornings when kids are coming and going and so forth.*

**Herb Shannon:** *The applicant will have to mitigate any impacts they're going to have on the adjacent roadway. That is the reason why the Transportation Department has noted that they will have to bring Horney Road up to NCDOT standards. This is a tight site and they have some limitations. But it is only one way in and out. That's the only way in and out, so no matter what develops from that site, they're going to have to come out on Penny Road. In this situation, where you have existing multi-family uses in the area, you have an existing institutional use, there is no direct vehicular connection to the abutting subdivision. There are residential uses to the northeast. Staff was of the opinion, based upon the Land Use Policies, that Council has adopted in the Land Use Plan, that this is a good fit for in-fill development of some higher density.*

**Council Member Alexander:** *Herb, you talked about bringing it in to NCDOT standards, but it would not be curb and gutter, so it would be ribbon paved with a ditch. Your pavement surface there, is it going to be 22 feet, 24 feet?*

**Herb Shannon:** *I believe that would be a more appropriate question for the Transportation Department as to the final width they are looking at for that pavement. I do not know the final width they are looking at to meet the NCDOT standards.*

**Mayor Pro Tem Golden:** *Herb, you said 69 units were not enough to warrant a traffic study. How many units does it take?*

**Herb Shannon:** *I believe the Transportation Department can address that also.*

**Matt Carpenter (Transportation Department):** *The minimum NCDOT standard is 22 feet I believe for ribbon paving. They're meeting that standard pretty much along most of it. I'm not sure if an overlay would be required. We'll be contacting NCDOT to see what they*

would want for that roadway. As far as how many units it would take as far as multi-family, you're going to be up over 150 or so. Maybe more.

**Mayor Pro Tem Golden:** I was just hoping you didn't say 70. [laughter]

**Chairman Wagner:** Any other questions for staff? Mr. McCaslin are you speaking?

**Deputy City Manager Randy McCaslin:** I'm not speaking for or against. I'm just here for information. Can you pull up that site plan? This will be townhouses. So it will be individual ownership. There will be a homeowner's association taking care of the future utilities and roadway here. What we have found in other places is ten or fifteen years down the road, they look at it and they say we're getting potholes, we're having problems with the utilities, etc.... and we have to go back and tell them at that time that this was built to private standards and this is not public roadway or infrastructure the form of water and sewer and that the homeowners' association is responsible for it. Which generally doesn't go over very good with them, as you can imagine.

What we're recommending here is normally a roadway like this would be built to....the city has a private drive standard and a private street standard. This would normally be built to a private drive standard, which is pretty much the thickness of a parking lot. We do not inspect it. It is up to the developer to put it in and it's turned over to the homeowner's association somewhere down the road. What we're recommending here is that you require the developer, if you approve the development, to put in this to a private street standard from the standpoint of our pavement cross-section, which is eight inches of ABC stone, two inches of binder and then one-inch of pavement on top. That's the same standard that we build our public streets to. The only difference is there wouldn't be a wide right-of-way and normally under our private street standards, we would require a 34-foot common area, which would be the shaded area on the outside of the red roadway. We're not asking that you do that because, in this particular case, it would impact the 20-foot driveway requirement-the 20-foot length driveway requirement-and we feel like that's an important requirement in order that they have room to park the vehicles off the roadway here. So while TRC does not have the authority to put this condition on there and separate those two, the City Council does. So what we're recommending to you is that you ask that they build the street through here to our private street standard of the cross-section, meaning 8:2:1 and we're not asking for the 34-foot wide.....

**Mayor Bencini:** Under the private drive, they wouldn't have that right-of-way....

**Deputy City Manager McCaslin:** If it were a private drive, it wouldn't have the cross-section....I mean it wouldn't have the common area or the depth of the pavement.

**Mayor Bencini:** So we're just asking the future homeowner's association a bit of a favor by requiring the developer to put in a higher standard of road.

**Deputy City Manager McCaslin:** We feel like that is the minimum standard that ought to be built there. Yes. Any questions?

**Council Member Alexander:** *I've got a question for Transportation and it's just kind of heartburn for me. Maybe you can help me. I think Florence School, their circulation comes out onto Horney Road, then left onto.....it comes out, turns left and then goes to Penny. Go back to that site plan there. You've got seven units that are going to be right there basically in the bus queue. I mean I guess it's buyer beware because you're going to have a hard time getting in and out during those..... It's a buyer beware kind of thing.*

**Matt Carpenter:** *Hopefully the buyer will notice that, but there's not a whole lot that we can do with that.*

**Mayor Bencini:** *It's what two times a day?*

**Council Member Alexander:** *Well, it's two times a day. Just those last three that are closest to the intersection, they can just about forget about it. I mean they're not getting in their driveway and they're not getting out of their driveway and if they turn off Penny Road and they want to get in there, I mean you're just going to have....*

**Matt Carpenter:** *You're going to have to pick your spots. I can't argue with that. As far as the impact goes, we can't really do a whole lot with that.*

**Council Member Williams:** *Is that like....I mean are we talking about the statutes that limit us in what we can say yes or no to or what?*

**Matt Carpenter:** *As far as what we can recommend yes or no to, we don't really have the authority to say no right there.*

**Council Member Williams:** *I mean, just with my experience, and I spent a lot of time there. When the school has special events, or when the church down the road has special events, there's cars lined up all the way up that road.*

**Mayor Bencini:** *All the way up Horney Road?*

**Council Member Williams:** *All the way up, almost to that school entrance, the second turn on the right. I mean the first turn.*

**Council Member Ewing:** *The concern that I have along with that has been a problem from time-to-time up near Southwest is people parking in some of the adjacent residential neighborhoods waiting to pick up and I see.....if you can put the site plan back up real quick please. The way that lines up, I see that as a perfect place for people to start parking and waiting to jump out and jump in that line to pick up their kids and that's not fair to whoever buys those properties for their street without knowing that's going to happen....to become a funnel.*

**Matt Carpenter:** *As I understand it, their queuing actually takes place off the southern side of Florence School Road on campus. I don't know that you have anyone out there on Florence or Horney Road queuing for pick-up at dismissal. I don't know that's necessarily a concern here. Plus that would be private property; they'd be able to regulate it as such. So*

people that are illegally parking there, they would be able to call a tow truck. They do have that option available.

**Council Member Hill:** So there's no Traffic Impact required because, I guess as I'm hearing it, the school probably would cause a lot of issues for the homeowners, but we're looking at the impact the homeowners would cause on the school in considering this. Is that a fair statement?

**Matt Carpenter:** Well the Traffic Impact Analysis is required because of the number.

**Council Member Hill:** Right, because it's not considered big enough to have an impact on the traffic going in and out of the school, but if you live there, the school is going to clearly impact you.

**Matt Carpenter:** To accommodate yourself, you say what's going on already before you get there. So there's not a whole lot that we can do with that.

**Chairman Wagner:** Any more questions of Herb or Transportation? [none] Okay, we've heard from staff. Is the applicant here. Would the applicant like to speak?

**David Michaels:** Mr. Mayor and Members of Council, my name is David Michaels. My address is 621 Eugene Court in Greensboro. I am a principle with Redwolf Development Company and I want to move through this quickly and I'll be happy to try to answer some of the questions that were raised or anything else that may come up.

Just real briefly, Redwolf Development Company, we've been in business since 1998 and I'll go through a little bit about us and then come to the conclusion why I feel like this is a reasonable request. Okay, next slide please.

We started in 1998. I was with Westminister Company before that, so I've been in the real estate business since 1986. Of course Westminister was a residential and commercial builder. We were also part of the development team for the Piedmont Centre. Redwolf-we're not particularly a builder-we primarily develop sites for other builders and we have had some other experience in High Point with a community called St. Charles Place down on White's Mill Road. We feel like....the purpose for this request is this site is 8.7 acres. It's been sitting on the market for about a year and there's very little demand for PI zoning that's there, in our opinion. And it really has a lot of unique challenges as staff touched on. It's a very narrow site. It's difficult to design it effectively for a single-family detached type development with required setbacks that would be in place with typical public streets and so forth interior to the site because of the challenge of the site. There's also a gas line that bisects this site about one-third of the way from the eastern end and that makes it very difficult to access part of that property. And anything we want to do, it's got to be economically feasible to be a successful development.

This is a copy of the survey. You can see the gas line. It sort of cuts across the back corner of the site there that we're having to work around. Next slide. So we looked at a lot of different uses for this site and what could be done with it, single-family detached which is not a good option. Different multi-family and some low income apartments, daycare centers,

*commercial/institutional. We looked at what's around us also in trying to see what would be the best fit to that and we really came to the conclusion that we feel like RM-8 will be the best use for this property. Next slide.*

*For these reasons. This is an in-fill site. We want to be respectful for the communities and the uses that are around us. Staff has touched on the school, the church, to the south and the west some existing townhomes, to the north and east the existing RS-9 communities at Nottingham and Parkside.*

*So you see that a similar use has already been established and that townhouses are already in the area. So we felt like a modest density increase here would be reasonable. The fact that these would be for sale dwellings, would be compatible with the existing homes around us. We feel like the RM-8 would help support the school and the church without really putting a burden on them. You typically wouldn't have as many children in a townhouse type community as you might have a single-family home. So a little less impact to the school. And we really feel like this site would be a transitional use from some of the higher more intensive uses, the RM-12 and the school and so forth, to the south and to the west over to the existing RS-9 to the north and the east. With an RM site, we can cluster units onto the property a little more effectively, utilize two, three, four unit type structures to give us some design flexibility. Setbacks can be accommodated more easily, less infrastructure and you've really got to have enough units there to spread whatever fixed costs you've got over into make it a successful community. Also, as staff touched on, there's already been a lot of growth in this area, a lot of shopping and entertainment close by. This development would put more people in close proximity to those uses and hopefully give them a better chance to sustain those existing uses that are around us.*

*So we have offered zoning condition that staff touched on and prohibited uses, the maximum of 69 units which would be a modest increase over what the Land Use Plan would allow. Two story height maximum. No direct access on Penny Road. You just wouldn't want another intersection coming out so close to where Horney Road is. We have offered to dedicate additional right-of-way along Penny Road for future improvements, and also Horney Road as staff has discussed, the 25-foot total from the right-of-way. And we have agreed to make physical improvements to Horney Road. We have talked to DOT and have a pretty clear understanding of what they would like to see there. There would be some widening of Penny Road and Horney Road at the eastern end of it where it is very narrow. It serves a few houses and the church. As you get closer up to Penny Road, you've got really three lanes of traffic provided for, so there wouldn't be any widening in that area. You've got an incoming lane and a left-turn lane out and a right-turn lane out. So there would be some overlay requirements that the DOT has indicated to us. So we have a pretty good handle of what I think DOT wants us to do there.*

*As far as.....the Ordinance would also require us to provide buffers and stormwater management as staff has also alluded to. I'll talk a little more about interior streets in a minute.*

*So we've gone through, we feel like a fairly extensive process to get to this point in terms of meeting with staff and talking with the adjoining homeowner's board and actually securing an easement to provide sanitary sewer to this site. We have an agreement to put that in place. I have met with the Principal at Florence Elementary. I've also talked with Donna*



*Bell at GCS Facilities. So I think we have an understanding of what's going on with the school. I've actually been out there in the mornings and in the afternoons to watch the traffic patterns. When school is out about 2:30, I'm not terribly concerned about a lot of traffic at that point in the day. In the morning, you've got a period of about 10-15 minutes that I observed where traffic is a little slow to exit onto Penny Road. There's a lot of traffic on Penny Road, but that only lasts for fifteen minutes and then it clears up and everything's okay.*

*We've had a citizen's information meeting, 96 households with about 20 people attending. We discussed issues for a couple of hours and I've had several follow-up conversations. Some of the concerns that were voiced at the Planning & Zoning:*

- *Traffic was an issue. Penny Road is a busy road. We feel like our impact to Penny would be minor and staff, I think, is aware at some point in time that some improvements will have to be made to Penny Road and that's the purpose of the right-of-way dedication, to help facilitate that.*
- *There is no street connection planned to any of the existing neighborhoods. There is no available land where you can make that connection through to the east or to the north. So there will not be traffic from this site going through the existing neighborhoods.*
- *I've already talked about the improvements to Horney Road.*
- *Some were concerned about density, but we do feel like, again, this is a transitional zoning and that it is compatible with a use that's already been established in the area directly across Penny Road.*
- *There were some concerns about drainage. We would address this through the ordinance. We would have a retention pond, which would help control run-off and minimize any drainage concerns that may be existing at this point. It will probably help improve some of those conditions from the condition the site was left in.*
- *Buffers will be installed, as we talked about. The Type C buffers, so planting yards along Penny and Horney.*
- *The two-story height limit.*

*The site plan that you looked at was a conceptual site plan. It's not really intended in our mind to be the final site plan at this point. We wanted to make a submittal to show at that time what we felt like this site might look like with 69 townhomes on it. But since that time, we've looked at a couple of other situations and we probably would make some changes to it. One of them would probably be to eliminate the third access that was farthest to the east and just create two access points and that would keep cars from going so far down Penny Road. There were some concerns from the last meeting about cars coming down and headlights shining in some of the adjoining houses. So in looking at it, I think I'd like to move those entrance points a little further up and eliminate that one. We also would probably not have the direct driveway access that was shown at the east end on Horney Road. We would bring*

*the road in and then T it off and create a separate drive for those dwellings so they would not be backing out directly into Horney Road nor having issues with being able to get into or out of their house/driveway. So I just don't think that's.....that would make the most sense to try to create those driveways. Even though that's a very shallow portion of the site on the east end and we can look at the site plan, but we probably would not have that connection, those driveway connections.*

*Of course, the HOA would be in place to maintain the improvements. The question about the streets, the interior streets and the design standards, I just want to be clear about what the standard is. I have Homer Wade here who is our engineer with Borum, Wade & Associates and I asked him to check on the street standards of eight inches of stone. He told me it was 2.5 inches of asphalt total and then I heard it was essentially three that is the standard. Okay, then I stand corrected on that.*

*I don't think we really have a problem with making sure that these streets are going to be long-term streets. We don't want a situation where we're going to have issues with streets falling apart. I don't have a concern with the structural depth of the stone and the asphalt. Our main concern is making sure that we do not have to have.....we have a 20-foot driveway coming off those roads. We just don't want to have interior setbacks off that road because of the narrowness of the site. If it's a private drive standard without the right-of-way, and we can go with like a 24-foot valley to valley on the curb and then the depth requirements of the street. I don't think we're going to have a problem with that.*

*So we do feel like this is a reasonable request. We know there are a few concerns with it, but it's got a lot of physical constraints that limit its ability for a feasible single-family type development. So we see that similar uses are already in place around us. Staff is in support of this request. P & Z approved it by a vote of 8-0. So we feel like there is strong support in what we've submitted and I will certainly appreciate your support and will be happy to answer any questions.*

**Chairman Wagner:** *Anyone have any questions for the applicant? [none at this time] Thank you very much. Okay, we'll now open the public hearing and we'll hear from anyone here to speak in favor or against. I've got a list of people who have signed up, so I'd like to call those folks first. Pastor Angeline Sumpter.*

**Pastor Angeline Sumpter:** *Good evening everybody. I'm Pastor Angeline Sumpter and I pastor Community Deliverance Church on Horney Road. I also live on Runyon Drive in High Point. My concern was that the density. I've been on Horney Road for the past 30 years and I know the traffic. I know how hard it is to get out at certain times now. And I know that it is....putting that many, I think that many units in that small of an area is going to cause a humongous disruption of a lot of things. Especially on Sundays for us as a church because you're talking about at least 100 some cars, maybe that's going to be in and out of there at any one time. And you're dealing with....I have children in the church, as well as children at the school. We have four services a week. Really, I think the density is really bad. The traffic is bad now and I can imagine what it will be when you get that many units in that small a space and I'm really, really very concerned about that part of it. The road....I hope that....because at the zoning hearing, I thought I heard them say they didn't want to go all the way down and do all the stuff that needed to be done. They wanted to let the State do*

*some of it. So maybe I don't understand quite what they are saying needs to be done to the road. The widening of it....is it going to be widened at all? Is it going to be shored up? We have had problems with drainage as it is. We do. So I really do think that the higher density....and I know everybody wants to make money and make a profit. But I think you shouldn't profit at the cost of human beings. So I'm asking you to really take a look at it and make sure that want needs to be done....because that's a really short road and really if you look at it you would think that it would be a one-way road, but it's not. It's a two-way street. So I pray that you as....knowing the figures as they are, and you as our officials would take care of our needs as well. So I'm asking you to do that because you know more about the ins and outs of what's been spoken here tonight, but I do know that that area is a very dense area already and I'm asking you to really consider what you do tonight.*

**Chairman Wagner:** *Thank you very much. The next person on the list was Vicky Sumpter.*

**Vicky Sumpter:** *My name is Vicky Sumpter and I'm along with the church at 7609 Horney Road and I also live at 605 Runyon Drive. My concerns are the same as the Pastor. It's the increase in density that is a concern because of the road because there is only one way to go out. And that is a concern because like the Pastor was saying, there's kids as well that we have going in and out during the weekday. For us, it's seven days a week that we have kids coming in and out from our church. So I just think that it's something that I'm asking you to consider. To go from low to high density is a big issue I think. It's not that we have a problem with....the area is growing, we don't really have a problem with the growth of the area, it's just that we need to consider everything around.*

**Chairman Wagner:** *Is there anyone else here who would like to speak in favor or against this? Please come forward and give us your name and address.*

**Jason Michaels:** *Good evening. My name is Jason Michaels. I live at 3776 Windstream Way, which is in the Nottingham Subdivision. I'm sorry I've got a cold. Along with the concerns, I voice my concerns with the traffic. Florence is busy in the morning. Obviously we all know that, but that area is also busy other times of the day. Spending 10-15 minutes out there in the morning once or twice does not give you a real feel for the traffic that there at 6:00 in the evening after work, 5:00 after work. School letting out. So just to narrow it down to one time frame doesn't give you the impact of the traffic, it's that way all day long.*

*There are periods when people are at work, lunchtime traffic people are coming home from work and also in the afternoon. We also get a lot of cut-thru traffic through our neighborhood and I addressed that last time, where people are coming up Windstream, down to Tuxford, back to Penny to drop their kids off at Florence.*

*So that's not being recognized in the traffic on Penny. Also, there is a....which I brought up last time is the marketability of these townhomes. Comp wise, I'm an underwriter with United Guaranty. I underwrite mortgage loans. You've got a townhome complex across the street, those aren't comparable sales of what you have here. You don't have an elementary school with 400 kids, 400 cars. You're throwing in another car and a half per unit, per townhome, so you can figure in another 80-100 cars per morning. That's a marketability issue with what they're intending to build.*

*Also, on the other side of Windstream, Parkside, there's townhomes there. If you want to spend the amount of money on a home over here, or on the other side and want to live in that area, I certainly wouldn't spend that money to live across the street at Florence Elementary School. It's a marketability issue. There's no ingress or egress out of that road. Fire trucks, rescue squads. That's a concern, especially when you have an elementary school there with that many children. It's a safety issue. That's a liability.*

*Also another....you can't see it, but on the L lot there, my home is right to that edge, so it does back up to it. I do have a buffer wood line there, but also a concern of mine and several of my neighbors especially to the cul-de-sac to the left is the impact and marketability of my property. For example, we saved to put a screened in porch on the back of my home. That's on hold because I don't want to have a screened in porch with someone peering watching me on my porch. So that's an impact. The other people here in the cul-de-sac, one neighbor is already going to have to move his fence line over. That's how close it is on top of us. So from the marketability aspect for us, when we go to move on down the road, that's going to impact us as well. That hasn't even been talked about or any consideration.*

*But the main concern, again, is the drainage. We had drainage problems when the last folks did the clearing of that lot. It hadn't been maintained and probably finished the first time. They said they would address that, which I'm sure they would. But still there's a lot of issue from the last go round that probably won't get resolved. But I would hope that they would do that.*

*But the main concern, and I don't fully think....you know there's numbers for the Traffic Impact study, but I really think that should be looked at. It's a safety issue when you've got that many cars in that area with one traffic light up there towards the Dollar General, but the rest....you've got an intersection coming out of, right up above Penny there out of the development, that's used for a cut-thru. You've got the traffic coming out of the townhomes, then you have basically another road going up Horney and there's no one to direct it. There's no stop signs. It's a madhouse up there. You throw another eighty cars in there, people are going to use that just like they do now. They're going to use that townhome loop to loop their kids around so they can get out of traffic. So there's going to be an impact on them and it's going to be a nightmare for someone to judge.*

*I understand that you need to infill the property and there's a use for it, but to put that many homes in there to me seems to be pushing the envelope, how many can we get in this tight site and maximize it. Something needs to be done with the property, but I just think you don't need that. You've overbuilding the area and the impact on the family, Guilford County Schools I'm sure would hear about it, once that's built and up and going. It's not going to go away. I think something should be done about it. The site can't handle what they're proposing. That's my concern.*

**Chairman Wagner:** *Thank you very much. Is there anyone else who would like to speak on this matter? [none] Okay, seeing none, I'll close the public hearing. I believe these*

*are items that we have to consider separately. Is that correct? We'll end that, so we can get this moving.*

***I WILL MAKE A MOTION FOR APPROVAL OF PLAN AMENDMENT 15-06.***

***Mayor Bencini:*** *We have a motion, is there a second?*

***Council Member Alexander:*** ***I'LL SECOND IT.***

***Mayor Bencini:*** *We have a motion and a second. Any further discussion?*

***Council Member Ewing:*** *Mr. Mayor, I've had a handful of residents over there to contact me in regards to this and I've got some concerns, both in the impact to Florence Elementary, but also we've seen little neighborhoods, whether it be townhouse, single-family, pop up not only in High Point but in other areas around here that it seems like a good idea, but when it's built out, it doesn't work so well logistically. Especially with the private roadways and an HOA that size of only 69 units to try to support that much infrastructure, I see a lot of challenges with it. I think there's definitely some higher and better uses and I'm not going to be supporting this tonight.*

***Mayor Bencini:*** *Anyone else?*

***Council Member Williams:*** *For the same reasons, I can't support it either.*

***Mayor Bencini:*** *Any other comments? I'd like to make a comment. I know our Planning & Zoning Commission has looked at this. I know our professional staff in both the Planning Department and Traffic Department have considered the concerns that have been expressed here. I don't think that there's an awful lot of other uses for this property. I think it's a touch configuration. If the road capacity will handle the traffic even though it's going to be somewhat more inconvenienced, I still think this might actually be the highest and best use for this property, so I will be supporting it.*

***Council Member Alexander:*** *You know, one of the things that I consider when I look at something is if not this, then what? Certainly a development like this, the timing of traffic is going to be 24/7. If you went in there and put a daycare or something that would be more synchronized with the school, you'd have a higher impact on that road. And, you know, so I'm going to be in support of it. I'm a little concerned about the folks that will be between the school's drive and Penny Road. I think that's going to be a point of congestion. But here again, that's a buyer beware kind of situation. This property is for sale. This property will develop. The question is what will you put there and what will carry the cost of the land with the constrictions of the gas line and things that are in there, while maybe not ideal, I think this is probably as good as it's going to get. So I'm probably going to support it.*

***Mayor Bencini:*** *Any other comments? [none] All those in favor, say Aye.*

*Mayor Bencini, and Council Members Alexander, Hill and Wagner: Aye.*

*Mayor Bencini: No?*

*Mayor Pro Tem Golden and Council Members Ewing, Williams, and C. Davis: No.*

*Mayor Bencini: Okay, that's one, two, three, four and we have eight here. So it does not carry. That motion FAILS. So at that point, I guess it makes no sense to go forward with the rezoning.*

**A motion was made by Council Member Wagner, seconded by Council Member Alexander, to approve Land Use Plan Amendment 15-06. However, the vote resulted in a tie 4-4 vote, so the motion FAILED.**

Aye (4): Council Member Hill, Council Member Wagner, Mayor Bencini, and Council Member Alexander

Nay (4): Council Member Williams, Council Member Ewing, Mayor Pro Tem Golden, and Council Member Davis

Absent (1): Council Member Davis

**160050 Redwolf Development Company, LLC. - Zoning Map Amendment 15-19**

A request by Redwolf Development Company, LLC to rezone approximately 8.7 acres from the Conditional Use Public & Institutional (CU-PI) District to the Conditional Zoning Residential Multifamily-8 (CZ RM-8) District. The site is lying along the east side of Penny Road, abutting the north side of Horney Road (2000 Penny Road).

The joint public hearing for this matter and related matter **160049 Redwolf Development Company, LLC- Plan Amendment 15-06** was held on Monday, February 15, 2016 at 5:30 p.m.

*Note: Although staff presented these matters jointly, separate action is required.*

The vote on 160049 Plan Amendment 15-06 failed; however no action was taken on 160050 Zoning Map Amendment 15-19.

For specific comments made during the public hearing regarding Zoning Map Amendment 15-19, please refer to **160049 Plan Amendment 15-06**.

**160051 Antique and Design Center - Zoning Map Amendment 15-20**

A request by the Antique and Design Center to rezone approximately 1.07 acres from the General Office Moderate Intensity (GO-M) District to the General Business (GB) District. The site is lying along the south side of Gatewood Avenue, approximately 230 feet west of N. Elm Street (207 - 215 Gatewood Avenue).

*The public hearing for this matter was held as advertised on Monday, February 15, 2016 at 5:30 p.m.*

*Herb Shannon of Planning and Development provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.*

*Zoning Map Amendment Case 15-20 is a request to rezone a 1.07 acre portion of a larger tract. Mr. Shannon advised that the site consists of about three (3) acres, which covers most of the block with the southern half of the block that has a zoning designation of General Business and the northern portion of the block is zoned General Office. Basically the zoning for the building and site are split by the zoning. The applicant, Antique and Design Center, is proposing to renovate the facility for a design center. The proposed design center would be allowed in the southern portion, but not the northern portion and they have requested that it be rezoned to have full access of the entire site and building.*

*Mr. Shannon pointed out there is already General Business (GB) zoning in the area; and the southern half of this property is already zoned GB, so no new zoning or uses is being introduced in the area. Another key item is this will allow the entire site and building to be governed by one set of zoning standards. The request is not in conflict with the goals and objectives of the Land Use Plan and it is reasonable for the entire property to be governed by one set of zoning and dimensional standards, especially in a situation where there is existing GB zoning. In conclusion, Mr. Shannon noted that the site is located on the edge of the Main Street corridor where there are existing commercial retail uses in the area and reiterated that this does not introduce a use that is not already established in the area.*

*The Planning & Zoning Commission reviewed this request at a public hearing held on January 26th and recommended approval of the request. Staff also recommends approval of the request.*

*Council Member Alexander inquired about any issues that may have been raised regarding required parking and Mr. Shannon replied that there were no issues voiced in this regard.*

*At this time, Chairman Wagner opened the public hearing and asked if there was anyone present who would like to speak in support or in opposition to the request.*

*Peter Freeman, Freeman Kennett Architects, 1102 N. Main Street, representing the proposed owners of the property, spoke in favor of the request. He explained that due to the inclement weather, they were not able to be present for the meeting. He shared their dream is to have a year-round market center, which is basically a first stop for designers, furniture buyers and retailers downtown at the \$47,000 square foot former High Point Enterprise Building. He felt it would be a great re-use of this building. As an architect and urban designer, he expressed excitement about the possibility of re-introducing retail shopping back into the core of the city. He thanked Council for the opportunity to speak and urged approval of this request.*

*Mayor Bencini asked if they plan to operate the facility to service wholesale buyers during the April and October Furniture Market. Mr. Freeman explained that they would and pointed out they would be open year-round, including during the Furniture Market. Because of this, it was noted that they would be subject to the additional tax on the use of the building. Council Member Williams asked about a proposed opening date. Mr. Freeman explained*

*they are currently investigating some environmental issues with a Phase 2 underway and the idea is that it would be one year from April.*

*Council Member C. Davis pointed out the property falls within the area where they would be eligible for the 100/80 incentive plan and asked if they would be applying for these funds. Mr. Freeman thanked her for mentioning this and noted they are aware of the incentives being available, but was not sure whether or not they would be pursuing the incentives.*

*Chairman Wagner asked if there were any additional comments. There being none, the public hearing was closed.*

Adopted Ordinance amending the Zoning Map providing for the rezoning of this property based on consistency with the City's adopted plans. Council finds this action to be reasonable and in the public interest.

**A motion was made by Council Member Wagner, seconded by Council Member C. Davis, to amend the Zoning Map and adopt the Ordinance providing for the rezoning of this property. The motion PASSED by an 8-0 unanimous vote. [Council Member J. Davis was absent]**

**Ordinance No. 7190/16-10  
Introduced 2/15/2016; Adopted 2/15/2016  
Ordinance Book, XIX, Page 73**

## **GENERAL BUSINESS AGENDA**

### **160052      2015-2016 City of High Point Federal Agenda**

Presentation and discussion of the City of High Point Federal Agenda 2015-2016.

Approved the 2015-2016 City of High Point Federal Agenda.

**A motion was made by Council Member Wagner, seconded by Council Member Ewing, to approve the 2015-2016 City of High Point Federal Agenda. The motion PASSED by an 8-0 unanimous vote. [Council Member J. Davis was absent]**

### **160053      Approval of the Minutes of Previous City Council Meetings**

- Special Meeting (Pre-Budget #1); January 7th @ 3:00 p.m.
- Finance Committee; January 13th @ 4:00 p.m.
- Manager's Briefing; January 19th @ 4:00 p.m.
- Regular Meeting; January 19th @ 5:30 p.m.
- Special Meeting (Pre-Budget #2); January 21st @ 3:00 p.m.
- Manager's Briefing; February 1st @ 4:00 p.m.
- Regular Meeting; February 1st @ 5:30 p.m.
- Special Meeting (Pre-Budget #3); February 4th @ 3:00 p.m.

*Mayor Bencini noted a Council Member had asked that the approval of the minutes be postponed due to the late arrival of the minutes.*



**Council Member Alexander moved to postpone approval of the preceding minutes until the next Council Meeting. Council Member Williams made a second to the motion, which carried unanimously. [8-0 vote] [Council Member J. Davis was absent]**

**160054 Appointment- Council Member Williams - Downtown Development Organization**

Consideration of the appointment of Council Member Chris Williams to the newly reorganized Downtown Development Board as the City Council appointee.

Approved the appointment of Council Member Williams to the newly reorganized Downtown Development Board as the City Council appointee.

**A motion was made by Council Member Alexander, seconded by Council Member Ewing, to approve the appointment Council Member Chris Williams to the newly reorganized Downtown Development Board (former City Project) as the City Council appointee. The motion PASSED by an 8-0 unanimous vote. [Council Member J. Davis was absent]**

**160030 Boards & Commissions - Vacancy Report**

Attached is the current list of vacancies for all Boards & Commissions.

*Note: This information is included for informational purposes only.*

**ADJOURNMENT**

There being no further business to come before Council, the meeting adjourned at 6:50 p.m. upon motion duly made and seconded.

Respectfully Submitted,

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William S. Bencini, Jr., Mayor

Attest:

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Lisa B. Vierling, MMC  
City Clerk