

**HIGH POINT CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING
May 2, 2016 – 5:30 P.M.**

ROLL CALL AND MOMENT OF SILENCE

Mayor Bencini called the meeting to order and asked everyone to remember the family of Ray McAllister due to his passing. The Pledge of Allegiance followed.

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)

RECOGNITIONS AND PRESENTATIONS

160103 Proclamation - Public Works Week

Mayor Bencini will read a proclamation proclaiming the week of May 15-21, 2016 as “Public Works Week” in the City of High Point.

Mayor Bencini read the Proclamation into the record proclaiming the week of May 15-21, 2016 as "Public Works Week" in the City of High Point and presented it to Keith Pugh, Director of Engineering services. [applause]

Mr. Pugh's comments were followed by a photo opportunity between Mayor Bencini and Mr. Pugh.

160104 Leggett & Platt Tree Planting Project

Recognition of Leggett & Platt Inc. for donating and planting six trees at Harvell Park in April with the help of 35 volunteers from their Branch 1506 facility. They also picked up several bags of litter at the park.

Andy Piper with Planning & Development recognized Leggett & Platt, Inc., a furniture company who has a local branch located in southwest High Point. They specialize primarily in making bedsprings. Mr. Piper reported as part of their company-wide eco initiative, they have been active in efforts over the years to help clean up the city through events organized by Keep High Point Beautiful and to further demonstrate their commitment to being good environmental stewards, they approached the city about doing a tree planting project. Leggett & Platt donated \$300 for six October Glory Maples that were planted with the help of volunteers from their local branch; these were planted in Harvell Park on April 9th. They also helped pick up litter in the park at that time. He then recognized representatives from the local branch of Leggett & Platt. He asked them to stand and thanked them for making the project possible and for being good corporate citizens for High Point. [applause]

160105 VITA Recognitions

Recognition of all the volunteers who participated in the Volunteer Income Tax Assistance (VITA) program.

Alisha Doulen, Community Resource Specialist with the Community Development & Housing Department, introduced Lauren Atwell Bass, Community Resource Specialist and recognized the VITA partners/volunteers for this past tax season. There were about 25 volunteers who worked over 850 hours. She advised that the IRS could not be present at this meeting, but sent a letter and a certificate. She read the letter from the IRS into the record thanking Mayor Bencini and the volunteers for ten years of continuous outstanding service to the taxpayers through the work of the High Point.

The following volunteers were recognized:

VITA Site Coordinators

Nathan Asamoah; Charrisse Jones; Lisa Hyatt; Nick Platt; Rob Purdie

VITA Tax Preparers

Alexis Luzietti, HPU Student Tax Preparer
Cassidy Cunningham, HPU Student Tax Preparer
Dan Hurley, Tax Return Preparer
Jerry Mingo, Tax Preparer
Kasey Degon, HPU Student Tax Preparer
Kayla Griffith, Tax Return Preparer
Kristine Faxlanger, Tax Return Preparer
Lauren Kelly, HPU Student Tax Preparer
Leon Spencer, Tax Preparer
Maya Dongier, HPU Student Tax Preparer
Michael LeClair, Tax Return Preparer
Olivia Stoddard, HPU Student Tax Preparer
Shelove Felicien, Tax Preparer
Shirleen Williams, Tax Return Preparer
Waldricas (Rick) Warren, Tax Return Preparer

General Volunteer

Crystal Black, Greeter
Donna Hicks, Greeter
Joyce Curtis, Greeter
Rashawn Martin, Greeter

VITA Partners

Amy Hudson, Executive Director- Salvation Army Boys and Girls Club
Chris Gillespie, Executive Director- West End Community Center
Dell McCormick, Executive Director- Macedonia Family Resource Center
Sharon and Sam Green - WINGS Computer Solutions
Charrisse Jones, Owner- Alpha Omega Booking and Tax Services
Lisa Hyatt, Owner - Overture, Inc.

United Way of Greater High Point
High Point University

Community and Neighborhood Development

Michelle McNair, Community Resource Manager

Alisha Doulen, Community Resource Specialist and VITA Program Coordinator

Lauren Atwell-Bass, Community Resource Specialist and VITA Site Coordinator

[applause]

UPDATE- CLEAN SWEEP

Rebecca Coplin, shared a slide show showing some photos of Saturday's event. She reported there were four neighborhoods that really jumped in and helped: Burns Hill; Macedonia; Southside; and Highland Mills. Several companies were represented, including Leggett & Platt, who has participated for several years now. She explained prior to Saturday's event, there were nine schools that participated in cleaning up their campuses, planting flowers (563 kids and teachers/school staff).

She reported the following statistics associated with the event:

- 541 people came out; last year about 350 people came out
- 1,104 volunteers
- 18,280 pounds of trash was picked up
- 1,180 pounds of recycling materials

She thanked City Manager Greg Demko for his passion to beautify the city and supporting the event. She advised they are hoping for partnerships moving forward with these types events in the future. Ms. Coplin also thanked Council for their support.

Mayor Bencini thanked Ms. Coplin for her efforts in making the vent such a success.
[applause]

PUBLIC COMMENT PERIOD

Mayor Bencini reminded everyone that this is a public comment period, not a public dialogue period and Council was here to listen to the comments from concerned citizens, but not engage in a dialogue.

Glenn Chavis, 137 Orville Drive, addressed Council. *He distributed a hand-out to Council that depicted information on parking tickets/city ordinance tickets written during the period of November 12, 2012 through November 12, 2015. [the handout will be attached and incorporated as a permanent part of these proceedings].*

Mr. Chavis advised that he had tried to arrange a meeting over the last several months with council members without any success. He felt the only way to get Council's attention would be to attend the meeting and announced that he will probably run for one of three offices during the next election cycle so he would have his voice heard for more than three minutes.

He noted that all the community talk seems to be centered around hunger and dilapidated/boarded-up housing. He advised that no one is talking about what got those communities to this point and how we can prevent it from happening again. He sees the demise of the community as a long process of little things that are ignored and are not corrected (i.e. parking violations, cars parked in front yards, unlawful businesses in residential areas, 18-wheeler trucks parked overnight in residential areas, landscape trailers, bobcats, tractors and other equipment parked on city streets, trash cans left on city streets for weeks, trash build-up at major intersections, etc.... He pointed out most of these violations take place in the evenings, so it makes it difficult for staff to enforce and ends up being enforced by the police department. He then shared the statistical information he gathered on the number of tickets written by the police department for the period of November 12, 2012 to November 12, 2015. Number one was leash law violations. Handicap parking violations were second. He felt there was a lot of room for improvement by the police department.

Louis Thibodeaux, 1242 Kensington Drive, addressed Council. *He asked Council to review how they proceed with the second meeting of the month after the first meeting has been cancelled. He asked that Council hold the second meeting to the procedure of the first meeting in regards to speakers, citizens at the beginning of the meeting. He also felt there needs to be a balance and time allotted to staff and developers who can speak with unlimited time. He made reference to the last Council meeting in March that went over five hours when people from his neighborhood came to speak, but they left after three hours because of uncertainty of when they would get to speak.*

He also asked why engineers have not come to speak to neighbors in a forum since November, 2015, concerning Dovershire/Kensington stormwater projects. He noted what they would like to do is have the water taken care of that's coming down now.

Mayor Bencini asked if there was anyone else present who desired to speak during the Public Comment period. There being no further comments, he declared the Public Comment Period closed.

REGULAR AGENDA ITEMS

STRATEGIC PLAN UPDATE

City Manager Greg Demko deferred to Council Member Williams to provide an update on the Strategic Plan.

Blight Elimination

Council Member Williams spoke on the blight elimination portion of the Strategic Plan. He reported that the Center for Community Progress met with the Community Housing & Neighborhood Development Committee on April 13th and the purpose was to develop a scope of services. He advised this was the \$200,000+ award the city received from this organization who assists with blight elimination. He noted at this meeting, the Committee talked about the ideas and the best strategic ways to be beneficial in removing blight and how to best use the available resources. He pointed out this meeting was one of eight meetings over two days with various members from city staff: city manager, data team, city attorney, etc... They did a core city tour, worked with code enforcement, Planning and

Development, Economic Development, affordable housing producers, other cities, stakeholders, and the Guilford County Tax Office. He noted this would be integral in how the city can be efficient in enforcing code and removing blight.

An additional piece is that the city has hired two code enforcement officers who finished their training on April 4th and April 18th respectively. The city has also contracted with the State Code Enforcement, Inc. and they started work on April 18th. He noted during the first two weeks, they have removed 401 signs and cited 158 public nuisance violations; 4 vehicle violations, etc..... He felt this was a huge, positive step the city is taking in dealing with the boarded-up and problematic issues in the distressed areas.

Sports/Entertainment and Millennial Aspect

Mr. Demko announced that Council Member Ewing would be providing an update on the sports/entertainment and millennial aspect of the Strategic Plan.

Council Member C. Davis asked Council Member Williams when the report was provided to him. Council Member Williams advised that the report was information gathered from the Community Housing & Neighborhood Development Committee and was brought to his attention since he happened to chair the meeting. Council Member C. Davis asked him to please share the report with the rest of Council.

Council Member Ewing reported that the results from Phase 2 of the Task Force should be completed in July. Regarding the Millennial portion of the Strategic Plan, he advised that the Prosperity & Livability Committee convened a Millennial Task Force of which Sara Belle Tate, Director of Communications and Community Relations for the Chamber of Commerce, would be chairing the Task Force. The Prosperity & Livability Committee gave her direction to try to keep the Task Force under ten members and they would be reporting back to the Committee in June. At this point, they have been tasked with doing some research and bringing back some Census data on the number of millennials within the city limits and how this compares with some other cities and also reach out to some of the businesses to identify how many millennials that work for them live outside the city limits.

Mayor Bencini thanked the Community Housing & Neighborhood Development Committee and the Prosperity & Livability Committee for their commitment to this and expressed appreciation for the report.

FINANCE COMMITTEE - Council Member J. Davis, Chair

Members: J. Davis, C. Davis, Alexander and Hill

(All were present)

160106 Contract - Bid No. 54 - 2016 Storm Sewer Improvements

Council is requested to approve contract awarding Bid No. 54 Breece Enterprises, Inc., in the amount of \$848,164.00 for the 2016 Storm Sewer Improvement projects within the city.

Keith Pugh, Director of Engineering Services, explained this is a contract for the annual pay-as-you-go stormwater improvements, which also includes one project that would be paid for out of the 2004 bond issue, the Gatewood project. He noted there is a total of five different projects on this contract and staff is asking for Council's approval to proceed.

Approved contract with Breece Enterprises in the amount of \$848,164.00 for the 2016 Storm Sewer Improvement projects within the city.

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

160107 Supplemental Agreement - NCDOT - Model Farm Road Bridge Replacement

Council is requested to approve a revised Supplemental Agreement with the North Carolina Department of Transportation (NCDOT) for the replacement of the Model Farm Road Bridge to extend the project completion date.

Terry Houk, Director of Public Services, explained this is a revision to the original agreement and is needed to reflect an extension in the timeframe for construction of the Model Farm Bridge replacement. He advised that the original completion date was May 26, 2016, but due to delays in utility relocations and right-of-way acquisition, the completion date is now September 30, 2017. He pointed out there would be no additional costs incurred. Staff is requesting Council's approval of the Supplemental Agreement with NCDOT to extend the project completion date for the replacement of the Model Farm Road Bridge.

Approved a revised Supplemental Agreement with the North Carolina Department of Transportation (NCDOT) for the replacement of the Model Farm Road Bridge to extend the project completion date.

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

160108 Resolution - Interlocal Agreement- Guilford County - Tax Collection Services

Council is requested adopt a resolution authorizing the Mayor to execute an Interlocal Agreement with Guilford County for ad valorem tax listing and collection service for the period of July 1, 2016 - June 30, 2021.

Randy McCaslin, Deputy City Manager, referenced the paper copy in front of Council for the interlocal agreement. He explained the difference between the paper copy and what was sent to Council electronically is a couple of changes that the city attorney has made to the agreement based on her conversations with the City of Greensboro and Guilford County. He further explained the basis of the contract is almost identical to the previous agreement the city had. It is for a five-year period and covers all aspects of the tax administration for property taxes in the City of High Point from listing to collections to the enforcement, appraisals, etc... The City of High Point will pay the same amount on this Interlocal Agreement that was previously paid, .62%. Mr. McCaslin noted part of the change recommended by the city attorney calls for the City of High Point to purchase properties that go through the full foreclosure process with Guilford County and if no one purchases the property at the end of the foreclosure, then the city is supposed to pick up the cost or purchase those properties from Guilford County based on back taxes (county and city) and some reasonable expenses that the County had to undergo in collection during the foreclosure process. He further advised that if Council does not agree to do that, then the rate will increase to .75%. He reported in discussions with Guilford County Tax Office, they

estimated this would be 15-30 properties a year; last year they had just under 20 with most of those being residential properties.

Council Member J. Davis asked if this was something new and asked if the City of High Point could afford to purchase this amount of properties. Mr. McCaslin noted it would have to happen one way or the other because if not, the County would charge the larger amount and this comes out to about \$100,000 a year which is about what the city would spend for these properties anyway. He explained this was in the prior contract, but the County did not really push it and they have not been real aggressive in collecting back taxes. They have since stepped up their efforts. Mayor Bencini asked if the rates were consistent with the other jurisdictions throughout the County; Mr. McCaslin advised this is what he has been told.

Adopted a Resolution authorizing the Mayor to execute an Interlocal Agreement with Guilford County for ad valorem tax listing and collection services for the period of July 1, 2016 - June 30, 2021.

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

**Resolution No. 1613/16-14
Introduced 5/2/2016; Adopted 5/2/2016
Resolution Book, Volume XIX, Page 84**

160109 Contract Extension - Furniture Market Transportation Services

Council is requested to approve a year extension to the McLaurin Transportation and Parking Company for services associated with the biannual High Point Furniture Market. This extension will cover services through the Spring 2017 Market.

Mark McDonald, Director of Transportation, advised this is the final one-year contract extension for McLaurin Transportation Parking Services for Furniture Market transportation. This will cover the fall market and 2017 spring market. He noted later this summer, staff will begin preparing the scope and proposal documents to readvertise this later in the year in an effort to award/negotiate a new contract after the 2017 spring market.

Approved the one-year extension to the McLaurin Transportation and Parking Company for services associated with the biannual High Point Furniture Market to cover services through the 2017 Spring Furniture Market.

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

160110 Budget Ordinance Amendment - Little Red School House Relocation Project.

Council is requested to adopt an ordinance amending the 2015-2016 budget to appropriate fund in the amount of \$47,875.00 to recognize the Historical Preservation Society funding for the Little Red Schoolhouse relocation project.

Eric Olemdo, Budget and Performance Manager, reported that the Little Red School House has been moved to the High Point Museum campus. He advised this project was the result of

an agreement between the City of High Point and the High Point Historical Society. The city allocated one-half of the funds and the Historical Society agreed to raise one-half of the funds. He explained this was acknowledging that the city did receive one-half of their portion (47,875). The revenue will be recognized with this action and the expenditures will be appropriated for Phase 1 of the project.

Adopted Ordinance amending the 2015-2016 budget to appropriate funding in the amount of \$47,875.00 to recognize the Historical Preservation Society's portion of the funding for the Little Red School House relocation project.

A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

Ordinance No: 7200/16-20

Introduced 5/2/2016; Adopted 5/2/2016

Ordinance Book, Volume XIX, Page 83

160111

Write-Off of Delinquent Utilities Accounts Receivables

Council is requested to authorize the Financial Services Director to write off delinquent utilities accounts receivables in the amount of \$618,098 for original billings from the fiscal year 2011-2012.

Jeff Moore, Director of Financial Services, reported these unpaid debts are no longer collectible, but this does not mean that the city will stop collection efforts. He explained at the conclusion of three years, for accounting purposes, only Council has the ability to write off amounts that are owed to the city. He pointed out this does not impact the budget in anyway and this requires action from the City Council to remove these debts from the city's utility accounts.

Council Member C. Davis inquired about the number of accounts and asked how Council could get access to the accounts that are delinquent. Jeff Moore, Director of Financial Services, explained the list is not available under access to public records because utility accounts are deemed to be personal/private information. However, staff did anticipate from the discussions last year, how much of this was commercial versus residential and he reported about 13% of this amount is commercial accounts (\$85,000). He noted the greatest majority of the \$618,000, about \$467,000 of it is electric revenue with the rest being smaller amounts spread across the utility funds.

Authorized the Financial Services Director to write off delinquent utilities accounts receivables in the amount of \$618,098 for original billings from the FY 2011-2012.

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

160112 Write-off of Delinquent Miscellaneous Accounts Receivables

Council is requested to authorize the Financial Services Director to write-off delinquent miscellaneous accounts receivables in the amount of \$408,720 for prior year original billings through the fiscal year 2011-2012.

Jeff Moore, Director of Financial Services, advised this represents a significant staff effort over the last several years to get into the miscellaneous and other items. Having gone through the liens securing process and having done all that could be done to collect, staff has now determined these amounts have been determined to be uncollectible. He reported the biggest part of this relates to inspections/permitting/demolition; \$358,000 of this amount are demolition costs and the city does have liens against the properties for these, but for accounting purposes, staff is asking staff to go ahead and write these off.

Council Member J. Davis asked once these are written off, if the city would pursue trying to collect for the liens placed on the properties. City Manager Demko explained it is written off for accounting purposes, but remains as a lien and if paid, it is recognized as revenue coming back in. Council Member J. Davis asked staff about the process that would be used to follow up on the liens after ten years have passed. Mr. Moore noted the Accela software would help with the transition. Council Member C. Davis inquired about any additional avenues that the city can take to try to recoup these costs for the properties with liens and if the Interlocal Agreement would impact it. City Attorney JoAnne Carlyle explained that the city has begun conversations with Guilford County and she has been working with Deputy City Manager Randy McCaslin. She pointed out it is the city's desire to move on these properties. Mr. Demko noted the key to this is working with Guilford County to change the process to make it move faster.

Council Member Ewing asked staff about the percentage the city is typically able to collect when demolitions are done. Staff will check and bring the information back.

Authorized the Financial Services Director to write off delinquent miscellaneous accounts receivables in the amount of \$408,720 for the prior year original billings through FY 2011-2012.

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

PLANNING & DEVELOPMENT COMMITTEE - Council Member Wagner, Chair

Members: Wagner, J. Davis, C. Davis and Williams

(All were present)

PUBLIC HEARINGS**160113 Resolution - High Point University - Street Abandonment 16-02**

A request by High Point University to abandon the eastern portion (approximately 72 feet) of the North Avenue right-of-way. The portion of North Avenue to be abandoned is lying west of N. Centennial Street.

Chairman Wagner reported that High Point University has requested a continuance of this public hearing regarding this matter and his preference is to wait to hear from the public when the public hearing is continued. Council Member C. Davis expressed concerns that there may be people present at tonight's meeting who may not be available to attend when it is continued.

Continued the public hearing for Street Abandonment 16-02 to Monday, June 20, 2016 at 5:30 p.m. as requested by High Point University.

A motion was made by Council Member Wagner, seconded by Council Member Hill, that this matter be continued to the June 20, 2016 City Council Meeting. The motion carried by the following 8-1 vote:

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member Alexander, and Council Member J. Davis

Nay (1): Council Member C. Davis

160114 Ordinance - 4008 Mendenhall Oaks, LLC - Annexation 16-01

A request by 4008 Mendenhall Oaks, LLC to consider a voluntary contiguous annexation of approximately 6.3 acres lying along the east side of Eastchester Drive, approximately 560 feet south of Mendenhall Oaks Parkway. The property is addressed as 2756 and 2760 N.C. Highway 68 and is also known as Guilford County Tax Parcels 0170008 and 0170009.

*The joint public hearing for this matter and related matters **160115 Plan Amendment 16-02** and **160116 Zoning Map Amendment 16-02** was held on Monday, May 2, 2016.*

Herb Shannon of Planning and Development explained that although staff would be jointly presenting these matters, each matter would require a separate vote.

Mr. Shannon provided an overview of the staff report for Annexation 16-01, which is hereby attached in Legistar as a permanent part of these proceedings.

Transcript

Herb Shannon: *Heidi Galanti and myself will be doing a joint presentation. I would remind the Council that you do need to vote on these items separately at the end of the presentation hearing.*

The subject site pertains to the next three items. This site is located along the east side of Eastchester Drive and lying along the north and southside of Mendenhall Oaks Parkway. Just to note, the site in question, you have this are that is cross-hatched and this parcel to the north that's kind of included in the plan amendment. The applicant is requesting these various amendments to annex the site, the land use plan and zoning, in order to develop a commercial node at this intersection that is intended to serve employees working in an abutting employment center in Piedmont Centre.

The first part of this request is an annexation. Everything that you see in this white area has been annexed and is part of the City of High Point. The area that you see highlighted in gray, that is the area that's under consideration for annexation. That property is not within the city. It's governed by Guilford County's jurisdiction. As part of the development of this site, the applicant is requesting annexation in order to have access to city utilities. With this site being surrounded by the High Point corporate limits, city utilities are already in this area. The service vehicles are already established in this area. Staff has noted that this will be a logical progression of the city's annexation policy for this location. Thus, there were no objections raised in the evaluation of this site as far as annexation as it is surrounded by the corporate limits.

Mayor Bencini: *Herb, can I interrupt just a brief question. The structure that is indicated on that section of unincorporated property, are they houses?*

Herb Shannon: *They are former single-family homes. They have been removed from the site. The only thing that's left is the foundation.*

Mayor Bencini: *Okay, there's really nothing there.*

Herb Shannon: *Any questions on the annexation portion of this request?*

I will now turn the plan amendment over to Ms. Heidi Galanti.

[end of the annexation portion of this transcript]

Adopted Ordinance annexing approximately 6.3 acres lying along the east side of Eastchester Drive, approximately 560 feet south of Mendenhall Oaks Parkway.

A motion was made by Council Member Wagner, seconded by Council Member J. Davis, that this Annexation Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

Ordinance No. 7201/16-21

Introduced 5/2/2016; Adopted 5/2/2016

Ordinance Book, Volume XIX, Page 84

160115 Resolution - 4008 Mendenhall Oaks, LLC. - Plan Amendment 16-02

A request by 4008 Mendenhall Oaks, LLC and the Planning & Development Department to change the Land Use Map classification for approximately 17 acres from the Restricted Industrial classification to the Local Convenience Commercial classification. The site is lying along the east side of Eastchester Drive, to the north and south of Mendenhall Oaks Parkway.

The joint public hearing for this matter and related matter **160114 Annexation 16-01** and **160116 Zoning Map Amendment 16-02** was held on Monday, May 2, 2016 at 5:30 p.m.

Heidi Galanti, Planning Administrator with the Planning and Development Department provided an overview of the staff report, which is hereby attached in Legistar as a permanent part of these proceedings.

Transcript

Heidi Galanti: *Mayor and Council Members, I am Heidi Galanti, Planning Administrator with the Planning & Development Department. I'm going to go over the Land Use Plan Amendment. The case, as Herb pointed out, is on the eastside of 68. Willard Dairy is here, Mendenhall Oaks and Premier Drive is down at the bottom of your screen.*

Shown on the map you have two areas. The area in the black-hatched is what the applicant requested as a plan amendment and then the area in white is an area that staff added. When plan amendments come before staff, we analyze the areas and look for the most logical new boundary of a land use plan amendment and staff has added this area right here which is First Citizens Bank to the land use plan amendment. Existing land uses in the area.....as I said, this is First Citizen's Bank. This is another bank here. Here we have a business office building in here and the remaining parcels are undeveloped. Adjacent to the area to the north is undeveloped. To the east you have industrial and manufacturing uses. To the south is an office building right here and to the west you have mostly office and a few business service uses.

On the map, you can see restricted industrial is shown in purple and community regional is just off the bottom of your map and the green there is representing recreation and open space. The request is to amend the land use plan from restricted industrial to Local Convenience commercial to allow a mix of office and business service uses. The applicant has requested a land use plan amendment for an area consisting of six parcels, totaling approximately 12.8 acres. And as previously mentioned, staff has added the one additional parcel which makes it a total of 15.8 acres.

Policies related to this case, the restricted industrial land use classification is primarily intended to accommodate office, warehouse, distribution and assembly uses on larger sites. And the local convenience commercial classification includes moderate intensity convenience, retail or service uses generally serving local areas. This is within the Eastchester Scenic Corridor, which recommends limiting commercial/retail type uses to commercial nodes. The subject area consists of seven fairly small parcels that do and will continue to offer a mix of office and convenience service uses that support the business park and they are concentrated at the intersection on Eastchester and Mendenhall Oaks Parkway.

The four remaining undeveloped parcels could be an expansion of office and commercial service uses that will provide services to the adjacent business park. One of the main objectives of the Eastchester corridor plan was to prevent strip commercialization of the Eastchester corridor. The reason for this objective was to maintain the high functioning transportation corridor and to establish high quality development along one of the city's major gateways. The city has adopted policies to limit commercial land uses to well separated clusters. Based upon the existing commercial uses present within the subject area and proposed by the conditional zoning ordinance, the commercial land uses allowed will be those that provide services to the business park in the immediate area. Allowing a local convenience commercial classification will reflect the uses that have already been established and will enable limited amount of new commercial service uses along with the offices to develop. This change does not and should not encourage commercial uses found

and targeted in the city's adopted policies for the community regional commercial that you find to the south. Staff recommends approval of the land use plan amendment. The Planning & Zoning Commission met on March 22nd and recommended approval by a vote of 7-0. Do you have any questions of me before I turn it back to Herb?

Mayor Bencini: *Yes. Heidi, the bank that's in the white hatch-marked piece, how did that end up in restricted industrial?*

Heidi Galanti: *Well all of this is in restricted industrial. Banks are allowed by zoning.*

Mayor Bencini: *Okay, so why change the plan for that section?*

Heidi Galanti: *You've got a large cluster that's forming here and we feel like it's worth recognizing that it is a local convenience area serving that business park.*

Council Member Ewing: *My question to tie into the mayor's, just south you have similar uses. The parcel just south of the black hatched area is the Smith Leatherwood law firm and then you have a bank down at Premiere and 68 and another commercial convenience strip there with retail. I guess it's just at what point do you stop looking at changing the uses? Because those to the south at least to me would be reasonable to rezone the same as the First Citizens.*

Heidi Galanti: *I feel like....this is pretty much built out and this about half of it yet to be developed. The request, as you will hear from the applicant is to incorporate some retail uses on the front and some offices in the back. It's starting to really turn to a mix of office and retail versus more industrial complex.*

Mayor Bencini: *The retail area to the south, how far is that from the subject site? So really what you're saying is an expansion of the palladium area?*

Heidi Galanti: *No, that's exactly what I'm not saying. These are small business service type uses that are not a big palladium area, not a large movie theatre and large commercial. That is really solid commercial down there at the bottom. This is smaller type office and retail uses.*

Mayor Bencini: *But many of the uses would be the same as let's say the Penn Station facility. A sandwich there, a sandwich somewhere else.*

Heidi Galanti: *There may be some of that along the front. But not like the Palladium, not a huge commercial complex.*

Mayor Bencini: *I understand that, but just from a geographic proximity, it's almost adjacent to.....*

Heidi Galanti: *It is near it, but it is a step down in retail if you will. Any other questions?*

Council Member Wagner: *Anybody else? Thank you Ms. Galanti.*

[end of the Plan Amendment portion of this transcript]

Adopted the Resolution changing the Land Use Map classification for approximately 17 acres from the Restricted Industrial classification to the Local Convenience Commercial classification based on consistency with the City's adopted plans. Additionally, Council finds this action to be reasonable and in the public interest.

A motion was made by Council Member Alexander, seconded by Council Member Wagner, that this matter be adopted. The motion carried by the following 7-2 vote:

Aye (7): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, and Council Member Alexander

Nay (2): Council Member J. Davis, and Council Member C. Davis

Resolution No. 1614/16-15

Introduced 5/2/2016; Adopted 5/2/2016

Resolution Book, XIX, Page 85

160116 4008 Mendenhall Oaks, LLC - Zoning Map Amendment 16-02

A request by 4008 Mendenhall Oaks, LLC to rezone approximately 12.85 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, and a Conditional Use Light Industrial District to a Conditional Zoning General Business District (CZ-GB) District. The site is lying along the east side of Eastchester Drive and south of Mendenhall Oaks Parkway (2760 & 2756 NC 68 and 4006, 4008, 4010 & 4012 Mendenhall Oaks Parkway). Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

The joint public hearing for this matter and related matters **160114 Annexation 16-01, 160115 Plan Amendment 16-02** was held on Monday, May 2, 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.

Transcript

Herb Shannon: *To facilitate the type of uses the applicant is proposing, they have submitted a zoning application to rezone this cross-hatched area to a Conditional Zoning General Business District. In conjunction with that zoning application, the applicant has submitted a conditional zoning ordinance which offers restrictions on the manner in which the site may be developed. They've offered to restrict higher intensity commercial uses, to prohibit automotive related commercial uses, limit access, and also to restrict the size of individual commercial uses. Additionally, the applicant has offered a proposal to reduce the setback standards along the Eastchester corridor. As part of the zoning review, the Development Ordinance does allow the applicant to request a reduction in lot size, setback standards, parking and landscaping standards; however, council is under no obligation to accept that reduction in standards.*

Specifically, the applicant is requesting setback along Eastchester Drive frontage to be reduced to 40 feet. The current requirements of the Eastchester scenic corridor requires a minimum 40 foot lot landscaping area. Parking must be set back at least 30 feet and a 75 foot building setback. The applicant has offered a proposal to reduce that setback to 40 feet with the condition that all parking placed to the rear or to the side of the building. There will be no parking to the front. That will be the only scenario where that reduction in setback would be permitted.

There's quite a bit of information in the analysis section. I'm just going to touch on some key items:

This area is intended to be a commercial node that will serve as a service related node for the employment center. It's not intended to be an expansion of the Palladium commercial development which is zoned Shopping Center about a half a mile to the south. To ensure that, the applicant has offered conditions where a lot of the higher intensity commercial uses are prohibited. They've also limited the size of the individual commercial uses to 5,000 square feet to ensure that those uses are service related serving that employment center.

To address any type of traffic impacts, the applicant has offered the condition that the site be restricted to one point of access to Eastchester Drive so as to not degrade that corridor and that access will most likely be along the southern boundary of the site. They would have integrated parking and circulation network that would tie all this area together so that traffic entering the site does have the ability to go through the northern portion of the site and have access to that traffic signal.

In this case, staff suggested approval of the applicant's request would be considered reasonable in the public interest. First, subject to approval of the LUPA, the request would be consistent with the LUP.

Two, the smallest size service related uses have been established to the north. As Heidi noted, the Penn Station development and the smaller banks.

Conditions offered by the applicant will ensure that the development will be a similar size and the conditions proposed for a reduction in the setback standards, staff has no objections to that based upon the condition that the parking be placed to the side and to the rear. And that's also a standard being considered under the new development ordinance.

Finally, the land use policies established by city council has discouraged piece mill commercial development along this corridor. The intent has been to focus commercial development at various nodes and this proposal is meeting that goal that has been established by council. Therefore, in regards to the zoning request, staff is recommending approval of this request for a conditional zoning general business district. This application was reviewed by the P & Z at their March 22nd public hearing and the commission recommended approval by a vote of 7-0. As always, council must place into the official record, a statement of consistency to these adopted plans and explain why the actions taken are considered reasonable. If Council desires to support this request, staff offers the reasonableness statement that is included in the staff report for your consideration.

Are there any questions on the annexation, plan amendment or rezoning?

Mayor Bencini: *Herb, the property to the west, on the west side of 68 where it says from restricted.....anyhow, just on the other side, so if we had a request to rezone that area to local convenience, there wouldn't be much of a reason not to grant that request.....*

Herb Shannon: *That would have to be considered on its own merits as it's submitted. I would note that there are some industrial uses on the backside of that one building. This is not purely an office use. There are some office and restaurant uses, but in the rear side they do have some industrial uses. But each case stands on its own merit and staff would make a recommendation to council for your consideration based upon the merits of one.*

Mayor Bencini: *By switching the white cross-hatched area from restricted industrial to local convenience, there wouldn't be much argument I wouldn't think against going for local convenience right across 68 from the white cross-hatched area.*

Herb Shannon: *any action that council takes would set policy and that would be something that would make it a strong consideration for that, if approved.*

Council Member Alexander: *Herb, we've spilled a lot of blood in this building. Working hard to maintain what is called a scenic corridor and for more than 20 years, we have insisted on maintaining a scenic corridor so that it doesn't look like some of our neighbors. Ready to toss that out? Because I'm not.*

Herb Shannon: *that would be a consideration for Council to deliberate on in making this recommendation and whatever decision council makes would either set new policy or reaffirm existing policy.*

Council Member Alexander: *I mean the ugliest thing there is going to the airport is the NAPA store that Greensboro stuck right out there on the corner. You have a beautiful scenic corridor for a lot of nice open grass, it gives you a nice feel about a community that's well planned and then you get to Greensboro and it's ugly from High Point city line on out to I-40, it's just an ugly development and from the HP city line coming all the way back into town, it's been a longstanding policy that we want an open corridor, green space, pleasant view. We talk about making our community more aesthetically pleasing, but this basically is going to make us look like Greensboro.*

Mayor Bencini: *Herb, it wasn't too long ago that we had a request, multiple requests by the folks where the driving range is for a local convenience retail and we said No. for the very same reasons that Latimer just pointed out. This is not that far south of that subject property.*

Herb Shannon: *That's correct.*

Chairman Wagner: *Any more questions for Mr. Shannon? [none] Okay, seeing none, is there a representative of Mendenhall Oaks, LLC here who would like to speak?*

Chuck Truby: *Good evening Mayor, Council. My name is Chuck Truby. I'm with CPT Engineering and Surveying, Inc. We're located at 4400 Tynning Street here in High Point. I represent Will Stevens who owns this building right here. Liberty Property Trust actually developed that building and Mr. Stevens bought it from Liberty. That's where the Penn Station Sub building is. He has since purchased this piece of property right here. He came to me and we done some site plans and some layouts of how this property could be developed. Based on the depth and things like that, it really doesn't lend itself to industrial warehousing space. So we tried to come up with something unique and something different where what we're proposing to do is develop this and actually tie this back into the existing drive that leads you out to Meeting House. If this piece of property was developed without this piece, the only access it would have would be directly to 68 and it would be a right-in, right-out only. So by putting these properties together and assembling these the way we have, we've created a way to get back to Meetinghouse and over to 68. So it's going to create a uniform development where if it were developed by itself it wouldn't be a uniform development.*

When we started looking at it, you know, it's all market driven and we don't really know if it will be retail or office. We're thinking probably medical office, possibly some retail, but when we were looking at what the property is zoned today, the LI zoning allows a lot of different retail type uses. It allows banks. It allows a lot of things, but some of the uses that we were looking at like florists and card shops, some of the smaller, more Lumina Station in Wilmington type village type store things aren't allowed in this zoning. So that kind of drove us to try to do more of a business zoning that would allow some of these more less intense retail uses. We're prohibiting any kind of drive-thru, so you don't have to worry about it being a fast food kind of development. We've limited the size of the individual spaces to 5,000 square feet maximum. So that cuts out any big box opportunities. So it really lends itself to a village type retail setting. I've got an illustrative.....do you guys have that on the screen?

If you look at this rendering right here, this is the existing building that has Penn Station in it and what we're proposing to do is to create kind of a more village type retail setting where we're going to push the buildings closer to the road. We're going to throw all the parking in behind it so that when you're driving down Eastchester, you're not going to see a bunch of cars parked out front, so it's going to look a lot different than some of the retail offices across the street. So we're doing something very unique here that's going to be really, really nice. I wish I could tell you some of the tenants we have, but right now we really don't have any. I think with the conditions that we put on this rezoning, I can assure you that it's going to be something nice and it's going to be something that doesn't look like HP Road in Greensboro.

Mayor Bencini: *Excuse me that's Gate City Boulevard.*

Chuck Truby: *I'm sorry. But that's why we're here and honestly, this rezoning only adds a few uses to what we're currently allowed to do. I mean we're really not asking for a whole lot here. But it will open it up to be more marketable and to make this project successful. So I just wanted to assure everybody that this is not going to be.....*

Council Member Alexander: *But why do you need to encroach on the scenic corridors setback? Do you not have enough land?*

Chuck Truby: *No, what we're really doing is, right now, the way the scenic corridor is set up and it's a shame....and we've done a lot of projects along Wendover and Eastchester that have to abide by these rules. What it does is you can set your parking 40 feet off the row, okay. So what that encourages you to do...because you want to use every inch of land that you have available. What it encourages you to do is put your parking along the row and then because the building setback is 75 feet, by the time you put a 60 foot bay of parking and you set your building there, you're meeting your parking setback and you're still being able to use all that land. So the only difference that we're asking for here is instead of there being a 40 foot and a parking lot, we're saying we're going to still give you the same 40 foot that you would get, but instead of it being a parking lot, it's going to be a building.*

Council Member C. Davis: *I like that a lot better.*

Chuck Truby: *Okay. So what it's enabling us to do is.....wouldn't you rather look at a pretty building with landscaping and a sidewalk in front with the parking behind it versus parking in front? And that's what we're trying to do here. We're not reducing the amount of green space at all along Eastchester. It's going to be exactly what it is today, which is 40 feet.*

Council Member Alexander: *You're just putting the window sign advertising the retail business closer to the road.*

Chuck Truby: *Correct.*

Council Member Alexander: *Move it back.*

Chuck Truby: *Again, this is kind of... if you all want to do what they're doing in Charlotte and things like that, if you drive through Charlotte and you see the way their developments are, the buildings are all.....even down in South Park. All the buildings are up on the road and the parking is behind it. By making this change, that enables us to do this. And I feel very comfortable....you guys will be very pleased with what this is going to look like when it's built out.*

Council Member Ewing: *There's a section in Cornelius that is similar to this that has a strip. It's more appealing to see a well landscaped building façade than an empty or a full parking lot of cars. It provides more consistency and appeal.*

Council Member Alexander: *But you're just going to look at windows of marquis for sale. It's going to be 40 feet off the road and you're going to have a mattress, a cell phone, I mean it's inconsistent with the corridor that we currently have. It is a fundamental change in what we've done and for 25 years since Judy Mendenhall was Mayor and we started creating Piedmont Centre out there, the idea was to keep this as a green space corridor to cluster retail which we have in the Palladium and to keep this as an open space.*

Council Member Ewing: *How is a parking lot open space and green space?*

Council Member Alexander: *Like I say, it's a fundamental change to what you've done. If you want to make it, fine. But you know it is a....I mean we've had one developer after another after another wanting to encroach on that scenic corridor and we've held them off and we've seen good commercial growth out there. I mean it's a fundamental change. You might as well just give up on the corridor.*

Chuck Truby: *Just as an fyi, we have....and I don't know whether y'all have approved the new ordinance or not, but this option has been written into the new development ordinance that allows you to pull the building up to what the current planting yard is as long as you put your parking behind the building and that's actually....*

Mayor Bencini: *I don't think, Chuck, that covers the scenic corridor.*

Chuck Truby: *I'm sorry. I think it does. The language that we had put in the new ordinance regarding the placement of the buildings and the parking behind it....so it does.*

Council Member Alexander: *It supersedes the overlay?*

Council Member C. Davis: *I personally like it, Chuck.*

Chairman Wagner: *Does anyone have any more questions for the applicant because I'd like to open the floor. Before we get into our deliberations, let's hear from the public. I didn't see anyone on the list who signed up to speak on this matter. Is there anyone here from the public who would like to speak either for or against the annexation, land use plan or the proposed zoning amendment? [none]*

Okay, I'm not seeing any then, so I'll close the public hearing and open the floor back up. I'll start by saying that I think that....I understand what Mr. Alexander is talking about and personally I think it's more scenic to see a nice looking building than a parking lot of cars. I think that this is a higher quality development. I understand that it's a little different than what we're doing, but the idea of pushing your buildings up to the front is sort of the new urbanism type of influence didn't exist 25 years ago. That's something that we're pushing in the core and I don't see any reason why we shouldn't do it out there. I really like the plan. I think it looks great. If it's 40 feet of landscaping, I think that's pretty scenic myself. Again, I'd rather see a building and I'd rather see some activity rather than 40 feet of a parking lot.

Council Member Alexander: *But the pretty picture is illustrative.*

Chairman Wagner: *I understand that. I think if you compare this to what is immediately across the street where you have at least two rows of parking before the building, I think this looks a lot better than what we've already got there. And there's a sandwich shop and various other little commercial type activities in that building. If I had to choose between the two, I'd rather have this.*

Mayor Bencini: *Can we go back to the purple and green slide? I know these lines in the sand tend to change overtime, but I think we have the opportunity if we decide that this is okay I think we have the opportunity to draw another line in the sand and remove the white*

hatched area from this change. Because, again, if you go on the other side of 68 to that corner there's a large lot over there and if you go a little farther north of there, you're at the driving range where there have been multiple petitions to put retail use in there and we've always said no because as Mr. Alexander pointed out, we're trying to protect this corridor. So I think we would be wise going forward if we eliminate the cross-hatched area from consideration in this plan. I know they can put a bank over there. I understand that, but the more intense retail uses they can't. I don't think there are a lot of retail uses that are going to be allowed under local convenience. So I'm just asking that we show a little bit of discipline and not open up the west side of 68.

Chairman Wagner: *Mr. Mayor, why don't we do this since we have to vote on these things separately since the first item is the annexation case, why don't we deal with them piece meal.*

*I'm going to make a **MOTION FOR APPROVAL OF THE ANNEXATION CASE.***

Mayor Bencini: *We have a motion. Is there a second?*

Council Member J. Davis: **SECOND.**

Mayor Bencini: *We have a motion and a second. Any further discussion? [none] all those in favor, say Aye.*

Mayor Bencini; Mayor Pro Tem Golden; and Council Members C. Davis, Alexander, Williams, Hill, Wagner, J. Davis and Ewing: *Aye.*

Mayor Bencini: *That motion carries. [9-0 unanimous vote]*

Chairman Wagner: *Okay so that brings us to the Plan Amendment where I think we deal with the white cross-hatched area.*

Council Member Alexander: **I'll make a MOTION TO REMOVE THE WHITE CROSS-HATCHED AREA FROM THE CONSIDERATION AND JUST DEAL WITH THE SUBJECT PROPERTY WITHIN THE BLACK DOTTED LINE. APPROVAL OF THE LAND USE PLAN AMENDMENT WITH THE REMOVAL OF THE WHITE CROSS-HATCHED AREA.**

Council Member C. Davis: *There is a bank currently sitting there, right? And that's not considered restricted industrial is it?*

Mayor Bencini: *Yes, but banks are allowed.*

Chairman Wagner: **I'LL SECOND HIS MOTION.**

Council Member J. Davis: *So let's clarify what his motion is. The motion is to remove the white cross-hatched area?*

Chairman Wagner: *As I understand it, it is to approve the Land Use Plan Amendment, but leave out the white section.*

Council Member C. Davis: *That way if the bank becomes empty it can't have the local convenience.*

Council Member J. Davis: *I disagree with the argument about across the way because I know the property you're talking about. You know you're penalizing that one owner for that property and like Herb said, each time they have to do that on that development of that property.*

*So, I'd like to make a **SUBSTITUTE MOTION THAT WE KEEP THE WHITE HATCHED AREA IN THERE AND ACCEPT IT AS PRESENTED.***

Council Member C. Davis: *I'll **SECOND** that.*

Mayor Bencini: *We have a MOTION and a SECOND. Any further discussion?*

Council Member Hill: *I just want to clarify.....if it's approved it will include all the conditions that the applicant said they are willing to agree to.*

Council Member J. Davis: *No, that's the zoning.*

Council Member C. Davis: *I call the question please.*

Mayor Bencini: *All those in favor say Aye?*

Council Members J. Davis, C. Davis and Hill: *Aye:*

Mayor Bencini: *That motion FAILS 3-6.*

*Now back to the original **MOTION WHICH IS TO ADOPT THE LAND USE PLAN AMENDMENT, BUT ELIMINATE THE WHITE CROSS-HATCHED AREA.***

*All those in favor of the **original** motion?*

Mayor Bencini; Mayor Pro Tem Golden, and Council Members Williams, Hill, Wagner, and Ewing: *Aye.*

Mayor Bencini: *Those opposed?*

Council Members J. Davis and C. Davis: *No.*

Mayor Bencini: *The motion CARRIES by a 7-2 vote.*

Chairman Wagner: *The next item is ZONING PLAN AMENDMENT 16-02.*

Just to get the discussion rolling, **I'LL MAKE A MOTION FOR APPROVAL OF THAT ITEM AND STATE THAT IT IS IN CONFORMITY WITH ADOPTED PLANS AND IT IS REASONABLE IN THE PUBLIC INTEREST FOR THE REASONS THAT ARE STATED IN THE STAFF REPORT.**

Council Member C. Davis: SECOND.

Council Member J. Davis: I have a question. Is the motion with the setback of 40 foot or the 75?

Chairman Wagner: As presented.

Council Member J. Davis: Okay.

Mayor Bencini: We have a MOTION and a SECOND. All those in favor, say Aye.

Mayor Bencini; Mayor Pro Tem Golden, and Council Members C. Davis, Williams, Hill, Wagner, J. Davis and Ewing: Aye.

Mayor Bencini: Opposed?

Council Member Alexander: No.

Mayor Bencini: That motion CARRIES 8-1.

[end of the Zoning Map Amendment portion of this transcript]

Adopted Ordinance rezoning approximately 12.85 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, and a Conditional Use Light Industrial District to a Conditional Zoning General Business District (CZ-GB) District based upon consistency with the City's adopted plans and that this action is considered to be reasonable and in the public interest.

A motion was made by Council Member Wagner, seconded by Council Member C. Davis, that Zoning Map Amendment 16-02 be adopted. The motion carried by the following 8-1 vote:

Aye (8): Council Member Hill, Council Member Williams, Council Member Ewing, Council Member Wagner, Mayor Pro Tem Golden, Mayor Bencini, Council Member J. Davis, and Council Member C. Davis

Nay (1): Council Member Alexander

**Ordinance No. 7202/16-22
Introduced 5/2/2016; Adopted 5/2/2016
Ordinance Book Volume XIX, Page 85**

160117 Resolution - 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).

Transcript

Chairman Wagner: *The next item on the agenda is the Redwolf Development Company, LLC. We have a plan amendment and a zoning map amendment.*

City Attorney JoAnne Carlyle: *Just trying to refresh your memory. The reason that this is coming back is they were entitled to be heard by a full council. They weren't allowed that opportunity prior when I asked that and then they came back and made that request.*

Andy Piper: *Andy Piper, a planner with the CHP. And like the previous one, this is a joint presentation of a land use plan amendment and zoning case. I'm going to talk about the plan amendment and herb will follow with the presentation on the zoning case. But again, each item should be vote don separately.*

To orient everyone, this site is located east of Penny Road and north of Horney Road. The site is currently undeveloped. To the north and to the east there is a single family subdivision development. To the south, we have three single-family homes, a church-which are all in the Guilford County jurisdiction and then we have Lawrence Elementary School located here which is in the city. Then across from Penny Road, you have an existing townhome development to the west.

The applicant is requesting that the land use map designation for this hatched area, approximately 8.7 acres be amended from Low Density Residential to a Moderate Density Residential which allows for residential development with densities from 5-8 dwelling units per acre. In evaluating the request, the Land Use Plan includes goals and objectives to provide a wide range of housing opportunities for a variety of price ranges and also promoting the efficient use of these land resources by promoting infill development where appropriate.

It also recommends that a transition of land uses be there where feasible. In addition, we look at the surrounding area to look at the types of patterns of development nearby and whether that means the proposed change is logical. While this current land use designation dates back to the mid-90s the area to the northeast is obviously already developed with single-family development. Areas to the northwest have developed with a higher density commercial and residential development to the area just out to the northwest. Therefore, when looking at this it does meet several goals and objectives of the relevant planning policies and is consistent with development pattern in the area. Therefore, staff recommends Land Use Plan Amendment 15-06 for approval.

The Planning & Zoning Commission previously looked at this back in January and they also voted for a recommendation for approval by a vote of 8-0. I can answer any questions you

have about the land use plan amendment part before I turn it over to Herb to talk about the zoning.

[end of transcript for Redwolf Plan Amendment 15-06)

Adopted Resolution changing the Land Use Map classification for approximately 8.7 acres from the Low Density Residential classification to the Moderate Density Residential classification based on consistency with the City's adopted plans. Additionally Council finds this action to be reasonable and in the public interest.

A motion was made by Council Member Wagner, seconded by Council Member Alexander, that this Land Use Plan Amendment be adopted. The motion PASSED by a 9-0 unanimous vote.

Resolution No. 1615/16-16

Introduced 5/2/2016; Adopted 5/2/2016

Resolution Book, XIX, Page 86

160118 Ordinance - 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 **160117 Plan Amendment 15-06** was held on Monday, May 2, 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.

Transcript

Herb Shannon: *In regards to the zoning map the applicant submitted, the applicant is requesting this 8.7 acre parcel be rezoned to a Conditional Zoning Residential Multifamily-8 District. Currently the site has a zoning of conditional use public institutional. This was approved in 1990 and the uses of the property were restricted that the only allowable activity would be either a church or the site be developed for a daycare center. The applicant desires to develop residential uses on the property and has requested the RM-8 zoning. Along with their zoning application, they submitted a conditional zoning ordinance conditioning the manner in which the site may develop. They have noted in this conditional zoning ordinance that the only residential uses permitted will be single-family townhomes or twin homes. Apartment uses they have specifically noted as a prohibited use.*

Key items to point out from the staff analysis....one of the factors reviewed was compatibility and character of the surrounding area. The conditions offered by the applicant restrict the

type of residential uses to single-family, twin homes or townhomes and prohibiting apartment complex or multi-family condominium type complex would assure that development would be compatible with the surrounding area. They've also offered a condition limiting the building height to two stories to further ensure compatibility. This site does about single-family dwellings to the north and to the east. The Development Ordinance requires in such situations if a townhome or twin home development is developed, a Type C planting yard be installed. That planting yard is required to have an average width of 20 feet and would require 5 trees and 17 shrubs every 100 linear feet. This will also assist in ensuring compatibility with that abutting single-family neighborhood.

Based upon the zoning, the applicant is requesting the RM-8 District, a maximum of 69 residential units could be developed on this site. That number of units does not trigger the requirement for a TIA. The Transportation Department has noted that Horney Road must be improved to meet minimum right-of-way requirements of NCDOT and the applicant would be required to address that requirement of NCDOT.

Finally, the key item to note is there have been changes in this area. The Penny Road corridor has changed over the past 25 years. This used to be the outer limits of the northeastern of the city's planning area. Over the past 25 years, there has been substantial right-of-way and annexation. This area is now in the heart of that northeastern portion of the city's corporate limits. There have been multiple housing developments consisting of single-family twin homes and townhome development and within 1/4 mile northeast of this site we do have the Wendover Landing which is commercial development where you have that recent Walmart grocery store and other surrounding commercial uses. So the character of this area has changed. Penny Road is a major thoroughfare. It's intended to handle higher loads of traffic that take traffic from Greensboro Road up to the Wendover/Eastchester corridor. The allowance of some infill and higher density uses are based upon the manner in which this corridor has developed over the past 20 years and would be consistent with what has happened in this area.

In this case, subject to the approval of the LUPA, staff is recommending approval of this request. The conditional zoning ordinance offered by the applicant does prohibit multi-family development of an apartment complex, limits building height and along with the landscaping standards in the Development Ordinance will assist in ensuring the development will be compatible with this area.

We also have noted that this request will promote orderly right-of-way pattern and one of the land use goals speaks to encouraging higher residential developments at appropriate locations, infill type development. Staff notes that this does assist in meeting that goal objective for the land use plan and staff is recommending approval of the requested rezoning.

This item also was reviewed by the P & Z Commission at their January 26th public hearing. The Commission recommended approval and that was subject to the applicant incorporating into their conditional zoning ordinance the recommendations from the Transportation Department memorandum dated January 15th. Those recommendations have been incorporated into the current conditional zoning ordinance. The applicant has added those recommendations of the Transportation. Also, when this item was reviewed in February previously, the city manager had offered a condition for your consideration as to the manner

in which that private drive would be constructed. The applicant has also included that condition in the conditional zoning ordinance. That is a brief summary of this request. Are there any questions of Andy or myself as far as the planning amendment or the zoning request?

Wagner: Thank you Mr. Shannon. Okay, the Council will not hear from the applicant.

Judy Stalder, 665 N. Main Street. Also here tonight with me are David Michaels, the developer of Redwolf Development Company and Homer Wade with Warren Wade Associates, partner and engineer. I want to thank you for taking another look at this development proposal so we could address your concerns and so that you're comfortable approving this request. I want to start out talking about why we want to put townhomes here. The obvious answer to that is that townhomes provide a transition between the single-family to the north and the more intense use of the church and the school to the south. That's just a planning answer. But there's more to it. This is infill development. Most of the large tracts in and around the city have already been developed and we're left with the more challenging properties. The challenges are odd shapes, topographic and utility easements. And I think we have all those here in this particular property. Developing townhomes here allows us some flexibility with the site layout in order to do a quality development here.

Additionally, there are younger buyers in the market these days that are looking for a product different from the traditional single-family. They want something with less upkeep. They want to be closer to their neighbors, have more social interaction where they live, they want to walk to the grocery store and run to the gym and they can do all of those things from this site.

The changes since last time....we have a site plan. Herb do you have that available? We have laid an illustrative site plan out on an aerial photograph to give you an idea of what this development will look like. The changes that we have made from the site plan that you saw last time were that the third connection on Horney Road has been pulled and that's to the east....has been pulled back to a cul-de-sac so we will discourage traffic from going further down Horney Road. Also the private driveways that were shown before have been removed and all townhomes will have access to the private drive in the interior. And the private drive cross section, thickness of that private drive will be the same as the public street so that it will withstand the same wear and tear as a public street.

Since most of the concerns we have heard are about transportation, we did a trip comparison chart and you may have seen that but I'm just going to summarize it for you. It was generated with numbers that we got from the DOT, but what it showed and it was almost a surprise to us as well, but developing 69 townhomes here generates about the same number of trips per day in peak hour trips as developing this in single-family at the same density as the adjacent neighborhoods. So 43 single-family homes would generate about the same traffic as 69 townhomes. How's that possible you say? Single-family homes are just that. They're family homes. Townhomes typically develop with professionals, singles, couples and active adults, which mean old people. But fewer people in general that live in each townhome. Particularly fewer children and fewer children mean fewer trips per day. You don't have the trips to and from school, to and from soccer practice, to and from dance lessons, piano, lacrosse, baseball. If you have children, you know what that is.

This property is currently zoned for daycare, so we looked at the number of trips per day that would be generated by a day care. One designed for 100 students would have a few more trips per day and higher trips during peak hours, but it would essentially be the same as 69 townhomes. Because it's such a large property, we expect that it would develop with more than just daycare, it could be daycare and church, which a church would generate about the same trips per day. So as currently zoned, it could end up generating quite a bit of traffic. My point in giving this summary is that by approving zoning for townhomes here, you're not approving a potential increase in traffic. You're just approving a chance for this property to develop.

Continuing with the transportation facts....there will be no access to Penny Road and we have dedicated right-of-way at the corner of Penny/Horney Road. And there will be no connections to the adjacent single-family neighborhoods. And while we're talking about that adjacent neighborhood, I want to point out the road design in that neighborhood. Bob if you could flip back to the....and then we'll come right back to that one. When you look at the way that neighborhood is laid out, it's very creative, but it's not conducive to cut-thru traffic. It would provide a passage from Penny Road to Wendover in an emergency, but I don't think anybody's going to try to navigate that neighborhood as a regular cut-thru.

Going back to there are no connections to that single-family neighborhood from this property and it's surrounded by the 20 foot planting yard. We're going to try to preserve the trees as much as possible. If you could switch back to the other map please. And we'll supplement where necessary to meet the 5 trees and 17 shrubs per 100 feet if necessary. Beyond this 20-foot planting yard, protecting that adjacent neighborhood, our trees that are already there and the common areas that are dedicated through their homeowner's association. Then to the far east, we're not going to cross that utility easement. Our water quality pond will be in that area, but we'll not have any buildings in that area. So we feel like the adjacent neighborhoods are well protected.

Council Member Alexander: *Judy, can I ask a question? And I guess TRC is going to deal with this, but you've got the interior road as it approaches the intersection of penny and Horney where you've just like a little three point turn in there..... Do you not think that they're going to make you put some kind of radius?*

So we canour garbage, recycling and all that can...

Mark McDonald: *It is designed to accommodate that turn-around.*

Judy Stalder: *Moving on to schools. We met with the principal at Florence and Donna Bell with Guilford County Schools and they did not see any negative impact with this development. They said that they have a 15-minute period in the mornings between 7:45 and 8:00 where there's some traffic that backs up onto Horney Road but it doesn't go out penny and they don't see it as a big problem.*

With Transportation's advice we've aligned the first entrance to this development with the school entrance to make sure that all traffic moves are predictable and safe. And as you know, the number of school aged children in townhomes is vastly different than the number in

single-family. They generate less than half of the amount of school aged children you would expect from single-family.

Stormwater has been mentioned as a concern and we will meet the requirements of the state and city with a water quality device that controls the run-off and the sediment. If you have any other questions about that, please ask Mr. Wade because I won't have the answers.

But in conclusion, we thank the planning department and the transportation staff for helping us provide you the best possible proposal here. Thank you, again, for listening to this one more time. I just want to say that townhomes are the right use for this property and approving the zoning will not increase the traffic potential, just will increase the potential for developing this property.

Chairman Wagner: *Anyone have any questions for Ms. Stalder? [none] Okay, thank you very much.*

Okay, my list shows one person signed up. Paul Shrill?

Paul Shrill: *I live at 3701 Tuxford which is the cul-de-sac that backs right up to the back there. I'll have to say that the first thingit's incorrect as far as the statement because anybody that lives in that subdivision knows that Windstream is famous for cars cutting through from Penny to Wendover. That's an issue that we live every morning. Anybody that lives in that neighborhood traffic cuts through. I mean it's kind of a common known thing. People in the neighborhood know about it and everybody else.*

Our biggest concern is the density of 69 . I think that's too ambitious. The illustration that was shown to us at the church at the very first meeting, some of the townhomes that are going to be backing up to the cul-de-sacs don't even have a patio. So they're building some with patios and a couple that are going to back up to our neighbors didn't even have a patio. So to me it's just kind of cramming a lot in there. I understand that they want to develop that land, but we just think that the density and what other people at the church and our neighborhood have talked about is that it is going to cause traffic issues and we just think it really needs to be considered for the whole neighborhood. So thanks.

Chairman Wagner: *Thank you. Is there anyone else here who would like to speak? Okay, please come forward and give us your name and address.*

Bruce Minor: *I live at 3789 Windstream Way. I guess I have similar concerns. Once the outline of these homes showed up on the graphic I was like you have just got to be kidding. I mean if you're talking about....If I look at the houses that I know that I can see that I can identify and thinking about the density, I don't feel like that is acceptable. I mean if you've got 69 homes and despite the fact that there aren't as many trips for mom and dad taxing, you've got young professionals that have working hours very similar to everyone else. 69 homes times two. 120 cars. 120 cars coming and going every day. And we desperately need a light at Abbewood, at the entrance of our subdivision...we need a light there once than anything. Yet they put one up there at the Dollar General and Walmart I'm sure because they had a lot more clout. But not to mention, too, it seems to me....I know you've tried to eliminate any cross-thru with park traffic from this new development adjacent to the*

north.....my question would be at the very least I'm surprised that principal at Florence didn't lobby you for some sort of common area pathways that would at least make this more attractive to our community in terms of making it easier for our kids to walk to school. Right now I've walked my daughter to school a few times simply by walking her through the field that you showed there that is part of the Piedmont Natural Gas, but I'd never trust her to walk through there by herself. It's too much of a wooded area, too much things can happen. So it seems to me that it would have been a very smart way to sell this to us at least by showing some pathways whether paved or natural type walkways that could lead from our communities to the school. And I really don't think that making the entrance from Penny helps with the traffic flow. I mean yes it's great that they won't be able to go right out directly onto Penny, but the car rider line in the morning comes right out that little road then comes through there. So all these people trying to get out are going to be fighting with buses because that's also the bus road, Horney Road is also the bus Road and also every car rider.....the way the school has it set up, every car rider that drops off down there has to come up and go right by the only outlet for that community. It's going to drive them crazy and it's going to drive us crazy. That to me is just way too dense. That's my thoughts. Thank you.

Chairman Wagner: I think I saw another hand. Please come forward and give us your name and address.

James Kea: 3808 Tutberry Drive. The rezoning of this property actually borders our property line and bottom line is that I don't have an issue with it. You can approve it and it be fine with me. People need homes. If there's a need, we should build it and we should provide it.

Laine Beacom, 3514 Park Hill Crossing Drive. I'm across the street. I look out my window and I can see the bus driver, okay? The last thing I want to do is see a stoplight. I have a hard time even trying to get out of my development getting onto Penny from Woodpark. So all these cars that that guy was talking about before, all these buses during school time. It's crazy. Traffic is ridiculous and I've actually cut out because there's three lanes, I cut out on the turning lane just so I can get out and make a left from Woodpark onto Penny going towards Wendover. It's already crazy so I don't see how the right-in, right-out for this development in there would make things much better. Thanks.

Bobby Capels: My name is Bobby Capels. My address is 3788 Windstream Way. I live just on the other side of that retention pond and I realize nobody wants the junkyard, city garbage dump across the street from their house. They'd rather have it on the other side of town across from somebody else's house. I realize that, but I don't care for a retention pond being there because it attracts the Canadian geese and if you go down Windstream a little further from where I live, there's a retention pond. The people that live there can't walk out to the mailbox without stepping into bird droppings from these geese. They're a real nuisance. And also when I looked at the number of townhomes they are going to put in there, if they were to cut that in half, it might make more sense because of the traffic. But that's a lot of people in one itty bitty area. If you go out there and look at it, you'll realize how small that really is. That is a small piece of property and like this other gentleman said some of those townhomes are so close to our development, they don't even have rooms to put patios on it. That's close. There's way too many homes in there. It needs to be reduced by half. If you look at our development compare the houses there compared to that little itty bitty piece of

property and how many homes they want to put in there. That's a significant amount of homes compared to what we have. I'd just prefer that it not be there.

Chairman Wagner: *Is there anyone else who would like to speak? Either for or against? Okay, one more.*

Jason Mikles: *Hello again. My name is Jason Mikles. I live at 3776 Windstream Way. I have a lot of the same concerns from the previous hearings. Most notably the traffic, concerns of property values dropping, marketability issues with those homes being right across the street from Florence. I feel like they'll have a hard time selling. Building in phases which means that the property would still be vacant or half built which would be an eyesore and no revenue for you guys. A significant loss of privacy for us all. I spoke at the last meeting that I was planning on building a screened porch, but with someone looking in my backyard I don't think we're going to do that now. Another thing is safety, ingress and egress going out of that development. The way it is for fire and safety, EMS. With the children being so close to the school. There's so many children at school there. With the new plan, I just see a mess there at the entrance. In morning, afternoon, rush hour. It's not only morning time traffic, it's 5:00-6:00. It's people coming out after work to go out. Nothing changes. You can redesign the configuration, but nothing has changed from our original topics of discussion the least time.*

You know we've had crime in our area. If those properties don't sell, potential for rental goes up and that's a concern. My home was broken into last year and vandalized. So those things, loss of trees, wildlife that's a concern. The drainage concerns that we spoke about earlier from the grading that may or may not happen. I don't know. But we are all concerned about that on that back right-of-way as well. You know, it's parking...you've got to cut through directly. I can see now where picking up your children instead of taking that left on Horney, you're going to circle around that development to get out to Penny because you're going to by-pass the other traffic. That's a potential concern for those people that live on that corner. That could be a big issue. It's the same thing that we addressed earlier. You can reconfigure it, but it's still the same issues, the same amount of cars, the same amount of traffic, the same safety issues, value issues. It's the same argument we had before. It's cramming too much development in that little area. It just really doesn't make sense. Thank you for your time.

Chairman Wagner: *Thank you Mr. Mikles. Okay. I'm going to close the public hearing and I believe you said we would have to handle these separately. So just to get things kicked off.*

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

Council Member Alexander: **SECOND.**

Mayor Bencini: *We have a **MOTION** and a **SECOND**. All in favor, say Aye.*

Mayor Bencini; Mayor Pro Tem Golden; and Council Members C. Davis, Alexander, Williams, Hill, Wagner, J. Davis and Ewing: *Aye.*

Mayor Bencini: The motion CARRIES. [9-0 unanimous vote]

Okay, let's go to the ZONING MAP AMENDMENT 15-19

Chairman Wagner: **I'll make a MOTION FOR APPROVAL OF ZONING MAP AMENDMENT 15-19 AND STATE THAT IT IS CONSISTENT WITH ADOPTED PLANS AND THAT'S REASONABLE IN THE PUBLIC'S INTEREST FOR THE REASONS STATED IN THE STAFF REPORT.**

Council Member J. DAVIS: SECOND.

Mayor Bencini: We have a MOTION and a SECOND. All in favor, say Aye.

Mayor Bencini; Mayor Pro Tem Golden; and Council Members C. Davis, Alexander, Williams, Hill, Wagner, J. Davis and Ewing: Aye.

Mayor Bencini: The motion CARRIES. [9-0 unanimous vote]

Council Member Ewing: Mr. Mayor I ask that we take a 5-minute recess while some of these folks empty out before hearing the next matter.

[end of transcript for Zoning Map Amendment 15-19]

Adopted Ordinance rezoning approximately 8.7 acres from the Conditional Use Public & Institutional (CU-PI) District to the Conditional Zoning Residential Multifamily-8 (CZ RM-8) District based on consistency with the City's adopted plans and Council finds this action to be reasonable and in the public interest.

A motion was made by Council Member Wagner, seconded by Council Member J. Davis, that this Zoning Map Amendment be adopted. The motion PASSED by a 9-0 unanimous vote.

**Ordinance No. 7203/16-23
Introduced 5/2/2016; Adopted 5/2/2016
Ordinance Book Volume XIX, Page 86**

160119 Ordinance - Wynnefield Properties, Inc. - Zoning Map Amendment 16-05

A request by Wynnefield Properties, Inc. to rezone approximately 7.85 acres from a Conditional Use Planned Unit Development-Residential (PDR) District to a Conditional Zoning Residential Multifamily-18 (CZ RM-18) District. The site is lying north of W. Hartley Drive and west of Ingleside Drive (700 W. Hartley).

The public hearing for this matter was held on Monday, May 2, 2016.

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.

Transcript

Chairman Wagner: *This item is the zoning map amendment 16-05 Wynnefield Properties. Herb are you up for this one?*

Herb Shannon: *This is a request from Wynnefield Properties. The land area associated with this request is approximately 7.8 acres lying along the north side of W. Hartley Drive and west of Ingleside Drive. Just to note where we're at. This is West Hartley. This is Ingleside and the area that's cross-hatched is the 7.8 acres that's under consideration. This site currently has a zoning designation of planned unit development residential. This is part of the Avalon subdivision. When it was granted zoning approval, this portion of the development was granted approval for multi-family development up to 45 units. The applicant submitted this amendment to increase the density upon this site to allow up to 84 dwelling units.*

The land use plan classifies this property as moderate density residential, which is intended to allow a variety of attached and detached residential developments. This portion of the city has been identified for multi-family uses since 1985. That multi-family designation was carried forward in the 1992 and 2000 updates of the land use plan. Bob, if you can bring up the next map please.

This is the city's land use plan. The area that is highlighted with yellow is slated for low-density residential up to 5 units per acre. The area in the orange is moderate density residential and the area in the darker is higher density residential. As I noted, this classification has been on the land use map for over 20 years.

This request for higher density is not introducing a new use in this area, multi-family uses are already permitted in this site. This one allows for a larger density. And as you can see, starting from the Main Street corridor you have the area in red designated for commercial. As you travel along this corridor, the bulk of that corridor is slated for higher intensity uses and that has been on the land use plan for several years. The applicant has requested conditional zoning RM-18 for this site in order to allow up to 84 dwelling units. With their application, they have included a conditional zoning ordinance that placed conditions on the manner in which the site may be developed.

First, they propose to limit development to 84 dwelling units. They propose a requirement that building heights be limited to 50 feet. That is the same height as permitted for the abutting single-family dwellings. They've also offered a requirement that where the site abuts residential uses to the north and to the east that a minimum 30-foot building setback required and that a Type B planting yard be installed, which requires 8 trees and 25 shrubs every 100 linear feet. To further assure compatibility, they have noted that any planting that is installed will consist of at least 50% evergreen planting species and they have restricted this site to only one access point to W. Hartley Drive.

There's a lot of information in the analysis. I'm going to touch on the key items.

First, consistency with the land use plan and that the request is consistent with the development pattern in this area. As you can see from the land use plan, the land use plan

that's been adopted by the city council does support higher intensity development and there are existing multi-family developments along this corridor. Directly next to the site, there's the Hartley Square development. That was approved in 1995 and that permitted multi-family development on the north and south side of Hartley Drive. Only the north side has developed. You also have the Franklin Ridge development and the Fox Hollow development. As you go further along the corridor, along Wendover there's a combination of townhomes and single-family development.

The applicant's proposal for 84 units per acre and our development ordinance looks at gross density of the entire site. That equates to 10.7 units per acre. That is similar to other developments in this area. The adjacent Hartley Square development has 60 units. They have a density of 16 units per acre. The Franklin Ridge Apartment complex has 48 units based on this five acres and it has a density of 9 units per acre. The Fox Hollow apartment complex has 184 units on 14 acres; that's a density of 13 units per acre. Thus this proposal of 10.7 is consistent with the land use pattern that has been established in this area.

The next point I want to touch on is mitigating any impacts. The conditions offered by the applicant for a higher planting yard, having the same building heights as a single-family home as allowed in the abutting single-family development will assist in assuring the development is compatible with adjacent uses. They've also offered a condition that any dumpsters that are placed on this site will serve the multi-family development be set back at least 100 feet from any abutting residential use and have offered to restrict the site to one point of access to Hartley Drive. Based on the current amount of frontage, two access points could be permitted based upon the driveway ordinance. They've noted that they are going to restrict it to just one point of access along Hartley and that will be a right-in, right-out.

Finally, the western portion of the site has quite a few environmental constraints. There are two streams that bisect this portion of this site and as part of the construction of the Hartley Drive extension, a wetland mitigation area has been established on that portion of this site. Thus, the development regulations has stream buffer requirements. You have to stay out of that mitigation area. Thus, the development will be focused on the eastern portion of the property.

The final item I wanted to touch on is changes to the area. In the 1980s when the land use plan first looked at multi-family uses for this area that was slated on the land use plan, this was a somewhat rural area. It was on the western edge of the city limits. Since then, there has been quite a bit of development. The city limits have been expanded westward approximately a mile and a half all the way out to Horneytown Road and there have been multiple single-family/townhomes and multi-family developments in this area.

The key concern that was looked at previously in the 1990s as this area started to develop was access. The Hartley Drive proposal has been on the books since the late 1990s although it was just recently constructed. The concern at that time was there was only one way in and out. Traffic had to weave along Ingleside through this residential neighborhood even going up Ingleside to N. Main or Ingleside to Westover to get to N. Main. Now that Hartley Drive extension has been completed, you have a four-lane divided major thoroughfare that provides direct access to the N. Main Street corridor.

So you're not limited to one way in and one way out. Now that that road has been completed, this site is at the intersection of a collector street, Ingleside and major thoroughfare, staff is of the opinion that it would be appropriate to consider some higher density uses in this area as you're not restricted to one way in and out that forces you to go through that residential neighborhood along Westover Drive.

In this case, staff suggests approval of this request is reasonable in the public interest as it is generally consistent with the land use plan. It is located at the intersection of a major thoroughfare and a collector street. The request promotes an orderly right-of-way pattern as encouraged by the land use plan and it encourages higher residential densities at an appropriate location. Based upon the conditions offered by the applicant and the development pattern that's been established in this area, staff is recommending approval. This item was reviewed by the Planning & Zoning Commission at their March 22nd public hearing. This request is being forwarded to the City Council with an unfavorable recommendation from the Planning & Zoning Commission. Thus, it requires a two-thirds majority or at least six votes for approval. As always, we have in our staff report a reasonable and public interest statement for councils consideration that you can use, or you can adopt your own statement.

One final item, questions have been raised at the last public hearing as to traffic impact and criminal activities in the area. If you have specific questions on those issues, the transportation director and the chief of police are available to address those. That is a summary of the zoning request. Are there any questions?

Chairman Wagner: *Mr. Shannon, I have a couple of questions. The first one was....you stated that when this was initially approved, it was part of the Avalon development.*

Herb Shannon: *The Avalon subdivision is directly to the south. I believe that gained zoning approval in 2002. The southern portion was approved for higher density single-family on smaller lots (5,000 sq. ft. lots). This northern section was approved for multi-family as permitted under the RM-8 district.*

Chairman Wagner: *What was the reason why the density was limited to 45. Do you know?*

Herb Shannon: *At that time, we did not have the Hartley Drive improvements completed. So traffic was forced and had no other option but to go up Ingleside along Westover.*

Chairman Wagner: *Okay. Then my second question, could you give me some insight what the thinking of the P & Z was in denying the request?*

Herb Shannon: *In making their recommendation, they did not place into the public record any official findings. Staff did include in the forwarding memo a summary of comments made by the public. The Commission did not place anything in the record of their concerns.*

Chairman Wagner: *Do you think now would be the right opportunity to ask transportation questions? Okay, I noticed in here with the site plan, Mark or Bob, do you have the plan? Or at least that little drawing. Why were they not required to connect to the stub street in that subdivision to the north?*

Mark McDonald: *compatibility of the land use between the multi-family and single-family. They were willing to just take access from Hartley and from Ingleside.*

Chairman Wagner: *Okay, that was my only question for you. Does anybody else have any transportation questions while he's up here?*

Council Member Alexander: *I know we talked about this a long time ago. I'm concerned about the setback distance of the driveway to the lower right from the intersection. That looks kind of tight in there. I thought they were going to try to and buy that little triangular shaped wedge in there.*

Mark McDonald: *We would certainly like for that space to be greater, but it does meet the setback requirement in the driveway ordinance. Just barely but it does.*

Council Member Alexander: *Well it's hard really to see the scale. How far is that?*

Mark McDonald: *I'm guessing it's probably around 100-110 feet.*

Council member Alexander: *Okay so about 5 cars.*

Chairman Wagner: *Any other questions for Mr. McDonald? [none] Okay, thank you. We'll hear from the applicant now.*

Craig Stone: *My name is Craig Stone with Wynnefield Properties, President. Thank you Councilman Wagner and the rest of Council for your time this evening. I am here to speak positively in favor of this request and ask that council accept staff's recommendation. We are requesting to rezone from PDR to CZ RM-18 of the proposed 7.85 acres. There have been a number of questions and there are some folks who are here tonight to speak, so I want to present myself to answer any questions. In the staff report, there were a couple of questions that came up related to density traffic and crime. I would note that this request is consistent, according to staff's report, with the intent of having moderately high density residential development in this area. It also meets several of the goals of the land use plan that encourages high residential densities at appropriate locations. Traffic at this time....there's no traffic impact analysis that was required with the 84 units. I think our trip count does not trigger that, but as you know if we were successful to move forward, we would move through the municipal permitting process and would go through TRC and all of the things including the drive access to Ingleside would be reviewed at that time and it would certainly be up to municipal staff and the approval process for those types of items.*

Crime....I will note that we are the developer of this particular entity. We are the builder of this particular and the managing agent of this particular entity and personally I'll be signing more than 30 years of guarantees. We have other successful developments that we've worked with in city partnerships over the course of years. We have not noticed a significant increase with our management practices of crime in our properties. We do move towards eviction if there is any instances. I'm not sure if the police or anyone else could speak to that. That's certainly our position and our state concerning that. If there are any questions, I'd like to present myself.

Council Member Alexander: *You've got several properties. I'm thinking of two right across the street from each other that are out in the Ward 6 area. Tell us.....I know you're not bound by this, but what will your population there look like? I know your other properties have some seniors. You have some folks who have handicapped issues and that kind of thing. What will....should this be approved, what would your tenants look like?*

Craig Stone: *We do have two properties on Admiral Drive and it would be a family property more appropriate to Addington that we just opened up. We had approximately 1,000 people that have called and applied for 58 units of housing, so it's a very diverse background of folks. Commonly tax credit housing is called workforce housing, so you have a lot of cases of folks that are first year janitors, folks in those types of jobs that are the workforce backbone of society. So without really getting to a specific person, it's a wide range of folks that are in our society and need housing.*

Council Member Alexander: *Well If you had 1,000 applicants for 58....*

Craig Stone: *Now not all of those would be approved and we stopped the application process at 250 because we just didn't want to take application fees and those types of things for only 58 units.*

Council Member Alexander: *You were able to be very selective?*

Craig Stone: *We certainly adhere to all Fair Housing standards and processes that go through with any type of housing. We are a private company with a private lease and have credit, criminal and all kinds of background checks that are pretty significant in nature.*

Council Member Wagner: *Are there any other questions for Mr. Stone? [none] Okay, seeing none, thank you Mr. Stone.*

Before we open up the hearing, I know that we have a lot of people that want to speak on this. I'm going to call the names as they were listed on here. I would ask just in the interest in keeping things moving, if you're here representing a group, it would be a good idea if you have one person speak for your group and maybe you can all stand if you're all in agreement. But I'd like to keep things moving. The first person on the list is Sandra Dill.

Sandra Dill: *I'm Sandra Dill. 815 Hartley Hill Court, High Point, NC and I represent the Avalon Homeowner's Association, which is directly across the street from there. Mike and Judy Menzel have agreed to let me use their three minutes also because I have a prepared speech.*

I gathered my information from the City of High Point's Planning & Development Department's staff report. First off, according to their report, the site is about 7.85 acres but the builder may only use the eastern 2/3 of the site because of environmental constraints and the open space program. There are two perennial streams that bisect the western portion of the site and converge at a wetland mitigation/permanent conservation easement area that has been established as part of the W. Hartley Drive Extension project. Therefore only leaving

5.88 acres to be developed. The entire property is currently zoned for 45 units, but the developer wants to build 84 units while only being able to use 2/3 of the property.

Second, no traffic study was done, but according to the report, the transportation conditions are for access only: one point of access shall be permitted to W. Hartley Drive. This shall be a right turn in, right turn out access meaning when you leave that property, if you look at that picture, you turn right towards Westover. Hartley was put in to take traffic off of Westover. The report states it will have direct access to N. Main Street. This is not true as Westover is the opposite direction from Main Street. Therefore, when you turn right out of the property you will have to do a U-turn where it turns into a one-lane road at Shadow Valley to go back to Main Street or you'll have to turn right onto Westover and that's the whole reason Hartley was put in.

There is a second driveway in and out of the site as you can see here on Ingleside, but from what was said by the DOT, there is a dispute as to exactly where the property line is. But currently according to the plan only two or three cars are going to be able to sit at that light waiting to turn left to go to Main Street, or they can turn left out of that property and go up Ingleside, back to Westover and turn right to go to Main Street. Again, Hartley was put in to take the traffic off of Westover.

Three, according to the report, the traffic counts as of 2014 were on W. Hartley, 7,681 average daily trips and on Ingleside, it was 1,744. Wynnefield wants to build 84 units with two parking spots per unit potentially adding 168 vehicles making trips out of the property daily. Most of which will be doing U-turns or using Westover.

Four, according to the report, High Point Central is currently over capacity and Hartley Ridge is projected to add 11 or 12 more students. This is on top of the students at Kirkwood Crossing which the City Council already approved this same developer to build less than two miles from this property. Kirkwood Crossing approved for \$2,000,000 to build 58 units. This is 84 for \$694,000. It was brought up at the zoning meeting that there are no current plans to add onto High Point Central.

In closing, Mr. Stone was asked in that meeting if he would build less than 84 units and he stated, and I quote: "this is an investment and we won't build if it's less than 84 units." Well, this isn't just an investment to the people that have bought property in this section of High Point. This is our homes. Our families. Our community and we respectfully ask City Council to deny this request. Just because the property fits HUD's requirements doesn't mean that it fits the current community. The Mayor stated earlier this evening that he doesn't want another big box store in High Point, but if he did allow another big box store to be built in High Point, you bet this developer would try to put low income housing next to it because it meets HUD requirements. It's not fair to say that you don't want another big box store in this community, but by God we're going to put that low income housing there because there happens to already be a big box. Thank you. [applause]

MayorBencini: *As a disclaimer, I didn't say anything about big boxes. I don't know where that came from.*

Council Member J. Davis: *The 32 people that stood up, are you all in opposition to this? Do you all live in the same community, or different communities?*

Chairman Wagner: *Okay, there's a lot of other names on here. I have a Clifton Scott.*

Clifton Scott: *I'm Clifton Scott. I'm President of the Avalon Homeowner's Association. The big turnout that we had here, I actually personally walked to every home in our neighborhood as well as some of the other neighborhoods and knocked on doors. I spoke to about 75% and about 100% of everyone I spoke to are in opposition. There were a few that's really not aware of the situation that's going on. She pretty much covered all the points that I had. I just want to be the voice for the others that couldn't make it. 100% of the people that I spoke to are pretty much in opposition.*

The other thing I want to address is we bought up the Eastchester Corridor scenic view. This new Hartley Drive through here is actually a very scenic view. I do know that the YMCA and other local communities use it for bike events, walking events. A lot of the people from the gym actually exercise through there, walk through there. The increase in traffic I think will be a big issue with some of the events that we do have in there. In the last six months, we've had two biking events through there where the city actually provided police to kind of coordinate the traffic through there so those bikers could go from the Y out into the county and do their whatever mile access they do. Again, Ms. Dill spoke pretty much of all the talking points, but I just want to be the voice for the other persons that couldn't be here. [applause]

Vivian Ellis: *I'm Vivian Ellis. I live at 2479 Ingleside Drive. My husband own that house as well as 2477 Ingleside Drive. My daughter and her husband and her autistic non-verbal son live in that home that belongs to us next door. My concern is low income housing and the riff-raff that we might have to contend with. We already have an apartment complex right in my backyard and we have concerns/issues with that daily. They cut throughout properties. We have had to....some of our neighbors have had to install fences to keep the people from cutting through. We've even had fences installed on common property to keep those people out. They have torn those fences up. If we put another low income housing development in that area, it's just going to cause those people to come together and they're going to commence in our area and in our neighborhood and for the sake of all the residents as well as my grandson, I don't want to see that happen and put him in any kind of jeopardy. Thank you. [applause]*

Chairman Wagner: *The next person on the list is a Robert Alexander. Is he still here?*

Robert Alexander: *My name is Robert Alexander. I live at 2491 Ingleside Drive High Point, 27265. My concern is that my wife and I moved in approximately 10 years ago. We moved into that neighborhood because we thought it was a nice neighborhood and that's where we retired, both of us, and we wanted to spend the rest of our days here. But then when I heard about this, I said same thing. We moved down from New York and came here and thought things would be a little better. Now we've got people coming in and the problem is with low income and so forth, if that's the case like I heard was announced, there's going to be different people that's going to move into the area. So with different people moving into the area, you've got all different personalities, different people that work certain places. Some*

people might not even work at all, but they have some kind of assistance where they can afford to pay for a place to live. But my wife and I are concerned with, if that's the case what's going to happen if those people start to filter out....and say there's a dog some place and they see some food over here so now they say we're going to spread from this area and go over here. Somebody might say, I live in this area, but it looks like it might be convenient for me to stretch over into this neighborhood and maybe I can find some things that I can use. So we're concerned with really is that everyone needs some place to live. They need a place to live to live out their days, but yet you want to be safe in your neighborhood. Where it is now, I'm not safe really because even like it was mentioned, the apartment complex there, I have to have locks on my doors. I've got to have an alarm. The same things I was doing in New York. I had the locks on my doors, bars on my doors and so forth just to keep people out that doesn't live there. Really, I'm just voicing my opinion. I'm against it because I know what can happen. We think it's a good idea, but once it happens then we say we made a mistake and it's too late and that's what we're trying to avoid. Thank you very much. [applause]

Chairman Wagner: The next person on the list, I can't read their name, but their address is 820 Hartley Hill.

Gary Price: My name is Gary Price. I live at 820 Hartley Hill Ct. The main point that I would like to bring up is that this very type of development has already been brought forth to City Council. And the City Council voted at that point, and I quote Ms. Davis said this is not appropriate for this place. Where was that? Well you see the box marked CU-RM-12? Just caddy-cornered across Hartley. If it was not right then, why is it right now? You have a very diverse community in Avalon that you can see. We keep mentioning low income, no this is workforce housing. I get that. Everybody needs a place to live. We all have to wear clothes, eat and sleep and have a place to do it. However the impact of this does exactly what you don't want it to do. I don't want to repeat anybody else's comments. Just one last time, if it wasn't right then, why is it right now? [applause]

Chairman Wagner: I don't have anyone else that has signed up. Is there anyone with a burning desire to come forth? Okay.

Mary Palmer, 790 Avalon Springs Court. And I just want to say, just to piggyback what everyone else said. This is our home and as Council was speaking of Mendenhall Oaks which is an industrial and retail space, this is our home and we take great pride in it and we do have a diverse community. We are in here in opposition to this because we don't want the value of our homes to go down. We do know that at some point, this area probably will have to be developed but we don't want it to be developed in a negative way with low income. He already stated the size is going to double from 45 to 89 units and he's saying that he doesn't think that it'll be any impact on traffic or people which we know is just ludicrous because 250 some people already trying to come and use that space or some and live there is just going to, I think, negatively impact our home and where we live. I'm a single mom and I work for the sheriff's office so again, that's a concern also is safety and I want to make sure that our community is safe and stays in the condition that it is in. [applause]

Chairman Wagner: Thank you very much. Okay. I'm going to go ahead and close the public hearing. I'll open the floor to the councilmen for comments. I'll start out by saying

that I'm not going to support this request. I think the biggest issue for me is that I think that when the folks in Avalon bought their property, this piece of property was approved as part of that. And they knew at least constructively should have known that there would be 45 multi-family units there, but I don't think they planned on there being 84 there. I just think....I would agree actually with what Mr. Price said. I didn't support it when it came two years ago when it was at that site south of Hartley and I don't really see the difference this time. So I won't be supporting the request.

City Attorney Carlyle: *If I could. I just need to remind you, in light of the comments that we have heard from the citizens, I just have to remind Council that you cannot take into consideration that affordable housing played a role in your decision. That's not to infer that your decision is in any way, shape, or form.....*

Chairman Wagner: *Well, mine's based on density. My main objection is due to the density and another objection I have really is the driveway onto Hartley. You don't have any driveway cuts really when you get west of the YMCA, you don't have any driveway cuts all the way out into Davidson County. And Mr. McDonald, isn't it kind of our policy to sort of limit driveway cuts where we can?*

Mark McDonald: *We limit them per the policy and our driveway ordinance. We have no restrictions beyond what the driveway ordinance says you can have.*

Mayor Bencini: *so it's not protected that way?*

Mark McDonald: *it's not protected like Eastchester or Wendover.*

Council Member J. Davis: *Mr. Chairman, since we're talking transportation, can I ask him a question?*

Chairman Wagner: *Yes, the floor is open.*

Council Member J. Davis: *This site, if I'm not mistaken is up on a hill. It's kind of hilly terrain. The driveway cut on to Hartley, would that not be a visibility issue trying to get in and out because of the lay of that land? Because I thought about that earlier.*

Mark McDonald: *That's something that would be reviewed at TRC when we actually see a site plan and see how it would be brought up and what the site triangles would be there.*

Chairman Wagner: *Okay, the floor is open for a motion. I'm not supporting it so I'm not going to make a motion to approve.*

City Attorney Carlyle: *As a reminder, this does require a two-thirds majority vote.*

Council Member Alexander: **I'LL MAKE A MOTION TO APPROVE ZONING MAP AMENDMENT 16-05 CITING STAFF'S REPORT.**

Mayor Bencini: *We have a MOTION. Is there a SECOND?*

Mayor Pro Tem Golden: *SECOND.*

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

Mayor Bencini; Mayor Pro Tem Golden; and Council Member Williams, Hill, J. Davis and Ewing: *Aye.*

Mayor Bencini: *Opposed?*

Council Members Wagner, J. Davis and C. Davis: *No.*

Mayor Bencini: *That motion CARRIES 6-3.*

[end of transcript for Zoning Map Amendment 16-05]

Adopted Ordinance rezoning approximately 7.85 acres from a Conditional Use Planned Unit Development-Residential (PDR) District to a Conditional Zoning Residential Multifamily-18 (CZ RM- 18) District.

A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Golden, that this matter be adopted. The motion carried by the following 6-3 vote:

Aye (6): Council Member Hill, Council Member Williams, Council Member Ewing, Mayor Pro Tem Golden, Mayor Bencini, and Council Member Alexander

Nay (3): Council Member Wagner, Council Member J. Davis, and Council Member C. Davis

Ordinance No. 7204/16-24

Introduced 5/2/2016; Adopted 5/2/2016

Ordinance Book Volume XIX, Page 87

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

160120 Adoption of the 2016-2017 Annual Action Plan

A public hearing was held on Monday, April 4, 2016 at 5:30 p.m. for the purpose of receiving public comments on the Community Development and Housing Department's 2016-17 Annual Action Plan. Council is requested to approve the final document as submitted by staff and authorize the appropriate city official to execute the appropriate documents and submit to the Department of Housing and Urban Development (HUD).

Mike McNair, Director of Community Development & Housing, briefly reviewed the presentation on the 2016-2017 Annual Action Plan that was presented to Council at the last meeting.

Council Member C. Davis asked how many properties the city has for sale in the Southside neighborhood. Mr. McNair replied there are six.

Mr. McNair reported on the affordable housing side, all those programs are focused on creating housing, improving existing housing or providing access to housing. He mentioned the Core City Homebuyer's incentive program, which is starting to take off. He reported they just had their fifth closing and noted the State would be coming to High Point to talk about the new down payment assistance program. Council Member C. Davis asked if the five applicants that have already been cleared to move through the process for the 7,500 in assistance if they were also able to take advantage of the \$15,000 in assistance that the State is offering. Mr. McNair noted that the State's program ran out of money in February or March, so it was not available.

Mr. McNair noted his department would continue to look for partnerships that would allow them to be more effective with the resources. He pointed out the Annual Action Plan has met all the necessary requirements and once approved by the City Council, staff would forward it to HUD for their approval.

Approved the 2016-2017 Annual Action Plan and authorized the appropriate city official to execute the appropriate documents for submission to the Department of Housing and Urban Development (HUD).

A motion was made by Council Member J. Davis, seconded by Council Member Alexander, to approve the 2016-2017 Annual Action Plan and authorize the appropriate city official to execute the appropriate documents for submittal to HUD. The motion PASSED by a 9-0 unanimous vote.

GENERAL BUSINESS AGENDA

160124 Proposed Amendment - Guilford County Economic Development Alliance (GCEDA) Contract

The Guilford County Economic Development Alliance (GCEDA) is requesting that City Council approve a proposed amendment to the GCEDA contract and authorize the mayor to execute the contract for the City of High Point.

Transcript

Mayor Bencini: *Mayor Pro Tem Jeff Golden and I attended the recent GCEDA meeting and were somewhat surprised to find an amendment waiting on us. An amendment proposed by the City Council of Greensboro in regards to the governance. You know there's kind of a dual board. There's the main board and then there's the business advisory committee. The Business Advisory Council has 12 members and for some reason after I don't know, how long has it been a couple of years since we've been talking about this, the City of Greensboro decided that we needed to have a few more people on the Business Advisory Council taking that number from 12 to 18. So you have in your packet the amendment as it's being proposed. My personal feeling is that it's not really necessary, but I voted in favor of sending it along to the individual's jurisdictions just out of respect for the concept of jurisdictional cooperation.*

Council Member J. Davis: *Mr. Mayor, you know I was involved in that from the very beginning. Me and you had some friendly discussions about High Point losing its autonomy to Greensboro. It seems like what I'm seeing, to me Greensboro is in the driver's seat on this thing. They're pushing all this stuff. Like I've noticed that the meetings are held in Greensboro. They're not held in High Point.*

Mayor Bencini: *They're not held in Greensboro to be honest with you. They're held at the airport and at GTCC campus. It does take time to get there.*

Again, things have been going very well and I, quite honestly, thought it might be a little premature to consider changes in the governance structure.

Council Member J. Davis: *Well that's kind of what I'm thinking. Would it hurt anything if we told Greensboro that we want to....I'd like to know why they felt 18 was a better number than 12.*

Council Member Wagner: *Yeah, what's the rationale for that?*

Mayor Pro Tem Golden: *They didn't think 18 was a better number, what they wanted to do is diversity the people that was on there. They said initially when they looked at the make-up of it, it was all white males. Then when they brought the alternates in, it added three minorities to the list but they wanted to diversity it even more.*

Council Member J. Davis: *Yeah, but who selected all white males to begin with?*

Council Member Ewing: *if you look at the make-up of both groups. The Business Advisory Council right now you've got 5 appointed by the Greensboro Partnership and 5 appointed by the EDC. The way it's proposed is the jurisdictions would each get two, which means Guilford County and Greensboro could overload and have a higher Greensboro....*

Mayor Bencini: *If I say anything wrong Loren, the step in. But this a Business Advisory Council that doesn't really have any authority. Again, they have, I guess jurisdictional issues or political issues within the City Council and they decided to come back and sort of nit-pick this thing at the very end.*

Council Member J. Davis: *I, for one, am kind of excited that Greensboro and High Point are working together in a relationship that I have seen that Loren and Brent have, but I'm very cautious about giving Greensboro and I guess it goes back to the animosity that Greensboro and H has had all these years. I'm somewhat skeptical.*

Council Member Ewing: *To me it's not so much Greensboro versus High Point. Right now, the appointees are controlled by the entities, nor the jurisdictions. Keeping politics sort of out of it. You enter 6 more appointees which are appointed. Two by Guilford County, High Point and Greensboro, and then you interject a whole different dynamic. I think what's been successful thus far is the fact that between Brent and Loren, there's a great synergy there between the two entities without too much jurisdictional influence.*

Council Member J. Davis: *Well one of my concerns and I brought this up early on was when GC made their appointees, would GC make their appointees outside of Greensboro. Would it come from Summerfield, would it come from some of the other cities. But what we're getting is Greensboro,. So we're loading it up with people in Greensboro.*

Mayor Bencini: *Again, we're not talking about the main governance board. We're talking about the Business Advisory Council.*

Council Member C. Davis: *I think we need to go back and look at the BA appointments and maybe make some modifications there if we want some diversity.*

Mayor Bencini: *I don't disagree. That was my point to them. You know Greensboro pick who you want, GC picks and HP picks. To me the biggest problem is it looks like a solution in want of a problem. I mean it's not going badly so why are we fiddling around with it at this point.*

Council Member Wagner: *Everybody has to agree to the amendment, right?*

Mayor Bencini: *Right and just for disclosure, the representative from GC, Chairman Jeff Phillips, voted against taking it back. Maybe I should have too, but I was....*

Council Member Wagner: *Have Greensboro and Guilford County already approved this?*

Mayor Bencini: *I don't think Greensboro and Guilford County either one have voted on it yet.*

Mayor Pro Tem Golden: *All municipalities will be hearing it this week. They are hearing it just like we're hearing it. But it was brought to the table by Greensboro.*

Mayor Bencini: *Hold on. Loren do you want to say something?*

Loren Hill: *It's on the Greensboro agenda for tomorrow night and Guilford County Commissioners agenda on Thursday night.*

Mayor Bencini: *We're not under any obligation to do this okay?*

Council Member Alexander: *We're so early into this. I would say let a year pass by and see if there are any issues. At this point in time, I see.....I mean everybody's free to make an appointment of who they want and if they made appointments of who they want and they looked around the room and they said oh, we need more diversity, then you know physician heal yourself.*

Council Member Ewing: **I MOVE TO DECLINE THE PROPOSED AMENDMENT.**

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

The motion CARRIED by a 9-0 unanimous vote.

[end of transcript- GCEDA]

A motion was made by Council Member Ewing, seconded by Council Member Alexander, that this Amendment to the Guilford County Economic Development Alliance contract be denied. The motion PASSED by a 9-0 unanimous vote.

160121 Minutes to Be Approved

- Special Meeting (Retreat); Tuesday, March 22nd @ 8:30 a.m.
- Special Meeting (Closed Sessions); Monday, April 4th @ 3:00 p.m.
- Regular Council Meeting; Monday, April 4th @ 5:30 p.m.
- Prosperity & Livability Committee Meeting; April 6th @ 9:00 a.m.
- Manager's Briefing Session; April 7th @ 3:00 p.m.
- Community Housing & Neighborhood Development Committee; April 13th @ 1:00 p.m.
- Finance Committee Meeting; April 27th @ 4:00 p.m.

The preceding minutes were unanimously approved as submitted upon motion by Council Member Ewing and second by Council Member Wagner. [9-0 vote]

160122 Appointment - Citizens Advisory Council

Council is requested to confirm the appointment of Donnie Wicker to the Citizens Advisory Council as Council Member Williams (Ward 2) appointment. Appointment will be effective immediately and will expire 5/31/2018.

Approved the appointment of Donnie Wicker to the Citizen's Advisory Council.

A motion was made by Council Member Williams, seconded by Council Member Alexander, that this appointment be approved. The motion PASSED by a 9-0 unanimous vote.

160123 Proposed 2016-2017 City of High Point Annual Budget - Establish Public Hearing Date

Council is requested to establish the date of Monday, May 16, 2016 at 5:30 p.m. to receive public comments on the proposed 2016-2017 City of High Point Annual Budget.

A motion was made by Council Member Alexander, seconded by Council Member Williams, that this matter be approved. The motion PASSED by a 9-0 unanimous vote.

150270 Boards and Commissions - Vacancy Report

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

Note: This information is included for informational purposes only.

CLOSED SESSION

At 8:42 p.m., Council Member Alexander moved to go into Closed Session pursuant to N.C. General Statute 143-318.11(a)(4) to discuss proposed economic development

projects. Council Member Ewing made a second to the motion, which carried by a 9-0 unanimous vote.

Upon convening into open session at 9:06, Mayor Bencini announced there would be no action taken as a result of the Closed Session.

ADJOURNMENT

Upon motion duly made and seconded, the meeting adjourned at 9:06 p.m.

Respectfully Submitted,

William S. Bencini, Jr., Mayor

Attest:

Lisa B. Vierling, MMC
City Clerk