

**HIGH POINT CITY COUNCIL  
REGULAR MEETING  
High Point Theatre, Gallery B  
July 17, 2017 – 5:30 P.M.**

**ROLL CALL, PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

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

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

**Present (9):** *Mayor William S. Bencini, Jr., Mayor Pro Tem Jay Wagner (Ward 5); and Council Members Cynthia Y. Davis (At-Large), Latimer Alexander (At-Large); Jeffrey Golden (Ward 1), Christopher Williams (Ward 2), Alyce Hill (Ward 3), James C. Davis (Ward 5) and Jason Ewing (Ward 6).*

**STRATEGIC PLAN UPDATE**

**170207**

**Strategic Plan Update**

Member Jeff Golden, Chair of the Community Housing, Neighborhood Development and Public Safety Committee and Council Member Jason Ewing, Chair of the Prosperity & Livability Committee will provide updates on the city's Strategic Plan.

**Code Enforcement/Blight**

*Community Housing, Neighborhood Development & Public Safety Committee Chair Council Member Golden provided an update on some numbers as they relate to the Code Enforcement efforts regarding blight in the city. He then shared numbers for the June 2017 activities as follows:*

- ✓ 36 Minimum Housing Complaints
- ✓ 262 Active Minimum Housing cases
- ✓ 64 Active Backlog cases
- ✓ 163 Public Nuisance Complaints
- ✓ 178 Active Public Nuisance cases
- ✓ 20 Zoning Complaints (vehicles, signs, banners, etc....)
- ✓ 289 Signs collected

*Chairman Golden noted the backlog of minimum housing cases from the old system has dropped significantly from 270 in May 2016 to 64 in June 2017.*

*Lori Loosemore, Local Codes Enforcement Supervisor, shared some before and after photographs of some of the public nuisance and demolition cases that staff has been working on. She reported that staff has started addressing some auto repair businesses and outdoor tire storage. There have been at least 15 cases started. She advised that the business located*

*at 724 W. Martin Luther King Boulevard has finally removed most of the tires that were being stored on the property outside and are still in the process of seeking compliance as far as outside storage, trailers, etc....*

### **Connect HP**

*Prosperity & Livability Committee Chair Council Member Ewing reported that Connect HP did not meet in June, but will be meeting in July. He issued a reminder for Council to make sure they have November 14th on their calendars for the upcoming YP Summit.*

## **PUBLIC COMMENT PERIOD**

**170208**

### **Public Comment Period**

A Public Comment Period will be held on the first Monday of the regular City Council meeting schedule at 5:30 p.m. or as soon thereafter as reasonably possible following recognitions, awards and presentations. Our policy states persons may speak on any item not on the agenda.

- ❖ Persons who have signed the register to speak shall be taken in the order in which they are listed. Others who wish to speak and have not signed in will be taken after those who have registered.
- ❖ Persons addressing City Council are asked to limit their comments to 3 minutes.
- ❖ Citizens will be asked to come to the podium, state their name and address and the subject(s) on which they will comment.
- ❖ If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group while a designated speaker covers the various points. This helps to avoid repetition while giving an opportunity for people present with the same concerns to be recognized.

Thanks to everyone in the audience for respecting the meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

*James Adams, a resident at 1829 Chatfield Drive, shared some opposing concerns regarding the stadium plaza and the direction it has been moving. He expressed the following concerns:*

- *That taxpayer's funds are being used to meet the expectation without the taxpayers having a voice;*
- *Process is alarming;*
- *Seeking a guarantee that taxpayer money will not be used in the process;*
- *Asked that it be put to a referendum in the upcoming primary or general election;*
- *Credible accounts that show it is a financial risk and exposure is far too great for the community;*
- *Asked if the city has approached the businesses located in the 649 acres to let them know their taxes will be increasing;*
- *Questioned the acquisition of the 7 parcels where the proposed stadium is to be located, which was initially acquired for \$400,000 by a holding company, then the city acquired the same property for over \$1 million within 90 days of the original purchase;*
- *Too much exposure for taxpayers.*

*As owner of the facility, he asked if that would mean that the city would be responsible for the utilities and asked if the city currently pays for electricity, water, sewer or electric at the*

*Library and Police Department. He concluded his remarks by stating that many economists maintain that states and cities that help pay for new stadiums rarely get their money's worth.*

**Wanda Hunt**, a resident at 3806 Braddock Road, also addressed Council in opposition to the baseball stadium. She cited the following issues/concerns:

- *Although new jobs will be created, the construction jobs would be temporary and other workers at the stadium would be working far less than 40 hours per week, and the city would see the effects of unemployment;*
- *Businesses near the stadium such as restaurants and hotels might win from the extra local spending, but questioned why taxpayers should pay so that only a few favorite businesses can profit;*
- *Cited results of a 2017 poll published by the University of Chicago School of Business, which says that cities who build stadiums for sports teams would likely cost taxpayers more than the anticipated local economic benefits would be worth;*
- *City is asking for support from the County Commissioners, which will result in the same exposure countywide as in the city;*
- *Stadiums that have closed in recent years had one thing in common (public funding), which resulted in the public having to pay the remaining balance of the debt;*
- *Cited a 2011 study published in the Journal of Sports Economics that questioned the construction of sports stadiums as economic engines. The study also showed that the stadiums have a non-positive effect on income for the employment and sales tax revenue for communities who construct stadiums to host AA teams or smaller;*
- *Asking for a guarantee that taxpayers money will not be used in the process;*
- *Asking that this be put to a referendum in the upcoming primary or general election*

**Tommy Hunt**, a resident at 3806 Braddock Road, also addressed Council in opposition to the stadium. He reminded Council that elected officials are charged with restoration of public trust with transparency and open communication in all matters and urged them to be transparent and have an open discussion with the High Point citizens about the stadium in performance of the due diligence.

*He reminded Council that trust and open communication is the denominator for success in a community and also asked for a guarantee to the taxpayers that no taxes will ever be utilized to build, operate or maintain a stadium now or in the future.*

### CONSENT AGENDA ITEMS

*Chairman J. Davis reported that the Finance Committee met on July 12th and recommended approval of the following finance items. He recommended that these matters be rolled into one motion for approval.*

**At this time, Chairman J. Davis moved to approve all finance-related matters on the Consent Agenda. Council Member C. Davis made a second to the motion, which carried unanimously. [9-0 vote]**

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

**FINANCE COMMITTEE** - *Council Member J. Davis, Chair**Committee Members: J. Davis, C. Davis, Alexander and Hill***170209      Contract - Purchase of Compact Refuse Trucks**

Council is requested to approve the award of contract to Amick Equipment Company for the purchase of three (3) new 2017 Isuzu trucks with a New Way Diamondback compact rear loading body in the amount total contract amount of \$296,169.96 and declare the old equipment as surplus and dispose of through the online auction process.

Approved the award of contract to Amick Equipment Company for the purchase of three (3) new 2017 Isuzu trucks with a New Way Diamondback compact rear loading body for a total contract amount of \$296,169.96 and declared the old equipment as surplus to be disposed of through the online auction process.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170210      Contract - Purchase of Side Loading Refuse Trucks**

Council is requested to approve the award of contract to Amick Equipment Company for the purchase of three (3) Peterbilt trucks with New Way side loading refuse body in the amount of \$764,424.99 and declare the old equipment as surplus and dispose of through the online auction process..

Approved award of contract to Amick Equipment Company for the purchase of three (3) Peterbilt trucks with New Way side loading refuse body in the amount of \$764,424.99 and declared the old equipment as surplus to be disposed of through the online auction process.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170212      Contract - Janitorial Services for Parks & Recreation Facilities**

Council is requested to approve the award of a contract to Rocky Top Cleaning for janitorial services at the Morehead, Southside and Allen Jay facilities in the amount of \$201,600.00 and Matt's Janitorial for janitorial services at the Deep River, Oakview, Piedmont Environmental Center and the Washington Terrace Community Building in the amount of 93,240.00.

Approved award of contract to Rocky Top Cleaning for janitorial services at Morehead, Southside and Allen Jay facilities in the amount of \$201,600.00 and Matt's Janitorial for

janitorial services at Deep River, Oakview, Piedmont Environmental Center and the Washington Terrace Community Building in the amount of \$93,240.00.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170213      Contract - Purchase of Water Meters**

Council is requested to approve the award of a contract to Carolina Meter and Supply in the amount of \$1,295,100 for the purchase of new 5/8 water meters.

Approved award of contract to Carolina Meter and Supply in the amount of \$1,295,100 for the purchase of 5/8 water meters.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170214      Professional Services Engineering Agreement - Sanitary Sewer Master Plan**

Council is requested to approve a Professional Engineering Services agreement with CDM Smith in the amount of \$410,300.00 for a sanitary Sewer Master Plan for evaluating wastewater capacity for current conditions and fur future development.

Approved a Professional Engineering Services agreement with CDM Smith in the amount of \$410,300.00 for a Sanitary Sewer Master Plan.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170215      Professional Engineering Services Agreement - Schnabel Engineering South, P.C.**

Council is requested to approve contract with Schnabel Engineering South, P.C. in the amount of \$186,720.00 for the evaluation of alternatives to rehabilitate the Arnold Koonce City Lake Dam.

Approved contract with Schnabel Engineering South, P.C. in the amount of \$186,720.00 for the evaluation of alternatives to rehabilitate the Arnold Koonce City Lake Dam.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this agreement be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170216 Change Order Westside WWTP - Shook Construction Company**

Council is requested to approve a change order to the Shook Construction Company contract in the amount of \$117,266.42 to address safety issues that have been identified by the City of High Point Safety and Health Department.

Approved a change order to the Shook Construction contract in the amount of \$117,266.42 to address safety issues that have been identified by the City of High Point Safety and Health Department.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this change order be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170217 Contract - Wesco - Underground Cable**

Council is requested to award contract to WESCO in the amount of \$202,350.00 for the purchase of 750 MCM Copper Underground Cable.

Approved award of contract to WESCO in the amount of \$202,350.00 for the purchase of 750 MCM Copper Underground Cable.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170218 Contract - Motorola Solutions, Inc. - Police Department Radios**

Council is requested to award contract to Motorola Solutions, Inc., in the amount of \$493,894.75 for the replacement of 113 portable radios.

Approved award of contract to Motorola Solutions, Inc. in the amount of \$493,894.75 for the replacement of 113 portable radios for the police department.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170219      Contract - Atlantic Emergency Solutions - Pierce Fire Apparatus**

Council is requested to approve award of contract to Atlantic Emergency Solution in the amount of \$1,897,933.00 for the purchase of three (3) Pierce Fire Apparatus (pumper, pumper tanker and rescue/service truck); and declare the old equipment as surplus and dispose of through the online auction process..

Approved award of contract to Atlantic Emergency Solution in the amount of \$1,897,933.00 for the purchase of three (3) Pierce Fire Apparatus (pumper, pumper tanker and rescue/service truck) and declared the old equipment as surplus to be disposed of through the online auction process.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this contract be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170220      Transit Section 5303 Planning Grant Agreement with NCDOT**

Council is requested to authorize the City Manager to execute an Agreement with the North Carolina Department of Transportation (NCDOT) for the FY 2018 Metropolitan Planning Program Grant (Section 5303) in the amount of \$49,500.00.

Authorized the city manager to execute an agreement with the North Carolina Department of Transportation (NCDOT) for the FY 2018 Metropolitan Planning Program Grant (Section 5303) in the amount of \$49,500.00.

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this agreement be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Resolution No. 1679/17-26  
Introduced 7/17/2017; Adopted 7/17/2017  
Resolution Book, Volume XIX, Page 148**

**REGULAR AGENDA ITEMS****170237      Resolution - Revised Interlocal Agreement - Guilford County**

Consideration of Resolution amending the Interlocal Agreement with Guilford County for revenue collections.

*Deputy City Manager Randy McCaslin advised that the city has approximately 800 parcels with 2,700 liens for the past 10 years totaling approximately \$1 million. He explained up until now the best method in collecting these liens was through the sale of the property. After*

*a considerable amount of research, staff determined that the city could work with Guilford County and have these liens placed on the annual property tax bills for collection and Guilford County has agreed to do so. Staff is requesting adoption of the resolution that would amend the current Property Tax Collection Services Agreement with Guilford County to also include collection of liens in addition to collection of taxes that they already are collecting for the city.*

*Council Member C. Davis mentioned that during the last Finance Committee Meeting, she had asked Mr. McCaslin to explain how the dollars would be allocated once a constituent or a citizen wrote a check for payment of the bill and was informed that the county would decide how the monies would be disbursed amongst the bill. She then asked City Attorney Joanne Carlyle to elaborate on how the process would work once a check is written for payment. Ms. Carlyle advised that Mr. McCaslin's explanation to this question during the Finance Committee meeting held on Wednesday, July 12th was accurate, and added there are additional statutes that govern as to how the money would be applied. She confirmed that the money would first be applied for payment of the taxes and there would be language in the agreement and the statute that would also address disbursement of the money.*

*Council Member C. Davis also asked if a determination has been made as to at what point the city would seek action through the courts for unpaid liens. Ms. Carlyle explained that generally the city does not foreclose on those types of liens, but the city could go to court for collection although the liens would remain on future tax bills.*

Adopted Resolution amending the Interlocal Agreement with Guilford County for revenue collections.

**A motion was made by Council Member J. Davis, seconded by Council Member Williams, that this Revised Interlocal Agreement with Guilford County be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Resolution No. 1680/17-27**

**Introduced 7/17/2017; Adopted 7/17/2017**

**Resolution Book, Volume XIX, Page 149**

**170221 Transit Operating and Capital Grant Application - Public Hearing**

Monday, July 17, 2017 at 5:30 p.m. is the date and time established to receive public comments on the filing of the FY2018 FTA Section 5307 operating, capital and planning grant application for High Point Transit and the Thomasville portion of Davidson County Transportation System.

The public hearing for this matter was held on Monday, July 17, 2017 at 5:30 p.m.

*Chairman J. Davis asked if there was anyone from staff present that would like to speak regarding this matter. Angela Wynes, Transit Manager, advised that staff is seeking*



*approval from the Council for the filing of the FY 2018 FTA Section 5307 grant application and entertained any questions.*

*Chairman J. Davis opened the public hearing and asked if there was anyone present who would like to speak. There being no one present to comment, the public hearing was declared closed.*

Approved the filing of the FY 2018 FTA Section 5307 operating, capital and planning grant application for High Point Transit and the Thomasville portion of Davidson County Transportation System.

**A motion was made by Council Member Alexander, seconded by Council Member J. Davis, to approve the filing of the FY 2018 FTA Section 5307 operating, capital and planning grant application for High Point Transit and the Thomasville portion of Davidson County Transportation System. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

COMMUNITY HOUSING, NEIGHBORHOOD DEVELOPMENT AND PUBLIC SAFETY COMMITTEE - Council Member Golden, Chair

*Committee Members: Golden, Alexander, Ewing, and Williams*

**170222      2017-2018 Annual Action Plan Adjustments**

Council is requested to approve adjustments to the 2017-2018 Annual Action Plan budget to reflect annual allocations from the US Department of Housing and Urban Development (HUD) and the NC Housing Finance Agency (NCHFA).

*Mike McNair, Director of Community Development & Housing, advised that staff submitted the Annual Action Plan in May to the City Council, but had not received the final numbers from HUD at that time. The plan was submitted with 90% of the budget for prior years, but the new budget that came in was 99% of the funds received last year, which resulted in adjustments to the plan. Staff is recommending approval of the adjustments to the 2017-2018 Annual Action Plan budget.*

*Chairman Golden questioned the \$50,000 difference that was in the budget for the Urgent Repair Program and asked what the dollar amount for this was in 2017-2017. Mr. McNair replied in 2016-2017, \$100,000 was in the budget. He advised that the state reduced the city's allocation to about \$50,000 because the city is located in the same county as another recipient.*

Approved the adjustments to the 2017-2018 Annual Action Plan budget to reflect annual allocations from the U.S. Department of Housing and Urban Development (HUD) and the N.C. Housing Finance Agency (NCHFA).

**A motion was made by Council Member Golden, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170223      2017-2018 Annual Action Plan Procedures**

Councils is requested to approve the Citizen Participation Plan and the Affordable Housing Procedures as required by the US Department of Housing and Urban Development (HUD).

*Mike McNair, Director of Community Development & Housing, advised that HUD now requires the city to submit procedures to the City Council, rather than staff doing it internally. Staff is asking for Council's approval of the Citizen Participation Plan and the Affordable Housing Procedures.*

Approved the Citizen Participation Plan and the Affordable Housing Procedures as required by the U.S. Department of Housing and Urban Development (HUD).

**A motion was made by Council Member Golden, seconded by Council Member Alexander, that this matter be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170224      Ordinance - Demolition of Structure - 2336 Brentwood Street**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 2336 Brentwood Street belonging to John May and Catherine J. Brown.

*Lori Loosemore, Local Codes Enforcement Supervisor, advised this property was originally inspected on November 15, 2016 with a hearing on March 2, 2017. No one appeared for the hearing and an order to repair or demolish was issued with a compliance date of April 4, 2017. However, the owner did contact the inspector and advised him that they no longer own the property; the inspector encouraged the property owner to check into it because the records show that they are still the owners. The property taxes are delinquent in the amount of \$10,533 and this property is pending foreclosure with the Guilford County Tax Department.*

*Neither the property owner, nor the property owner's representative was present.*

Adopted an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 2336 Brentwood Street.

**A motion was made by Council Member Golden, seconded by Council Member Williams, that this ordinance be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Ordinance No. 7314/17-56**  
**Introduced 7/17/2017; Adopted 7/17/2017**  
**Ordinance Book Volume XIX, Page 196**

**170225      Ordinance - Demolition of Structure - 1212 Leonard Avenue**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 1212 Leonard Avenue belonging to Clearance Center, Inc.

*Lori Loosemore, Local Codes Enforcement Supervisor, advised that the property was originally inspected on September 14, 2016 which revealed multiple violations. The hearing was held on February 28, 2017, but no one appeared. Staff issued an order to repair or demolish with a compliance date of April 3, 2017.*

*An inspector did speak with Mr. Efrin Boyd, who is the owner of Clearance Center, Inc. and he indicated that he would be making the repairs in December. In the meantime, the inspector noticed repairs being made to the property without any permits being obtained. Taxes are also delinquent on the property in the amount of \$3,520.*

*The property owner was not present.*

Adopted an ordinance ordering the housing inspector to effectuate the demolition of the structure located at 1212 Leonard Avenue.

**A motion was made by Council Member Golden, seconded by Council Member Williams, that this ordinance be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Ordinance No. 7315/17-57**  
**Introduced 7/17/2017; Adopted 7/17/2017**  
**Ordinance Book Volume XIX, Page 197**

**170226      Ordinance - Demolition of Structure - 210 Jay Place**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a structure located at 210 Jay Place belonging to Michael Carpenter, Sr.

*Lori Loosemore, Local Codes Enforcement Supervisor, advised as a result of a fire occurring on the property on March 21, 2014, this housing case was in the old system, but had to be restarted on September 30, 2016 to re-service the property owners. The hearing was held on May 10, 2017 and an order to repair or demolish was issued with a compliance date of June 19, 2017. Ms. Loosemore advised that the daughter of Michael Carpenter, Sr., the property owner, thought they had foreclosed on it several years ago and stated they have no plans to make any repairs. Taxes in the amount of \$4,273 are past due on the property.*

*The property was not present.*

Adopted an ordinance ordering the housing inspector to effectuate the demolition of the structure located at 210 Jay Place.

**A motion was made by Council Member Golden, seconded by Council Member Williams, that this ordinance be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Ordinance No. 7316/17-58  
Introduced 7/17/2017; Adopted 7/17/2017  
Ordinance Book, Volume XIX, Page 198**

#### PENDING ITEMS

##### **160330      Ordinance - Demolition of Structure - 512 Hines Street**

Council is requested to adopt an ordinance requiring the building inspector to effectuate the demolition of a structure located at 512 Hines Street belonging to Eliseo Zavala.

*(At the November 7, 2016 meeting this item was deferred to the December 5, 2016 Council Meeting. At the December 5, 2016 Council Meeting, Council deferred this item for 60 days or until the February 6, 2017 Council Meeting. At the February 6th Council Meeting, item was placed back in pending. At the May 1, 2017 meeting this item was continued to the May 15, 2017 meeting. At the May 15th Council Meeting this item was deferred for 45 days). At the June 5th meeting item was deferred pending receipt of the executed Supplemental Order from the property owner.*

PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Wagner, Chair  
*Committee Members: Wagner, C. Davis, J. Davis and Golden*

##### **170227      Resolution of Intent - Street Abandonment 17-02**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, August 7, 2017, at 5:30 p.m. to consider a request by High Point University to abandon the eastern portion (approximately 845 feet) of the E. Farriss Avenue right-of-way. The abandoned consists of the southern segment of this right-of-way lying between N. Centennial Street and Panther Drive (private drive). In addition, the Planning & Development Department is amending the request to also abandon that portion of the Fifth Street right-of-way lying between the northern and southern segment of the E. Farriss Avenue right-of-way.

Adopted a Resolution of Intent establishing a public hearing date of Monday, August 7, 2017 at 5:30 p.m. to consider a Street Abandonment 17-02 as requested by High Point University.  
**A motion was made Mayor Pro Tem Wagner, seconded by Council Member Alexander, that this ordinance be adopted. The motion carried by the following 9-0 vote:**

**Resolution No. 1681/17-28**  
**Introduced 7/17/2017; Adopted 7/17/2017**  
**Resolution Book, Volume XIX, Page 150**

**PUBLIC HEARINGS**

**170157      Ordinance - North Carolina State Employees Credit Union - Zoning Map Amendment 17-03 (Continuation of Public Hearing)**

A request by the North Carolina State Employees Credit Union to rezone approximately 4.2-acres from the Office Institutional (OI) District to a Conditional Zoning Limited Business (CZ-LB) District. The site is lying along the west side of Westchester Drive, approximately 430 feet south of Chestnut Drive (1638 Westchester Drive). (At the request of the petitioner, this item was deferred at the May 15, 2017 meeting and continued from the June 19, 2017 meeting.)

*Herb Shannon with the City of High Point Planning Department advised that details of the staff report were provided at the continued public hearing held on June 19th. The staff report is attached in Legistar as a permanent part of these proceedings.*

*Mr. Shannon advised the public hearing on this matter was continued from the May 15, 2017 meeting and continued again from the June 19, 2017 meeting.*

*The property owner is requesting approval of rezoning a 4.2-acre parcel from an Office Institutional (OI) District to a Conditional Zoning Limited Business (CZ-LI) District. He noted that the applicant is present and could provide an update on the status of their request.*

*Chairman Wagner advised that the public hearing was left open and asked if the applicant would like to come forward.*

***Mike Fox**, an attorney with Tuggle Duggins Law Firm, 100 N. Greene Street in Greensboro, advised that the continuance was requested so they could work out some things with the property owners and that everything has been worked out. He complimented staff for doing such a great job working with them on this case and they have staff's support, as well as their neighbors support. He noted that no one is opposed and explained this is a relatively minor change that would allow the State Employees Credit Union to construct a larger building because they have outgrown their existing building. He asked for Council's support and approval of their request.*

*Chairman Wagner asked if there was anyone else present who would like to speak in favor of or in opposition to this request. There being none, he declared the public hearing closed.*

Adopted an ordinance providing for the rezoning of approximately 4.2-acres from the Office Institutional (OI) District to a Conditional Zoning Limited Business (CZ-LB) District based on consistency with the City's adopted plans and that the action taken is reasonable and in the public interest.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member C. Davis, that this ordinance be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Ordinance No.7317/17-59**

**Introduced 5/15/2017; Adopted 7/17/2017**

**Ordinance Book, Volume XIX, Page 199**

**170228      Ordinance - Mumtaz Ali Khan - Annexation 17-06**

A request by Mumtaz Ali Khan to consider a voluntary contiguous annexation of an approximate 0.26-acre parcel lying along the south side of E. Martin Luther King Jr. Drive, approximately 875 feet east of Triangle Lake Road (3406 E. Martin Luther King Jr. Drive). The property is known as Guilford County Tax Parcel 0161207.

*The public hearing for this matter was held on Monday, July 17, 2017 at 5:30 p.m.*

*Herb Shannon 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.*

*Mr. Shannon advised this is a voluntary annexation where the property owner is requesting annexation of an approximate 0.26-acre parcel lying along the south side of E. Martin Luther King, Jr. Drive, approximately 875 feet east of Triangle Lake Road. The property is in the city's extraterritorial jurisdiction (ETJ) area and there is already established city zoning for this site, which is Heavy Industrial (HI). The applicant is proposing to develop the site for a used car dealership and they are requesting connection to the city's utilities. The property is surrounded by the city limits and city service vehicles are already established in the area. Staff has determined that the request for annexation is consistent and logical with the city's annexation policy.*

*Following the staff presentation, Chairman Wagner asked if there were any questions for Mr. Shannon. There being none, the public hearing was opened for comment. Seeing that no one was present to comment, Chairman Wagner declared the public hearing closed.*

Adopted ordinance approving Annexation 17-06 authorizing the annexation of this property.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Davis, that this ordinance be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Ordinance No. 7318/17-60**

**Introduced 7/17/2017; Adopted 7/17/2017**

**Ordinance Book, XIX, Page 200**

**170230      Resolution - BSC Holdings - Plan Amendment 17-01**

A request by BSC Holdings to change the Land Use Map classification for approximately 37 acres from the Mixed-Use Development designation to a Medium-Density Residential Designation. In addition, the Planning & Development Department is amending the request to add approximately 9 acres to the change, from the Mixed-Use Development designation to a Medium-Density Residential designation. These requests are for the area lying east of Sandy Ridge Road, west of Kendale Road and approximately 2,000 feet south of the intersection of Sandy Ridge Road & Kendale Road.

*The joint public hearing for this matter and related matters **170229 Annexation 17-05 and 170231 Zoning Map Amendment 17-09** was held on Monday, July 17, 2017 at 5:30 p.m.*

*Heidi Galanti with the Planning and Development Department explained that staff would be providing a joint presentation of Annexation Case 17-05, Land Use Plan Amendment Case 17-01 and Zoning Case 17-09; however, the individual matters will require separate votes.*

*She proceeded to provide an overview of the staff report for the Land Use Plan Amendment 17-01. The staff report will be attached in Legistar as a permanent part of these proceedings.*

*Ms. Galanti oriented everyone as to the location of the subject property, which currently contains a mixture of rural residential and agriculture uses with single family dwellings to the north and east that are on developed parcels. To the south are undeveloped parcels with mixed uses to the west (i.e. retirement community known as River Landing, an ambulance facility, single-family dwellings, and undeveloped parcels).*

*She advised the purpose of the Land Use Plan Amendment is to change the designation from the Mixed-Use Development to Medium Density/Residential. The area is also designated in the Northwest Area Plan as an Activity Center which means that it is intended to accommodate compatible mixed uses within a walkable setting of higher density residential and non-residential uses in a balanced combination of well-engineered neighborhood, retail and professional and personal service establishments.*

*Ms. Galanti explained that the area was designated as an Activity Center because of its proximity to the intersection of two major thoroughfares-- Sandy Ridge Road and Piedmont Parkway; both roads are planned to be four-lane divided highways with center landscaped medians. The proposed development is inconsistent with the city's adopted plans because it consists of residential development only and not a mix of uses. Ms. Galanti pointed out that should this request be approved, the commercial service uses that would have been located at this location will need to find another nearby location to serve this area.*

*She pointed out this area has seen steady growth since the 1990s and will continue to grow with the relocation of the Wesleyan Christian Academy to the west and the proposed 350 Business Park to the north.*

*Ms. Galanti advised that the Land Use Plan Amendment is a change in direction from the 2011 adopted Northwest Area Plan and noted the applicant is proposing to amend the Land Use Plan for approximately 37 acres of the 46-acre area that is designated as mixed use development. If the amendment is approved, staff is recommending amending the remainder*

*of the mixed use development to medium Density/Residential as well because the land area remaining is disjointed and not large enough to serve as an Activity Center.*

*The Planning & Zoning Commission met to consider this matter on June 27th and by a vote of 8-0 is recommending approval.*

Adopted a resolution approving Land Use Plan Amendment 17-01 based on consistency with the City's adopted plans, and that action taken regarding this request is reasonable and in the public interest by adopting the statements in the Staff Analysis section of the Staff Report.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member J. Davis, that this resolution be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Resolution No. 1682/17-29**

**Introduced 7/17/2017; Adopted 7/17/2017**

**Resolution Book, Volume XIX, Page 151**

**170229**

**Ordinance - Westmoreland and Motsinger, et al - Annexation 17-05**

A request by Westmoreland and Motsinger, et al to consider a voluntary contiguous annexation of approximate 71 acres lying east of Sandy Ridge Road, west of Kendale Road and south of the intersection of Sandy Ridge Road and John Knox Drive. The property is known as Guilford County Tax Parcels 0171336 (portion) 0171341 (portion), 0171316, 0171348, 0171314, and 0171313 (portion).

*The joint public hearing for this matter and related matters **170230 Plan Amendment 17-01 and 170231 Zoning Map Amendment 17-09** was held on Monday, July 17, 2017 at 5:30 p.m.*

*Note: Staff provided a joint presentation on these cases; however, the matters will require separate votes.*

*Herb Shannon with the Planning and Development Department provided an overview of the staff report for Annexation Case 17-05, which is hereby attached in Legistar as a permanent part of these proceedings.*

*The applicant is requesting voluntary contiguous annexation of approximately 71 acres to facilitate the development of a 400-unit mixed residential development. The site is within the city's planning area which extends northward up to I-40 and westward just over the Guilford/Forsyth County line. Since the 1990s, this area has seen continued growth. City services are already established in this area with city service vehicles traveling daily along Sandy Ridge Road and Kendale Road to serve existing properties that are in the city, so annexation of this property would not negative affect city services. Staff did reach out and solicited input from the various departments in the city and none voiced any objections as to annexation of this property. Mr. Shannon reported that this annexation request does*



*represent a logical progression of the city's Annexation Policy as the site does abut existing parcels within the city's corporate limits.*

*Regarding **Zoning Map Amendment Case 17-09**, the applicant is requesting a Planned Development - Periphery District (PD-P) to facilitate this mixed residential district. This district is established to support mixed development under a Unified Master Plan and offers the applicant flexibility in setting design standards, but the development is subject to the Development Standards of Chapter 5 of the Development Ordinance and is still subject to environmental and subdivision infrastructure standards.*

*The applicant has provided a Statement of Intent for the development standards which outlines conditions in the manner in which the property can develop. They have also provided a Master Plan that depicts the access points and how the different tracts will develop. The required Traffic Impact Analysis has also been submitted and has been reviewed and accepted by the Transportation Department. The applicant negotiated with the Transportation Department as to the access points and improvements that are required to mitigate any impacts.*

*Mr. Shannon proceeded to share the applicant's Master Plan. The area to the left is Sandy Ridge Road; the area to the right is Kendale; Piedmont Parkway Extension runs through the middle of the property. The applicant is proposing to develop 290 residential units consisting of a mixture of single family attached dwellings, multi-family apartments on Tract A. Tract B consists of about 38 acres and the applicant is proposing to develop a traditional single family subdivision to the R-5 standards with approximately 110 lots.*

*Mr. Shannon explained the intent of the Master Plan notes the intended uses and it also highlights the access points, the uses within the tracts and notes the permanent buffering requirement. He proceeded to share some key items to note regarding the proposed development:*

- 1. Staff has determined that the Master Plan states the intent and the development standards sufficiently address the requirements of the Development Ordinance.*
- 2. The applicant has noted a higher standard in Tract A and is proposing a higher landscaping standard of a 15-foot Type C landscape yard along the entire perimeter of Tract A, rather than the required 5-foot wide planting yard.*
- 3. The applicant has also offered a minimum 30-foot building setback from the perimeter to ensure compatibility with the surrounding uses, which is a similar buffer and setback standard as some of the other developments in the area.*
- 4. The applicant has offered a condition for Tract B in their peripheral landscape area that abuts public streets to ensure the long-term maintenance of it.*

*Mr. Shannon advised this portion of the city is developed with a wide variety of uses, so this proposed development does not present a situation where a new use is being introduced. The River Landing development is located directly to the north, which is an existing PUD that consists of a mixture of single family, multi-family and an assisted living facility. To the east off Kendale is the Alderbrook Subdivision, which is a mixture of traditional single family*

*development and a cluster development. North of River Landing is the Saddlebrook Subdivision, which is a mixture of twin homes, townhomes and single-family attached dwellings.*

*Regarding mediating any adverse impact the development will have on the surrounding area, Mr. Shannon pointed out that the 400-unit residential development would have an impact, which prompted the requirement for the Traffic Impact Analysis (TIA). As part of the TIA, the applicant has agreed to:*

- 1. Mitigate conditions by dedicating right-of-way along the Johnson Street/Sandy Ridge Road corridor for the NCDOT widening project.*
- 2. Have conditions that limit the number of location access points. Tract A will have one access point from Sandy Ridge Road and one access point will be from Kendale. Tract B will have one access point from Piedmont Parkway and one access point from Johnson Street that will be restricted.*
- 3. Dedicate right-of-way from Piedmont Parkway Extension and will build a two-lane road through this area to the mid-point to provide access to both Tract A and Tract B.*
- 4. A higher landscaping and perimeter buffer area along Tract A.*

*Staff recommends approval of this request based upon the mixture of uses that the applicant is proposing, the surrounding mixture of uses that area in the area and the conditions that the applicant has offered to mitigate the impact on abutting properties. Staff suggests that approval of the request is reasonable and in the public interest first, subject to approval of the Land Use Plan Amendment.*

*Following the presentation, Mr. Shannon entertained questions.*

*Due to the rural feel and the desired pastoral appearance of the property, Council Member Alexander asked if it might be possible to encourage the applicant to put some berms and different rolling, elevated landscaping in as opposed to making a street level planting yard through there. Mr. Shannon advised that the applicant could address this question, but explained that staff is not recommending this because in the past the Sandy Ridge Road Corridor Plan did encourage this type of landscaping feature, but the Northwest Area Plan was adopted to replace the Sandy Ridge Road Corridor Plan and the Northwest Area Plan did not have that as a policy item.*

*At this time, Chairman Wagner opened the public hearing and noted Council would first hear from the applicant, then the floor would be open for comments from the general public.*

**Amanda Williams**, with BSC Holdings, 3929 Tinsley Drive in High Point, provided a summary on the company information for BSC Holdings. BSC Holdings is a family-owned local company in High Point that has been in business since the 1990s, but have been building single family dwellings much longer. Ms. Williams noted they build, manage and develop.

*Regarding the proposal, she reiterated that they are proposing to go from an Activity Center designation down to a lesser density to a Medium Density Residential and pointed out that Piedmont Parkway actually bisects the property into two tracts: Tract A and Tract B. In Tract A, they are proposing to do a multi-family component of single family detached townhomes/apartments, which are small unit buildings and another building a little larger. She then shared that they chose this area because BSC tends to attract a different clientele in that they discovered that their development types appeal to the baby boomer generation—the group that was starting to downsize and no longer desire a house. They came up with the villa concept and they take care of everything (maintenance, landscaping, etc.....*

*Ms. Williams advised that they have multiple product types that they offer: villas, townhomes, apartments, with rather large square footage (houses: 1,100 - 1,800 sq. ft.; townhomes: 1,100 - 1,400 sq. ft.; apartments: 900 - 1,400 sq. ft). The rent ranges from \$850 per month all the way up to \$1,800 on a house. She noted these are upgraded units with all the amenities such as pools, gyms, fitness centers.*

*Regarding the traffic, because of the clientele, they contend they will not get the typical traffic generation that other developments would get, nor do they see a lot of late night traffic. Ms. Williams shared that they are proposing to do a development on Tract B very similar to Cottesmore with a price range of \$250,000 - \$300,000. She noted that Barry Segal would be touching on and providing more detail regarding the traffic and locations for the access points.*

***Barry Segal** with BSC Holdings, 3929 Tinsley Drive in High Point, confirmed that they have agreed to dedicate the right-of-way for Piedmont Parkway, which is over five acres of this 77-acre tract. In addition, they have also agreed to dedicate the required right-of-way on Sandy Ridge Road and that has been estimated to be close to 10% of the property. He addressed the traffic and pointed out they were required to do a Traffic Impact Analysis (TIA) to mitigate any traffic concerns. He pointed out one important thing to remember is that when they looked at the timing for these road improvements and in the original discussions with staff, the area was looked at as an Activity Center, but with Piedmont Parkway Extension running through the center of the tract and with the realignment of Kendale Road, it virtually divided this tract into three components. He explained the request being considered tonight deals only with two tracts, and pointed out the third tract, which is the corner piece of the property is not part of this request.*

*To address Council Member Alexander's suggestion for a berm, Mr. Segal stated they would have to see how things work out in terms of the landscaping and road elevation. He shared that they would certainly like to be able to put in a berm, but it would be difficult at this point to make an absolute commitment. However, he felt it would not only be in their best interest to do so, but it would be aesthetically pleasing with all their past development in the city, he hoped Council could trust that they would do the right thing.*

*Council Member Alexander remarked that he was very familiar with this area and the intent was to provide as pastoral of a setting as possible to give the area a rural, country feel when traveling through. He told Mr. Segal that he would love for him to agree to it, or make it a condition. To specifically further answer Council Member Alexander's question, Mr. Segal stated they would be agreeable if good planting and grades permit it. Council Member Alexander noted he would like to see a berm located from where Piedmont Parkway is to the*

*entrance opposite the Links. Mr. Segal confirmed that he would have no problem with this and asked for some liberty for them to get with staff as to location and how this could be done.*

*Council Member C. Davis inquired about the timing of the road improvements with regards to the proposed development. Mr. Segal explained the plan is to close on the property this summer and to facilitate the engineering so they can start site work before wintertime. They will try to get all the infrastructure in on Tract A (the multi-family units) and will not start any vertical construction (construction of the homes) until all infrastructure is in place, including the Binder. After talking with NCDOT, Mr. Segal believes that they are moving pretty rapidly on their plan to widen Sandy Ridge Road and they plan to start right-of-way in 2018 with construction probably in 2020 if not before. He further advised that it would take them approximately 18 months to construct the units before having them available for purchase.*

*He explained that they will more than likely postpone the second phase because of the second access point that is needed and the fact that the access point proposed coming off of Johnson Street would be a right-in, right-out only; whereas, the first access point would be via Piedmont Parkway.*

*Chairman Wagner asked if there were any additional questions for the applicant at this time. There being none, he opened the floor for comments from the public.*

***Deric Stubbs**, a resident of 1261 Silverstone Court, High Point, stated he was not really so much for or against the request, but did have concerns regarding the impact on traffic in the area. He asked that he be provided with additional details regarding the traffic and asked if it might be possible to rework it and make it more user-friendly for the residents in the area.*

***Bryce Mayberry**, a local attorney with offices at 1403 Eastchester Drive, also spoke regarding this request. He stated he was representing one of the neighbors who has some safety concerns due to the two ponds that are in the area. He advised as a safety measure, the neighbors hope that a fence will be required along the rear of the property in this area as opposed to a berm. They felt for the safety of any children that might be drawn to the ponds that the fence to the rear of these properties should be a separate requirement*

*because of its proximity to traditionally rural property.*

*Scott Niebauer, a resident at 2416 Alderbrook Drive in High Point, addressed Council in support of the proposed development. He felt BSC Holdings has done a great job with past developments and are very careful in seeking the right clientele. At this specific location, he equated this to a downzoning and pointed out they could potentially have up to 690 units based on the Land Use Plan. He personally did not want to see a 5-story structure on either one of the corners of Kendale at Sandy Ridge Road. He felt this particular plan is very well-suited for the location of the property. Regarding the potential traffic impacts that have been mentioned, he pointed out he has been driving this location on a regular, consistent basis for the past eight years and noted the hardest turn is making a left off of Kendale and Sandy Ridge Road. He felt the new traffic pattern and stoplight would make it a lot easier and safer to make a left-hand turn.*

*Council Member Alexander asked Mark McDonald, Director of Transportation, to provide some insight and a little more detail regarding the traffic plans for this area.*

*Mr. McDonald advised that the Johnson Street/Sandy Ridge Road widening project has been developing for over 15 years and is now moving forward pretty rapidly. They anticipate the environmental documentation to be completed next year with right-of-way beginning in 2018 and construction sometime in 2020/2021. He noted that staff is unsure as to when NCDOT would actually start the 4.5-mile long project, whether it will be phased, or where they will actually start. He felt that Mr. Segal's plans for developing this project have addressed the alignment and also addresses issues with potential impacts on other developments including the Wesleyan property, River Landing, and Saddlebrook as well.*

*Council Member Alexander pointed out the Wesleyan development would create a huge amount of traffic at specified times and inquired about the signalization and location for the entrance and exit for the property. Mr. McDonald explained that only one traffic signal is proposed on the plans, which would be at the relocation of Sandy Ridge Road and Johnson Street across from the Piedmont Parkway alignment, although there would certainly be potential for others depending on development in the area and as the traffic increases. He noted that Wesleyan would have an access on Johnson Street across from the cul-de-sac and they would also have access on Sandy Ridge Road opposite the Legacy subdivision and then another secondary access for their athletic fields further to the west.*

*Council Member Alexander asked if the intersection at the Piedmont Triad Ambulance and Rescue Service (PTAR) would be a full motion intersection. Mr. McDonald confirmed that it would be a full movement intersection, but noted with the design of Sandy Ridge Road that could change and become more limited access, but consideration would certainly be given to the location of PTAR. Mr. McDonald further explained that the relocation of Kendale Road would be opposite of John Knox to the north and this was the most suitable location for future signalization should it become necessary.*

*Council Member Alexander then asked at what point the two lanes would be triggered on Piedmont Parkway given the secondary access. Mr. McDonald explained this would occur when they begin the development of the tract over to the south side of Piedmont Parkway. Deputy City Manager Randy McCaslin added that in anticipation of both the Wesleyan*

*development and this proposed project, staff has been working with NCDOT to try to move ahead with the realignment of Sandy Ridge and Johnson Street and have asked NCDOT to consider going ahead and moving that part forward in anticipation of both developments prior to the rest of the improvements to Johnson Street and Sandy Ridge Road.*

*Regarding the Wesleyan entry onto Johnson Street being across from proposed Phase 2 of the project, Council Member Ewing asked about the right-in, right-out and how it would be staggered between the two. Mr. McDonald clarified that it would be a right-in, right-out and felt the separation would certainly be more than adequate. He added that because of the offset, they originally could not get them to come together, so Mr. Segal agreed to change his plans and move his access point up at the cul-de-sac.*

*Council Member C. Davis mentioned the safety concerns voiced earlier and the request for the fence to the rear of the property in the vicinity of the ponds and asked if the applicant would consider putting up the fence around the rear perimeter of the property at the ponds to help alleviate these safety concerns. Mr. Segal explained since there are three single-family lots that back up to that property line, he was hesitant to go ahead and commit to something for a single-family property owner because if he does build a fence, it could impact what the individual property owner does. He pointed out that there is no road leading to the ponds, so anyone wandering or migrating to the ponds would have to go through someone else's property and it would be trespassing.*

*Council Member Ewing asked for clarification regarding the Activity Center designation and what commercial uses were proposed/allowed previously. Heidi Galanti advised it was a designation for convenience service uses for the population that would be there such as local convenience service, restaurants, drug stores, etc..... and they would logically have to local elsewhere.*

*Chairman Wagner asked if anyone else was present that would like to comment. There being no further comments, the public hearing was declared closed.*

Following the conclusion of the joint public hearings for this matter and related matters, **170230 Land Use Plan Amendment 17-01 and 170231 Zoning Map Amendment 17-09**, Council adopted an ordinance providing for the annexation of this property.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member J. Davis, that this ordinance be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Ordinance No. 7319/17-61**

**Introduced 7/17/2017; Adopted 7/17/2017**

**Ordinance Book, Volume XIX, Page 201**

**170231**

**Ordinance BSC Holdings - Zoning Map Amendment 17-09**

A request by BSC Holdings to rezone approximately 71 acres from the Agricultural (AG) District, within Guilford County's zoning jurisdiction, to the Planned Development - Periphery (PD-P) District. The site is lying east of Sandy Ridge Road and west of Kendale

Road. The northern point of the site is at the intersection of Sandy Ridge Road and John Knox Drive and its southern boundary is approximately 500 feet north of the intersection of Johnson Street and Cedar Springs Drive. 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 **170230 Land Use Plan Amendment 17-01 and 170229 Annexation 17-05** was held on Monday, July 17, 2017 at 5:30 p.m.*

*Note: Staff provided a joint presentation on these matters; however, a separate vote is required for each individual matter.*

***For specific comments made regarding Zoning Map Amendment 17-09, please refer to related matter 170230 Plan Amendment 17-01.***

Adopted an ordinance providing for the rezoning of this property from the Agricultural (AG) District within the Guilford County's zoning jurisdiction to the Planned Development - Periphery (PD-P) District based on consistency with the City's adopted plans, and that the action taken is reasonable and in the public interest based on the statements in the Staff Analysis section of the Staff Report.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member J. Davis, that this ordinance be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Ordinance No. 7320/17-62  
Introduced 7/17/2017; Adopted 7/17/2017  
Ordinance Book, XIX, Page 202**

**170232 Ordinance - Mark Reynolds - Zoning Map Amendment 17-11**

A request by Mark Reynolds to rezone an approximate 1.8-acre parcel from a Conditional Use Office Institutional (CU-OI) District to a Conditional Zoning General Business (CZ-GB) District. The site is lying at the northeast corner of Samet Drive and Admiral Drive.

*The public hearing for this matter was held on Monday, July 17, 2017 at 5:30 p.m.*

*Herb Shannon 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.*

*This is a request to rezone a 1.8-acre parcel from the Conditional Use Office Institutional (CU-OI) District to a Conditional Zoning General Business (CZ-GB) District. The applicant is requesting the zoning to facilitate development of a 72,000 sq. ft. internal self-storage facility. The site is part of the Wendover Crossing commercial development which was approved in the 1990s. In conjunction with the request, the applicant has also submitted a Conditional Zoning Ordinance in which they have offered higher landscaping standards*

*along the northern boundary of the property where it abuts the existing multi-family development.*

*Mr. Shannon touched on the following key points related to the request:*

- *The site is located within a commercial development and has a mixture of uses with a combination of commercial/office uses around the perimeter Multi-family office, multi-family uses and office uses are toward the internal area*
- *The applicant's request for a GB District would allow all these uses, thus the rezoning does not introduce a land use that is not already permitted in this area.*

*Mr. Shannon noted because the property is within the Eastchester Corridor Plan, there are higher design standards. Staff has confirmed the design standards are in conformance with the Eastchester Corridor Plan and any development of the site would be subject to those higher design standards. In addition to that, any type of self-storage facility, internal self-storage must be contained within the building and no outdoor storage is permitted. The design standards also require that internal storage activity cannot be viewed from abutting public streets. Mr. Shannon advised this is a mixed-use area and the GB District is consistent with the surrounding uses.*

*Staff is recommending approval of the request to rezone this property to the Conditional Zoning GB District standards. Staff suggests that the request is reasonable in the public interest as it is consistent with the Land Use Plan, the Eastchester Corridor Plan and the Wendover Corridor Plan and the applicant has offered those higher standards for landscaping on the northern boundary where it abuts a multi-family use. The Planning & Zoning Commission reviewed this request at their June meeting and are also recommending approval by a vote of 8-0.*

*Following Mr. Shannon's presentation of the staff report, Chairman Wagner asked if there were any questions/comments from Council.*

*Due to the increase in impervious surface in this area, Council Member Alexander asked what the applicant plans to do for the stormwater run-off. Mr. Shannon noted there are two retention ponds in the area and noted that one of the ponds was designed to handle all the development in this area at the maximum provided by the city's environmental regulations, while the other pond is for another development.*

*At this time, Chairman Wagner asked if the applicant or applicant's representative would like to speak.*

***Anthony Lester**, 4609 Dundis Drive in Greensboro, representing the applicant, addressed Council in support of the request. He noted they did have the required community meeting on May 15th, but no one attended the meeting. However, he did receive one phone call from a sales lady at the Highbrook Apartments, who basically asked what they were planning to do with the lot. To answer the question regarding the watershed, Mr. Lester confirmed that this site would drain into one of the existing ponds and noted the owner would be required to participate in the on-going maintenance for that facility.*



*Chairman Wagner opened the public hearing and asked if there was anyone present who would like to speak in favor of or in opposition to this request. There being no comments, he closed the public hearing.*

Adopted ordinance authorizing the rezoning of this property from a Conditional Use Office Institutional (CU0OI) District to a Conditional Zoning General Business (CA-GB) District based on consistency with the City's adopted plans and the action taken is considered to be reasonable and in the public interest by adoption of the statements in the Staff Analysis section of the Staff Report.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member J. Davis, that this ordinance be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Ordinance No. 7321/17-63  
Introduced 7/17/2017; Adopted 7/17/2017  
Ordinance Book, XIX, Page 203**

**170233      Ordinance - Church of God of Prophecy of North Carolina, Inc. - Zoning Map Amendment 17-13**

A request by the Church of God of Prophecy of North Carolina, Inc. to rezone approximately 50.4 acres from the Residential Single Family-3 (R-3) District to a Conditional Zoning Institutional (CZ-I) District. The site is lying south of the intersection of Old Mill Road and Ashley Park Court (900 Old Mill Road).

*The joint public hearing for this matter was held on Monday, July 17, 2017 at 5:30 p.m.*

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

*The applicant is requesting Council's approval of Zoning Map Amendment 17-13 to rezone a 50.4-acre site from its current Residential Single Family-3 (R-3) District to a Conditional Zoning Institutional District (CZ-I) District. The site lies south of the intersection of Old Mill Road and Ashley Park Court. Currently, the property is used as a religious summer youth camp known as "Camp Maranatha" and in addition to the regular summer camp activities, they host various religious events, ministry meetings, and workshops throughout the year.*

*As this property is currently a non-conforming use, the applicant is requesting this rezoning to bring the site up to the current standards and regulations in the Development Ordinance. The camp has been in operation since the late 1960s and at that time, it was part of the unincorporated portion of Guilford County where all the surrounding area was either undeveloped or farm land. In 1983, this property, which was included in a 3,600-acre tract, was annexed into the City and as a result, the camp was considered a non-conforming use and has been since that time because the zoning at that time did not permit the use. Mr. Shannon explained that non-conforming uses are allowed to continue operation as long as they do not cease operation for more than 180 days. He noted one of the limitations with a*

*non-conforming use is they are limited as to how much they can expand or improve the property.*

*Over the years, only minor upgrades have been done to the camp which have been just under the threshold that allows the improvements. The buildings on the property are 40-50 years old and the applicant is proposing to continue using the property as a summer youth camp, but they need to significantly update the facilities due to the age of the buildings. The applicant is proposing a long-term update of the cabins, cafeteria, expansion of their meeting facilities, and plans to put in some type of gymnasium use on the site.*

*The applicant has included a Conditional Zoning application with this application and have offered or prohibited the more intensive institutional use. They have also offered a condition that any type of institutional use on the property shall have a permanent buffer area, except for any type of athletic fields.*

*Mr. Shannon touched on the following key issues regarding staff's review of the request:*

- *The request is consistent with the Land Use Plan as it classifies this area as low-density residential and some of those uses would include open space, schools, and religious facilities.*
- *The camp has been in operation at this site for 50+ years and is compatible with surrounding uses.*
- *The applicant has offered that except for any type of residential use or institution use, access must be taken from Old Mill Road.*
- *This does not introduce any new uses in the area; there are various existing institutional uses already existing in the area.*

*Mr. Shannon cited the following reasons staff is requesting approval of this request:*

- *It is consistent with the Land Use Plan.*
- *The applicant has offered conditions to mitigate any negative impact by prohibiting higher intensity type institutional uses.*
- *The applicant is providing a permanent buffer area.*
- *The request would remove the non-conforming status that has been on this property for the past 30 years.*

*The Planning & Zoning Commission reviewed this request at their June meeting and are recommending approval by a vote of 8-0.*

*Chairman Wagner then asked the applicant or the applicant's representative to come forward.*

*The applicant, **Steve Crews**, 615 Cheraw Road, Hamlet, N.C., President of the Board of Directors for Camp Maranatha, addressed Council in support of the request. He explained they had engineers come in several years ago to do an analysis of the property and they determined they wanted to upgrade, retire the cabins and build new ones. At that time, they visited the City of High Point to discuss the renovations and found out that they were in non-compliance.*

*Mr. Crews stated they did hold the required community meeting and sent out letters to all property owners within the area, of which 20+ attended the meeting and all expressed support.*

*At this time, Chairman Wagner opened the public hearing and asked if there was anyone present who would like to speak in support of or in opposition to this request. There being no one else present to speak, the public hearing was declared closed.*

Adopted ordinance providing for the rezoning of this property from the Residential Single Family-3 (R-3) District to a Conditional Zoning Institutional (CZ-I) District based on consistency with the City's adopted plans and that the request is considered to be reasonable and in the public interest by adopting the statements in the Staff Analysis section of the Staff Report.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Davis, that this ordinance be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Ordinance No. 7322/17-64  
Introduced 7/17/2017; Adopted 7/17/2017  
Ordinance Book, XIX, Page 204**

#### GENERAL BUSINESS AGENDA

#### **170234      Public Hearing - Application -Certificate of Public Convenience and Necessity (Taxi Cab Service)**

Monday, July 17, 2017 at 5:30 p.m. is the date established to receive public comments concerning the issuance of Certificate of Public Convenience and Necessity for David Nyalimo to operate a taxi company in the City of High Point. If recommended for approval, a second reading will be held on Monday, August 7, 2017.

*The public hearing was held as duly advertised on Monday, July 17, 2017 at 5:30 p.m.*

***Note: This is the first reading. A second reading is required before the Certificate of Public Convenience and Necessity for taxi cab service can be formally approved. The second reading will be held on August 7, 2017.***

***Tad Kramp, the City's Taxi Cab Inspector with the High Point Police Department, shared that in his seven years in this position, he had yet to see a three-cab company model work in High Point. His initial thought was to recommend that this request for a third cab company not be approved because, in his experience, he did not believe High Point could support three cab companies. He advised recently he was made aware of some significant service/quality of service issues with the current two cab companies and he felt bringing a third cab company into the mix would result in additional competition and would bring the quality of service up for the other two. With that in mind, he recommended approval of the***

*request, but on a probationary basis to ensure that the third cab company understands and follows the regulations in the ordinance.*

*Mayor Bencini asked if there were any questions for Officer Kramp.*

*Council Member C. Davis asked if there was a probationary period in the ordinance that spells out the consequences for those that violate the ordinance. Mr. Kramp explained that typically as violations of the ordinance have occurred, staff has been able to fully substantiate the violations and it would be addressed through Council with the possibility of revocation of the certificate(s). He stated he was unaware of any precedent for placing an existing cab company on probation and mentioned that when Golden City Cab was unable to meet the requirements of the ordinance, he was afforded an unofficial extension giving him three months to bring his cabs into compliance, but was unable to do so.*

*Officer Kramp felt confident that the ADA issues that came about through a complaint against one of the two existing cab companies would be given serious consideration and he does not expect any recurring problems. He offered assurances that the complainant would bring it to his immediate attention should any further issues occur.*

*Council Member C. Davis asked if this would allow the city to put cab companies on probation should the need arise. City Attorney JoAnne Carlyle advised it could be addressed through the ordinance. Officer Kramp agreed and felt the ability to put a cab company on probation would give him more leverage to encourage them into compliance.*

*Mayor Bencini asked if there were any additional questions/concerns. The applicant or applicant's representative then was afforded an opportunity to come forward to speak, but no one came forward.*

*Mayor Bencini then opened the public hearing and asked if there was anyone present who would like to offer comment. There being no further comments, the public hearing was closed.*

*Council Member C. Davis stated she would like to ask Council to instruct the city attorney and/or other appropriate body/committee to look at some kind of probationary period for violators of the ordinance and come up with a procedure on how it would be handled. Mayor Bencini noted this would be an item for future consideration and moved forward with action for the 1st Reading.*

*Acknowledgement that the public hearing was held and approved the Certificate of Public Convenience and Necessity as requested by David Nyalimo to operate a taxi company in the City of High Point for the 1st Reading.*

**A motion was made by Council Member J. Davis, seconded by Council Member Williams, that this Certificate of Public Convenience and Necessity for taxi cab service be approved for the 1st reading. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170235      Appointment- Planning & Zoning Commission**

Council is requested to confirm the appointment of Ms. Angela McGill to the Planning and Zoning Commission as Council Member Williams, Ward 2, appointment. Appointment to be effective immediately and will expire on July 1, 2018.

*Council Member C. Davis asked if appointment of Ms. McGill might be perceived as a potential conflict of interest because of Ms. McGill's position as Executive Director for the High Point Housing Authority. Council Member Alexander explained the conflict would come into play if there is a direct financial interest and being an employee of the Housing Authority, there would be no direct financial interest there. Mayor Bencini added that there could occasionally be a conflict, but believed Ms. McGill understands her role and could asked to be recused if that occurs.*

Approved the appointment of Angela McGill to the Planning and Zoning Commission.

**A motion was made by Council Member Williams, seconded by Mayor Pro Tem Wagner, that this appointment be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**170238      Resolution - Supporting Rich Fork Preserve Master Plan**

Council is requested to adopt a Resolution supporting the Rich Fork Preserve Master Plan submitted by the Guilford County Parks and Recreation Department to the Guilford County Board of Commissioners.

**Council Member Alexander moved to suspend the rules. Council Member Williams made a second.**

*For further discussion, Council Member C. Davis asked about the subject matter. Mayor Bencini pointed out it was to consider the Resolution- Supporting Rich Fork Preserve Master Plan that is contained in the Addendum before Council that has been placed in front of each Council Member.*

**The motion to suspend the rules carried by a 8-1 vote. [Council Member C. Davis dissented]**

*Mayor Bencini referred Council to the resolution in support of the Rich Fork Preserve Master Plan that has been developed by the county staff and will be considered at the next meeting of the Guilford County Commissioners.*

Adopted the Resolution Supporting Rich Fork Preserve Master Plan.

**A motion was made by Council Member Alexander, seconded by Council Member Williams, that this resolution be adopted. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**Resolution No. 1683/17-30**

**Introduced 7/17/2017; Adopted 7/17/2017**

**Resolution Book, Volume XIX, Page 152**

**170236 Minutes to Be Approved**

- City Manager's Briefing; Monday, June 19th @ 4:00 p.m.
- Regular City Council Meeting; Monday, June 19th @ 5:30 p.m.
- Special Meeting; Monday, June 19th @ 5:00 p.m.

Approved the minutes of the preceding meetings as submitted by the city clerk.

**A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Wagner, that the preceding minutes be approved. The motion carried by the following 9-0 vote:**

Aye (9): Council Member Golden, Council Member Williams, Council Member Ewing, Mayor Pro Tem Wagner, Council Member Hill, Mayor Bencini, Council Member Alexander, Council Member J. Davis, and Council Member C. Davis

**ADJOURNMENT**

There being no further business to come before Council, the meeting adjourned at 7:45 p.m. upon motion duly made by Council Member Alexander and second by Council Member Williams.

Respectfully Submitted,

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William S. Bencini, Jr., Mayor

Attest:

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Lisa B. Vierling, MMC  
City Clerk