

**HIGH POINT CITY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING  
NOVEMBER 20, 2017 – 5:30 P.M.**

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

*Mayor Bencini called the meeting to order. A Moment of Silence followed the Pledge of Allegiance. Upon call of the roll, the following Council Members were present:*

**Present (7):** Mayor William S. Bencini, Jr., Mayor Pro Tem Jay Wagner (Ward 4); and Latimer Alexander (At-Large); Christopher Williams (Ward 2), Alyce Hill (Ward 3), James C. Davis (Ward 5), and Jason Ewing (Ward 6)

**Absent (2):** Council Members Cynthia Y. Davis (At-Large), and Jeffrey Golden (Ward 1)

**RECOGNITIONS AND PRESENTATIONS**

**170395      GoFar - Recognition of City Departments**

Representatives from the GoFar (Go out For a Run) organization will be in attendance to present awards to several City Departments for their assistance in the organization of the GoFar events.

*On behalf of the Go Far Board of Directors, Sarah Beth Davis, Executive Director of Go Far, was present to honor the City of High Point for its support of the Go Far events over the years. Go Far is a nonprofit running program that promotes physical fitness, health/nutrition, and good character development that not only inspires children, but has the potential to motivate whole families and essentially transform entire communities and places that support healthy living. Go Far started in one of the High Point schools and over the past 14 years has been home to their bi-annual 5K and Fun Run events.*

*Ms. Davis then introduced Wes Cashwell, Go Far Board of Directors Chairman, to assist in presenting the awards. Mr. Cashwell also volunteers as a Go Far coach at Jamestown Elementary. Also joining them was Benjamin, one of the 1,400 runners that participated in the Fall 5K event in downtown High Point a few weeks ago. Ms. Davis shared that the events would not be successful without the assistance and support of the Mayor and City Council, police department, fire department, city management, and other numerous committee and departments that all come together. She expressed appreciation to them for the time and energy and tremendous resources committed to Go Far each year to ensure safe and successful events for so many local children.*

*Benjamin proudly displayed medals he has earned that represent his accomplishments, and celebrates his journey towards a healthy lifestyle. He then presented the medals to each representative as a special gift.*

[applause] [group photo op followed]

**170432      Special Presentation- Order of the Long Leaf Pine Award- Mayor Bencini**

Representative John Faircloth was present to present the Order of the Long Leaf Pine Award to Mayor William S. Bencini, Jr. on behalf of Governor Roy Cooper.

*In an effort to surprise Mayor Bencini, this matter did not appear on tonight's agenda. Council Member Alexander asked for and was granted a moment of personal privilege. He asked for Mayor Bencini to join him in front of the dais and introduce family and friends that were present in the audience. Mayor Bencini recognized his wife, Cathy; daughter Sara Schafhauser and her husband, Jason; his sister-in-law, Patricia Bentivoglio from California; Thomas and John McKenzie; Julian Cochran; his two business partners, Shane and Steve Hoffman; his cousin, John Bencini and his wife, Lindsay.*

*An additional surprise was that his son, Michael, his wife, Jenna and his one-year-old grandson, Will, were skyped in on the large monitor so they could be part of this special occasion. They reside in Pearl Harbor, where Michael is stationed with the United States Navy.*

*Following the introductions, Representative Faircloth joined Mayor Bencini and Council Member Alexander in front of the dais.*

*Representative Faircloth shared that he has considered it a great privilege to have served on the City Council, and to work with Mayor Bencini. He then read the award into the record and presented the Order of the Long Leaf Pine to Mayor Bencini on behalf of the people in High Point, the State of North Carolina, and Governor Roy Cooper.*

*[applause, standing ovation, photo op followed]*

**170433      Demo Day- December 1, 2017**

A personal invitation to the Community to attend Demo Day that has been slated for Friday, December 1st @ 11:30 a.m.

*Mayor Bencini recognized Jeron Hollis, Director of Communications and Public Engagement, and asked him to come forward to share a special invitation. Mr. Hollis expressed excitement about the changes that are happening in the City of High Point. He extended an invitation to the community to join the City on December 1st at 11:30 a.m. at the corner of Church Avenue and Pine Street for Demo Day in celebration of the Catalyst Project. Samet Corporation will be there to knock down a building over what is going to be the home field dugout. There will be food trucks, booths, snacks, games, and the Andrews Marching Band will provide entertainment for the event.*

*He then shared a map up on the monitor of where the event will be held, as well as the designated parking areas for the event.*

**CONSENT AGENDA ITEMS**

Finance Committee Chairman J. Davis reported that the Finance Committee did meet on November 15th and recommended all finance-related items be placed on the Consent Agenda with a favorable recommendation.

**Council Member J. Davis then moved to approve these finance-related items on the Consent Agenda. Council Member Hill made a second which carried unanimously.**

*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, Hill, and Alexander

**170396      Contract - Ensales-Virginia Transformer**

Council is requested to award a contract to Ensales-Virginia Transformer in the amount of \$1,715,805.00 for the purchase of three (3) medium power (substation) transformers for the upgrade of the Linden Substation and the Penny Road Substation.

Approved award of contract to Ensales- Virginia Transformer in the amount of \$1,715,805.00 for the purchase of three (3) medium power (substation) transformers for the upgrade of the Linden Substation and the Penny Road Substation.

**A motion was made by Council Member J. Davis, seconded by Council Member Hill, that this contract be approved. The motion carried by the following unanimous 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**170397      Contract - Yates Construction Company**

Council the requested to award a contract to Yates Construction Company in the amount of \$1,095,050.00 for the installation of a new location 8-inch gravity sewer that will eliminate the need of a pump station and the cost associated with perpetual maintenance at the Old Thomasville Road pump station (pump station will be abandoned).

Approved award of contract to Yates Construction in the amount of \$1,095,050.00 for the installation of a new location 8-inch gravity sewer that will eliminate the need of a pump station and the cost associated with perpetual maintenance at the Old Thomasville Road pump station.

**A motion was made by Council Member J. Davis, seconded by Council Member Hill, that this contract be approved. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini,, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**170398      Contract - Creative Bus Sales**

Council is requested to award a contract to Creative Bus Sales in the amount of \$334,386.00 for the purchase of three (3) new light transit vehicles; and declare the old equipment as surplus and authorize staff to dispose of through the online auction process.

Approved award of contract to Creative Bus Sales in the amount of \$334,386.00 for the purchase of three (3) new light transit vehicles, declared the old equipment as surplus, and authorized staff to dispose of the surplus equipment through the online auction process.

**A motion was made by Council Member J. Davis, seconded by Council Member Hill, that this contract be approved. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**170399      Contract - Spatial Data Consultants**

Council is requested to award a contract to Spatial Data Consultants in the amount of \$168,745.00 for the purchase of new high-resolution aerial photography and oblique aerial view imagery from flight data to be obtained in early 2018.

Approved award of contract to Spatial Data Consultants in the amount of \$168,745.00 for the purchase of new high-resolution aerial photography and oblique aerial view imagery from flight data to be obtained in early 2018.

**A motion was made by Council Member J. Davis, seconded by Council Member Hill, that this contract be approved. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**170400      Ordinance - Budget Amendment - Business Incubator Grant**

Council is requested to adopted a Budget Ordinance amending the City of High Point 2017-2018 Budget Ordinance to appropriate funds in the amount of \$250,000 for a grant received from the Rural Economic Development Division of the North Carolina Department of Commerce for a Business Incubator Grant. These funds will be transferred to Business High Point to develop a business incubator with space for entrepreneurs, designers, small scale manufacturers, international guests and young professionals to grow their businesses.

Adopted a Budget Ordinance amending the City of High Point 2017-2018 Budget Ordinance to appropriate funds in the amount of \$250,000 for a grant received from the Rural Economic Development Division of the North Carolina Department of Commerce for a Business Incubator Grant.

**A motion was made by Council Member J. Davis, seconded by Council Member Hill, that this budget ordinance amendment be adopted. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini,, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7352/17-95  
Ordinance Book, XIX, page 234  
Introduced 11/20/2017; Adopted 11/20/2017**

**170401      Comprehensive Master Plan - Parks & Recreation Department**

Council is requested to approve the selection of McAdams Company to assist with the development of a Comprehensive Master Plan for the Parks & Recreation Department.

Approved the selection of McAdams Company to assist with the development of a Comprehensive Master Plan for the Parks & Recreation Department.

**A motion was made by Council Member J. Davis, seconded by Council Member Hill, that this Comprehensive Master Plan for the Parks & Recreation Department be approved. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**REGULAR AGENDA ITEMS**

**FINANCE COMMITTEE** - Council Member J. Davis, Chair  
Members: J. Davis, C. Davis, Hill, and Alexander

**170402      Parks and Recreation Department Fee and Charges Policy - Fees and Charges Adjustments**

Council is requested to approve new and adjusted fees to the High Point Parks and Recreation Department Fee and Charges Policy for the City's park facilities. (This item was discussed in the Finance Committee meeting held Wednesday, November 15th and due to one dissenting vote (Council Member C Davis) it is placed on the Regular Agenda.)

*Lee Tillery, Director of Parks & Recreation, reviewed the changes to the Parks and Recreation Department Fee and Charges Policy. The Parks and Recreation Department reviews these charges every 3-4 years to ensure that the fees are fair and equitable, and adjustments are made where warranted. Comparisons of the fees and charges are also done to ensure that the fees and charges are comparable with other entities/departments. These modifications to the Fee and Charges Policy focus on athletics, recreation centers, and the city's golf courses. Mr. Tillery does not anticipate any major impact on the budget with these proposed adjustments.*

*The following fees and charges are proposed to be increased:*

- *Athletic Field Reservations;*
- *Athletic Tournament Fees;*
- *New Athletic Fees (track equipment, gate, concession, merchandise, attendant, West End cross country course);*
- *Facility Rentals for Recreation Centers (Allen Jay, Deep River, Morehead, Oakview, and Southside);*
- *Golf Course Rates (Blair Park and Oak Hollow);*
- *Golf Now (adding a model called Dynamic Pricing that allows adjustment of price points throughout the course of the year).*

*These revised fees and charges were reviewed and approved by the Parks and Recreation Commission at their October meeting. Staff is recommending approval.*

*Approved new and adjusted fees to the High Point Parks and Recreation Department Fee and Charges Policy for the City's park facilities.*

**A motion was made by Council Member J. Davis, seconded by Council Member Alexander, that the Parks & Recreation Department Fee and Charges Policy be approved. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**170403      Acknowledge Receipt of the City of High Point Comprehensive Annual Financial Report for 2016-2017**

*City Council is requested to acknowledge receipt of the City of High Point Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2017 and related required communications from the City's auditors, Cherry Bekaert LLP.*

*Jeff Moore, Director of Financial Services, reminded Council that engaging an auditor to do an audit on the city's financial accountants and grant programs, is one of the statutory responsibilities that the City Council is charged with. He then introduced, April Adams with Cherry Bekaert. He mentioned that the Finance Department continues to be faced with many challenges and complimented members of his team for the amount of work they have accomplished the past year. He recognized the following staff members, who were vital in*

*the audit process: Kelly Latham, Assistant Financial Services Director; Heather Forest, Accounting Manager; and Ashley Grindstaff, Accounting Supervisor.*

*The Client Service Team with Cherry Bekaert for the City of High Point was identified as follows: Eddie Burke, Audit Partner; April Adams, Second Audit Partner; Lonnie Keogh, Audit Senior Manager; and Andrea King, Audit Senior Accountant. There were No Findings relating to the Internal Controls. Findings for the Single Audit were as follows:*

*Four major grants were audited. One Nonmaterial, Noncompliance finding regarding the Federal Authority Program (the annual report was submitted seven days late). There was also a Nonmaterial, Noncompliance finding relating to the Powell Bill due to some expenditures where incorrect amounts were reported. There were no findings as a result of the Library Grant Program and the Community Development Block Grant Program.*

*In the AU-260 category, it was noted that a new accounting standard was implemented in the current year relating to the LEO separation allowance where the city had to bring on the full liability of that pension plan. There was also a finding regarding the annual financial information due to a late filing because the Finance Department is understaffed. The last notable finding involved invoices being held by the Public Services Department that were not turned over in a timely fashion to the Finance Department.*

*In summary, Ms. Adams advised that the city did receive Clean Opinions; there were no journal entries as a result of the audit; good internal controls are in place; there were no significant deficiencies or material weaknesses identified. She also noted that they did get full cooperation from management and pointed out the CAFR is out and issued one month ahead of when it is normally issued.*

*Following the presentation of the audit, Ms. Adams entertained questions from Council. There were none.*

Acknowledged receipt of the City of High Point Comprehensive Annual Financial Report (CAFR) for FY Ended June 30, 2017, and related required communications from the City's auditor, Cherry Bekaert.

**A motion was made by Council Member J. Davis, seconded by Council Member Alexander, to acknowledge receipt of the Comprehensive Financial Annual Report for 2016-2017. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

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

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

*Committee Member Williams chaired this portion of the meeting due to the absence of Chairman Golden.*

**170404      Ordinance - Demolition of Structure - 424 Ennis Street**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 424 Ennis Street belonging to the estate of John Lucian Kinley.

*Lori Loosemore, Local Codes Enforcement Supervisor, advised the initial inspection on this structure took place on June 7, 2017. A hearing was held on August 15, 2017, at which time staff determined there were multiple Minimum Housing violations and that the repairs to the property would exceed 65% of the value of the property. An Order to Repair or Demolish was issued on August 31, 2017 with an expiration date of October 2, 2017. The property is pending in foreclosure with the Guilford County Tax Department. Delinquent taxes in the amount of \$2,830 are owed in the property.*

*Due to this property being part of an estate, it was necessary to advertise and give notice in the newspaper. Ms. Loosemore advised that staff has had no contact from anyone in reference to the repair or demolition of the property located at 424 Ennis Street.*

*No one was present to speak regarding this housing case.*

Adopted ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 424 Ennis Street.

**A motion was made by Council Member Williams, seconded by Council Member Alexander, that this demolition ordinance be adopted. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7353/17-96  
Introduced 11/20/2017; Adopted 11/20/2017  
Ordinance Book, Volume XIX, Page 235**

**170405      Ordinance - Demolition of Structure - 1011 Granby Avenue**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 1011 Granby Avenue belonging to Doris J. Austin (deceased).

*Lori Loosemore, Local Codes Enforcement Supervisor, reported that this property was originally inspected on August 11, 2016, but a hearing was not held until August 15, 2017 because the notice went to someone other than the property owners. As a result, staff had to go back and advertise in the newspaper for this housing case as well to get service/notice to the property owners. An Order to Repair or Demolish was issued on August 31, 2017 with a compliance date of October 2, 2017. Ms. Loosemore also advised that there was a fire to the structure on October 19, 2017 and noted the repairs exceed 65% of the value of the property.*



*There was no one present to speak regarding this matter.*

Adopted an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 1011 Granby Avenue.

**A motion was made by Council Member Williams, seconded by Council Member Alexander, that this demolition ordinance be adopted. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7354/17-97**

**Introduced 11/20/2017; Adopted 11/20/2017**

**Ordinance Book, Volume XIX, Page 236**

**170406      Ordinance - Demolition of Structure - 812 Westchester Drive**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 812 Westchester Drive belonging to Doris J. Austin (deceased).

*Lori Loosemore, Local Codes Enforcement Supervisor, advised this property was originally inspected on November 18, 2016. Staff held a hearing on August 30, 2017. Due to the owner being deceased, staff had to advertise all notices in the newspaper to serve notification. No one appeared for the hearing and it was determined that the repairs exceed 65% of the value of the property. An Order to Repair or Demolish was issued on August 30, 2017 with a compliance date of October 4, 2017.*

*Ms. Loosemore shared that the owner's daughter, Dana McKitrick, did speak with the inspector prior to the hearing and stated that no one in her family is interested in repairing or demolishing the house, but she would reach out to property owners on either side to see if there might be any interest in purchasing the property. Staff never heard anything back. Delinquent taxes in the amount of \$7,191 are owed on the property.*

*There was no one present at tonight's meeting to speak regarding this housing case.*

Adopted an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 812 Westchester Drive.

**A motion was made by Council Member Williams, seconded by Council Member Alexander, that this demolition ordinance be adopted. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7355/17-98**  
**Ordinance Book, Volume XIX, Page 237**  
**Introduced 11/20/2017; Adopted 11/20/2017**

**170407      Ordinance - Demolition of Structure - 605 Langford Avenue**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 605 Langford Avenue belonging to Schwarz Properties.

*Lori Loosemore, Local Codes Enforcement Supervisor, reported this property was originally inspected on July 28, 2017. A hearing was held on August 22, 2017 and no one appeared. It was determined that the repairs to the property would exceed 65% of the value of the structure. An Order to Repair or Demolish was issued on September 13, 2017 with a compliance date of October 16, 2017. The only communication staff has had regarding this property was with a representative with Schwarz Properties, James Campbell, who informed the inspector on several occasions that it was on their list to be demolished. The property owner has not moved forward with the demolition and has not applied for any permits.*

*Neither the property owner, nor the property owner's representative was present to speak regarding this matter.*

Adopted an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 605 Langford Avenue.

**A motion was made by Council Member Williams, seconded by Council Member Alexander, that this demolition ordinance be adopted. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7356/17-99**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Ordinance Book, Volume XIX, Page 238**

**170408      Ordinance - Demolition of Structure - 3209 Pine Valley Road**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 3209 Pine Valley Road belonging to Charles D. Robbins.

*Lori Loosemore, Local Codes Enforcement Supervisor, reported this property was originally inspected on June 8, 2017 as a result of a complaint received by the neighbor about the condition of the property. A hearing was held on June 27, 2017 and the owner, Mr. Robbins, did appear for the hearing. He indicated that he would like to sell the property to someone that would have the resources to make the repairs. At the hearing, it was determined that repairs to the property would exceed 65% of the value of the property. An Order to Repair or Demolish was issued on July 31, 2017 with a compliance date of September 4, 2017.*

*Ms. Loosemore stated that staff is not aware of the property being placed for sale and noted there are no "For Sale" signs posted. The property is still in the same condition as when it was first inspected.*

*There was no one present to speak regarding 3209 Pine Valley Road.*

Adopted an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 3209 Pine Valley Road.

**A motion was made by Council Member Williams, seconded by Council Member Alexander, that this demolition ordinance be adopted. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7357/17-100  
Introduced 11/20/2017; Adopted 11/20/2017  
Ordinance Book, Volume XIX, Page 239**

## PENDING ITEMS

### **170382      Ordinance - Demolition of Dwelling - 222 Hobson Street**

Council is requested to adopt an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 222 Hobson Street belonging to Rebekah J. Hoover.

*Staff is requesting to pull 222 Hobson off the pending list. Lori Loosemore, Local Codes Enforcement Supervisor, explained this housing case was heard at the last meeting and placed in pending to allow her an opportunity to speak with the property owner's representative about the repairs.*

**Motion by Council Member Ewing, second by Council Member Hill to suspend the rules so this matter could be removed from pending and placed on the agenda for consideration. The motion to suspend the rules carried by a 7-0 unanimous vote. [Council Members C. Davis and Golden were absent]**

**At this time, Council Member Ewing moved to remove 222 Hobson out of pending and place it on the agenda for consideration. Council Member Williams made a second to the motion. The motion carried by a 7-0 unanimous vote. [Council Members C. Davis and Golden were absent]**

*Ms. Loosemore shared a photograph taken on October 16, 2017 of the condition of the property and reminded Council that Edward Jordan, who was representing the property owner, had indicated that the front porch had been removed and that the property was*

*secured. She then shared a recent picture of the property that was taken this morning around 9:00 a.m.*

*After the Council meeting on November 6, 2017, Ms. Loosemore advised that she did speak with Mr. Jordan out in the hallway about the property and Mr. Jordan told her at that time that he was not a general contractor and would not be able to pull the building permits and make the repairs. He informed Ms. Loosemore that he would be working with JCG Associates out of Greensboro. When Mr. Jordan was asked about the agreement he spoke of having with the property owner, Ms. Hoover, he admitted the only agreement he had with Ms. Hoover was to secure the property, not to make the repairs to the property.*

*Ms. Loosemore advised that she asked Mr. Jordan to contact her by Friday, November 10th, to set up a meeting and discuss his time frame for making the repairs. Staff requested this matter be brought out of pending since they have heard nothing further from Mr. Jordan, or Ms. Hoover.*

*Acting Chairman Williams asked if there was anyone present to speak regarding this matter.*

***Edward Jordan**, 724 Newsome, Durham, NC., claimed the latest picture that staff shared was actually an old picture and pointed out more work has been done on the property. He indicated that Ms. Hoover is still moving forward as far as doing a basic construction and boarding it up. On behalf of Ms. Hoover, Mr. Jordan requested additional time so they could clean up the property. Ms. Loosemore reminded Council that Ms. Hoover had indicated to the inspector in August that she would like to have the property demolished, but did not have the money to do so at that time.*

*Mr. Jordan noted that they have to make an assessment as far as what needs to be done, and pointed out they did not necessarily need a contractor there because they would be doing the basics as far as doing the general repairs to protect the property from animals and make it safe for the community. Council Member J. Davis asked Mr. Jordan if he estimates the repairs to be more than \$30,000 because if the repairs are \$30,000 or less, a general contractor's license is not required.*

*Council Member Hill inquired about the demolition cost. Ms. Loosemore stated it could vary depending on whether or not there is any asbestos, but a ballpark figure would be around \$7,500 for the demolition itself. Council Member Hill pointed out the repairs are estimated to exceed \$30,000, but, yet, Ms. Hoover had already stated that she could not even afford to demolish the structure. Staff estimates the repairs to the property around \$45,400.*

*Council Member J. Davis stated he would like to give the property owner another 30 days because the property owner does seem to be making an effort. Acting Chairman Williams referred to staff for an expert opinion. Ms. Loosemore explained the reason staff is bringing it back is because Mr. Jordan had indicated previously that he was the general contractor and would be handling the repairs, but in all actuality, this is not the case.*

*Mr. Jordan interjected and explained that he is associated with a consulting group and they do have access to contractors, architects, etc... and can call upon a general contractor as needed to pull the permits to make the repairs to the property. He reiterated up until this*

*point, they have only boarded up the structure to secure it until they could assess what needs to be done and pointed out that a general contractor was not needed for that.*

*Council Member Alexander pointed out it would take at least 30 days after adoption of the ordinance to go through the process before the proceedings begin, and during that time staff could take action to stop the proceedings if the proper permits are pulled. Council Member Ewing asked staff to make a recommendation. Due to the fact that Mr. Jordan never contacted staff to set up a meeting, although he was specifically asked to do so, Ms. Loosemore recommended moving forward with the demolition.*

*Adopted an ordinance ordering the housing inspector to effectuate the demolition of a dwelling located at 222 Hobson Street.*

**A motion was made by Council Member Ewing, seconded by Council Member Hill, that this demolition ordinance be adopted. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7358/17-101  
Introduced 11/2/2017; Adopted 11/20/2017  
Ordinance Book, Volume XIX, Page 240**

**PROSPERITY & LIVABILITY COMMITTEE** - Council Member Ewing, Chair  
*Committee Members: Ewing, Hill, Wagner, and Williams*

#### **170424      Resolutions - Lease Agreements - City Properties**

Council is requested to adopt Resolutions approving Lease Agreements for the following City owned properties: 500 & 540 West English Road, 211 Pine Street, 201 Church Avenue, 303 Gatewood Avenue.

*Chairman Ewing advised that these lease agreements would require individual votes and asked staff to come forward to provide an explanation of the lease agreements.*

*Randy Hemann, Assistant City Manager, explained as property around the stadium has been purchased, the city has given certain considerations and have allowed them to stay in the properties until the time the properties are needed. The purpose of the leases for 500 and 504 W. English Road (Piedmont Electric); 211 Pine Street (Piedmont Electric); 201 Church Avenue (United Way); and 303 Gatewood (dentist office), is to allow the property owners to continue to occupy these buildings for a short period of time prior to the demolitions.*

*Chairman Ewing advised that the closings on these properties are scheduled for November 21st and proceeded to read a summary for each resolution as follows:*

**303 Gatewood**

**Council Member Ewing moved adoption of the RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND GATEWOOD AVENUE, LLC for the property located at 303 Gatewood Avenue for a period beginning on the closing date, anticipated to be November 21, 2017, through and including May 8, 2018, for consideration of one dollar (\$1.00) per month; and authorized the city manager to execute any instruments as necessary. Council Member Hill made a second to the motion. The motion carried by the following 7-0 unanimous vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Resolution No. 1728/17-75****Introduced 11/20/2017; Adopted 11/20/2017****Resolution Book, Volume XIX, Page 197****211 Pine Street**

**Council Member Ewing moved adoption of the RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND Piedmont Electric Repair Company for the property located at 211 Pine Street for a period beginning on the closing date, anticipated to be November 21, 2017, through and including December 31, 2017, for considerations received from Glenaco, Inc. and Piedmont Electric including rental payment of one dollar (\$1.00) per month; and to authorize the city manager to execute any instruments as necessary. Council Member Hill made a second to the motion. The motion carried by the following 7-0 unanimous vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Resolution No. 1729/17-76****Introduced 11/20/2017; Adopted 11/20/2017****Resolution Book, Volume XIX, Page 198****500 and 504 West English Road**

**Council Member Ewing moved adoption of the RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND PIEDMONT ELECTRIC REPAIR COMPANY for the properties located at 500 and 504 West English Road for a period beginning January 1, 2018 through and including December 31, 2018 for considerations received from Glenaco, Inc. and Piedmont Electric including rental payment of one dollar (\$1.00) per month; and to authorize the city manager to execute any instruments as necessary. Council Member Hill made a second to the motion. The motion carried by the following 7-0 unanimous vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Resolution No. 1730/17-77**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Resolution Book, Volume XIX, Page 199**

**201 Church Avenue**

**Council Member Ewing moved adoption of the RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HIGH POINT AND UNITED WAY OF GREATER HIGH POINT, INC. for the property located at 201 Church Avenue, for a period beginning on the closing date, anticipated to be November 21, 2017, through and including January 19, 2018, for consideration of one dollar (\$1.00) per month; and to authorize the city manager to execute any instruments as necessary. Council Member Hill made a second to the motion. The motion carried by the following 7-0 unanimous vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Resolution No. 1731/17-78**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Resolution Book, Volume XIX, Page 200**

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

**170409      Resolution of Intent - Annexation 17-09**

Approval of a Resolution of Intent that establishes a public hearing date of Monday, December 18, 2017, at 5:30 p.m. to consider a voluntary non-contiguous annexation of approximately 8.787 acres lying along the south side National Service Road, approximately 500 feet west of Tyner Road. The property is addressed as 8017 National Service Road and is also known as Guilford County Tax Parcel 0169800.

Adopted a Resolution of Intent establishing a public hearing date of Monday, December 18, 2017 at 5:30 p.m. to consider a voluntary non-contiguous annexation of approximately 8.787 acres lying along the south side of National Service Road, approximately 500 feet west of Tyner Road.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Williams, that this resolution of intent be adopted. The motion carried by the following unanimous 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Resolution No. 1736/17-83**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Resolution Book, Volume XIX, Page 205**

**PUBLIC HEARINGS**

**170410      Ordinance - T&Z Commercial Property, LLC - Zoning Map Amendment 17-24**

A request by T&Z Commercial Property, LLC to rezone an approximate 1.74-acre parcel from the Retail Center (RC) District to the General Business (GB) District. The site is lying west of Johnson Street and north of E. Parris Avenue (295 E. Parris Avenue).

*The public hearing for this matter was held on Monday, November 20, 2017 at 5:30 p.m.*

*Herb Shannon, Senior Planner 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.*

*The property owner, T & Z Commercial Property, LLC, is requesting this 1.7-acre parcel be rezoned from the Retail Center (RC) District to the General Business (GB) District in order to allow a major vehicle establishment use. The use category includes the direct sale, rental; storage, and servicing of automobiles (including trucks, boats and motorcycles). The applicant is proposing to lease a portion of the existing commercial complex for a vehicle rental facility. As that use is not permitted in the RC District, the applicant has requested consideration of rezoning the property to the GB District.*

*Mr. Shannon advised that the area along the northside of E. Parris Avenue no longer meets the purpose of the Retail Center District and was intended for a large commercial development. Commercial under the Retail Center is intended for larger lots of five acres or greater, multiple uses, coordinated parking, and signage. The frontage along Eastchester did develop in this manner, but the area to the rear did not, due to the location of a perennial stream that limited the ability to accumulate or assemble a large enough tract for any type of large scale commercial development. As a result, the area developed with a combination of commercial and multi-family uses; however, some of those remnant commercial zonings still remain in the area.*

*The GB District is intended for smaller commercial lots that serve the surrounding neighborhood and based upon the manner in which the area long the northside of Parris Avenue has developed over the past 30 years, staff has determined that the requested GB District is more appropriate and meets the intent and purpose of that area.*

*Mr. Shannon advised that the request is consistent with the adopted policy guidance in that the zoning site and other properties in the GB District along E. Parris Avenue are designated by the Land Use Map for Community Regional Commercial, and the request is reasonable in the public interest in that the manner in which the land area along the northside of E. Parris Avenue has developed and no longer supports the intent and purpose of the RC District; therefore, the GB District more adequately fits the land use pattern in the area.*



*Staff is recommending approval. The Planning and Zoning Commission reviewed this request at their October 24th meeting and are also recommending approval.*

*If Council agrees with and approves this rezoning request, staff and the Planning and Zoning Commission also recommend a separate motion be made to initiate zoning applications for the few remaining remnant parcels in the Retail Center District in this area in order to clean up the zoning map along the northern portion of E. Parris where there are smaller lots.*

*At the conclusion of staff's presentation, Chairman Wagner asked if there were any questions of staff. There being none, he opened the public hearing and asked if anyone was present to speak regarding this matter.*

*Alex Field, 442 Chester Woods Court, property manager and leasing agent for this property, spoke in favor of the request. For clarification purposes, he pointed out they are looking at a national tenant as far as the automobile facility, and they would work directly with the auto repair facility, the gas station, and the body repair facility. He also shared that in their lease negotiations, they have noted the maximum allowable number of rental vehicles to be ten.*

*Chairman Wagner asked if there were any additional comments from anyone in the audience. There being none, he declared the public hearing closed.*

Adopted an ordinance approving the rezoning of this approximate 1.74-acre parcel from the Retail (RC) District to the General Business (GB) District based on consistency with the city's adopted plans, and the request is reasonable in the public interest for the reasons outlined in the staff report.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Ewing, that this ordinance approving Zoning Map Amendment 17-24 be adopted. The motion carried by the following unanimous 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7359/17-102**

**Introduced 11/20/2017; Adopted 11/20/2017**

**Ordinance Book, Volume XIX, Page 241**

**170431 Request to Initiate Zoning Map Amendment for General Business (GB) District**

A request by the Planning and Development Department for Council to initiate a zoning map amendment to reclassify four small parcels along the north side of E. Parris Avenue, between Johnson Street and Kirkwood Street from the Retail Center (RC) District to the General Business (GB) District. These four parcels are specifically located at 201, 203, 245 and 255 E. Parris Avenue.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Ewing, that this matter be approved. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**170411 Ordinance - Willard Family Trust and Willard Survivors - Annexation 17-11**

A request by the Willard Family Trust and Willard Survivors to consider a voluntary contiguous annexation of approximately 22.2 acres lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. The property is also known as Guilford County Tax Parcel 0169933.

*The joint public hearing for this matter and related matters **170412 Zoning Map Amendment 17-21; 170413 Plan Amendment 17-04; and 170414 Zoning Map Amendment 17-20** was held on Monday, November 20, 2017 at 5:30 p.m.*

*Staff will provide a combined presentation; however each individual matter will require separate votes.*

*Note: The staff reports for each matter will be attached in Legistar as a permanent part of these proceedings.*

*Herb Shannon, Senior Planner with the Planning and Development Department advised these requests were triggered by a proposal for development of a townhouse community to be situated on approximately 22 acres in the area. Regarding **Annexation 17-11**, the applicant is requesting annexation of this property in order to access city utilities. Zoning Map Amendment 17-21 proposes to amend the Airport Overlay boundaries to permit a residential use. The request also triggers Plan Amendment 17-04 and Zoning Map Amendment 17-20 to establish city zoning on the property.*

*In regards to the request for annexation of the property (**Annexation 17-11**), the property is generally surrounded by High Point city limits. The applicant is proposing a residential subdivision and in order to have access to city utilities, they have submitted a voluntary contiguous application to annex this property. City service vehicles are already established in this area, and the annexation petition represents a logical progression of the city's annexation policy.*

*Regarding **Zoning Map Amendment 17-21**, the Airport Overlay District was established after FedEx announced in 1998 that they had selected the Piedmont Triad International Airport (PTIA) for expansion of their air cargo hub facility. The Airport Overlay District was applied on top of the existing zoning in the area, but it only applied to the property within the City of High Point boundaries. As a result, the city hired Wylie Laboratories to conduct a noise analysis to determine the potential noise impact and they assisted the city in developing land use policies for this northern portion of the city.*

*In 2003, the City Council adopted the Airport Overlay District for this northern portion of the city's planning area, which divided the area into four zones as follows:*

- **Zones 1 and 2** are intended to prevent the development of any noise sensitive or use that could have some sensitivity to airport noise and residential uses are permitted.
- **Zone 3** allows for residential use, but requires development standards that new homes are to be constructed in the manner that reduces indoor versus outdoor noise by 30 decibels.
- **Zone 4**, along with the other three districts, requires notification of future property owners when a property is sold.

*This area is situated at the point where Zones 2, 3 and 4 intersect and after an evaluation of the noise impact and review of the noise metrics, staff determined that the noise metric could support the reclassification to Zone 3 in this outlined area. Mr. Shannon pointed out it is important to note that the noise analysis of aircraft flight from the Environmental Impact Study and the more detailed PART 150 study, amendments to this district should not be made without consideration to supporting those noise metrics. As part of this evaluation, staff reached out to the PTIA Executive Director to ensure they had no objections. They noted no concerns as long as an aviation easement is provided over the property to protect the airport from any future noise suits.*

*Staff noted the route that most of the flights are currently taking is east towards the NC 68 corridor. Because of existing planned industrial uses to the east, staff strongly advises against extending Zone 3 further eastward of the site as outlined.*

*As far as consistency with adopted policy guidance, the proposed amendment does not conflict with the Land Use Plan or other adopted plans. As for reasonableness and public interest, the change of the subject site from Zone 2 to Zone 3 will continue to provide sufficient noise mitigation protection measures.*

*Before handing the presentation over to Andy Piper, Mr. Shannon entertained any questions.*

*Council Member Alexander commented that the PART 150 study was based primarily on FedEx flying 727s, but because of the excessive noise those aircraft have since been retired and currently they are using 757s, which are much quieter. He asked staff when the PART 150 would be revised.*

*Lee Burnette, Director of Planning and Development, noted that conversations with the airport director revealed that they anticipate starting the process in the coming year.*

*Andy Piper, Planner with the Planning and Development Department, provided an overview of **Plan Amendment 17-04**. He noted the proposed site is in close proximity to the intersection with Southwest School Road and is currently undeveloped, as are the properties to the north and the south. Immediately to the east and the west, there are some single family residential dwellings, as well as some agriculture uses. Mr. Piper explained these areas are currently designated restricted industrial because they are currently in the Airport Overlay Zone 2 District, which does not permit any residential development. If the boundaries are amended to make these parcels part of Zone 3, it would open them up for residential development.*

*The applicant is requesting the change to a medium density residential to allow for townhome development. Staff is suggesting the parcels immediately to the southeast and to the west that are currently in Zone 2, and if amended to Zone 3, should likewise be redesignated to a medium density residential Land Use Plan designation. Additionally, staff is also recommending approximately 35 acres south of Willard Dairy Road be changed from Restricted Industrial to Low Density Residential due to its proximity to existing single family development in the area.*

*When staff looked at the surrounding area, there were several other tracts totaling over 200 acres where changes to the Land Use Plan map were deemed appropriate, and staff is recommending these areas be changed from Mixed Development to Low Density residential, as this area has already developed primarily with single family residences and has not developed with the mix of uses that was envisioned when it was changed approximately ten years ago.*

*Mr. Piper advised the request meets several of the Land Use Plan goals and objectives, including providing a wider range of housing opportunities, promoting the efficient use of the city's land resources through higher density development at appropriate locations, and allowing for a transition between more and less intensive land uses. Additionally, the surrounding area as previously stated is largely developed as single family residential development which provides support for the requested changes as well.*

*Staff is recommending approval of Land Use Plan Amendment 17-04. The Planning and Zoning Commission reviewed this request at their October 24th meeting and also recommend approval by a vote of 8-1.*

*Chairman Wagner asked if there were any questions for Mr. Piper. There being none, the presentation was turned back over to Mr. Shannon to provide an overview of **Zoning Map Amendment 17-20**.*

*Mr. Shannon advised that **Zoning Map Amendment 17-20** is the final part of staff's presentation. The applicant has submitted a Zoning Map Amendment to establish a Conditional Zoning Residential Multi-Family 16 District in this area in order to allow a proposed townhome development. In conjunction with the application, the applicant has also submitted a Conditional Zoning Ordinance where they have offered conditions to limit the density to five units per acre and to grant an avigation easement over the airspace to PTIA.*

*Key factors that staff considered in making the analysis were:*

- 1. **Compatibility with surrounding development character.** The site acts as a transitional area from the future industrial use and the townhome development to the west. The allowance of higher density residential would be appropriate in this transitional area between the higher density and the lower density uses.*
- 2. **Mitigation of any adverse impact.** The requested RM-16 District allows for a mixture of housing types and a variety of institutional uses at a density similar to or less than what is permitted on adjacent land. Should Plan Amendment 17-04 be adopted, the request would be consistent with the adopted plans and would not adversely impact the uses on adjacent properties.*

3. ***Changes in the area*** in the past 15-20 years with the significant residential development to the west, would support additional residential uses as it would be adjacent to similar land uses.

*Mr. Shannon noted that the request is consistent with the adopted policy guidance documents. Subject to approval of **Plan Amendment 17-04**, the request would be consistent with the Land Use Plan and several stated goals and objectives of the Land Use Plan, including encouraging a variety of housing types and providing a transition between more and less intensive use. As far as reasonableness in the public interest and subject to approval of **Plan Amendment 17-04 and Zoning Map Amendment 17-21**, the request is consistent with the Land Use Plan and the Airport Overlay District and compatible with surrounding land use patterns.*

*Staff is recommending approval of **Zoning Map Amendment 17-20**. The Planning and Zoning Commission reviewed this request at their October 24th meeting and also recommend approval by an 8-1 vote. Mr. Shannon pointed out the one dissenting vote was due to concerns with allowing additional residential uses in this area based upon the proximity of the NC 68 corridor, associated airplane noise, school overcrowding, and traffic/safety concerns.*

*Following the final presentation for these matters, Chairman Wagner asked if there were any questions for staff on the annexation, zoning, or plan amendment. There being none, he invited the applicant or applicant's representative to come forward.*

**Judy Stalder**, 665 N. Main Street, applicant's representative, addressed Council in support of these requests. She acknowledged the presence of Scott Wallace with Keystone Properties, who was in attendance.

*She cited the following reasons why the Land Use Plan should be changed:*

1. *Location.* *It makes a great transition to have these townhomes between the townhomes and single family and the industrial.*
2. *Physical features of the property.* *There's a stream running east and west, as well as north and south. Plus the rough topography does not lend itself to industrial development. Residential would be a better use of the property topographically.*
3. *Changes at the airport.* *The PART 150 is going to be updated and expectations are that it will show a shift in the noise cone over to NC 68.*
4. *FedEx business is changing* *because electronic signatures are more widely accepted, making the overnight flights not as critical. The night time noise is what bothers most residential properties, and FedEx is now flying 757s, which are quieter.*

*Ms. Stalder reiterated that the applicant is seeking approval of the Land Use Plan amendments based on the reasons of location, topography, and changes at the airport and they are also seeing approval of the 86 townhomes, which would be less than five units an acre. Regarding the potential noise from the airport, she noted they would be in accordance*

*with city requirements, with a combination of building design and materials to protect the residents of the homes from noise, and they are offering an avigation easement to the airport for their protection as well.*

*Ms. Stalder then touched upon the topics of buffers, schools, and traffic.*

*Buffer. They will use an existing vegetation where possible, and will supplement the plantings to meet the requirements of the ordinance.*

*Schools. They believe the schools should not expect undue pressure from this development because townhomes generally attract empty-nesters, singles, and young professionals. She pointed out the nearby Trellises development have 15 residents under the age of 18, so they believe the impact on the proposed townhome development would be even less and would not impact the schools.*

*Traffic. Ms. Stalder reported that there are not enough homes being built to require a traffic impact analysis. Since it is a state-maintained road, they have applied to the North Carolina Department of Transportation (NCDOT) for access to Willard Dairy Road and have received approval from NCDOT. Additionally, the High Point Transportation Department will review the development and it will be further reviewed by the Technical Review Committee.*

*The applicant seeks Council's approval of the change in the land use plan, zoning change, annexation, and the airport overlay.*

*Chairman Wagner opened the public hearing at this time and asked if there was anyone present to speak in support of or in opposition to these requests.*

***Tanya Stewart**, a resident at nearby 3616 Cottesmore Drive, addressed Council in opposition. She explained when she purchased her property five years ago, she was told that her property is in Zone 3 of the Airport Overlay, and right next door to Zone 2, which meant nothing new could be built in Zone 2. She did not realize the designation could change, and with these requests, she has since found out that was not true. She cited concerns about the on-going noise, impact on schools, traffic, sewage, and the 86 townhomes versus light industrial.*

***Hamid Ghanei**, a resident at 3836 Tonsley Place, also spoke in opposition, citing overcrowding of the schools, declining property values, and traffic.*

*Chairman Wagner asked if there was anyone else who would like to speak. There being none, the public hearing was closed.*

**Annexation 17-11**

**Mayor Pro Tem Wagner then moved adoption of the ordinance approving Annexation 17-11. Council Member Alexander made a second, which carried by a 7-0 unanimous vote as follows:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7360/17-103**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Ordinance Book, Volume XIX, Page 242**

**Zoning Map Amendment 17-21**

Mayor Pro Tem Wagner moved approval of Zoning Map Amendment 17-21 amending the Airport Overlay district as it pertains to approximately 50.94 acres lying along the north side of Willard Dairy Road, directly east of Southwest School Road, based on consistency with adopted plans and that the action is reasonable in the public interest for the reasons outlined in the staff report. Council Member Hill made a second to the motion, which carried by the following 7-0 unanimous vote.

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7361/17-104**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Ordinance Book, Volume XIX, Page 243**

**Plan Amendment 17-04**

Mayor Pro Tem Wagner then made a motion to adopt the resolution approving Plan Amendment 17-04 based on consistency with the city's adopted plans, and that the action is considered to be reasonable and in the public interest based on the statements identified in the staff analysis portion of the staff report. Council Member Hill made a second to the motion, which carried by the following 7-0 unanimous vote:

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Resolution No. 1733/17-80**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Resolution Book, Volume XIX, Page 202**

**Zoning Map Amendment 17-20**

Mayor Pro Tem Wagner moved that the ordinance be adopted approving Zoning Map Amendment 17-20 and rezoning an approximate 22.2-acre parcel from the Agricultural District, within Guilford County's jurisdiction, to a Conditional Zoning Residential Multifamily-16 (CZ-RM-16) District based on consistency with the city's adopted plans, and that the action is reasonable and in the public interest based on the statements in the staff analysis section of the staff report. Council Member Alexander made a second to the motion, which carried by the following 7-0 unanimous vote:

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7362/17-105**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Ordinance Book, Volume XIX, Page 244**

*Following the votes on these matters, Council Member Alexander stated he would love to see the school system deal with the overcrowding issues and expand the schools to meet the needs that exist.*

**170412      Ordinance - City of High Point - Zoning Map Amendment 17-21**

A request by the City Council to amend the boundary of the Airport Overlay (ARO) District as it pertains to approximately 50.94 acres lying along the north side of Willard Dairy Road, directly east of Southwest School Road.

*The joint public hearing for this matter and related matters 170411 Annexation 17-11; 170413 Plan Amendment 17-04; and 170413 Zoning Map Amendment 17-20 was held on Monday, November 20, 2017 at 5:30 p.m.*

*Note: For specific comments made during the joint public hearing for Zoning Map Amendment 17-21, please refer to 170411 Annexation 17-11.*

Adopted ordinance amending the boundary of the Airport Overlay (ARO) District as it pertains to approximately 50.94 acres lying along the north side of Willard Dairy Road, directly east of Southwest School Road based on consistency with adopted plans and that the request is reasonable in the public interest for the reasons outlined in the staff report.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Alexander, that this ordinance approving Zoning Map Amendment 17-21 be adopted. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7361/17-104**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Ordinance Book, Volume XIX, Page 243**

**170413      Resolution - Keystone Homes - Plan Amendment 17-04**

A request by Keystone Homes to change the Land Use Map classification for approximately 20.5 acres from the Restricted Industrial to a Medium Density Residential designation. In addition, the Planning & Development Department requests a change to approximately 30.44 acres from the Restricted Industrial to a Medium Density Residential designation, to change



approximately 35.12 acres from the Restricted Industrial to the Low Density Residential designation and to change approximately 200 acres from the Mixed-Use Development to the Low Density Residential designation. These requests are for a total of 286.06 acres lying along the north and south side of Willard Dairy Road, near the intersection of Willard Dairy Road and Southwest School Road and along the east and west side of Barrow Road, north of the intersection of Barrow Road and Willard Dairy Road.

*The joint public hearing for this matter and related matters **170411 Annexation 17-11; 170412 Zoning Map Amendment 17-21; and 170414 Zoning Map Amendment 17-20** was held on Monday November 20, 2017 at 5:30 p.m.*

*Note: For specific comments made during the public hearing on **170413 Plan Amendment 17-04**, please refer to **170411 Annexation 17-11**.*

Adopted resolution changing the Land Use Map classification for approximately 20.5 acres from the Restricted Industrial to a Medium Density Residential designation, changing approximately 30.44 acres from the Restricted Industrial to a Medium Density Residential designation; changing approximately 35.12 acres from the Restricted Industrial to the Low Density Residential designation, and changing approximately 200 acres from the Mixed-Use Development to the Low Density Residential designation, for a total of 286.06 acres lying along the north and south side of Willard Dairy Road, near the intersection of Willard Dairy Road and Southwest School Road and along the east and west side of Barrow Road, north of the intersection of Barrow Road and Willard Dairy Road, based on consistency with the city's adopted plans, and the action is reasonable and in the public interest based on the statements outlined in the staff report.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Hill, that the resolution be adopted approving Land Use Plan amendment 17-04. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Resolution No. 1733/17-80  
Introduced 11/20/2017; Adopted 11/20/2017  
Resolution Book, Volume XIX, Page 202**

**170414      Ordinance - Keystone Homes - Zoning Map Amendment 17-20**

A request by Keystone Homes to rezone an approximate 22.2-acre parcel from the Agricultural District, within Guilford County's jurisdiction, to a Conditional Zoning Residential Multifamily-16 (CZ-RM-16) District. The site is lying along the north side of Willard Dairy Road, approximately 800 feet east of Southwest School Road. 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 **170411 Annexation 17-11; 170412 Zoning Map Amendment 17-21; and 170413 Plan Amendment 17-04** was held on Monday, November 20, 2017 at 5:30 p.m.*

*Note: For specific comments made during the public hearing for **Zoning Map Amendment 17-20**, please refer to **170411 Annexation 17-11**.*

Adopted ordinance rezoning an approximate 22.2-acre parcel from the Agricultural District, within Guilford County's jurisdiction, to a Conditional Zoning Residential Multifamily-16 (CZ-RM-16) 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 as outlined in the staff report.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Alexander, that the ordinance approving Zoning Map Amendment 17-20 be adopted. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7362/17-105**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Ordinance Book, Volume XIX, Page 244**

#### **170415      Ordinance - City of High Point - Text Amendment 17-06**

A request by the Planning & Development Department to amend the Development Ordinance to establish the Mixed-Use Downtown (MX-D) District, to make corresponding changes to the standards of the Mixed-Use (MX), Main Street (MS) and Central Business (CB) Districts, and to designate the Central Business (CB) District as the zoning district for new Market Showrooms.

*The joint public hearing for this matter and related matters **170416 Plan Amendment 17-05 and 170417 Zoning Map Amendment 17-22** was held on Monday, November 20, 2017 at 5:30 p.m.*

*Heidi Galanti, Planning Services Administrator with the Planning and Development Department, advised that staff will provide combined presentations on these matters; however, separate votes will be required for each individual matter.*

*Regarding **Text Amendment 17-06**, Ms. Galanti reported this amendment has four main components:*

- 1. Some changes to the existing general standards of the Mixed-Use District that are applicable to all Mixed-Use Districts, meaning the existing Washington Street District, the proposed Downtown District, and any future Mixed-Use districts that are put in place.*

2. *Establishes the Mixed-Use Downtown Districts as is called for in the recently adopted Downtown Mixed-Use Area plan to support the growth and redevelopment of the area in and around the proposed multi-use stadium.*
3. *Changes the designation for the Central Business District as the district for new market showrooms.*
4. *Changes to the site and building design standards in the Main Street District and some minor adjustments in the Central Business District for clarity and consistency sake.*

*Ms. Galanti reiterated that the first component changes the general standards for all mixed-use districts. The changes add exemptions for the following:*

- *They are exempt from maximum street setback if an outdoor civic space is provided;*
- *They are exempt from landscaping requirements;*
- *They are exempt from screening requirements for loading decks, and*
- *They are exempt from the minimum off-street parking space requirements.*

*The exemptions from parking space requirements will allow the developer to determine the number and location of parking that they need to support the use that is being built. However, if a parking area is provided, the minimum landscaping requirements for the parking area will need to be provided.*

*Ms. Galanti advised that the other changes made to the general standards are related to building standards and they include primary entrance, roof-mounted equipment, service or vehicular bays, facade articulation, facade materials, and facade transparency which was reduced from 50% to 35% of the first floor facade, and it also clarifies requirements for upper story inside facades facing a street.*

*The amendment also removed design standards related to multi-family residential uses from the general standards related to multi-family residential uses from the general standards of the Mixed-Use District, and adds four uses to the permitted use table in the MX District: other post-secondary educational facilities, medical offices larger than 10,000 square feet, personal service uses larger than 4,000 square feet, and micro breweries.*

*The second component of the text amendment includes changes that are specific to the MX-D District. It creates a dimensional table, and the requirements that establish minimum setbacks, and there is no maximum density. There is no minimum lot size and there is no height limit proposed in the MX-D District.*

*The third component addresses changes that designates the Central Business District as the district for new market showrooms. Currently, new market showrooms are allowed in the Central Business District and within the General Business and Light Industrial District when they are within 1,000 feet of the Central Business District. With the proposed expansion of the CB District, which is part of Zoning Amendment 17-22 that will be discussed later in the presentation, and the desire to create a real estate market for uses other than showrooms outside of the Central Business District, market showrooms are recommended to be removed*

*as a permitted use in the GB and LI Districts and would only be allowed within the Central Business District.*

*Additionally, the nonconforming standards that apply to the cessation of market showrooms currently allow them to be re-established after ceasing operation for up to two years. Staff is recommending that the time period for ceasing operation be reduced from two years to one year.*

*The fourth and final component of the text amendment are a few minor clarity changes to the CB District that staff discovered while looking at the Mixed-Use general standards.*

*Ms. Galanti noted these changes bring clarity and consistency to all zonings with similar design standards. Staff suggests that the approval of **Text Amendment 17-06** is reasonable and in the public interest because they protect existing and future investments; they support and shape the desired development style; they are user-friendly and manageable; and they bring clarity and consistency to zoning districts with similar design standards.*

*The Planning and Zoning Commission met on October 24th and also recommended approval by a vote of 8-1.*

*Ms. Galanti referenced a handout that was placed on the dais that talks about the change to the ordinance of adoption and adds a new Section 24. [Note: A copy of the handout will be attached in Legistar as a permanent part of these proceedings].*

*The new option pertaining to the property owner being allowed to use the previous 1992 Development Ordinance through the end of this calendar year (through December 31, 2017). It states that permit and land development applications submitted for properties within the Central Business District and the MX District on or after November 21st must adhere to the Development Ordinance that was adopted on May 16, 2017 and any subsequent amendments that have been made to that ordinance.*

*Regarding **Plan Amendment 17-05**, Ms. Galanti advised the purpose of the Plan Amendment and the Zoning Map Amendment is to place the Mixed-Use Downtown District on the ground, and to expand the boundaries of the Central Business District. The CB expansion area contains three separate areas generally along Centennial Street; south of Martin Luther King, Jr., Drive; and west of Park Street, north of Grimes Avenue, and east of Wrenn and Hamilton Streets.*

*The MX-D District area contains a mixture of office, retail, industrial, residential, and parking uses. The CB expansion area is primarily market showrooms and industrial uses with a variety of other mixed adjacent land uses.*

*Ms. Galanti then shared the map outlining the plan amendment, which includes changes to portions of the MX-D District area and to the CB expansion area. The MX-D amendment area is bounded by Lindsay Street to the west; Westwood and Ray to the north; Wrenn to the east and just south of Gatewood to the south. The area is currently designated as Office Institutional and Local Convenience Commercial and contains approximately 39 acres.*

*The CB expansion area also plan amendments proposed in two separate areas:*

1. Area located on the northeast corner of Centennial and Commerce; and
2. Area on the southeast corner of Centennial and East Green Drive.

*The CB expansion area is currently designated as Medium Density Residential and Light Industrial and contains approximately 22 acres.*

*All three areas are proposed to go to Community Regional Commercial, which is intended for a wider range of retail and service uses intended to serve the entire community and nearby regional customers.*

*The zoning map amendment for the MX-D area includes 129 acres that is currently zoned Office Institutional; General Business; Central Business; and Light Industrial. The four different zoning districts have dimensional standards and permitted uses. The goal of establishing the Mixed-Use Downtown District is to create a traditional downtown area that the whole community can enjoy. Rezoning this area to a Mixed-Use Downtown will allow for the creation of a cohesive district with one set of permitted uses and dimensional standards that support and increase density and intensity and the mixed-use development style that is called for in the Downtown Mixed-Use Area Plan.*

*The CB expansion area zoning map amendment include approximately 57 acres that are currently zoned Light Industrial. Because new market showrooms will not be allowed in the Mixed-Use Downtown District, expansion of the Central Business District to the east supports the future growth and expansion of market showrooms. Staff feels changing the zoning from Light Industrial to Central Business would allow for better utilization of the land because the CB District has zero lot line setbacks and is exempt from off-street parking requirements.*

*The proposed land amendment and zoning map amendments are appropriate for the location and consistent with the city's adopted policy guidance because the community growth statement supports making downtown a vibrant, diverse mix of uses. The Land Use Plan supports revitalization of the city's older neighborhoods. The Core City Plan calls for the downtown Mixed-Use District and the Showroom District in this area, and the Downtown Mixed-Use Area Plan calls specifically for proposed zoning changes. The approval of the proposed zoning map amendment is reasonable and in the public interest because the proposed zoning district supports the creation of a downtown area that all citizens can enjoy. They support the revitalization of areas that are primarily underutilized, and they support the continued growth and viability of market showrooms.*

*Staff recommends approval of Plan Amendment 17-05 to change the future land use designation for approximately 60 acres to the Community Regional Commercial land use classification and the approval of Zoning Map Amendment 17-22 to rezone 120 acres to the Mixed-Use Downtown District; and 57 acres to Central Business District. The Planning and Zoning Commission met on October 24th and they also recommend approval by a vote of 8-1.*

*Following staff's presentation, Chairman Wagner opened up the public hearing and asked if there were any comments in support of or in opposition to any of these requests.*

***Randal Weeks**, a small business owner, who owns the building at 102 N. Main Street, spoke in opposition. He mentioned the frenziness that occurred when it was rumored that the Furniture Market would move to Las Vegas. He shared that the small businesses are moving out of the mega showrooms and into smaller buildings and that he has been looking at and has put a lot of work into a lot of the historic buildings and now, the city is going to say "no" to small business owners. He mentioned that the areas built around the stadiums are still depressed and cautioned Council not to be fooled by the monuments that are built, just because it is a great idea.*

*He reminded Council that the old building on Main Street and MLK are are being bought by small companies and renovated and that Vegas failed although Vegas is a rich city. He cautioned Council about putting a moratorium on showrooms and asked what would happen in five or ten years if the plan to renovate downtown fails.*

***Joel Fingerhut**, a resident at 308 Oakwood Street in High Point, expressed his full support of the downtown revitalization. He shared that there is currently nothing to do in High Point, and as a result, all of his disposable income does not walk, but it drives out of High Point to Greensboro and Winston. He mentioned that he attended the Planning and Zoning Commission meeting on October 24th, and Peter Freeman asked for consideration of a 60-day grace period for delaying the exclusion of new market showrooms outside the Central Business District and in the interest of an undisclosed client, he stated how the new showroom would benefit the city, although Mr. Freeman did not explain how it would be a good fit for the new downtown district. Mr. Fingerhut questioned what the potential of the 60-day delay would bring to the city, and encouraged Council to consider the potential precedent it would be creating in that 60-day window for others to request the same consideration. He reiterated that one of the goals for this newly proposed Mixed-Use District is for the residents to have a downtown area that can be used 365 days a year. He acknowledged that showrooms are the life blood of the city, and he wants them to succeed as much as he wants downtown to succeed.*

***Judy Stalder**, representing the Triad Real Estate Building Industry Coalition (TREBIC), thanked the city for including them in the stakeholder conversations on determining the regulations in the area for these amendments. She commended staff on their heir efforts to create consistency between the new ordinance and the existing ordinances and wanted to go on record that they do not oppose any of the standards proposed in these amendments.*

*Chairman Wagner asked if there was anyone else who would like to speak. There being no further comments, the public hearing was closed. The following actions were taken.*

**Text Amendment 17-06**

**Mayor Pro Tem Wagner then made a motion to adopt an ordinance approving Text Amendment 17-06 to amend the Development Ordinance to establish the Mixed-Use Downtown (MX-D) District, to make corresponding changes to the standards of the Mixed-Use (MX), Main Street (MX) and Central Business (CB Districts, and to designate the Central Business (CB) District as the zoning district for new market showrooms, and including the suggested change adding Section 24, 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 outlined in the Staff Analysis section of the Staff Report. Council Member**

**Ewing made a second to the motion. The motion carried by the following 7-0 unanimous vote.**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7363/17-106  
Introduced 11/20/2017; Adopted 11/20/2017  
Ordinance Book, Volume XIX, Page 245**

**Plan Amendment 17-05**

**Mayor Pro Tem Wagner made a motion adopting the resolution approving Plan Amendment 17-05, changing the Land Use Map classification for approximately 61 acres from the Office, Institutional, Local/Convenience Commercial, Moderate Density Residential and Light Industrial classifications to the Community Regional Commercial classification for a portion of the downtown area, 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 outlined in the Staff Analysis section of the Staff Report. Council Member Ewing made a second to the motion. The motion carried by the following unanimous 7-0 vote.**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Resolution No. 1734/17-81  
Introduced 11/20/2017; Adopted 11/20/2017  
Resolution Book, Volume XIX, Page 203**

**Zoning Map Amendment 17-22**

**Mayor Pro Tem Wagner made a motion adopting the ordinance approving Plan Amendment 17-05 to establish the Mixed-Use Downtown (MX-D) District and to expand the Central Business (CB) District in accordance with the Downtown Mixed-Use Area Plan, 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 outlined in the Staff Analysis section of the Staff Report. Council Member Ewing made a second to the motion. The motion carried by the following unanimous 7-0 vote.**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7364/17-107  
Introduced 11/20/2017; Adopted 11/20/2017  
Ordinance Book, Volume XIX, Page 246**

*Council Member Alexander clarified there is no moratorium on showrooms in High Point; this just defines the districts where showrooms will be permitted. He noted that there is land available for new showrooms and that the city certainly welcomes showrooms in High Point and welcomes construction of showrooms.*

*Council Member Ewing pointed out the concept for a mixed-use district was brought up about ten years ago in the Core City Plan. He expressed excitement about the progress with the Catalyst Project underway, and felt the MX-D District is a huge step to revitalization and seeing a lively Core City once again.*

**170416      Resolution - City of High Point - Plan Amendment 17-05**

A request by the Planning & Development Department to change the Land Use Map classification for approximately 61 acres from the Office, Institutional, Local/Convenience Commercial, Moderate Density Residential and Light Industrial classifications to the Community Regional Commercial classification for a portion of the downtown area.

*The joint public hearing for this matter and related matters **170415 Text Amendment 17-06, and 170417 Zoning Map Amendment 17-22** was held on Monday, November 20, 2017 at 5:30 p.m.*

*Note: For specific comments made during the joint public hearing for **Plan Amendment 17-05**, please refer to **170411 Annexation 17-11**.*

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Ewing, that the resolution be adopted approving Plan Amendment 17-05. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Resolution No. 1734/17-81**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Resolution Book, Volume XIX, Page 203**

**170417      Ordinance - City of High Point - Zoning Map Amendment 17-22**

A request by the City Council to establish the Mixed-Use Downtown (MX-D) District and to expand the Central Business (CB) District in accordance with the Downtown Mixed-Use Area Plan.

*The joint public hearing for this matter and related matters **170415 Text Amendment 17-06 and 170416 Plan Amendment 17-05** was held on Monday, November 20, 2017.*



*Note: For specific comments made during the public hearing for **Zoning Map Amendment 17-20**, please refer to **170411 Annexation 17-11**.*

Adopted ordinance establishing the Mixed-Use Downtown (MX-D) District and to expand the Central Business (CB) District in accordance with the Downtown Mixed-Use Area Plan, based on consistency with adopted plans and that the action taken is reasonable and in the public interest for the reasons outlined in the staff report.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Ewing, that the ordinance be adopted approving Zoning Map Amendment 17-22. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7364/17-107**  
**Introduced 11/20/2017; Adopted 11/20/2017**  
**Ordinance Book, Volume XIX, Page 246**

**170418      City of High Point - Special Use 17-01**

A request by the City Manager's Office to permit a Major Assembly use. The site is generally bounded by Gatewood Avenue, N. Elm Street, and S. Lindsay Street.

\_\_\_\_\_Transcript\_\_\_\_\_

**Chairman Wagner:** *I would point out that anyone who is going to speak on this item, this is a little different. It's a quasi-judicial hearing. So if you're going to speak, you need to be sworn. So if you plan to speak, we need to come have you place your hand on the Bible please and swear for us.*

**Herb Shannon:** *For an interest in time, staff will provide another combined presentation. Special Use Permit 17-01 and Street Abandonment 17-04 are related, so we will have a combined presentation. You will have to vote on them separately.*

*The first of the two, **Special Use Permit 17-01**.....if I could just step back for a second. Both of these cases pertain to a land area in the northwestern portion of the downtown area. We have a general location map for you. Both Special Use Permit 17-01 and Street Abandonment 17-04 pertain to this area that's in the northwestern portion of the downtown area, generally bounded by Gatewood Avenue to the north; W. English Road to the south; N. Elm Street to the east; and N. Lindsay Street to the west.*

*In regards to the Special Use Permit, this is a request to allow a major assembly use on approximately 8.3 acres in the MX-D District. An assembly use primarily includes civic, fraternal, business, professional organizations, conference/seminar facilities, recreation training facilities, and also used for entertainment venues. An assembly use is a permitted use in the MX-D District. If it's over 50,000 square feet, that's where the difference between*

*a major and minor assembly. A major assembly use is also a permitted use by right in the MX-D District; however, if that major assembly use has more than 1,000 fixed seats, then it requires a special use permit review and approval. A special use does not change the zoning of a property. It is an additional use to those permitted by right and requires analysis for its potential impact on the surrounding area.*

*The map that is in front of you, the area that is highlighted in blue is approximately 8.3 acres by those streets that I previously noted, for this special use for a major assembly use that's going to have more than 1,000 fixed seats.*

*Some key items to note from the Staff Analysis, first, health and safety. This property is located in the northwestern portion of the downtown area where there's already a mixture of commercial, office, medical, industrial, and personal service uses. Based upon the manner in which these areas have already developed, staff has found no public safety issues.*

*Compliance with city standards, this item was reviewed by the Planning staff and TRC and it was noted that the proposal for a major assembly use for the proposed Catalyst Project for a stadium use does meet all the ordinance requirements. It does not front or gain access from any residential streets. All these streets serve various non-residential uses. The ordinance speaks to being....if you have any type of athletic field, being at least 50-feet from any residentially-zoned property. The site is over 800-feet from the nearest residentially-zoned property. And there was also a sketch plan that was submitted for evaluation. That was taken to the Technical Review Committee and also reviewed by staff. It was found to meet the requirements of the MX-D District. Now all the lots would need to be combined to form one large lot prior to development. And the public right-of-ways that bypass through this area would need to be abandoned.*

*Another item looked at for the special use permit was harmony in the area that it is located. As I previously noted, this area already includes a wide mixture of non-residential uses including a regional hospital and a YWCA, which is a major assembly use. Thus, the request would be consistent and compatible with existing development that's in the area and any future mixed-use development in this area.*

*Finally, conformance with the city's adopted plans. The Core City Plan in conjunction with the Downtown Mixed-Use Plan call for this area to function like a conventional downtown with shopping, dining, and entertainment. And the proposal for a multi-use stadium with the goal of having year-round events is in accordance with those adopted plans. Thus, staff is recommending approval of the requested special use permit for a major assembly use with the condition that all lots must be combined to one lot prior to development and the affected right-of-ways that I'll go into with Street Abandonment 17-4, be abandoned prior to the development.*

*The Planning & Zoning Commission reviewed this request at their October public hearing and recommended approval.*

*Now, in regards to the **Street Abandonment**, if you will recall the previous map, those are the streets that bisect this area. The abandonment of the public interest in these right-of-ways will not deprive any owners of the property with reasonable access. Mail notice was sent to all those abutting property owners, in addition to notice being placed in*

*the High Point Enterprise and posting of signs at each end of each one of these right-of-ways.*

*You have a portion of Pine Street that runs in an east/west direction, an improved public street with utilities. All parcels associate with or abutting this would be a part of the stadium project, or have improved access to an abutting street.*

*The same situation also applies to Church Avenue. All abutting parcels are either part of the stadium project, or have access to adjacent, improved streets.*

*There are also three alleys that are included. All of those alleys are either part of the stadium project, or abutting properties have access to abutting, improved streets. Thus, abandonment of these right-of-ways would not deprive any abutting property owners reasonable access to their properties.*

*The Technical Review Committee also reviewed the proposed street abandonment and had no objections. They did identify multiple public and private utility lines that run through these public streets and those lines, as part of the stadium project, would either have to be relocated or appropriate easements placed over it. So, as part of this request, the Technical Review Committee did recommend that easements be preserved over those various public and private utility easements to ensure access to those.*

*The Planning and Development Department recommends approval of the requested street abandonments with the retention of those utility easements and those would include retention of:*

- *High Point Electric easement;*
- *Water line easement;*
- *Sewer line easement;*
- *Stormwater line easement;*
- *Piedmont Natural Gas line easement; and*
- *Duke Energy easement*

*Once again, the Planning & Zoning Commission reviewed this request at their October public hearing and recommended approval of the street abandonments.*

*Are there any questions on the proposed special use permit, or the street abandonment request?*

***Chairman Wagner:*** *Any questions? [none]*

***Herb Shannon:*** *Once again, you would have to vote on those items separately.*

***Chairman Wagner:*** *Thank you, Mr. Shannon. I will then open the public hearing for anyone who would like to speak on these matters. You will need to come forward and be sworn. Okay, seeing none, I'm going to close the public hearing.*

**I will make a motion for approval of Special Use Permit 17-01.**

***Council Member Alexander: 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 Wagner; and Council Members Alexander, Williams, Hill, J. Davis, and Ewing: Aye.***

***Mayor Bencini: Opposed? [none]***

**That motion carries by a 7-0 vote as follows:**

***Chairman Wagner: I will make a motion for approval of Street Abandonment 17-04, which I believe is all of the abandonments that were spoken about.***

***Mayor Bencini: Is there a Second?***

***Council Member Ewing: Second.***

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

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

***Mayor Bencini: Opposed? [none]***

***[end of transcript]***

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Alexander, that Special Use Permit 17-01 be approved. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

#### **170419 Resolution - City of High Point - Street Abandonment 17-04**

A request by the Planning & Development Department to abandon the following public right-of-ways:

Abandonment #1 (portion of Pine Street): That portion of the Pine Street right-of-way lying between Gatewood Avenue and the northern property line of Guilford County Tax Parcel 0186839 (410 W. English Rd). The right-of-way runs in a general north-south direction and contains approximately 0.69 acres.

Abandonment #2 (portion of Church Avenue): That portion of the Church Avenue right-of-way lying between N. Elm Street and N. Lindsay Street. The right-of-way runs in a general east-west direction and contains approximately 1.09 acres.

Abandonment #3 (alley): An alley lying south of Church Avenue, between Pine Street and N. Lindsay Street. The alley runs in a general north-south direction and contains approximately 0.13 acres.

Abandonment #4 (alley): An alley lying north of W. English Road, between Pine Street and N. Lindsay Street. The alley runs in a general east-west direction and contains approximately 0.08 acres.

Abandonment #5 (alley): An alley lying west of N. Elm Street, between Gatewood Avenue and Church Avenue. The alley runs in a general east-west direction and contains approximately 0.02 acres.

The joint public hearing for this matter and related matter 170419 Street Abandonment 17-04 was held on Monday, November 20, 2017 at 5:30 p.m.

*Note: For specific comments made at the public hearing for **170419 Street Abandonment 17-04**, please refer to **170418 Special Use 17-01**.*

Adopted a resolution approving Street Abandonment 17-04, which includes Abandonment #1 (portion of Pine Street); Abandonment #2 (Portion of Church Avenue); Abandonment #3 (alley); Abandonment #4 (alley); Abandonment #5 (alley) with the retention of the following utility easements applying to all of the requested abandonments.

- 1) Retention of a 30-foot wide City of High Point electrical easement centered over the existing City of High Point electrical pole and service lines within and cross these right-of-ways.
- 2) Retention of a 20-foot wide sewer line easement centered over existing sewer lines within or crossing these right-of-ways.
- 3) Retention of a 20-foot wide water line easement centered over existing water lines within or crossing these right-of-ways.
- 4) Retention of a 20-foot wide stormwater line easement centered over existing stormwater lines within or crossing these right-of-ways.
- 5) Retention of a 20-foot wide Piedmont Natural Gas easement centered over existing gas lines within or crossing these right-of-ways.
- 6) Retention of a 30-foot wide Duke Energy easement centered over existing Duke Power lines (overhead and underground) within or crossing these right-of-ways.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Ewing, that the resolution be adopted abandoning these public right-of-ways. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Resolution No. 1735/17-82  
Introduced 11/20/2017; Adopted 11/20/2017  
Resolution Book, Volume XIX, Page 204**

**170420      Ordinance - City of High Point - Text Amendment 17-05**

A request by the Planning & Development Department to adopt miscellaneous amendments to the Development Ordinance.

*The public hearing for this matter was held on Monday, November 20, 2017 at 5:30 p.m.*

*Bob Robbins, Development Services Administrator with the Planning and Development Department, advised this is a miscellaneous text amendment, the third in a continuing series following the adoption of the new Development Ordinance last year.*

*This text amendment does the following:*

- 1. Corrects errors and omissions.*
- 2. Consolidates ordinance provisions to promote more user-friendliness of the ordinance.*
- 3. Clarifies and standardizes some wording in various sections of the Code.*
- 4. Adds some changes needed due to state law changes.*

*He pointed out there are no substantive changes in this text amendment, meaning there are none that change the meaning or intent of the Development Ordinance.*

*Staff feels the miscellaneous amendments are consistent with the city's adopted plans and objectives of the Development Ordinance in that they make the ordinance more user friendly. Staff also feels these changes are reasonable and in the public interest because they fix errors and omissions, as well as provide clarity and consistency to the text.*

*Following the brief presentation provided by Mr. Robbins, Chairman Wagner declared the public hearing open and asked if there was anyone present who would like to speak in favor of or in opposition to these text amendments. There being no one present to speak, the public hearing was closed.*

Adopted ordinance approving **Text Amendment 17-05** based on consistency with the city's adopted plans and that this action is reasonable and in the public interest for the reasons outlined in the Staff Report.

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Hill, that the ordinance be adopted approving Text amendment 17-05. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**Ordinance No. 7365/17-108  
Introduced 11/20/2017; Adopted 11/20/2017  
Ordinance Book, Volume XIX, Page 247**

GENERAL BUSINESS AGENDA**170421 NC WaterWarn (North Carolina Water/Wastewater Agency Response Network)**

Council is requested to authorize the appropriate city official to execute an agreement to join the NCWaterWarn Association which is a statewide mutual aid agreement with other water and sewer utilities to receive and provide assistance during emergency situations.

*Terry Houk, Director of Public Services, explained the NC Water/Wastewater Agency Response Network, better known as NC WaterWarn, is an association of municipalities and water/sewer utilities that are joined to have an office support if an emergency arises for water and sewer. The agreement allows the city to receive and offer support if requested and actually sets the protocols to follow when the need arises for assistance or response.*

Approved the NC WaterWarn Mutual Aid Agreement in order to receive and provide assistance during emergency situations, and authorized the appropriate city official to execute the agreement.

**A motion was made by Council Member Alexander, seconded by Council Member Williams, that this agreement be approved. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**170430 Appointment- Board of Alcoholic Control**

Mayor Bencini is recommending the appointment of Ashley Tillery to the Board of Alcoholic Control to fill a vacant position. The appointment will be effective immediately and will expire February 8, 2021.

**Motion by Mayor Pro Tem Wagner and second by Council Member Alexander to suspend the rules so this appointment could be placed on tonight's agenda for consideration. The motion carried unanimously.**

Approved the appointment of Ashley Tillery to the High Point Board of Alcoholic Control. Appointment effective immediately and will expire February 8, 2021.

**A motion was made by Council Member Alexander, seconded by Council Member Ewing, that this appointment be approved. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**170422 Minutes to Be Approved**

- Manager's Briefing Session; Monday, November 6th @ 4:00 p.m.
- Special Meeting; Monday, November 6th @ 5:00 p.m.
- Regular Session of Council; Monday, November 6th @ 5:30 p.m.

Approved the preceding minutes as submitted by the city clerk.

**A motion was made by Council Member Alexander, seconded by Council Member Williams, that the preceding minutes be approved as submitted by the city clerk. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

## **170423      Approval of Closed Session Meeting Minutes**

### **Closed Session Minutes- Unsealed/Approved**

December 15, 2014 (Economic Dev.)  
March 2, 2015 (Economic Dev.)  
June 15, 2015 (Economic Dev.)  
August 17, 2015 (Economic Dev.)  
September 8, 2015 (Economic Dev.)  
April 4, 2016 (Economic Dev.)  
May 2, 2016 (Economic Dev.)  
September 19, 2016 (Economic Dev.)  
November 7, 2016 (Economic Dev.)  
January 17, 2017 (Economic Dev.)  
April 3, 2017 (Economic Dev.)  
May 1, 2017 (Economic Dev.)  
July 17, 2017 (Economic Dev.)  
November 6, 2017 (Economic Dev.)

### **Closed Session Minutes- Approved, but Sealed and not released until it no longer frustrates the purpose**

January 20, 2015 (Attorney-Client Privilege)  
March 16, 2015 (Attorney-Client Privilege)  
June 2, 2015 (Attorney-Client Privilege)  
June 11, 2015 (Attorney-Client Privilege)  
June 15, 2015 (Attorney-Client Privilege)  
July 20, 2015 (Attorney-Client Privilege)  
May 16, 2016 (Attorney-Client Privilege)  
August 1, 2016 (Attorney-Client Privilege)  
September 19, 2016 (Attorney-Client Privilege)  
March 6, 2017 (Economic Dev.)  
April 3, 2017 (Attorney-Client Privilege)  
June 19, 2017 (Attorney-Client Privilege)  
June 19, 2017 (Economic Dev.)  
July 17, 2017 (To Prevent Disclosure of Privileged Information)  
August 21, 2017 (Attorney-Client Privilege)  
September 18, 2017 (Attorney-Client Privilege)



September 25, 2017 (Economic Dev.)

October 19, 2017 (To instruct city staff concerning negotiations on material terms relating to the acquisition of real property by purchase, option, exchange, or lease purpose)

October 19, 2017 (Attorney-Client Privilege)

**Closed Session Minutes - Approved, and Permanently Sealed**

December 15, 2014 (Personnel)

February 2, 2015 (Personnel)

March 16, 2015 (Personnel)

May 28, 2015 (Personnel)

June 18, 2015 (Personnel & Attorney-Client Privilege)

July 20, 2015 (Personnel)

September 10, 2015 (Personnel)

December 7, 2015 (Personnel)

April 4, 2016 (Personnel)

August 15, 2016 (Attorney-Client Privilege)

October 3, 2016 (Personnel)

December 5, 2016 (Personnel)

December 19, 2016 (Personnel)

Approved the preceding Closed Session minutes according to the actions identified above.

**A motion was made by Council Member Alexander, seconded by Council Member Williams, that list of Closed Session Minutes with the associated actions. The motion carried by the following 7-0 vote:**

Aye (7): Mayor Bencini, Mayor Pro Tem Wagner; Council Member Alexander; Council Member Williams, Council Member Hill, Council Member J. Davis, and Council Member Ewing

Absent (2): Council Member C. Davis and Council Member Golden

**ADJOURNMENT**

There being no further business to come before Council, the meeting adjourned at 7:50 p.m. upon motion duly made and seconded.

Respectfully Submitted,

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William S. Bencini, Jr., Mayor

Attest:

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Lisa B. Vierling, MMC  
City Clerk