

**HIGH POINT CITY COUNCIL  
REGULAR MEETING  
JANUARY 21, 2020 – 5:30 P.M.  
COUNCIL CHAMBERS – HIGH POINT MUNICIPAL BUILDING**

**ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE**

*Mayor Wagner called the meeting to order at 5:30 p.m. The Pledge of Allegiance followed with a Moment of Silence.*

*Upon call of the roll, the following Council Members were **Present (8):***

*Mayor Jay W. Wagner, Mayor Pro Tem Christopher Williams (Ward 2); Council Member Britt W. Moore (At Large); Council Member Tyrone E. Johnson (At Large); Council Member Cyril A. Jefferson (Ward 1); Council Member S. Wesley Hudson (Ward 4); Council Member Victor A. Jones (Ward 5); and Council Member Michael A. Holmes (Ward 6)*

*The following Council Member was **Absent (1):***

*Council Member Monica Peters (Ward 3)*

**RECOGNITIONS AND PRESENTATIONS**

**2020-23      Presentation - Keep High Point Beautiful**

Rebecca Coplin, High Point Beautification Supervisor, will present highlights of the Keep High Point Beautiful events and programs for 2019.

*Rebecca Coplin with the City of High Point's "Keep High Point Beautiful" extended greetings; recognized the board members of Keep High Point Beautiful in attendance; spoke to the accomplishments for 2019, such as the litter cleanup event as well as other programs; said the next event will be the "Winter Wipe Out"; said she would provide information for that; voiced appreciation for the volunteers; spoke to the hours put in by volunteers were a value to the city; to partnerships with TAG, and the High Point Library; mentioned the public art displayed at the High Point Library by an environmental artist; spoke to continued outreach and education to the community; extended appreciation to everyone and Council; and said she was looking forward to 2020.*

*[Applause]*

*Council Member Moore inquired on the types of events for this year (2020). Ms. Coplin replied that they will be doing the events from last year; they are growing; would be adding new events; and spoke to meeting the other needs of the community.*

*Council Member Holmes inquired on becoming a volunteer. Ms. Coplin replied to visit the "Keep High Point Beautiful" website to fill out a volunteer form.*

## **REGULAR AGENDA ITEMS**

### **FINANCE COMMITTEE** - Council Member Moore, Chair

#### **2020-24      Agreement - Forward High Point**

City Council is requested to approve an agreement with Forward High Point to provide professional services in exchange for the City's financial support in the amount of \$250,000 paid in four (4) quarterly installments of \$62,500.

Deferred request to approve an agreement with Forward High Point until the February 3, 2020 meeting of City Council.

**A motion was made by Mayor Wagner, seconded by Mayor Pro Tem Williams, that this matter be deferred until the February 3, 2020 meeting of City Council. The motion carried by the following 8-0 unanimous vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

#### **2019-548      Public Hearing - 201 W. English Road**

This is the date and time established for City Council to hold a public hearing on December 16, 2019 at 5:30 p.m. for consideration of a lease for the property located at 201 West English Road. At the request of the company, the public hearing was continued to the January 21, 2020 Council Meeting. **Due to a scheduling conflict, the company is requesting that the public hearing be continued to the Monday, February 17, 2020 Council Meeting.**

Note: Timeline for matter. The initial public hearing was advertised for December 16, 2019 at 5:30 p.m.. At the request of the company, the Council continued the public hearing to January 21, 2020 at 5:30 p.m. At the January 21, 2020 meeting, the Council granted another continuance of the public hearing at the request of the company. At that time, the public hearing was continued to February 17, 2020 at 5:30 p.m.

A motion was made by Council Member Moore, seconded by Council Member Holmes, to continue the public hearing for this matter until February 3, 2020 at 5:30 p.m. as requested by the company. The motion carried by the following unanimous 8-0 vote:

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

## **PENDING ITEMS**

### **2018-169      Amendment to License Agreement - Cingular Wireless PSC, LLC (AT&T)**

City Council is requested to approve an Amendment to the License Agreement with Cingular Wireless PCS, LLC (AT&T) which allows the location of communication equipment at the City's Ward Water Plant; and authorize the City Manager to execute the agreement.

*Note: This matter was initially heard by City Council on May 21, 2018, at which time action was taken to refer it to the Finance Committee at the suggestion of City Attorney JoAnne Carlyle due to necessary clean-up on the contract in general as the company has changed hands and names.*

## **COMMUNITY DEVELOPMENT COMMITTEE** - Mayor Pro Tem Williams, Chair

### **2020-25      Ordinance - Demolition of Dwelling - 813 Mint Avenue**

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 813 Mint Avenue belonging to Heirs of Mary Magdalene Lane.

*Lori Loosemore, Local Codes Enforcement Supervisor, provided a summary of staff actions regarding this property as follows:*

- *Local codes observed condition of house.*
- *Inspected on 10/3/2019.*
- *Hearing held on 10/17/2019. This was heir property, no one appeared for the hearing. Hearing was advertised.*
- *Ordinance to Repair or Demolish issued on 10/18/2019 with a compliance date of 11/18/2019.*
- *Guilford County taxes are delinquent for 2014, 2015, 2016, 2017, 2018, and 2019 in the amount of \$16,182.66.*

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

**A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jefferson, that the Ordinance to demolish the structure located at 813 Mint Avenue be adopted. The motion carried by the following 8-0 unanimous vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**Ordinance No. 7590/20-006**  
**Ordinance Book, Volume XXI, Page 6**

**2020-26      Ordinance - Demolition of Dwelling - 915 E. Dayton Avenue**

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 915 E. Dayton Avenue belonging to Tommy E. Pugh.

*Lori Loosemore, Local Codes Enforcement Supervisor, provided a summary of staff actions regarding this property as follows:*

- *Inspector observed property unsecured while on another inspection.*
- *Inspected on 4/2/2019.*
- *Hearing held on 4/16/2019. Mr. Pugh advised he would not be able to attend the hearing; and said he would start demolition of the property. On 5/2/19 the property owner called and advised he is having some health issues and asked for additional time until 6/3/19 which was granted. Then on 6/3/19 he called again and stated that he had someone to demolish the property. No one has applied for permit or did any work as of yet.*
- *Ordinance to Repair or Demolish issued on 4/16/2019 with a compliance date of 5/16/2019.*
- *Guilford County taxes are delinquent for 2019 in the amount of \$930.33.*

*Council Member Moore inquired if Mr. Pugh was local; and the last time Mr. Pugh was contacted; and if he would begin the demolition. Ms. Loosemore replied she contacted him in June; and he was sent a notice for today's meeting as well; he had health issues; and that if Mr. Pugh desires; he would still have some time after the demolition ordinance is passed to do it.*

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

Adopted an Ordinance ordering the housing inspector to effectuate the demolition of a structure located at 915 E. Dayton Avenue.

**A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jefferson, that the Ordinance to demolish the structure located at 915 E. Dayton Avenue be adopted. The motion carried by the following 8-0 unanimous vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**Ordinance No. 7591/20-007  
Ordinance Book, Volume XXI, Page 7**

## **PENDING ITEMS**

### **2020-6      Ordinance - Demolition of Dwelling - 315 Woodbury Street**

Adoption of an ordinance ordering the building inspector to effectuate the demolition of a dwelling located at 315 Woodbury Street belonging to Raquel Ruiz Garcia.

**A motion was made by Mayor Pro Tem Williams, seconded by Council Member Moore, to pull this matter out of pending. The motion carried by the following 8-0 unanimous vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

*Ms. Loosemore advised that she met with the property owner; they are cooperating and doing what needs to be done in reference to the property; and asked to turn the housing case for 315 Woodbury Street back to staff for continued monitoring.*

**A motion was made by Mayor Pro Tem Williams, seconded by Council Member Hudson, that the Ordinance to demolish the structure located at 315 Woodbury Street be removed from the agenda and given back to staff to continue monitoring the property. The motion carried by the following 8-0 unanimous vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**PLANNING DEPARTMENT ITEMS****2020-27      Consideration of Board Member Reinstatements**

To consider the reinstatement of board members that lost status as voting members due to unapproved absences, in accordance with attendance requirements of the City's Development Ordinance.

*Lee Burnette, Planning Director, explained the attendance requirements for board members in the Development Ordinance; said there were two board members from the Historical Preservation Commission that required attention and action. Julius Clark missed the last 3 regular meetings in 2019. Mr. Clark gave no prior notice that he would be absent, nor did staff receive any response from him afterward. Staff tried to contact Mr. Clark several times via phone & email, but to date there has been no response from him. Mr. Clark's term expires July 1, 2020. Annette Cox missed 3 regular meetings in 2019, which is more than 33% of the HPC's regular meetings. Staff reviewed and discussed these absences with Ms. Cox. She responded that the absences were due to attendance at a college reunion, at a national conference, and her last absence in December was inadvertent. Ms. Cox expressed interest in continuing to serve on the HPC and requested to be reinstated. Her term expires July 1, 2022.*

*Mayor Wagner inquired on the history of Mr. Clark's, and Ms. Cox's attendance record noted in the report. Mr. Burnette explained the meetings they attended for a full calendar year were identified on the spreadsheet provided by staff.*

*Mayor Wagner requested more time in order to speak with Ms. Cox before making a decision; said a decision would be made at the February 3, 2020 Council Meeting. Mr. Burnette concurred.*

**A motion was made by Mayor Wagner, seconded by Mayor Pro Tem Williams, that this matter be deferred until the February 3, 2020 Council Meeting at 5:30 p.m. The motion carried by the following 8-0 unanimous vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**PUBLIC HEARINGS****2020-28      Ordinance - Premier Stores, Inc. - Zoning Map Amendment 19-24**

A request by Premier Stores, Inc. to rezone approximately 4 acres from a Conditional Zoning Limited Business (CZ-LB) District to a Conditional Zoning General Business (CZ-GB) District. The site is bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road.

*The public hearing for this matter was held as duly advertised on Tuesday, January 21, 2020 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.*

*This is a request by Premier Stores, Inc. to rezone approximately 4 acres from a Conditional Zoning Limited Business (CZ-LB) District to a Conditional Zoning General Business (CZ-GB) District. The site is bounded by W. Wendover Avenue, Piedmont Parkway and Hickory Grove Road.*

*Mr. Shannon reported that in July 2018, this site obtained zoning approval and a Land Use Plan amendment, which changed the official Land Use Map from Office to Local Convenience commercial. At that same time, Council also granted zoning to a Conditional Zoning Limited Business designation for this site. Mr. Shannon proceeded to describe the surrounding uses in proximity to this site.*

*He explained that under the existing Conditional Zoning Limited Business zoning for this site, the applicant has obtained Site Plan approval and has commenced construction of a commercial development and they are proposing a multiple-use commercial facility with various commercial uses with up to two buildings. The applicant has submitted an application to rezone this site to a Conditional Zoning General Business District, which will increase the zoning intensity on this site and they have specifically requested to allow a drive-through restaurant, which is classified as a major eating establishment.*

*Additionally, the applicant has included a Conditional Zoning Ordinance and they have carried forward the previous adopted conditions pertaining to gateway corridor standards, standards for accessory structures, transportation conditions as far as right-of-way dedication, road improvements, and they are restricting location and number of access points.*

*Mr. Shannon advised that new conditions consist of allowing all the uses in the Limited Business District and only one use from the General Business District which would be a drive-through restaurant. The applicant has also added a condition to restrict development of this site to a specific layout which is identified in the Site Plan that is part of the staff report located in the packet.*

*Mr. Shannon proceeded to cite the following summary of primary issues regarding Zoning Map Amendment 19-24 as follows:*

- ✓ *Wendover Avenue is classified as a major thoroughfare with major commercial nodes to the west at the intersection of Eastchester Drive and Penny Road and to the north (the eastern end of the corridor) at Bridford Parkway and I-40. The zoning approval in 2018 to the Conditional Zoning Limited Business District was*

*intended to allow some limited intensity commercial zoning for this area primarily because of the unique configuration. Although the site is completely surrounded by public streets, it was noted in the 2018 staff report that the rezoning approval should not be interpreted to support the expansion of commercial uses along the corridor.*

- ✓ *The proposal to establish a Conditional Zoning General Business District would be contrary to adopted policies, specifically the Land Use Plan and the Wendover Avenue/Guilford College Corridor Plan; and it is also contrary to the surrounding zoning pattern.*

*Mr. Shannon proceeded to review the various designations on the Land Use Plan and advised that the Wendover Avenue Corridor Plan speaks to avoiding strip development in this quarter. He noted the allowance of higher intensity commercial zoning is also contrary to the Corridor Plan's intent that Wendover Avenue serve primarily as a travel corridor.*

*As far as the surrounding zoning pattern, Mr. Shannon pointed out there is no General Business zoning established in this area, but noted there is some limited development, limited commercial to the southeast in the prior to the adoption of the West Wendover Corridor Plan and since that time there have been no higher commercial zonings approved in this area. There is also some planned limited development to the south, but that site is strictly Limited Office and one retail use. For this reason, staff finds that the request to establish General Business District zoning and establishing higher commercial zoning is contrary to the existing zoning pattern in this area.*

*Mr. Shannon advised that in all their reports, they include staff's findings and address any adverse impacts on adjacent lands, municipal services, or to adjacent property owners. He pointed out there are no adverse impacts with the applicant carrying forward the 2018 conditions. However, staff finds that the key issues will be compatibility with the surrounding area because the General Business District is intended for a wider range of commercial uses. Because no General Business district has been established in this area, staff has found that this request is not compatible with the surrounding area. Except for the Land Use Plan Amendment establishing the Local Convenience Commercial, there have been no changes in Land Use Policy for this area.*

*Regarding the preferred development pattern, staff finds that the request to rezone this site to the General business district is contrary to the established zoning pattern for this area. Therefore, the Planning and Development Department is recommending denial of this request as it conflicts with policy guidance.*

*Mr. Shannon advised that the Planning & Zoning Commission reviewed the application at their December public hearing and also recommended denial of the request by a 4-3 vote of the Commission. Mr. Shannon reminded Council that any*



*application for a zoning map amendment forwarded to the City Council with a recommendation for denial from the Planning & Zoning Commission shall only be approved by the City Council with a two-thirds (2/3) majority vote of the City Council members present and voting.*

*Furthermore, Mr. Shannon pointed out that the Planning & Zoning Commission's recommendation for denial of this request was based on the following Consistency and Reasonableness Statements:*

- 1. That Zoning Map Amendment 19-24 is not consistent with the City's adopted policy guidance because the policies of both the adopted Land Use Plan and W. Wendover Avenue/Guilford College Road Corridor Plan do not support higher intensity commercial development at this location, as allowed in the General Business District; and*
- 2. The request is not reasonable and in the public interest because there have been no approvals for a General Business District or for a district allowing higher intensity commercial uses for properties adjacent to this intersection since the adoption of the corridor plan.*

*At the conclusion of the presentation of the staff report, Mr. Shannon entertained questions from Council.*

*Council Member Moore asked for clarification on what staff said about there being no adverse impact. Mr. Shannon explained there would be no adverse impact to adjacent property based upon the conditions that the applicant has offered.*

*Council Member Holmes asked if there were any concerns voiced from residents in the area. Mr. Shannon replied that there were no speakers at the Planning & Zoning Commission public hearings from the property owners; only the applicant was present.*

*Council Member Holmes also inquired about the inconsistency in the area that staff touched on and asked if this included the adjacent development across the intersection that is labeled Local Convenience Commercial. Mr. Shannon explained that this commercial development was adopted prior to the establishment of the West Wendover Avenue Corridor Plan that was adopted in 1995; the PDL District was established in 1993, but since the adoption of the corridor plan, there have been no higher intensity zonings approved in this area.*

*Council Member Jefferson asked if staff has ever looked at going back and reviewing the West Wendover Avenue/Guilford College Road Corridor Plan as it is 25 years old and inquired about when Wendover Avenue was put there. Mr. Shannon noted that it was widened over the past 25 years from a two-lane to a four-lane highway. He noted the key Policy Objectives are still valid and that is Wendover Avenue be maintained as a travel corridor and that the higher intensity commercial developments be those commercial nodes already established.*

*Council Member Moore asked if staff could define “travel corridor.” Mr. Shannon explained the intent is for it to carry traffic on Wendover Avenue to and from High Point and Greensboro; it is not intended to be a major commercial node. Council Member Holmes pointed out that staff said there was no adverse impact and asked if this also included travel. Mr. Shannon explained that based upon the conditions offered by the applicant, the request as submitted has no adverse impact on adjacent property owners.*

*Council Member Holmes asked if approval of this zoning request would impact the primary purpose of the Wendover Avenue corridor. Mr. Shannon replied there would be no adverse impact on adjacent property owners, but approval would be setting new policy as to the intensity of zoning in this portion of the Wendover Avenue corridor.*

*Mayor Wagner asked if there were any additional questions from staff. There being none, he opened the public hearing and invited the applicant’s representative to come forward.*

***Judy Stalder**, 655 N. Main Street, the applicant’s representative, distributed booklets for their zoning map amendment request. [copies of which will be attached in Legistar as a permanent part of the record].*

*Ms. Stalder introduced Mr. Phil Kleinman with Premier Stores, Inc. who was also present in the audience. She spoke to how this request is for one drive-through; that a restaurant is already permitted with the current zoning. She pointed out the land use designation for this property is Local Convenience Commercial and there is nothing in the Development Ordinance, the West Wendover Avenue Corridor Plan, or the Land Use Plan that says a drive-through is not appropriate in Local Convenience Commercial.*

*She referred to the booklet she distributed prior to her presentation and noted under Tab 1 “Local Convenience Commercial” is described to include moderate intensity convenience retail or service uses serving small and local neighborhoods. She provided another example of an adjacent area that is shown as Local Convenience Commercial on the Land Use Plan located across the intersection. Both of these are Local Convenience Commercial properties and there is a restaurant across the intersection with a drive-through.*

*Ms. Stalder pointed out the properties that staff is concerned with the possibility of becoming commercial if a drive-through is approved at this location are designated on the Land Use Plan as Institutional and Office. She noted there are some residentially developed properties that are for sale and believed that if commercial is not appropriate on those properties that the Land Use Plan classifies as Institutional or Office, then Council should continue to support the current Land*

*Use Plan designations. She reiterated that if this property is Local Convenience Commercial a drive-through is appropriate there.*

*She emphasized that a public hearing process would be required to change the properties that have the Institutional or Office designation to commercial which would mean the submittal of an annexation application, an application to change the Land Use Plan, an application to change the zoning with a hearing before the Planning & Zoning Commission, as well as a public hearing before the City Council and in many cases, delays and continuances in between. She believed it was just as easy to follow the Land Use Plan if Council does not want any more commercial there and asked for approval from Council for the drive-through on their property that is already designated for commercial development.*

*Ms. Stalder provided the following additional reasons as to why a drive-through would be appropriate at this location:*

- 1. The conditions that they have already added to this property. They are only asking for the uses allowed in the Limited Business, plus one drive-through and they are only asking for one drive-through on the entire site which would have to be in a tenant building (just like on the other side of the intersection); and*
- 2. They believe their request should be approved because staff's objection to commercial zoning in this area is based on a quarter century old plan. Ms. Stalder asked Council to turn to Tab 2 in the booklet that was distributed and reminded Council that the plan was adopted in June of 1995. She advised that it is evident that the plan is extremely outdated because it designates the Palladium area as appropriate for residential development and it is now a thriving commercial area and essential to High Point's economy. She stressed the importance of embracing the changes. She also pointed out that since this plan was adopted, a major highway has been constructed near their site as well as hundreds of residential properties with single-family and multi-family have developed there. She stressed that it is logical to believe that a commercial node would be needed to serve these residents and noted that although staff said the closest alternative is Bridford Parkway, there is a need and desire to keep High Point dollars in High Point; and*
- 3. In their July report (Tab 3), staff stated that this was appropriate for similar commercial uses across the intersection and said the allowance of some limited intensity neighborhood serving commercial uses similar to those across the intersection will not conflict with the overall objectives of a Corridor Plan. Ms. Stalder pointed out a restaurant with a drive-through in a multi-tenant building is one of the uses across the intersection, as well as a drug store with a drive-through; and*
- 4. According to the Development Ordinance, the General Business District is intended to serve a group of neighborhoods, which is what they have. There*

*is a CZ-GB Zoning District already in this area on Piedmont Parkway (northwest of their site). General Business Districts are generally located at major street intersections along major thoroughfares which is what they have. Ms. Stalder asked Council to keep in mind that they are not asking for every use in the General Business District, they are asking for one drive-through.*

- 5. Another reason they believe that a drive-through is appropriate at this location is because it is an auto-oriented neighborhood and they feel that it is very unlikely that any resident is going to walk to this site; more than likely they will already be in their car, so a drive-through should be allowed.*
- 6. No traffic changes are necessary. Tab 5 includes a letter dated May 15, 2018 from their traffic engineer that clarifies that the Traffic Impact Analysis included a restaurant with a drive-through and the number of trips per day for a restaurant with a drive-through are slightly lower than those for a restaurant that does not have a drive-through. Ms. Stalder pointed out the trips per day are less, the access points are not changing, and all NCDOT permits have been issued, so no further transportation conditions are warranted.*

*Ms. Stalder concluded her presentation by stating that whether there is policy there or not that does not support commercial, this property is identified on the Land Use Plan as commercial property, and as such, a restaurant with a drive-through would be appropriate. She reiterated that any changes to other properties would require extensive review and a public hearing process and asked for Council's approval.*

*Mayor Wagner asked for clarification regarding the primary access to this property and whether it was off Hickory Grove Road or Wendover Avenue. Ms. Stalder replied there is a right-in on Wendover and they would be building a right-turn lane to serve the right-in; however, more cars would be going out on Hickory Grove Road and no cars would go back out on Wendover Avenue. In other words, there would be one way in and many ways out.*

*Mayor Wagner asked Ms. Stalder to expound on the restriction regarding the multi-tenant building. Ms. Stalder explained that when they came in and talked with staff, one of staff's suggestions was to limit the drive-through to a multi-tenant building to ensure that any future requests further down on Wendover would deter other users such as McDonalds or Burger King because they are stand-alone buildings with a drive-through.*

*Mayor Wagner stated he noticed the position of the drive-through would be shielded from view from Wendover Avenue. Ms. Stalder confirmed that it would be very difficult to see from Wendover Avenue because of the grade of the property.*

*Mayor Wagner asked if it was part of the restriction that the drive-through had to be located on that particular end, so it is not visible. Ms. Stalder explained they have identified that location on their Site Plan which will have to be reviewed and*

*approved by the Technical Review Committee and noted there is no other place for it because of it being such a tight site.*

*Mayor Wagner asked if there were any further questions from Council for Ms. Stalder. There being none, he asked if there was anyone else present who would like to speak in support of or in opposition to this request. There being no further comments, the public hearing was declared closed.*

**Mayor Wagner then moved approval of Zoning Map Amendment 19-24 as requested by the applicant to include a drive-through citing compatibility with existing plans for the following reasons:**

- 1. It should not be considered a higher intensity use, given its restriction; the restriction of the drive-through to a multi-tenant building only, and from the Site Plan it appears to be shielded from view from Wendover Avenue; and**
- 2. The existence of similar drive-through uses at the two properties across Wendover Avenue means that a new element is not being introduced that is not otherwise already there. And,**
- 3. That it will not detract from West Wendover Avenue as a traffic thoroughfare due to the primary access to this site being from Hickory Grove Road; and,**
- 4. As well as an overall finding by staff that the development, in general, will have no adverse effect on adjacent properties.**

**Council Member Moore made a second to the motion.**

*For further discussion, Council Member Moore thanked staff for their thorough professional work and pointed out it has been the mindset over the years for High Pointers to go into Greensboro to shop and they are competing for High Point's dollars. He felt it was time to "walk the walk" as well as "talk the talk" and support High Point and High Point's efforts.*

*Council Member Jones piggybacked on Council Member Moore's comment and noted for the last 3-4 years, he has definitely seen a trend where young professionals are starting to spend more of their dollars in High Point and felt it makes sense to have establishments and commercial development such as this that can provide the amenities needed instead of them having to go out of the High Point city limits.*

*Council Member Jefferson pointed out there were no residents or adjacent property owners that voiced any objection to the request and if there had been, then there might be something else to consider. He also felt it makes sense to support approval of the request.*

*Mayor Wagner asked if there were any additional comments. There being none, he called for a vote on the motion. The motion passed by a unanimous 8-0 vote as follows:*

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**Ordinance No. 7587/20-003**

**Ordinance Book, Volume XXI, Page 3**

**2020-29      Ordinance - Triad Industrial Partners III, LLC. - Annexation 19-12**

A request by Triad Industrial Partners III, LLC for a voluntary noncontiguous annexation of approximately 31.1 acres located along the north side of Gallimore Dairy Road, approximately 3,000 feet west of Pegg Road. The property is also known as Guilford County Tax Parcels 169780 and 169762.

*The joint public hearing for this matter and related matter 2020-30 Zoning Map Amendment 19-25 was duly held as advertised on Tuesday, January 21, 2020 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. Staff provided a combined presentation of both matters (Annexation 19-12, and Zoning Map Amendment 19-25), but separate votes on each individual matter is required.*

*Mr. Shannon advised this is a request by Triad Industrial Partners III, LLC to consider a voluntary noncontiguous annexation of approximately 31.1 acres located along the north side of Gallimore Dairy Road, approximately 3,000 feet west of Pegg Road. The site is also known as Guilford County Tax Parcels 169762 and 169780. said a traffic analysis was conducted; staff recommends approval of Annexation 19-12. With the exception of water and sewer, municipal services will be available upon the effective date of annexation; water and sewer will be available in accordance with City policy. A request by Triad Industrial Partners III, LLC to rezone approximately 31.1 acres from the Public & Institutional District and the Agricultural District, both within Guilford County's zoning jurisdiction, to a Conditional Zoning Employment Center (CZ-EC) District. The site is located along the north side of Gallimore Dairy Road, approximately 3,000 feet west of Pegg Road. Approval of this rezoning request is contingent upon City Council's approval of the accompanying voluntary annexation request. Staff is recommending approval of this request. The Planning and Zoning Commission reviewed this request at their December 10, 2019 public hearing and recommended approval of this request as recommended by staff.*

*Following the conclusion of the staff report on Annexation 19-12 and Zoning Map Amendment 19-25, Mayor Wagner opened the public hearing and invited the applicant to come forward.*

***Jonathan Smith**, applicant, 229 Plymouth Avenue, Winston-Salem, spoke in favor of the request; provided an overview of the proposal to expand an existing industrial park; and stated that his development team has been in contact with the adjacent property owners to address any concerns.*

*Council Member Jones said he did speak to Mr. Cashion; said that everything was good; and all concerns were addressed.*

*Council Member Holmes said he had spoken to Mr. Cashion as well.*

***Jake Cashion**, 822 Gallimore Dairy Road, High Point, spoke in favor of the request; thanked everyone for taking his call and emails; said an agreement was worked out with the applicant; and concluded that he looked forward to what this would do to the local economy.*

*Mayor Wagner asked if there was anyone else present who would like to speak in support of or in opposition to either the Annexation request or the rezoning request. There being no further comments, the public hearing was declared closed.*

#### **Annexation 19-12**

Adopted an Ordinance approving the annexation of approximately 31.1 acres located along the north side of Gallimore Dairy Road, approximately 3,000 feet west of Pegg Road.

**A motion was made by Mayor Wagner, seconded by Council Member Hudson, that this Ordinance be adopted approving Annexation 19-12. The motion carried by the following unanimous 8-0 vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**Ordinance No. 7588/20-004**

**Ordinance Book, Volume XXI, Page 4**

#### **Zoning Map Amendment 19-25**

Adopted an Ordinance approving Zoning Map Amendment 19-25 providing for the rezoning of approximately 31.1 acres from the Public and Institutional District, both within Guilford County's Zoning jurisdiction, to a Conditional Zoning

Employment Center (CZ-EC) District based on the following **Consistency and Reasonableness Statement:**

*That the proposed CZ-EC District is in harmony with the Restricted Industrial land use designation governing this portion of the City's Planning Area and it promotes an orderly growth pattern. Furthermore, the request is similar and compatible with previous zoning approvals granted in this area.*

**A motion was made by Mayor Wagner, seconded by Council Member Jones, that this ordinance be adopted approving Zoning Map Amendment 19-25. The motion carried by the following unanimous 8-0 vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**Ordinance No. 7589/20-005**

**Ordinance Book, Volume XXI, Page 5**

**2020-30      Ordinance - Triad Industrial Partners III, LLC. - Zoning Map Amendment 19-25**

A request by Triad Industrial Partners III, LLC to rezone approximately 31.1 acres from the Public & Institutional District and the Agricultural District, both within Guilford County's zoning jurisdiction, to a Conditional Zoning Employment Center (CZ-EC) District. The site is located along the north side of Gallimore Dairy Road, approximately 3,000 feet west of Pegg 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 matter **2020-29 Annexation 19-12** was duly held as advertised on Tuesday, January 21, 2020 at 5:30 p.m.*

*Note: For specific comments made during the public hearing for **Zoning Map Amendment 19-25**, please refer to **2020-29 Annexation 19-12** above.*

Adopted an Ordinance approving Zoning Map Amendment 19-25 providing for the rezoning of approximately 31.1 acres from the Public and Institutional District, both within Guilford County's Zoning jurisdiction, to a Conditional Zoning Employment Center (CZ-EC) District based on the following **Consistency and Reasonableness Statement:**

*That the proposed CZ-EC District is in harmony with the Restricted Industrial land use designation governing this portion of the City's Planning Area and it promotes an orderly growth pattern. Furthermore, the request is similar and compatible with previous zoning approvals granted in this area.*



**A motion was made by Mayor Wagner, seconded by Council Member Jones, that this ordinance be adopted approving Zoning Map Amendment 19-25. The motion carried by the following unanimous 8-0 vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**Ordinance No. 7589/20-005**  
**Ordinance Book, Volume XXI, Page 5**

## **GENERAL BUSINESS AGENDA**

### **2020-34      Amendment - Article P Transportation Traffic Schedule - Restriction Long Street**

City Council is requested to amend Article P of the Transportation Department's traffic schedule, rescinding the existing one-way traffic pattern on Long Street, which prohibits southbound flow from W. State Avenue to Rockspring Road, between the hours of 8:00 pm and 6:00 am daily.

*Mark McDonald, High Point Transportation Director, explained in 1995, Council adopted an Ordinance placing time restrictions on parking on Long Street between Rockspring Road and Lexington Avenue from 8:00 p.m. to 6:00 a.m. to restrict southbound traffic on Long Street along that block to combat cruising along Main Street; Long Street was being used as the turnaround area. He reported that over the years this has come back to them several times with requests from citizens to remove that night-time, one-way restriction. Staff studied it in 2012 and in 2015 and each time there has been no traffic reason to retain it as cruising has since gone away. A recent request prompted another review by staff and staff feels there still is no reason to retain the one-way restriction during the overnight hours.*

*Staff is proposing to change the Ordinance to rescind the 1995 adoption and open it up to two-way traffic, 24 hours a day.*

*Deputy City Manager Randy McCaslin informed Council that the Police Department has no objections to this request.*

Approved an amendment to Article P of the Transportation Department's traffic schedule rescinding the existing one-way traffic pattern on Long Street, which prohibits southbound flow from W. State Avenue to Rockspring Road, between the hours of 8:00 pm and 6:00 am daily.

**A motion was made by Mayor Wagner, seconded by Council Member Moore, that this matter be approved. The motion carried by the following 8-0 unanimous vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**2020-31      Appointment - Citizens Advisory Council - Orel Henry**

City Council is requested to confirm the appointment of Orel Henry to the Citizens Advisory Council as Mayor Pro Tem Williams' Ward 2 appointee. Mr. Henry will fill the unexpired term that was left vacant due to the resignation of Council Member Cyril Jefferson who was elected to the High Point City Council in the November 5, 2019 Municipal Election. Appointment to be effective immediately and will expire on 5/31/2020.

Approved the appointment of Orel Henry to the Citizens Advisory Council as Mayor Pro Tem Williams' Ward 2 appointee. Appointment to be effective immediately and will expire on 5/31/2020.

**A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jones, that this matter be approved. The motion carried by the following 8-0 unanimous vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**2020-33      Reappointment - Human Relations Commission - Willie Davis**

City Council is requested to confirm the reappointment of Willie Davis to the Human Relations Commission as Mayor Wagner's At Large appointee. Appointment to be effective immediately and will expire November 1, 2021.

Approved the reappointment of Willie Davis to the Human Relations Commission as Mayor Wagner's At Large appointee. Appointment to be effective immediately and will expire on 11/01/2021.

**A motion was made by Mayor Wagner, seconded by Council Member Moore, that this matter be approved. The motion carried by the following 8-0 unanimous vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**2020-32      Minutes To Be Approved**

Special Meeting Minutes; January 6th @ 4:00 p.m.

Regular Meeting Minutes; January 6th @ 5:30 p.m.

Community Development Committee Minutes; January 7th @ 4:00 p.m.

Prosperity & Livability Committee Minutes; January 8th @ 9:00 a.m.

Council Member Jefferson noted an error in the Regular Meeting Minutes, January 6, 2020 at 5:30 p.m. for the time change from 5:46 p.m. to 6:46 p.m.

The minutes for the preceding meetings were unanimously approved as amended.

**A motion was made by Council Member Jones, seconded by Mayor Pro Tem Williams, that the preceding minutes be approved as amended. The motion carried by the following unanimous 8-0 vote:**

Aye (8): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Holmes, Council Member Jefferson, Council Member Johnson, Council Member Hudson, and Council Member Jones

Absent (1): Council Member Peters

**Mayor and City Council Comments**

*Council Member Jefferson mentioned the Martin Luther King celebration on Friday night, the "Black and White Ball Event"; mentioned Jo Williams, who recently received the Humanitarian of the year award; spoke to the Parade; and to the NAACP 2020 Freedom Fund Banquet that included teenage speakers; said they were awesome speakers; and spoke to putting the vision and dream out; and thanked the city for everything they had done.*

*Mayor Wagner said the teenagers at the Freedom Banquet were great future leaders; and that it was good and hopeful to have heard from them.*

**ADJOURNMENT**

There being no further business to come before Council, the meeting adjourned at 6:25 p.m. upon motion duly made by Mayor Pro Tem Williams and second by Council Member Holmes.

Respectfully Submitted,

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Jay W. Wagner, Mayor

Attest:

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Mary S. Brooks, Deputy City Clerk