

**HIGH POINT CITY COUNCIL
REGULAR MEETING
MARCH 16, 2020- 5:30 P.M.
COUNCIL CHAMBERS**

MINUTES

ROLL CALL, PLEDGE OF ALLEGIANCE, AND MOMENT OF SILENCE

Mayor Wagner called the meeting to order at 5:30 p.m.

*Upon call of the roll, the following Council Members were **Present (9)**:*

Mayor Jay W. Wagner, Mayor Pro Tem Chris Williams (Ward 2); Council Member Britt Moore (At Large), Council Member Tyrone E. Johnson (At Large), Council Member Cyril A. Jefferson (Ward 1), Council Member Monica L. Peters (Ward 3), Council Member S. Wesley Hudson (Ward 4), Council Member Victor A. Jones (Ward 5), and Council Member Michael A. Holmes (Ward 6)

Mayor Wagner called for a Moment of Silence. The Pledge of Allegiance followed.

RECOGNITIONS AND PRESENTATIONS

2020-103 Proclamation - Arbor Day

Mayor Wagner will read a proclamation declaring March 20, 2020 as Arbor Day in the City of High Point, and a representative from the NC Forest Service will present the City's 16th consecutive Tree City USA award.

Andy Piper with the Planning and Development Department advised that a representative from the N.C. Forest Service was scheduled to appear for the recognition and the award of the city's 16th consecutive Tree City USA award; however, given the circumstances surrounding COVID-19, the State has restricted travel.

Mr. Piper continued by sharing with Council the four criteria/requirements for receiving this designation.

- 1. Public Tree Ordinance must be adopted by the jurisdiction.*
- 2. Tree Board must be established.*
- 3. Must have a Community Forestry Program with an annual expenditure of at least \$2.00 per capita, and*
- 4. Must have an annual Arbor Day observance and proclamation.*

High Point is one of 81 cities in North Carolina and 3,600 nationwide to receive this recognition. Mr. Piper stated that recognition as a Tree City USA means that a community realizes that trees not only add to the beautification of a city, but they play an important role

in a practical sense for the city. He added that there are many benefits including increased property values, which can help contribute to the city's bottom line with the help of responsibility and stewardship.

Mr. Piper stated that staff is working with Keep High Point Beautiful for a future event in celebration of Arbor Day and they plan on keeping the City Council informed on the events and encouraged Council's participation.

[applause, photo op]

2020-106 Proclamation - National Get On Board Day

Mayor Wagner will read a proclamation declaring April 16, 2020 as National Get On Board Day in the City of High Point. Angela Wynes, High Point Transit Manager, will be in attendance to accept the award.

Mayor Wagner read the Proclamation into the record declaring April 16, 2020 as "National Get On Board Day" in the city of High Point and presented it to Angela Wynes, High Point Transit manager. Ms. Wynes invited everyone to come out and ride a bus, tour their facilities, etc....

[applause, photo op]

2020-122 Update- COVID-19 (Coronavirus)

Staff will provide an update on what the the city's response to the Coronavirus threat.

Mayor Wagner recognized Jeron Hollis, Director of Communications & Public Engagement, and asked him to come forward to provide an update on the city's response to the Coronavirus threat.

Mr. Hollis advised that the city is taking the challenges and threats of the COVID-19 virus very seriously. At the direction of the city manager, a Coronavirus Task Force was formed. Those serving on the task force are staff members in key positions that are directly involved in the Coronavirus threat and will be making decisions moving forward as far as operations and staffing during the crisis with the focus essentially to minimize public interaction to ensure the safety and well-being of residents as well as city employees. The task force is in the process of reviewing protocol with staff that provide essential services. Mr. Hollis reported that staff with the ability to telework will be working from home whenever possible.

The following suggestions have been discussed.

- *The city's essential services such as police, fire, trash collection, etc... will continue.*
- *The city continues to work with Guilford County Public Health regarding staff that may have been exposed or potentially exposed and is working through that protocol in a way that protects the employees as well as the residents.*

- *Provisions will be put into place to make the collections area for payment of utilities less virus-friendly by installation of glass so as to provide a necessary protective barrier between employees and the utility customers.*
- *Signage will be erected in some of the city's public buildings to encourage residents to be cautious before entering, especially for those that are experiencing symptoms.*
- *Residents are encouraged to take advantage of city services that are available electronically or by phone.*
- *In cooperation with Guilford County Schools, parking lots of city facilities (the Library and Parks & Recreation Centers) have been identified for students to pick up "grab and go" food.*
- *From a building safety/containment standpoint, the Library, Theatre, Senior Center, Recreation Centers are closed to the public until further notice to ensure an environment that is as safe as possible for residents, employees, and the public.*

City Manager Greg Demko added that management has also issued travel restrictions to all staff. All travel outside of our four-county region (Guilford, Davidson, Randolph, and Forsyth) has been cancelled.

Council Member Holmes asked if the locations have been determined as to where students can participate in the Guilford County Schools (GCS) food distribution program and how this information is being shared with the public. Mr. Demko replied that he has offered these food drop-off locations to Guilford County Schools and city staff is coordinating with the schools for the appropriate distribution methods. He believed that GCS is in the process of finalizing those plans and how they are going to do it and the information would be released soon. Mr. Hollis advised that once the city receives the information, his staff would share the information on platforms that the city utilizes.

Council Member Jones advised that the Public Safety Committee would be meeting on Wednesday, March 18th to receive updates from the city staff and the Guilford County Health Department on the Coronavirus and that the meeting would more than likely be held in the Council Chambers to comply with the social distancing rule of 6-feet.

Council Member Moore thanked everyone for complying and doing their share to handle the situation and stated this is a very fluid situation that changes daily, hour to hour.

FINANCE COMMITTEE - Council Member Moore, Chair
Committee Members: Moore, Holmes, Peters, and Jones

CONSENT AGENDA ITEMS

Finance Committee Chairman Council Member Moore reported that the Finance Committee did meet as scheduled on Thursday, March 12, 2020 and placed all of the following Finance-related matters on the Consent Agenda with a favorable recommendation for approval.

Council Member Moore then made a motion, seconded by Council Member Hudson, to approve the finance-related items on the Consent Agenda. The motion carried by a unanimous 9-0 vote.

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

2020-107 Amendment to Contract - Tanglebrook Sanitary Sewer Outfall Change Order #4

Council is requested to approve change order #4 to the Buckeye Bridge LLC contract in the amount of \$10,065.00 and extend the completion date an additional 51 calendar days. This change order is required due to actual ground elevations differing from aerial survey elevations, resulting in a manhole being required that no unit pricing was provided for in the original contract.

Approved Change Order #4 to the Buckeye Bridge LLC contract in the amount of \$10,065.00 which will extend the completion date an additional 51 calendar days.

A motion was made by Council Member Moore, seconded by Council Member Jones, that the amendment to the Buckeye Bridge LLC contract be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

2020-108 Dedication of Right of Way and Easement to NCDOT

Council is requested to approve the dedication of right-of-way and utility easement which is located at the intersection of South Main Street and Business I-85 to the North Carolina Department of Transportation (NCDOT).

Approved the dedication of right-of-way and utility easement for the redesign of the interchange at South Main Street and Business I-85 as requested by NCDOT for NCDOT Project U-5896.

A motion was made by Council Member Moore, seconded by Council Member Jones, that this right-of-way easement be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

2020-109 U.S. Department of Federal Transit Administration - Title VI Program

Council is requested to approve a Title VI program to comply with regulations issued by the U.S. Department of Transportation (DOT). This is required as the City is a recipient of Federal Transit Administration (FTA) funds.

Adopted a Resolution approving the Title VI Plan for the city of High Point in compliance with regulations issued by the U.S. Department of Transportation (USDOT) as a requirement because the city is a recipient of Federal Transit Administration (FTA) funds.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

**Resolution No. 1919/20-08
Resolution Book Volume XX, Page 148**

REGULAR AGENDA ITEMS

FINANCE COMMITTEE - Council Member Moore, Chair

2020-110 Public Hearing - High Pint, LLC and Iron Door Brewery

Monday, March 16, 2020, 5:30 pm is the date and time established to receive public comment on a request from High Pint LLC and Iron Door Brewery, to authorize up to \$6,000 in a 5% matching grant for a State of North Carolina Building Reuse Grant. This grant is for the company to open an operation in the former Fila Academy building at 1114 Eastchester Drive, High Point NC.

Sandy Dunbeck, Executive Vice President of the High Point Economic Development Corporation, expressed excitement in bringing the proposed High Pint LLC and the Iron Door Brewery project to the City Council for consideration of economic development incentives.

Ms. Dunbeck advised that the company has been working closely with the Economic Development Partnership of North Carolina and the State of North Carolina on a building reuse grant. The State of North Carolina is proposing a \$120,000 grant for this project; this support is based upon the stated need by company officials to improve the High Point property, as well as the quality job creation and competitive wage levels associated with the project. A requirement of the grant is a local 5% or \$6,000 matching grant from the city of High Point. Ms. Dunbeck reported that company officials plan to utilize the local Work Force Development system to hire employees and the company has also been encouraged to hold a local job fair. Additionally, the company will be eligible for \$27,000 in training support through the N.C. Community College System. The company is proposing to create 27 new jobs over the next two years with an average wage of these positions at \$47,800 per year which will include positions such as master brewer, brewers, sales staff, and brewery managers.

The project will include \$1 million in real property improvements and \$560,500 in personal property to the building located at 1114 Eastchester Drive and this project would assist in activating a building which has been vacant for 27 months. At this time, Ms. Dunbeck introduced CEO Larry Fila, and invited him to share more information on the project.

On behalf of High Point Brewery & Public House, Mr. Fila thanked the Mayor and Council for their time and consideration of the project. He then provided a presentation on the project and he shared that High Pint will be a pleasant, cultivated place where people can go for great beverages, food, and get together with friends and family. He advised that the brewhouse will be a Belgian-styled system and would enable them to brew many different styles of craft beer, as well as both alcoholic and non-alcoholic seltzers. Additionally, they will be featuring craft coffees, fresh craft sodas and craft wines and spirits that will be of a local nature featuring products made in High Point or North Carolina.

Mr. Fila stated he had several members of his team that had planned to be present at tonight's meeting; however, due to the evolving situation with the COVID-19 virus, they could not attend. He proceeded to identify those team members: Cindy Fila, President; Larry Fila, CEO; Haley Hines, Marketing and Event Coordinator; Ryan Hice, VP of Sales; Brenda Scholfield, Brewery Operations Leader; and a Master Brewer who has won 40+ medals from 200-2019.

Mr. Fila then provided details on the renovation plans for the building located at 1114 Eastchester Drive. He explained the building design would be very unique and would have a lab as part of the brewery as well so they can develop and patent their own strains of yeast. The building will include several barrell rooms and event spaces. The campus is approximately 5 acres with a very large parking area and will also include 2.5-3 acres of green space that will allow them to do a lot of special outside events as well. The building itself is 16,000 sq. ft. and will be very open with very real effects of being in the brewery mixed with smells of the grain and things of that nature.

They anticipate an April 16th date for announcement of the award and are looking to start construction in mid-May with a completion date and proposed soft opening about mid-September.

They are planning to do a self-distribution in the territory and will be working with craft distributors to get into other market places in the Carolinas, Virginia, for everything outside the territory. Mr. Fila spoke to how excited they are to being involved in High Point with everything that is currently going on between the baseball stadium, the apartments, the condos, the additional housing, the community, how they want to get involved and network with HPU, GTCC, the schools, sports teams/clubs, the High Point Rockers, etc..., and how they also want to get involved in fundraising in the community through agencies/organizations such as the Red Cross, United Way, Salvation Army, High Point Theatre, Coltrane Jazz Festival, Junior League, Rotary Club, etc....

He pointed out the building is currently empty and offered it to GCS for the food distribution.

At the conclusion of Mr. Fila's presentation, he entertained any questions that Council may have regarding the project. There being no questions, Chairman Moore opened the public hearing and asked if there was anyone present to speak on this matter. Hearing none, he closed the public hearing.

Approved the authorization of up to \$6,000 in a 5% matching grant for a State of North Carolina Building Reuse Grant for the project proposed by High Pint LLC and Iron Door Brewery for 1114 Eastchester Drive in High Point, NC.

A motion was made by Council Member Moore, seconded by Council Member Peters, that these economic development incentives be approved as recommended. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

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.

Council Member Moore moved to suspend the rules to remove this matter from the pending list. Council Member Peters made a second to the motion, which carried by a 9-0 unanimous vote.

Council Member Moore then moved to remove this matter from the agenda. Council Member Hudson made a second to the motion, which carried by the following unanimous 9-0 vote.

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

COMMUNITY DEVELOPMENT COMMITTEE - Mayor Pro Tem Williams, Chair *Committee Members: Williams, Hudson, Jefferson, and Johnson*

2020-111 Resolution - Conveyance of Properties to Habitat for Humanity- 615 & 617 Cable Street

City Council is requested to approve the following two (2) items:

1. Conveyance of the following lots to Habitat for Humanity:
617 Cable Street (formerly 615 Cable Street)
619 Cable Street (formerly 617 Cable Street)
2. Approval of a contract with Habitat in the amount of \$105,000 to build three houses, provide operating support and fund a construction apprenticeship and authorize the appropriate City official to execute all necessary documents.

Michael McNair, Director of Community Development & Housing, advised that Habitat is proposing to build some houses on Cable Street and staff is asking Council to convey two properties located at 617 Cable Street (formerly 615 Cable Street) and 610 Cable Street (formerly 617 Cable Street) to Habitat for Humanity to allow them to build on these lots. The

contract with Habitat will be \$105,000 to build three houses and is composed of different components.

- ✓ \$75,000 for construction;
- ✓ \$15,000 for operating support; and
- ✓ \$15,000 to fund the apprenticeship program where they utilize people participating in the construction/training partnership class to help them continue to build their skill sets.

Mr. McNair advised that Habitat initially planned to get started on construction of these houses by the end of the month; however, due to the public safety/health concerns of the coronavirus, they have now pushed that time back. Staff is recommending that Council adopt the resolution conveying the property and authorize the city manager or his designee to execute all necessary documents.

Adopted Resolutions approving the conveyance of real property to a nonprofit corporation (Habitat for Humanity).

615 Cable Street

Resolution No. 1917/20-06

Resolution Book Volume XX, Page 146

617 Cable Street

Resolution No. 1918/20-07

Resolution Book Volume XX, Page 147

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Jefferson, that this matter be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

PLANNING & DEVELOPMENT - Mayor Jay Wagner

2020-112 DAVCO LLC - Right-of-Way Encroachment 20-0007

A request by DAVCO LLC for an encroachment for stairs, handrails, and seat walls within the Appling Way right-of-way.

***Sam Hinnant** 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 DAVCO LLC for an encroachment for stairs, handrails, and seat walls within the Appling Way right-of-way. He reported that this request was reviewed by the Technical Review Committee and there were no objections.

Council Member Peters asked if it would be handicapped accessible and Mr Hinnant replied in the affirmative. He pointed out that approximately eight feet are remaining with the

right-of-way encroachment and that it is being coordinated with the Public Services Department as well.

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

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

PUBLIC HEARINGS

2020-113 Ordinance - High Point University- Zoning Map Amendment 20-01

A request by High Point University to rezone approximately 6.5 acres from the Conditional Use Institutional (CU-I) District and the Residential Single Family-5 (R-5) District to the Conditional Zoning Institutional (CZ-I) District. The site is located north of E. Lexington Avenue between N. University Parkway and Meadowlawn/Homewood Avenue.

The public hearing for this matter was held on Monday, March 16, 2020 at 5:30 p.m. as duly advertised.

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 High Point University to rezone approximately 6.5 acres located north of E. Lexington Avenue between N. University Parkway and Meadowland/Homewood Avenue from the Conditional Use Institutional (CU-I) District and the Residential Single Family-5 (R-5) District to the Conditional Zoning Institutional (CZ-I) District.

Mr. Shannon displayed a general location map on the monitor. He stated that this parcel is part of a larger 18-acre parcel that was rezoned in 2007 which was part of HPU's first expansion north of Lexington Avenue and included several restrictions on how the property could be used. At that time, the area was being considered for an athletic facility and a tennis stadium; however, the project never came to fruition and remained undeveloped. The applicant is now requesting to establish a Conditional Zoning Institutional district in which there would be no limitations on the use of the property and will be mainly restricted to college/university-type uses. The applicant has also offered conditions regarding access and fencing relative to the site.

Staff pointed out one of the key issues relative to Zoning Map Amendment 20-01 is that the request is consistent with the Land Use Plan. This portion of the city along the N. University Parkway corridor is designated for Institutional use and there have been previous rezonings to Institutional. As far as mitigating impacts to adjacent property owners, the current zoning of the site has a requirement for fencing and a landscaping yard next to the residential neighborhood. The applicant has agreed to carry forward the condition that an opaque fence be installed in the planting yard where the site abuts the residential neighborhood. Mr. Shannon pointed out that any new construction on the site will trigger standards of the Development Ordinance pertaining to exterior lighting, parking lot landscaping, and

screening of mechanical equipment and staff believes that this, in conjunction with the carryover condition for landscaping and condition for fencing, will assist in mitigating impact to the adjacent property owners.

A key concern that was identified by staff was traffic impact to those property owners along Homewood and Meadowlawn; however, the applicant has offered the following conditions to mitigate those impacts.

- ✓ *Primary access to the site will be from University Parkway (a 4-lane thoroughfare)*
- ✓ *No access is permitted to Homewood Avenue*
- ✓ *Limited access is proposed to Meadowlawn Avenue*
- ✓ *The applicant has included in the Conditional Zoning Ordinance an access exhibit to ensure that the general public comes into this site from N. University Parkway*

Mr. Shannon noted that the proposal for access to Meadowlawn is not a new concept and explained when this subdivision was initially planned, Meadowlawn was initially proposed to extend all the way northward and right-of-way was provided for that; however, because it was never developed, the right-of-way was removed in 2007.

Staff finds that the request is consistent with the policy guidance as outlined in the University Area Plan which states that any expansion of the campus should abut the existing campus (which this does), and should consist of an entire block being rezoned and incorporated into the campus as to avoid any type of piece-mill intrusion into the neighborhood. Staff recommends approval of Zoning Map Amendment 20-01 as well as the Planning & Zoning Commission.

Following staff's presentation on the request, Mayor Wagner opened the public hearing and asked if the applicant or applicant's representative was present.

***Barry Kitley**, 4114 Ponce De Leon Drive, representing High Point University, spoke in favor of the request. He added that they did host a citizen's information meeting on January 29, 2020; had four people that attended; received two phone calls; and had no objections.*

Mayor Wagner asked if there was anyone else in the audience that would like to speak in support of or in opposition to this request. There being no further comments, he declared the public hearing closed.

Adopted an Ordinance approving Zoning Map Amendment 20-01 to rezone approximately 6.5 acres located north of E. Lexington Avenue between N. University Parkway and Meadowland/Homewood Avenue from the Conditional Use Institutional (CU-I) District and the Residential Single Family-5 (R-5) District to the Conditional Zoning Institutional (CZ-I) District based on the following Consistency and Reasonableness/Public Interest Statements.

Consistency Statement: Zoning Map Amendment 20-01 is consistent with the city's adopted policy guidance because the Land Use Plan primarily classifies the zoning site for Institutional land use, and the requested CZ-I District supports the land use policies of the University Area Plan.

Reasonableness/Public Interest Statement: The request is reasonable and in the public interest because the previous City Council decisions have supported Institutional zoning for significant portions of the site and on adjacent lands along this segment of N. University Parkway.

A motion was made by Mayor Wagner, seconded by Council Member Hudson, to adopt the Ordinance approving Zoning Map Amendment 20-01 based on the preceding Consistency and Reasonableness/Public Interest Statements. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

Ordinance No. 7602/20-18

Ordinance Book Volume XXI, Page 18

2020-114 Ordinance - Wynnefield Properties, Inc. - Zoning Map Amendment 20-02

A request by Wynnefield Properties, Inc. to rezone an approximate 1.8-acre parcel from a Conditional Use Office Institutional (CU-OI) District to the General Business (GB) District. The site is located at the northwest corner of Samet Drive and Admiral Drive.

The public hearing for this matter was held on Monday, March 16, 2020 at 5:30 p.m. as duly advertised.

***Herb Shannon**, Senior Planner with the Planning and Development Department, provided an overview of the staff report for Zoning Map Amendment 20-02, which is hereby attached as a permanent part of these proceedings in Legistar.*

The applicant, Wynnefield Properties, Inc., is requesting that Council rezone an approximate 1.8-acre parcel located at the northwest corner of Samet Drive and Admiral Drive from a Conditional Use Office Institutional (CU-OI) District to the General Business (GB) District. Mr. Shannon reported that the zoning site is located in the middle of a 95-acre commercial development that obtained zoning approval in the late 1980s with construction commencing in the mid-1990s. The perimeter of the property was developed first, but as the interior of the commercial development began to develop, office and multi-family were sought as a more appropriate use type which resulted in rezonings occurring in 2010 of this area to Conditional Use/Office Institutional to support multi-family development. Mr. Shannon pointed out this, however, was under the prior Development Ordinance which did not allow residential use in the commercial districts, but the current Development Ordinance does allow it. He advised that although the applicant can construct a multi-family development on the property, staff restricted it to 16 units per acre and as a result, the applicant has requested rezoning of the property to the General Business (GB) District to allow a higher density of 28 units per acre or 46 dwelling units on this site.

Key policy issues identified by staff relative to Zoning Map Amendment 20-02:

- *Staff looked at the existing land use and the existing zoning pattern*
- *The site abuts medium and high density multi-family developments to the north and to the west (Admiral Pointe and Addington Ridge)*
- *This proposal does not introduce a land use that is not already present in this area*
- *Staff also looked at the zoning pattern for all permitted uses in the district*
- *There is an existing GB District along the north side of Samet from Penny back towards Hickswood and directly west and east of the site is existing GB zoning*
- *As a GB District zoning has already been established in the area*
- *The request to allow GB zoning allows flexibility because it supports both commercial and multi-family uses.*

The Planning and Development staff recommends approval of the request and the Planning and Zoning Commission reviewed the request at their February meeting and they are also recommending approval by a vote of 8-0.

Following staff's presentation, Mayor Wagner opened the public hearing and invited those wanting to provide comments regarding Zoning Map Amendment 20-02 to come to the lectern.

*The applicant, **Craig Stone**, 5614 Riverdale Drive in Jamestown, spoke in favor of the request. He spoke to how this project, Abby Crossing, is targeted to those 55+ or disabled; will be an extension of one of their adjacent communities, Admiral Point; will involve a tax credit application to the NC Housing Finance Agency in this year's cycle; and they are seeking approval of this zoning in moving forward with the application. Following his comments, Mr. Stone entertained any questions.*

Council Member Moore asked for clarification on the 55 and older reference made. Mr. Stone explained the designation they are seeking in the tax credit application this year is for this particular property to be restricted to those 55 and older, unless there is a disability that would allow someone below the age of 55.

Mayor Wagner asked if there were any additional comments. There being no one else to speak, the public hearing was closed.

Adopted an Ordinance approving Zoning Map Amendment 20-02 to rezone an approximate 1.8-acre parcel located at the northwest corner of Samet Drive and Admiral Drive to a Conditional Use Office Institutional (CU-OI) District to the General Business (GB) District based on the following Consistency and Reasonableness/Public Interest Statements.

Consistency Statement: *The request is similar to prior City Council decisions that rezoned other lands along the Samet Drive corridor to a GB District.*

Reasonableness/Public Interest Statement: *The property associated with this request has similar land use characteristics as did the property subject to a 2017 zoning decision that established the CZ-GB District zoning on the north side of Samet Drive across the street from the subject site.*

A motion was made by Mayor Wagner, seconded by Council Member Peters to adopt the Ordinance approving Zoning Map Amendment 20-02 based on the preceding Consistency

and Reasonableness/Public Interest Statements. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

Ordinance No. 7601/20-17
Ordinance Book Volume XXI, Page 172

2020-115 Ordinance - David W. Holmes - Text Amendment 20-01

A request by David W. Holmes to amend Section 5.7.9.B "Specific Standards for Freestanding Signs Requiring a Permit" of the Development Ordinance to modify Subsection 2(c) pertaining to signs in the MS and MX Districts.

The public hearing for this matter was held on Monday, March 16, 2020 at 5:30 p.m. as duly advertised.

Chris Andrews with the Planning & Development Department provided an overview of the staff report for Text Amendment 20-01 which is hereby attached in Legistar as a permanent part of these proceedings.

The applicant, David Holmes, is requesting an amendment to the city's Development Ordinance to remove a requirement that freestanding signs only within the Main Street and the Mixed-Use Districts must be monument-type signs only. Mr. Andrews advised that the applicant is preparing to operate a restaurant located at 130 W. Lexington Avenue within the Main Street B District and currently the Development Ordinance requires that any freestanding signs within the Main Street and Mixed Use Districts must be monument-type only. As a result, the applicant has requested removal of this requirement in order to allow a sign that does not currently meet the monument sign definition, which is a "monolithic sign in which the bottom of the sign is flush with the ground." Mr. Andrews proceeded to provide some examples of monument signs such as the Wendy's Restaurant sign.

Mr. Andrews noted the applicant submitted a sign permit application in the fall of 2019 and was told at that time that the proposed sign did not meet the requirements in the Development Ordinance and when staff presented the available options, the applicant felt a text amendment would be the best way to alleviate their constraints. He advised that staff is currently in the process of working with consultants on rewriting the city's Sign Ordinance and research indicates that monument signs would not be recommended to continue within this district and the proposed change to the signage within these districts would offer some increased flexibility in the permitted freestanding type signs as in both of these districts. However, there has been some concern about the style of sign and the safety with visibility for sidewalks and turning, etc....so this will be looked at as part of the rewrite process. Mr. Andrews explained as the city is currently preparing these amendments to the signage standards, staff typically does not encourage text amendments; however, since it is not in conflict with anything they've been looking at, staff felt it was appropriate to move forward with the request.

The Planning & Zoning Commission met on February 25th to consider this request and have recommended approval by a vote of 8-0. Staff is also recommending approval.

Following staff's presentation of the staff report, Mr. Andrews entertained any questions.

Mayor Wagner inquired about what types of signs would be allowed if the monument signs are eliminated in the Main Street B District. Mr. Andrews replied that the Development Ordinance has a freestanding sign and spoke to how staff was not differentiating the type of sign it would be, but it could be something on a pole. He further advised that the signs would still be limited as to the square footage and height (six feet and 50 sq. ft.) and noted the only limit would be that it would not have to be a monolithic structure.

Mayor Wagner asked if there were any additional questions for staff. Hearing none, he opened the public hearing and asked if there was anyone present who would like to speak relative to Text Amendment 20-01.

*The applicant, **David Holmes**, 130 W. Lexington Avenue, spoke in favor and advised that the Lone Star Burger would be opening at 11:00 a.m. on Tuesday, March 17th and invited Council to come. He advised that they are planning a grand opening for the restaurant in about a month.*

Council Member Peters stated she plans on going and encouraged others to support the business as well.

Mayor Wagner asked if there was anyone else present who would like to speak in favor of or in opposition to the request. Hearing none, the public hearing was closed.

Adopted an Ordinance approving Text Amendment 20-01 to amend Section 5.7.9B "Specific standards for Freestanding Signs Requiring a Permit" of the Development Ordinance to modify Subsection 2(c) pertaining to signs in the MS and MX Districts based on the following Consistency and Reasonableness/Public Interest Statements.

Consistency Statement: That Text Amendment 20-01 is neither consistent, nor inconsistent with adopted policy guidance.

Reasonableness/Public Interest Statement: The proposed amendment provides increased flexibility of allowable freestanding sign types within the MS and MX Districts.

A motion was made by Mayor Wagner, seconded by Council Member Moore to adopt the Ordinance approving Text Amendment 20-01 based on the preceding Consistency and Reasonableness/Public Interest Statements. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

**Ordinance No. 7603/20-19
Ordinance Book Volume XXI, Page 19**

2020-116 Ordinance - City of High Point - Zoning Map Amendment 20-03

A request by the High Point City Council to rezone 60 properties, totaling approximately 104 acres, as part of the Comprehensive Zoning Map Amendment project. The properties are located along the east side of Plaza Lane; along the north and south sides of Phillips Avenue between Westchester Drive and Edgewood Drive; along the east side of N. Main Street between Westover Drive and W. Peachtree Drive and at the northwestern and southwestern corners of the intersection of Eastchester Drive and Skeet Club Road.

The public hearing for this matter was held on Monday, March 16, 2020 at 5:30 p.m. as duly advertised.

***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.*

Mr. Shannon advised that this is part of the city's comprehensive zoning map amendment project. This application involved 60 properties totaling approximately 104 acres in four specific areas in the city. He reminded Council that the comprehensive zoning map amendment project was initiated in 2017 with the purpose of reviewing and evaluating zoning throughout the city, to identify areas where the zoning is out of sync or inconsistent with current land use policy, and to remove improper or obsolete zoning that could act as a barrier to redevelopment.

In October of 2019, City Council initiated evaluation of ten specific areas that will be brought forward to Council in various phases. The following four specific areas are being considered by Council.

Area 1: Southern part of the city at S. Main Street and Plaza Lane.

This specific area was developed and platted in 1989 to facilitate development of the adjacent Walmart shopping center. In addition to the Walmart facility, there is a multi-tenant building to the north and several outparcels that have common signage, common entrance area, shared landscaping, etc.... The area to the east side of Plaza Lane is also designated as Regional Retail Center (RC) which is intended for a shopping center type development; however, those areas were developed with stand-alone parcels. The RC District has great setbacks which can be a hindrance to redevelopment, so staff is recommending that area be rezoned to the General Business (GB) District as it more aptly notes how the area has developed.

Area 2: Intersection of Westchester Drive and Phillips Avenue

This area was part of a 1986 zoning approval and staff is proposing to remove the Conditional Use designation from these areas. There are conditions regarding landscaping, access, extension to Phillips and all these conditions have been met. Staff is recommending the following properties on Map 2 be rezoned as follows:

- ✓ *From Conditional Use Retail Center (CU RC) and Residential-3 (R-3) to General Business (GB) (as identified on Map 2 in blue)*

- ✓ From Conditional Use Retail Center (CU RC) to Retail Center (RC) (as identified on Map 2 in red)
- ✓ From Conditional Use Office Institutional (CU OI) to Office Institutional (OI) (as identified on Map 2 in yellow)
- ✓ From Conditional Use Residential-3 (CU R-3) to Residential-3 (R-3) (as identified on Map 2 in green)

Area 3: N. Main, near Hartley

This area includes the Walmart/Lowes facility on N. Main Street and are stand-alone facilities. Staff is recommending the following properties on Map 3 be rezoned as follows:

- ✓ From Conditional Use Retail Center (CU RC) to General Business (GB) (as identified on Map 3 in blue)
- ✓ From Conditional Use Retail Center (CU RC) to Retail Center (RC) (as identified on Map 3 in red)
- ✓ From General Business (GB) to Retail Center (RC) (as identified on Map 3 also in red)

Area 4: Eastchester Drive and Skeet Club Road

- ✓ From Conditional Use Retail Center (CU RC) to Retail Center (RC) (as identified on Map 4)

Mr. Shannon reiterated that the purpose and goal for rezoning these properties is to ensure that the zoning does not hamper any redevelopment of property. The Planning & Zoning Commission reviewed these requests at their February meeting and also recommended approval by a vote of 8-0.

Following staff's presentation, Mr. Shannon entertained questions.

Council Member Moore asked where the city is at in the cleanup process for these rezonings. Mr. Shannon explained it would be a multi-year process and further explained the process which includes staff sending out early notices to property owners to ensure there are no objections, the staff spends about 6-8 weeks taking phone calls and meeting with applicants to explain what is being proposed. Depending on the complexity and the number of property owners involved, the process can take several months. Staff anticipates getting to the ten areas that were authorized last year before the end of this year, then additional areas would be evaluated in the middle to the end of the year.

Mayor Wagner asked if there were any additional questions. Hearing none, he opened the public hearing and asked if there was anyone present that would like to speak in favor of or in opposition to any of these rezonings. Seeing and hearing none, the Mayor closed the public hearing.

Adopted an Ordinance to rezone 60 properties, totaling approximately 104 acres located along the east side of Plaza Lane; along the north and south sides of Phillips Avenue between Westchester Drive and Edgewood Drive; along the east side of N. Main Street between Westover Drive and W. Peachtree Drive; and at the northwestern and southwestern corners

of the intersection of Eastchester Drive and Skeet Club Road as identified on Map 1, Map 2, Map 3, and Map 4 based on the following Consistency and Reasonableness/Public Interest Statements.

Consistency Statement: *Zoning Map Amendment 20-03 is consistent with the city's adopted policy guidance because the proposed zoning map amendments are supported by the various land use classifications governing these four areas of the city.*

Reasonableness/Public Interest Statement: *The request is reasonable and in the public interest because the amendments are needed to remove unintended barriers to development and to more accurately represent the current use of land.*

A motion was made by Mayor Wagner, seconded by Council Member Holmes, that this matter be adopted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

**Ordinance No. 7600/20-16
Ordinance Book Volume XXI, Page 16**

PENDING ITEMS

2020-27 Consideration of Board Member Reinstatements (Cox & Clark)

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. (This matter was deferred at the January 21, 2020 meeting.)

Lee Burnette, Director of Planning and Development, explained that there are two members on the Historic Preservation Commission (Julius Clark and Annette Cox) that were unable to meet the attendance requirements last year. He advised that staff has not been able to get up with Julius Clark, but that Ms. Cox has indicated that she would like to be reinstated. He further explained that when a member loses status as a result of an attendance issue, they lose their voting rights as well.

Mayor Wagner asked if there is an update on Mr. Clark and if anyone has been able to get up with him. Mayor Pro Tem Williams advised this was his Ward 2 appointment on the Historic Preservation Commission and he is in the process of looking for a replacement. The Mayor suggested Council move forward with reinstating Ms. Cox, then hold the seat currently occupied by Mr. Clark open until a replacement is named.

Approved the reinstatement and restoration of voting privileges for Annette Cox who is currently serving on the Historic Preservation Commission.

A motion was made by Mayor Wagner, seconded by Council Member Holmes that the reinstatement of Annette Cox to the Historic Preservation Commission be approved. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

GENERAL BUSINESS AGENDA

2020-117 Minutes To Be Approved

- City Council Retreat; Wednesday February 12th @ 1:00 p.m. @ Thursday February 13th @ 9:00 a.m.
- Special Meeting of Community Development Committee; Tuesday, February 25, 2020 @ 3:30 p.m.
- Finance Committee; Thursday, February 27, 2020 @ 4:00 p.m.
- Regular Meeting of Council; Monday, March 2, 2020 @ 5:30 p.m.
- Community Development Committee; Tuesday, March 3, 2020 @ 4:00 p.m.
- Prosperity & Livability Committee; Wednesday, March 4, 2020 @ 9:00 a.m.

A motion was made by Mayor Pro Tem Williams, seconded by Council Member Moore, that the preceding minutes be approved as submitted. The motion carried by the following unanimous 9-0 vote:

Aye (9): Mayor Wagner, Mayor Pro Tem Williams, Council Member Moore, Council Member Johnson, Council Member Jefferson, Council Member Peters, Council Member Hudson, Council Member Jones, and Council Member Holmes

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 6:39 p.m. upon motion duly made by Mayor Pro Tem Williams and second by Council Member Jefferson.

Respectfully Submitted,

Jay W. Wagner, Mayor

Attest:

Lisa B. Vierling, City Clerk