CITY OF HIGH POINT
AGENDA ITEM

Title:	**Zoning Map Amendment 21-24** *(Collier's Properties, Inc.)*		
From:	Chris Andrews, Interim Planning & Development Director	**Meeting Date:**	November 15, 2021
Public Hearing:	Yes	**Advertising Date:**	November 5, 2021, and November 10, 2021
Attachments:	A. Staff Report B. Zoning Ordinance	**Advertised By:**	Planning & Development

PURPOSE:
A request by Collier's Properties, Inc. to rezone approximately 12.2 acres from the Residential Single Family - 40 (RS-40) District and a Conditional Use Light Industrial (CU-LI) District, both within Guilford County's zoning jurisdiction, to a Conditional Zoning Light Industrial (CZ-LI) District. The site is located along the north side of National Service Road, approximately 1,200 feet west of Piedmont Triad Parkway. Approval of this rezoning request is contingent upon City Council approval of a voluntary annexation request.

BACKGROUND:
The Planning and Zoning Commission reviewed this request at their October 26, 2021 public hearing. All members of the Commission were present. Mr. Herbert Shannon, Senior Planner, presented the case and recommended approval of the request as outlined in the staff report.

Speaking on the request:
Speaking in favor of the request on behalf of the applicant was Mr. Clayton Krohn, Shope Krohn Attorneys at Law, 7 Crab Tree Court, Greensboro. Mr. Krohn gave an overview of the applicant's proposal and made himself available for questions.

BUDGET IMPACT:
There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

A. Staff Recommendation
Staff recommended ***approval*** of this request as outlined in the attached staff report.

B. Planning and Zoning Commission Action

1. The Planning and Zoning Commission recommended ***approval*** of this request, as recommended by staff, by a vote of 9-0.

2. Consistency and Reasonableness Statements

The Planning and Zoning Commission voted 9-0 to approve the following statement:

That Zoning Map Amendment 21-24 is consistent with the City's adopted policy guidance because, as conditioned, the requested CZ-LI zoning is supported by the Restricted Industrial Land Use Plan designation for this area and the policies of the Northwest Area Plan. Furthermore, the request is reasonable and in the public interest because, as conditioned, the proposed CZ-LI District is similar and compatible with previous conditional zoning approvals granted in this area.

CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT

STAFF REPORT
ZONING MAP AMENDMENT ZA-21-24
October 26, 2021

Request			
Applicant: Collier's Properties, Inc.	**Owner:** Piedmont Triad Airport Authority		
Zoning Proposal: To annex and apply initial City zoning	**From:**	**CU-LI** **RS-40**	Conditional Use Light Industrial Residential Single Family–40 *(both within Guilford County)*
	To:	**CZ-LI**	Conditional Zoning Light Industrial District

Site Information	
Location:	The site is located along the north side of National Service Road, approximately 1,200 feet west of Piedmont Triad Parkway.
Tax Parcel Number:	Guilford County Tax Parcel 169804, 169805, 169806, 169810, 169812, 169734 and 169798
Site Acreage:	Approximately 12.2 acres
Current Land Use:	The western half of the site is developed with a 33,500 square-foot structure and surface parking associate with a major vehicle (truck repair) facility. The western half of the site is undeveloped.
Physical Characteristics:	The site has no noteworthy features.
Water and Sewer Proximity:	A 12-inch City water line and an 8-inch City sewer line both lie adjacent to the site along National Service Road.
General Drainage and Watershed:	The site drains in a southeasterly direction and development is subject to the City Lake General Watershed Area (GWA) requirements. Primary stormwater control measures are required for development with a total impervious surface area greater than 24% of the site.
Overlay District:	City Lake General Watershed Area Airport Overlay District – Zone 1

Adjacent Property Zoning and Current Land Use			
North:	LI	Light Industrial District *(City of Greensboro)*	Interstate 40
South:	CU-LI	Conditional Use Light Industrial District	Undeveloped
East:	CU-LI	Conditional Use Light Industrial District *(Guilford County)*	Industrial fabrication and warehousing
West:	CZ-LI	Conditional Use Light Industrial District *(Guilford County)*	Undeveloped

Relevant Land Use Policies and Related Zoning History	
Community Growth Vision Statement:	This request is neither consistent nor inconsistent with the goals and objectives of the Community Growth Vision Statement.

Land Use Plan Map Classification:	The site has a Restricted Industrial land use designation. This classification is intended to accommodate office, warehouse, research & development, distribution, and light manufacturing or assembly uses on larger sites in unified developments.
Land Use Plan Goals, Objectives & Policies:	This request is neither in conflict with the Land Use Plan's goals and objectives nor does it promote those goals and objectives.
Relevant Area Plan: *Northwest Area Plan*	The following goal and objective of the Northwest Area Plan are relevant to the request: Goal 2: Achieve high quality development in the built environment. Obj. 2a: Ensure quality development by requiring high aesthetic standards in site and building design, construction materials and intra-development coordination.
Zoning History:	Lands along the south side of National Service Road were annexed and granted CU-LI District zoning in the 1990s (Zoning Map Amendment Case 93-05 and 99-33).

Transportation Information				
Adjacent Streets:	**Name**		**Classification**	**Approx. Frontage**
	National Service Road		Minor Throughfare	500 ft.
Vehicular Access:	Via driveway access from National Service Road.			
Traffic Counts: *(Average Daily Trips)*	National Service Road		1,600 ADT (2019 NCDOT traffic count)	
Estimated Trip Generation:	The current industrial development on the site generates approximately 169 daily trips (during a 24-hour time period) with approximately 31 AM peak-hour trips and approximately 28 PM peak-hour trips.			
Traffic Impact Analysis (TIA):	**Required**		**TIA Comments**	
	Yes	No **X**	A TIA is not required. This analysis is only required for nonresidential developments that generate more than 100 trips within the AM or PM peak hours.	
Conditions:	The zoning site shall be restricted to two point of vehicular access. a) Access Point #1 (exiting access drive): This access point consists of the existing access drive serving the western half of the site. b) Access Point #2 (potential future access drive): This access point shall align with the existing access drive lying along the opposite side of National Service Road serving property at 7929 National Service Road.			

School District Comment
Not applicable to this zoning case.

Details of Proposal

The applicant has requested to establish initial City zoning for this 12.2 acre parcel in conjunction with the annexation of this land into the City's corporate limits. The western half of the site is developed with a major vehicle (truck repair) facility and the eastern half of the site is undeveloped. The applicant has requested establishment of a Conditional Zoning Light Industrial (CZ-LI) District on the site which includes a conditional zoning ordinance with conditions pertaining to uses,

development and dimensional requirements, an avigation easement, lot combination and access standards.

Staff Analysis

Section 2.4.6.C of the Development Ordinance states that the advisability of a conditional zoning is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to approve or deny a conditional zoning, the City Council shall weigh the relevance of and consider the following issues outlined below. The Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Policy Guidance

Whether and the extent to which the proposed conditional zoning district is appropriate for its proposed location, and is consistent with the City's adopted policy guidance.

As conditioned, the requested CZ-LI zoning is supported by the Restricted Industrial Land Use Plan designation for this area and the policies of the Northwest Area Plan.

Reasonableness/Public Interest:

Why a decision to approve, or to deny, the proposed conditional zoning would be reasonable and in the public interest.

As conditioned, the proposed CZ-LI District is similar and compatible with previous conditional zoning approvals granted in this area.

Compatibility with Surrounding Areas

- Whether the proposed conditional zoning district will result in a development that is compatible with the character of surrounding existing or proposed development and land uses.
- Where there are issues of compatibility, the proposed conditional zoning district shall provide for appropriate transition areas that address incompatibility through increased buffering, landscaping, fencing, building height, mass and scale or other means designed to promote a complimentary character of development.
- Determination of complimentary character may be based on densities/intensities, use types, lot sizes and dimensions, building height, mass and scale, exterior lighting, siting of service areas, or other aspects that may be identified by the City Council.

The primary compatibility concern is the visual impact to adjacent lands. By conditioning development to meet the higher building and site standards of the EC zoning district, the applicant is ensuring any future development will be compatibility with adjacent industrial developments in the city.

Mitigation of Impacts

Whether the applicant's proposed conditional zoning district, including the proposed use(s), written conditions, and conditional zoning plan (if applicable), will satisfactorily:

Mitigation #1	**Minimize or effectively mitigate any identified adverse impact on adjacent and nearby land, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.**
	With surrounding lands already developed or zoned for industrial uses, the requested CZ-LI District will not adversely impact adjacent lands.

Mitigation #2	**Minimize or effectively mitigate any identified adverse environmental impact on water and air resources, minimize land disturbance, preserve trees and protects habitat.**
	The site is within the City Lake General Watershed Area, and as such, development is required to meet the watershed standards of the Development Ordinance.
Mitigation #3	**Minimize or effectively mitigate any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire.**
	The site is within an area currently served by City of High Point utilities and municipal services. The zoning submittal has no known adverse impacts on municipal services.
Mitigation #4	**Minimize or effectively mitigate any identified adverse effect on the use, enjoyment or value of adjacent lands.**
	As conditioned, the proposed CZ-LI District will allow for similar development as exists in the surrounding area and will not adversely affect adjacent lands.

Supportive Changes in the Area
Whether and the extent to which there have been changes in the type or nature of development in the area of the proposed conditional zoning district that support the application.
Prior zoning approvals along the south side of National Service Road have established CU-LI districts, with higher development standards of the EC District (former Corporate Park District). This application is a continuation of that established zoning pattern.

Promotes a Preferred Development Pattern
Whether and the extent to which the proposed conditional zoning district will result in development that promotes a logical, preferred, and orderly development pattern.
As conditioned, to meet district standards of the EC zoning district, development of the site will continue to promote higher quality industrial uses as established on adjacent CU-LI zoned lands in this area.

Recommendation

Staff Recommends Approval:

The Planning and Development Department recommends approval of the request to rezone this 12.2 acre area to the CZ-LI District. As conditioned, the requested CZ-LI District will be compatible with the surrounding area and in conformance with adopted plans.

Required Action

Planning and Zoning Commission:

The NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans when making its recommendation. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

The NC General Statutes require that the City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest when rendering its decision in this case. This may be

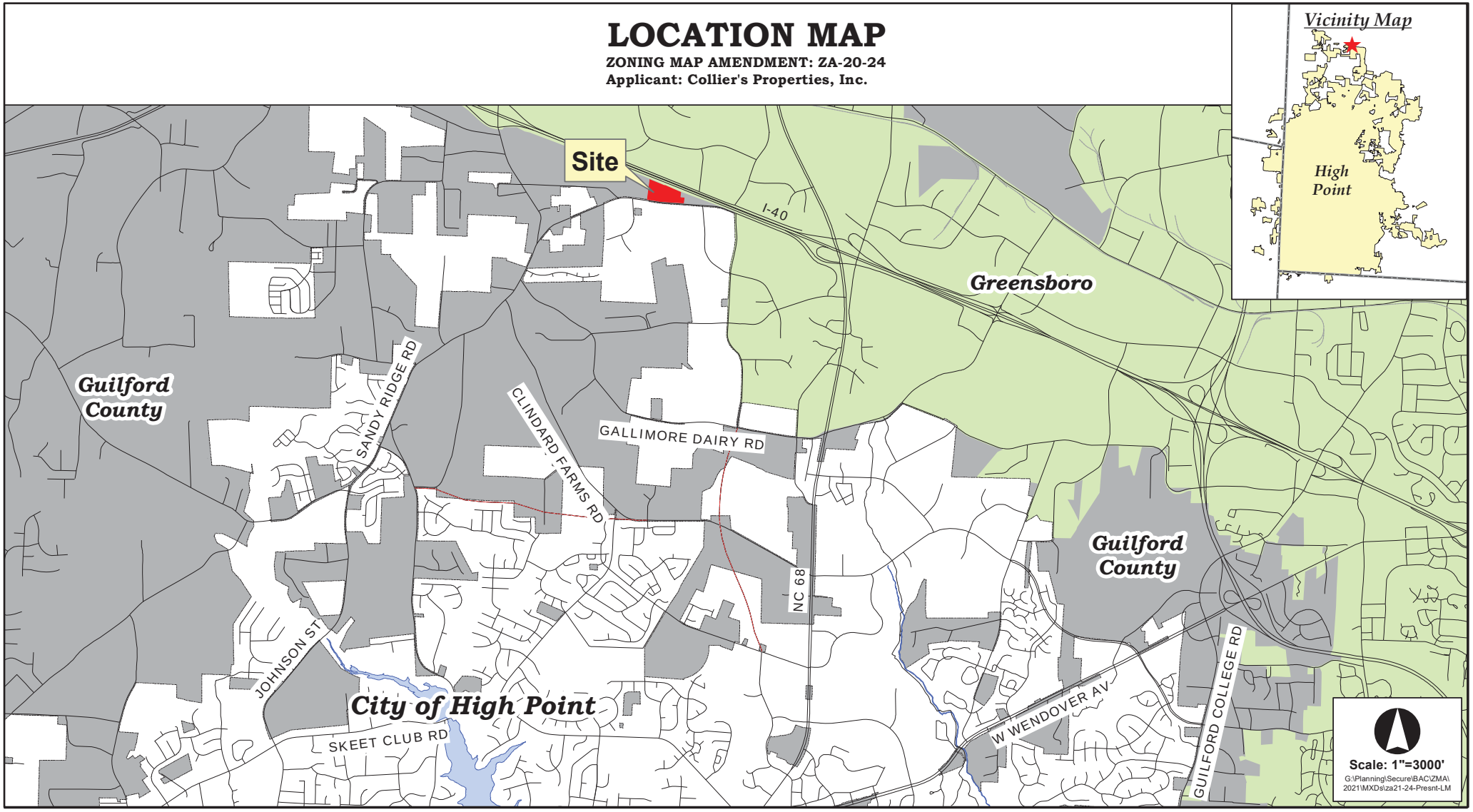
accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

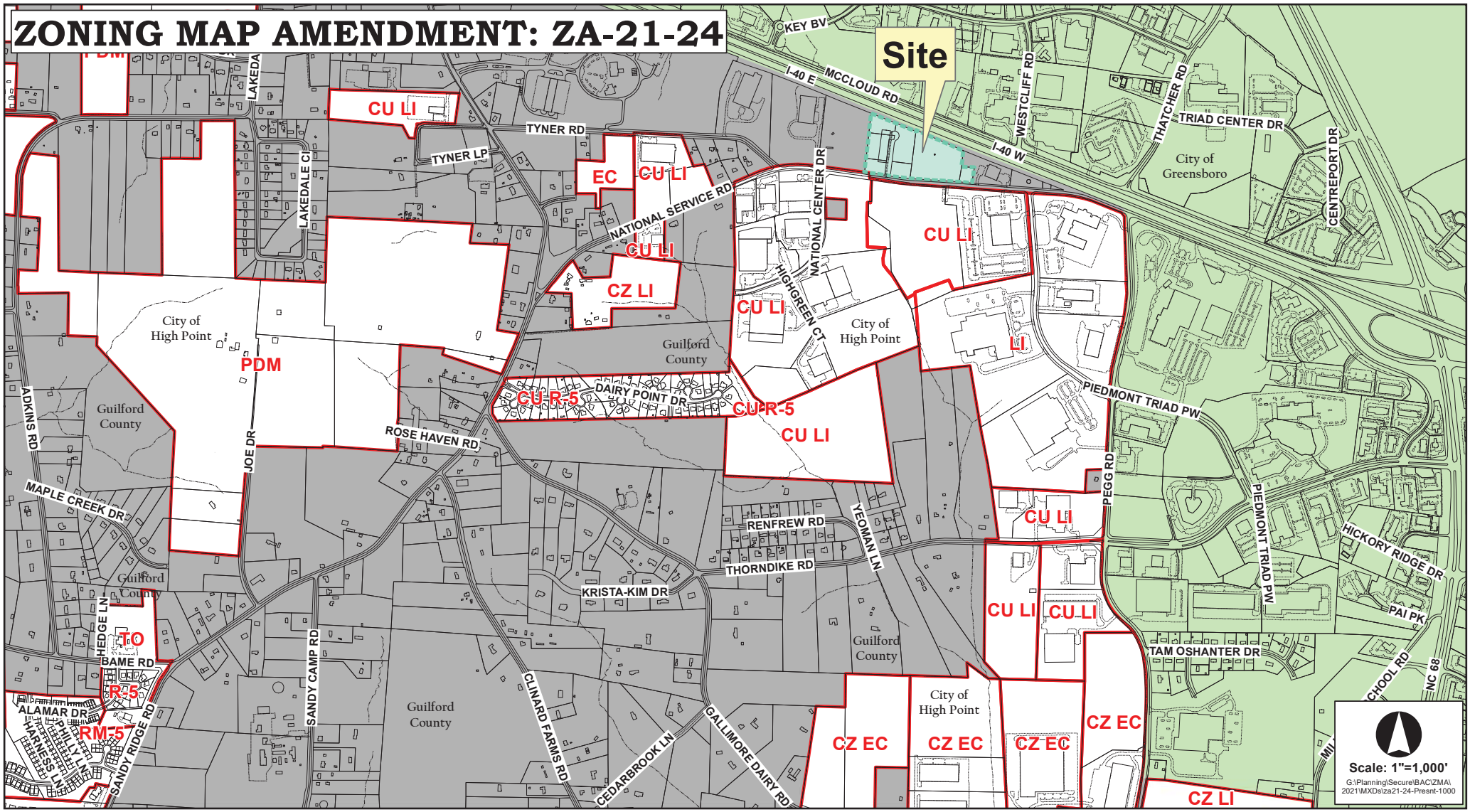
This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Interim Planning and Development Director.

LOCATION MAP

ZONING MAP AMENDMENT: ZA-20-24
Applicant: Collier's Properties, Inc.



ZONING MAP AMENDMENT: ZA-21-24



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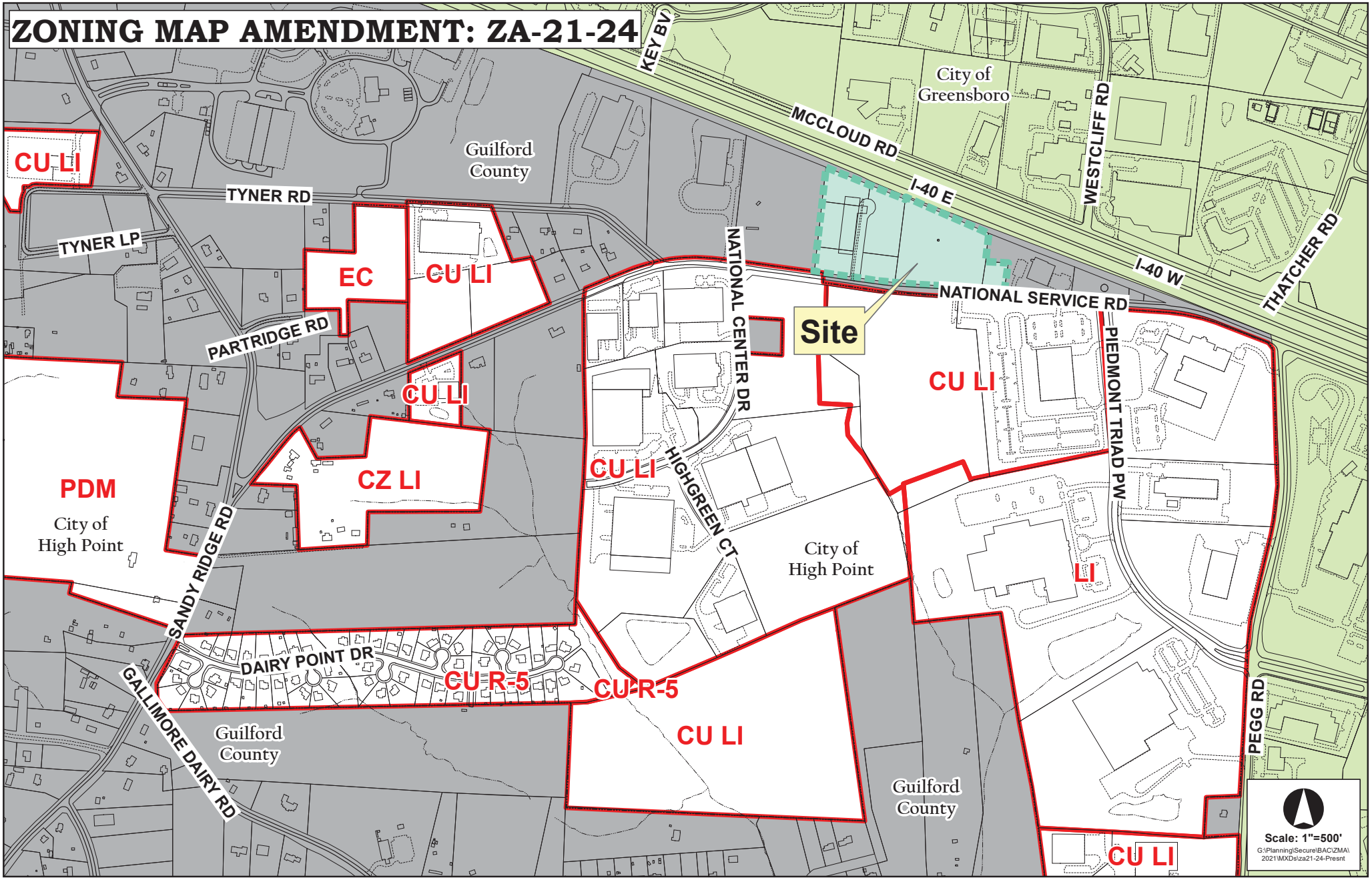

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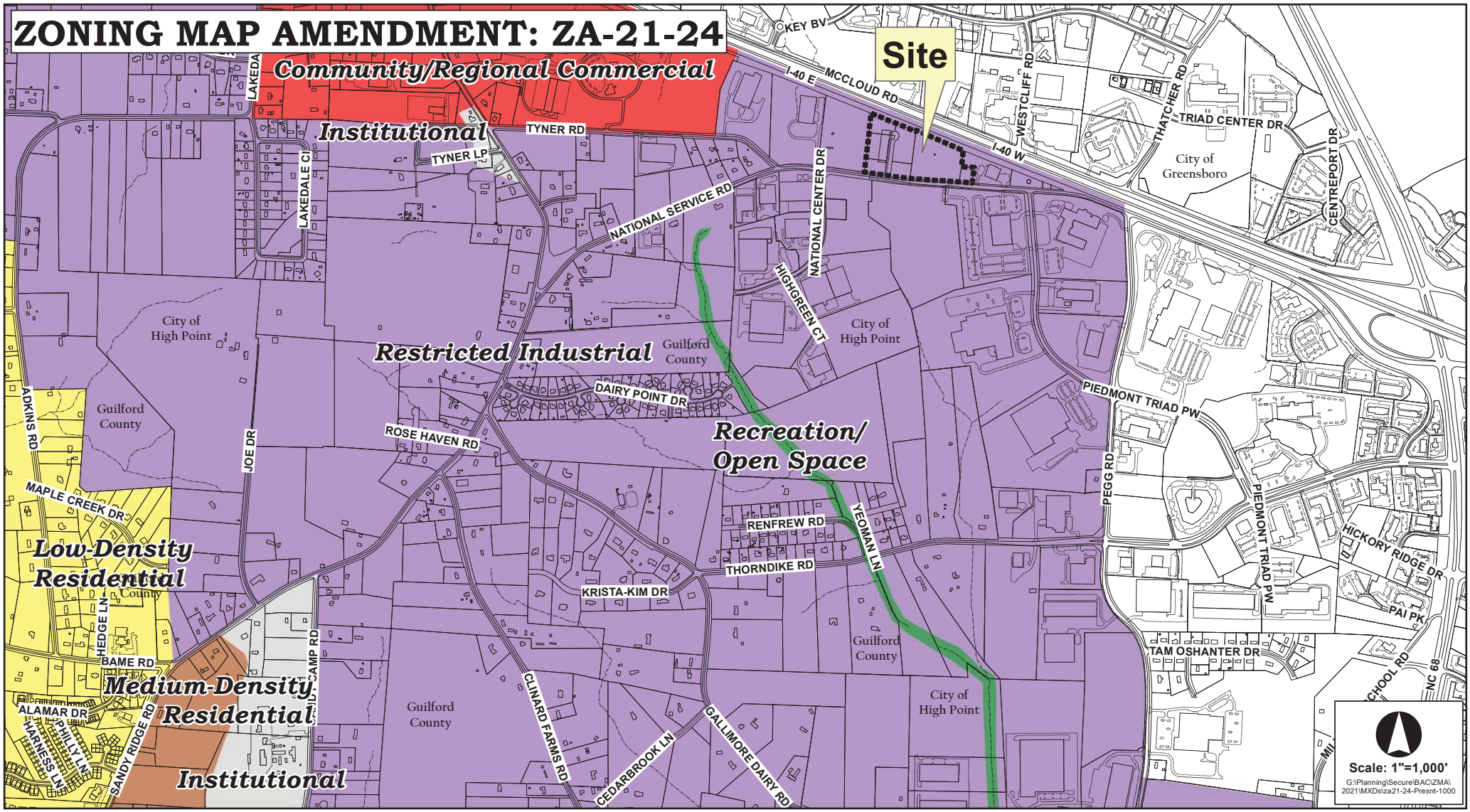
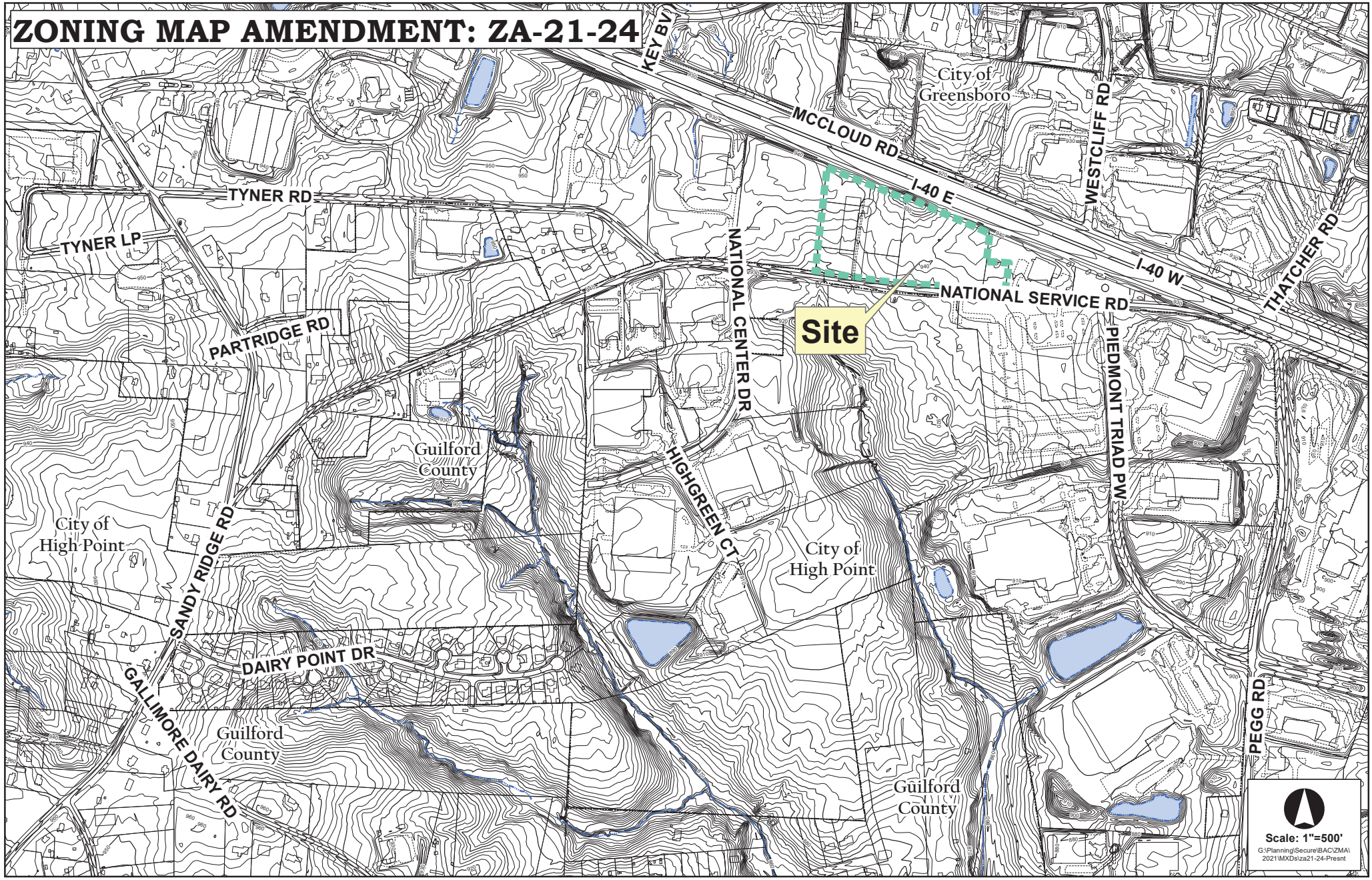


ZONING MAP AMENDMENT: ZA-21-24



ZONING MAP AMENDMENT: ZA-21-24

AN ORDINANCE AMENDING "THE CITY OF HIGH POINT, NORTH CAROLINA DEVELOPMENT ORDINANCE," PURSUANT TO SECTION 2.4.6, CONDITIONAL ZONING MAP AMENDMENT, OF THE DEVELOPMENT ORDINANCE.

WHEREAS, the City Council of the City of High Point adopted "The City of High Point Development Ordinance" on May 16, 2016 with an effective date of January 1, 2017, and subsequently amended;

WHEREAS, public hearings were held before the Planning and Zoning Commission of the City of High Point on October 26, 2021 and before the City Council of the City of High Point on November 15, 2021 regarding **Zoning Map Amendment Case 21-24 (ZA-21-24)** a proposed amendment to the Official Zoning Map of the "City of High Point Development Ordinance";

WHEREAS, notice of the public hearings were published in the High Point Enterprise on October 17, 2021, for the Planning and Zoning Commission public hearing and on November 3 2021 and November 10, 2021, for the City Council public hearing pursuant to Chapter 160D-602 of the General Statutes of North Carolina; and

WHEREAS, the proposed amendment was adopted by the City Council of the City of High Point on November 15, 2021.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGH POINT:

SECTION 1

That the Official Zoning Map of the City of High Point be amended to establish the following described area as a: **Conditional Zoning Light Industrial (CZ-LI) District.** The property is approximately 12 acres and located along the north side of National Service Road, approximately 1,200 feet west of Piedmont Triad Parkway. The property is known as Guilford County Tax Parcels 169804, 169805, 169806, 169810, 169812, 169734 and 169798.

SECTION 2

That the property herein described shall be perpetually bound by the following use(s) authorized and condition(s) imposed, unless subsequently changed or amended as provided for by the Development Ordinance.

Part I. USES: Any uses allowed in the Light Industrial (LI) District subject to the standards of the Development Ordinance and the specific conditions listed in this ordinance.

Part II. CONDITIONS:

A. Development and Dimensional Requirements. Development shall be subject to the District Standards of the Employment Center (EC) District (Section 3.4.10.G) of the Development Ordinance.

B. Avigation Easement: Prior to June 1, 2022, the property owner shall grant an Avigation Easement to the Piedmont Triad International Airport (PTIA) that covers the entire property.

C. Lot Combination: All parcels of the rezoning site shall be combined into one lot prior to additional subdivision or any new development.

D. Transportation Conditions.

1. Right-of-way Dedication (shall apply to Guilford County Tax Parcels 169805 and 169806): As a part of development permit approval for any new land development the property owner shall dedicate (42) feet of right-of-way, as measured from the existing centerline of National Service Road, along the entire National Service Road frontage of these tax parcels.

2. Access: The zoning site shall be restricted to two point of vehicular access.

   a) Access Point #1 (exiting access drive): This access point consists of the existing access drive serving the current developed western half of the site.

   b) Access Point #2 (potential future access drive): This access point shall align with the existing access drive lying along the opposite side of National Service Rod serving property at 7929 National Service Road. (western most access point service 7929 National Service Road).

3. Other Transportation Conditions: The City of High Point Transportation Director and the North Carolina Department of Transportation (NCDOT) shall approve the exact location and design of all access points and improvements.

SECTION 3

That plans for any development on the property described herein shall be pursued in accordance with this conditional zoning district and shall be submitted to the City of High Point and other approval authorities for review in the same manner as other such plans that are required to be approved by the City of High Point.

SECTION 4

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5
That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6.
This ordinance shall become effective upon the date of adoption.

Adopted by the City Council
City of High Point, North Carolina
The **15th** day of **November, 2021**

By: _____

Jay W. Wagner, Mayor

ATTEST:

_____

Lisa B. Vierling, City Clerk

Citizens Information Meeting Report
Zoning Map Amendment 21-24

Submitted by: Mr. Clayton Krohn on behalf of Collier's Properties, Inc.

SHOPE KROHN
ATTORNEYS AT LAW, P.A.

Richard I. Shope*
Clayton B. Krohn
*Former Partner - Retired

clayton@shopelaw.com

October 7, 2021

City of High Point
Planning & Development Department
211 South Hamilton Street
P.O., Box 230
High Point, NC 27261

Via Email and U.S. Mail

RE: Citizens Information Report

Property:

Tract	Address	Parcel #
Tract 1:	7930 National Service Road	0169806
Tract 2:	7940 National Service Road	0169805
Tract 3:	7946 National Service Road	0169812
Tract 4:	7950 National Service Road	0169804
Tract 5:	7954 National Service Road	0169734
Tract 6:	7946 National Service Road	0169798
Tract 7:	7948 National Service Road	0169810
Tract 8:	Campbell Court Road	No Parcel # - closed

Dear Planning and Development Department:

This firm represents Collier's Properties, Inc ("Collier's") with regard to its Zoning Map Amendment Application ("Application"), pertaining to the Property as described above ("Property"), and being considered by the City of High Point. Collier's has completed the Citizens Information Meeting requirement in support of the Application.

As required by the rezoning process, the surrounding property owners within 300 feet of the proposed zoning site are to be notified and a Citizen Information Meeting is to be held. In accordance with guidance form the City of High Point Planning and Development Department and in lieu of a Citizen Information Meeting, a Citizens Information Letter ("CIL") was prepared and sent to the surrounding property owners. *See* the surrounding property owners list included herewith.

The purpose of the CIL was to provide said property owners with adequate information regarding the Application. The CIL included contact information and instructions to direct comments, questions or concerns to Shope Krohn Attorneys at Law, P.A. A copy of the CIL is included herewith.

To date, Shope Krohn Attorneys at Law, P.A. has received one inquiry. Counsel for Everything Billiards Holdings, LLC contacted the undersigned by telephone to inquire as to whether the Property will continue to be used as a truck dealership. Undersigned responded in the affirmative. There have been no other inquiries.

Please let us know if you have questions or concerns regarding this report.

With kind regards,

Sincerely,

Clayton B. Krohn

SHOPE KROHN
ATTORNEYS AT LAW, P.A.

Richard I. Shope*
Clayton B. Krohn
*Former Partner - Retired

clayton@shopelaw.com

September 24, 2021

To: Nearby Property Owners

RE: Zoning Map Amendment Citizens Information Letter

Property:

Tract	Address	Parcel #
Tract 1:	7930 National Service Road	0169806
Tract 2:	7940 National Service Road	0169805
Tract 3:	7946 National Service Road	0169812
Tract 4:	7950 National Service Road	0169804
Tract 5:	7954 National Service Road	0169734
Tract 6:	7946 National Service Road	0169798
Tract 7:	7948 National Service Road	0169810
Tract 8:	Campbell Court Road	No Parcel # - closed

Dear Neighbor:

This firm represents Collier's Properties, Inc with regard to its Zoning Map Amendment Application ("Application") being considered by the City of High Point. You are receiving this correspondence because you are the owner and/or occupant of land located near the above-referenced Property.

The Application seeks a Zoning District designation of *Conditional Zoning Light Industrial.* Presently, the Property is zoned as *Residential Single Family-40* by Guilford County. In addition to the Application, Collier's has submitted a Petition for Voluntary Annexation to the City of High Point. The Property is being sold and, as a result of the sale, the change in Zoning is necessary as is the annexation. The manner in which the Property is used will not change.

The Property includes 8 tracts which together form one large parcel with a total area of 12.918 acres. *See* the attached Zoning Map Amendment.

The Property includes improvements, a large building and a paved lot, which were constructed several years ago. The building is approximately 43,546 square feet. The parking/show lot occupies approximately 2.5 acres. The remaining portions of the Property, immediately to the East and West of the building and paved lot, are unimproved.

Since 2016, the Property has been utilized as a Truck Dealership. The Property will continue to be utilized as a Truck Dealership.

The Property is and will continue to be subject to an airport zoning overlay. The Property is and will continue to be subject to specific restrictions, reservations and covenants as described on the attached Exhibit A. Said restrictions and covenants arise, primarily, out of the airport overlay requirements.

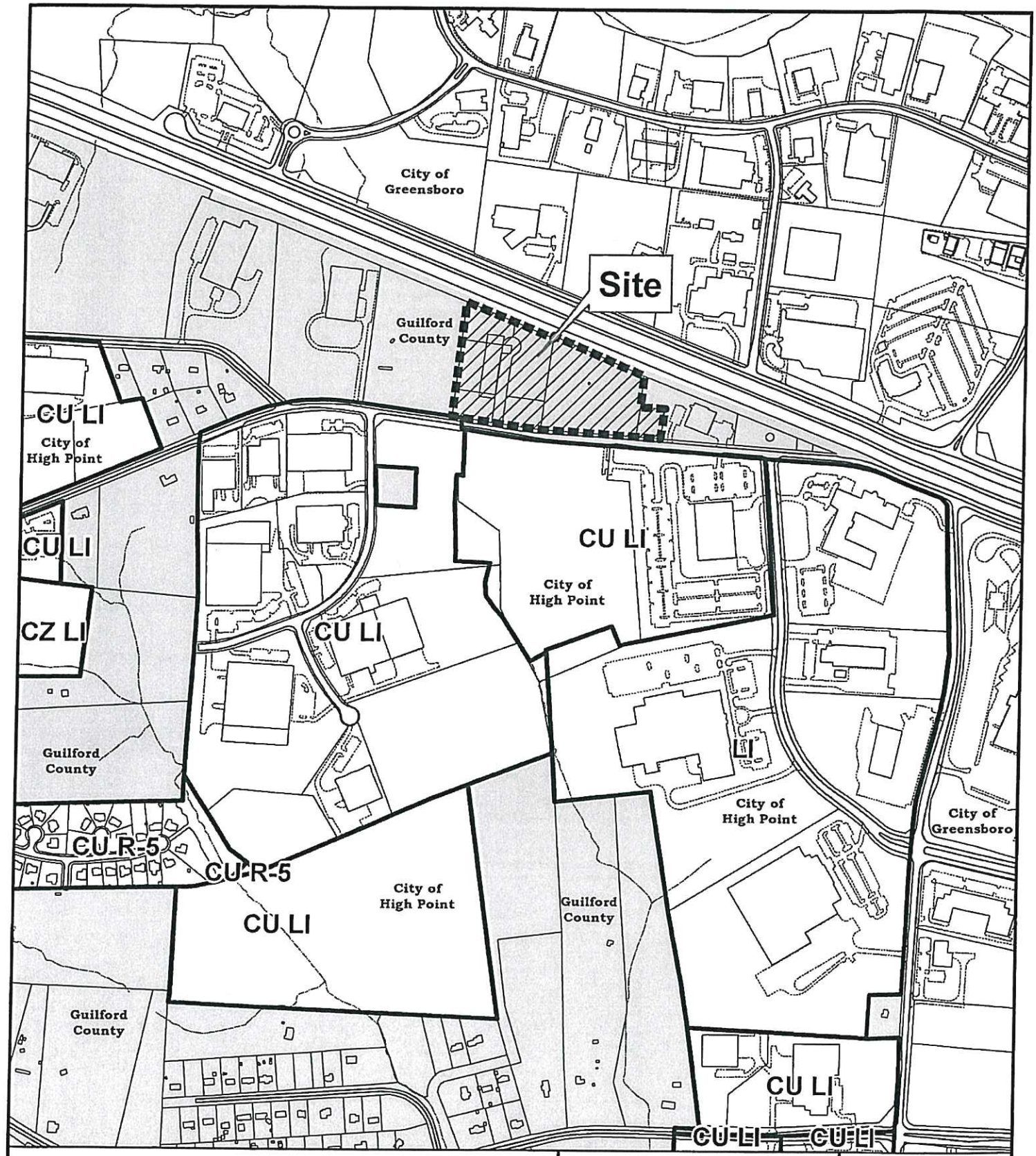
As required by the rezoning process, all surrounding property owners within 300 feet of the proposed zoning site must be notified by the applicant and a Citizen Information Meeting must be held. However, in accordance with guidance form the City of High Point Planning and Development Department, this correspondence shall serve as the means of notification in lieu of a Citizen Information Meeting.

Please write, email or call Shope Krohn Attorneys at Law, P.A. by October 6, 2021with any comments, questions or concerns regarding the rezoning request.

With kind regards,

Sincerely

Clayton B. Krohn



ZONING MAP AMENDMENT ZA-21-24

From: Residential Single Family-40 (Guilford County)
To: Conditional Zoning Light Industrial

Existing Zoning Boundary ———
Subject Property Boundary - - - - - -

Planning & Development Department

City of High Point

N

Scale: 1"=700'

G:/Planning/Secure/BAC/ZA/2021/MXDs/za21-24-NM

Exhibit A

REQUIRED RESTRICTIONS

Lessee agrees that it will be bound by the following reservations, restrictions, and covenants during the Lease Term, and that, if Lessee exercises its option to purchase the Premises under ARTICLE 16 of this Lease, the same provisions shall be included in the Authority's deed of conveyance, except that, in any deed of conveyance, the Authority shall be referred to therein as the "Grantor," Lessee as the "Grantee," and the "Premises" as the property conveyed thereby.

1. The Authority reserves unto itself, its successors and assigns, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the Premises, together with the right to cause in said airspace such noise as may be inherent in the operation of aircraft, now known or hereafter used, for navigation of or flight in said airspace, and for use of said airspace for landing at, taking off from, or operating from the Piedmont Triad International Airport (the "Airport").

2. The Authority reserves unto itself, its successors and assigns, for the use and benefit of the public, a right of entry onto the Premises to cut, remove, or lower any building, structure, poles, trees, or other object, whether natural or otherwise, of a height in excess of Federal Aviation Regulation (FAR) Part 77 surfaces relating to the Airport. This right includes the right to mark or light as obstructions to air navigation, any and all buildings, structures, poles, trees, or other object that may at any time project or extend above said surfaces.

3. Lessee expressly agrees for itself, its successors and assigns, that the Premises can only be used for purposes that are compatible with noise levels of airport operations. The Premises must not be used for residential purposes, which purposes include single family, multifamily or mobile home development; for educational facilities (as described in state law); or other noise sensitive land use not compatible with airport noise as described in 14 Code of Federal Regulations Part 150, as amended.

4. Lessee expressly agrees for itself, its successors and assigns, to restrict the height of structures, objects of natural growth, and other obstructions on the Premises conveyed to a height that does not exceed the height requirements set forth in Part 77 of the FAA regulations, as amended, or any similar regulations that may hereinafter be enacted relating to the Airport.

5. Lessee expressly agrees for itself, its successors and assigns, to file a notice consistent with requirements of FAR Part 77 (FAA Form 7460-1) prior to constructing any facility, structure, or other item on the Premises.

6. Lessee expressly agrees for itself, its successors and assigns, to not hereafter use, permit, or suffer use of the real property herein conveyed in such a manner as to create electrical interference with radio communication between the installation upon the Airport and aircraft or as to make it difficult for fliers to distinguish between Airport lights and others, or as to impair visibility in the vicinity of the Airport, or as otherwise to endanger the landing, taking off, or maneuvering of aircraft.

7. Lessee expressly agrees for itself, its successors and assigns, to not hereafter use, permit, or suffer use of the Premises in such a manner as to create a potential for attracting birds and other wildlife that may pose a hazard to aircraft.

8. The Authority reserves unto itself, its successors and assigns, the right to cause in the airspace above the surface of the real property herein conveyed and in the vicinity of such airspace such noises as may arise from the operation of the Airport as it is now, or may hereafter be, constituted, including such noises as may emanate from operations on the Airport itself, as well as such noises as may emanate from the flight of aircraft, now known or hereafter used, through the airspace above or in the vicinity of the Premises or landing at, taking off from or operating on the Airport, and the Lessee, for itself, its successors and assigns, hereby releases and waives any right to claim damages from the Authority by reason of any such noise.

9. Lessee, for itself, its successors and assigns, hereby releases and waives any right to claim damages from the Authority by reason of any air pollution arising from the operation of the Airport or any aircraft landing at, taking off from or operating on the Airport.

10. Lessee, for itself and its successors and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that, in the event facilities are constructed, maintained, or otherwise operated on the Premises for a purpose for which a DOT program or activity is extended or for another purpose involving the provision of similar services or benefits, Lessee shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

11. Lessee, for itself and its successors and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that: (1) no person on the grounds of race, creed, color, national origin, sex, age, or handicap shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishings of services thereon, no person on the grounds of race, creed, color, national origin, sex, age, or handicap shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, and (3) that the Lessee shall use the Premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

The aforesaid covenants and agreements shall run with the Premises for the benefit of the Authority and its successors and assigns, in the ownership and operation of the Piedmont Triad International Airport.

City of High Point

Citizen Information Meetings

NORTH CAROLINA'S INTERNATIONAL CITY™

Persons filing certain development applications with the City of High Point are required to hold a citizen information meeting. This requirement applies to applications for a Conditional Zoning District, Planned Development District, Special Use and a Zoning Map Amendment that proposes to establish a more intense zoning district.

The City of High Point finds that quality development is better achieved through an informed and cooperative process than an adversarial one. The purpose of the citizen information meeting is to allow the person fling an application, otherwise known as the applicant, the opportunity to inform citizens about their development proposal and to provide citizens the opportunity to ask questions and find out more about the proposal prior to any official public hearings.

The applicant's development proposal is officially presented to the Planning & Zoning Commission and City Council at their respective public hearings. At the public hearings, the Commission and Council hear comments and concerns from citizens regarding the proposal prior to making decisions. The public hearings are not the preferred setting for citizens to learn about a development proposal for the first time. It is difficult to gain understanding of a proposal and offer well thought out comments during the relatively short time of a public hearing. The citizen information meeting is important in that it can provide basic information and allow communication with the applicant before the public hearings, so that citizens may informatively develop their comments and any concerns, and later present them at the public hearings for consideration.

Applicants may vary the form and number of citizen information meetings they conduct; however, they are required to contact or otherwise notify owners of property located within 300 feet of the proposed site. Whatever form the meeting takes, those citizens participating are provided with this written statement from the City of High Point, which describes the purpose of the citizen information meeting, the application process and where additional information may be obtained from the City. In addition, the applicant must provide a description of the development proposal and are encouraged to share any other available information that would help citizens to better understand it.

After the application is filed with the City's Planning & Development Department, the applicant submits to the City a written summary of the citizen information meeting(s). At a minimum, this report records:

- The date, time, and location of the meeting;
- The method and date of notification about the meeting;
- A list of landowners notified about the meeting;
- A list of meeting attendees;
- If the meeting was conducted as a series of telephone calls;
- The description of the development proposal presented to the attendees; and
- A summary of attendee comments, ideas, and suggestions from citizens to be incorporated into the development proposal.

Before the public hearings are held, the City's Planning & Development Department mails notices to all owners of property located within 300-feet of the site. This notice provides a brief summary of the application; the time, date and place of the Planning & Zoning Commission public hearing; and contact information. A second notice is mailed prior to the City Council's public hearing with similar information. Also, signs are placed on the site giving notice of the request and the City's public hearings.

After hearing public comments and considering the development proposal, the Planning & Zoning Commission makes a recommendation to the City Council who, after holding their public hearing, decides what action should be taken on the proposal. Changes to the applicant's proposal can occur during this process in order to insure consistency with City policy and development regulations, and to minimize expected impacts that can be generated by the development or use of the site.

Development conditions can be adopted by the City Council for a Conditional Zoning District, Planned Development District, or Special Use. However, no condition can be included that:

- Specifies the ownership status, race, religion, or other characteristics of the development's occupants;
- Establishes a minimum size of a dwelling unit;
- Establishes a minimum value of buildings or improvements;
- Excludes residents based upon race, religion, or income; or
- Obligates the City to perform in any manner relative to the approval of or development of the land.

Citizens are strongly encouraged to contact the City's Planning & Development Department and visit the website below for additional information on the City's zoning process, and for information about specific development proposals.

Contact:

Planning & Development Department 336-883-3328

www.buildhighpoint.com

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