



AGENDA

Regular Meeting of the Winston-Salem City Council

May 2, 2005

7:30 p.m., Council Chamber

Room 230, City Hall

CALL TO ORDER

ROLL CALL

INVOCATION BY DR. SETH O. LARTEY OF GOLER MEMORIAL AME ZION CHURCH

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

RESOLUTION RECOGNIZING MAY 15-21, 2005 AS NATIONAL PUBLIC WORKS WEEK

RESOLUTION DECLARING MAY, 2005 AS HISTORIC PRESERVATION MONTH IN WINSTON-SALEM

RESOLUTION RECOGNIZING MAY 7-15, 2005 AS NATIONAL TOURISM WEEK

1. PUBLIC HEARING REGARDING THE CITY OF WINSTON-SALEM APPROVING AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT WITH THE NORTH CAROLINA MUNICIPAL LEASING CORPORATION TO PROVIDE FUNDING FOR VARIOUS CAPITAL PROJECTS.
2. CONSIDERATION OF ITEMS RELATING TO A PETITION TO CLOSE A PORTION OF VEST MILL ROAD: *[Recommended by Public Works Committee.]*
 - a. PUBLIC HEARING AND RESOLUTION ORDERING THE CLOSING OF A PORTION OF VEST MILL ROAD IN THE SOUTHWEST WARD (Council Member Besse) – *Petition of Marshall E. Rowell.*
 - b. RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH MARSHALL E. ROWELL.

3. CONTINUATION OF PUBLIC HEARING ON ZONING PETITION OF CENTEX HOMES FOR PROPERTY OWNED BY OLLIE J. SHOUSE AND JOHN W. JAMES, JR. TRUSTEE FROM RS-9 AND LB TO RM-12-S (Residential Building, Single-Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multi-Family; and Residential Building, Townhouse): Property located on the west side of Bethania Station Road and the southern side of Shattalon Drive – Containing approximately 25.73 acres located in the NORTH WARD (Council Member Malloy) – Zoning Docket W-2755. *[Planning Board recommends approval of petition and site plan with staff recommendations with the following additional conditions: the road connection to James Street will not be required and no sidewalks will be required along Bethania Station Road. This item was continued from the April 4 Council meeting and remanded to the Planning Board for clarification regarding road widening and sidewalks.]*

ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM

APPROVAL OF SITE PLAN

APPROVAL OF SPECIAL USE DISTRICT PERMIT

4. CONTINUATION OF PUBLIC HEARING ON ZONING PETITION OF JOSE LOYA ROQUE FROM RS-9 TO RSQ-S (Residential Building, Multi-family): Property located on the northeast corner of Sprague Street and Urban Street – Containing approximately .29 acre located in the SOUTHEAST WARD (Council Member Terry) - Zoning Docket W-2745. *[Planning Board recommends approval of petition and site plan with staff recommendations. This item was continued from the March 7, March 28, and April 4, 2005 Council meetings.]*

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5. PUBLIC HEARING ON ZONING PETITION OF BMC LAND COMPANY, INC. FROM IP TO GB-S (Building Materials Supply; Implement Sales and Services; Wholesale Trade A; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Services, Business A; Storage Services, Retail): Property located on the northwest corner of Northwest Boulevard and Chestnut Street – Containing approximately 1.78 acres located in the EAST WARD (Council Member Johnson) – Zoning Docket W-2760. *[Planning Board recommends approval of petition and site plan with staff recommendations.]*

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6. PUBLIC HEARING ON ZONING PETITION OF ST. PAUL'S PLACE, INC. FROM RM-18 (HO) TO LO-S (HO) (Residential Building, Multi-Family; Offices, Miscellaneous; Professional Office): Property located on the west side of Summit Street north of Sixth Street – Containing approximately .26 acre located in the NORTHWEST WARD (Council Member Merschel) – Zoning Docket W-2761. *[Planning Board recommends approval of petition and site plan with staff recommendations.]*

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7. PUBLIC HEARING ON ZONING PETITION OF BF REAL I, LLC FROM CPO TO GB-S (Professional Office; Food or Drug Store; Banking and Financial Services; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Health Service, Miscellaneous; Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Restaurant(without drive through service); Restaurant(with drive through service); Arts and Crafts Studio; Car Wash; Medical and Surgical Offices; Medical or Dental Laboratory; Non-Store Retailer; Testing and Research Lab; Services, Business A; Services, Business B; Services, Personal; Recreation Services, Indoor; School, Private; School, Vocational or Professional; Broadcast Studio; Government Offices; Club or Lodge; Museum or Art Gallery): Property located on the southeast corner of Hanes Mall Boulevard and Frontis Plaza Boulevard – Containing approximately 1.01 acres located in the SOUTH WARD (Council Member Robinson) – Zoning Docket W-2762. *[Planning Board recommends approval of petition and site plan with staff recommendations.]*

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8. PUBLIC HEARING ON ZONING PETITION OF COUNTRY CLUB COMMONS, LLC AND TRENWEST MANAGEMENT, LLC FROM LO-S TO LO-S (Professional Office; Offices, Miscellaneous; Medical and Surgical Offices; Banking and Financial Services – Site Plan Amendment): Property located on the southwest corner of Country Club Road and Dalewood Drive – Containing approximately 9.4 acres located in the SOUTHWEST WARD (Council Member Besse) – Zoning Docket W-2764. *[Planning Board recommends approval of petition and site plan with staff recommendations.]*

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9. PUBLIC HEARING ON ZONING PETITION OF HAROLD HILL FOR PROPERTY OWNED BY SOUTHSIDE LAND PARTNERS II AND SOUTHSIDE LAND COMPANY FROM RS-9 TO HB-S (Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; School, Vocational or Professional): Property located on the northwest corner of Clemmonsville Road and Orchard View Drive – Containing approximately 1.17 acres located in the SOUTH WARD (Council Member Robinson) – Zoning Docket W-2759. *[Planning Board forwarded this item to the Council with four in favor and four opposed, but approval of the site plan with staff recommendations.]*

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10. PUBLIC HEARING ON ZONING PETITION OF WESTWOOD CLUB, INC. FROM RS-9 AND IP-S TO IP-S (Club or Lodge): Property located on the east side of Harper Street and the west side of Silas Creek Parkway north of Business I-40/US 421 – Containing approximately 4.33 acres located in the SOUTHWEST WARD (Council Member Besse) – Zoning Docket W-2754. *[Planning Board recommends approval of petition and site plan with staff recommendations.]*

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11. PUBLIC HEARING ON ZONING PETITION OF HONG S. ROH, BONG ROH, LESZEK DZIECIOL, HENRY L. CROSSWHITE, RANDY MCCORMICK AND CAROL MCCORMICK FROM RS-9 TO LO-S (Professional Office; Offices, Miscellaneous): Property located on the northwest corner of Country Club Road and Piccadilly Drive – Containing approximately 1.77 acres located in the WEST WARD (Council Member Clark) – Zoning Docket W-2765. *[Planning Board recommends approval of petition and site plan with staff recommendations.]*

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12. PUBLIC HEARING ON ZONING PETITION OF WAL-MART REAL ESTATE BUSINESS TRUST FOR PROPERTY OWNED BY GRADY ROTHROCK TRUSTEE, PHILLIP C. FISHEL, JR., BRENDA P. FISHEL, GRADY L. ESTEP, ET AL, JOSEPH A. HARRISON, CRAIG A. ROTHROCK, MARGIE W. ROTHROCK, MARILYN L. FISHEL FROM RS-9 TO MRB-S (Shopping Center): Property located on the south side of the proposed West Clemmons Road Extension and on the west side of Peters Creek Parkway – Containing approximately 26.7 acres located in the SOUTH WARD (Council Member Robinson) – Zoning Docket W-2757. *[Planning Board recommends approval of petition and site plan with staff recommendations.]*

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SUFFICIENT PROTEST PETITION

13. PUBLIC HEARING ON ZONING PETITION OF THE CITY OF WINSTON-SALEM FOR PROPERTY OWNED BY GRADY L. ESTEP, GRADY ROTHROCK, MARGIE ROTHROCK, CRAIG A. ROTHROCK, PHILLIP C. FISHEL, JR., BRENDA P. FISHEL, MARILYN L. FISHEL, JOSEPH H. HARRISON AND JOHN A. PARR FROM COUNTY RS-9 TO CITY RS-9: Property located on the south side of proposed West Clemmons Road Extension west of Peters Creek Parkway – Containing approximately 23.91 acres located in the SOUTH WARD (Council Member Robinson) – Zoning Docket W-2766. *[Planning Board recommends approval of petition. This property was annexed into the City by Council action on March 28, 2005.]*

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14. PUBLIC HEARING AND ORDINANCE AMENDING CHAPTER, ARTICLE II, SECTION 2-58(H)(1)(a) OF THE UNIFIED DEVELOPMENT ORDINANCES REGARDING PRD BUFFERS – *Proposal of Peace Haven Properties, LLC – UDO-131. [Planning Board recommends approval.]*

15. PUBLIC HEARING AND ORDINANCE AMENDING CHAPTERS A AND B OF THE UNIFIED DEVELOPMENT ORDINANCES TO CREATE A NEW USE CLASSIFICATION OF “MEDICAL WASTE TREATMENT FACILITY” TO BE ALLOWED IN CI, LI, AND GI ZONING DISTRICTS – *Proposal of East Coast Capital, Inc. – UDO-132.*
16. PUBLIC HEARING AND ORDINANCE AMENDING CHAPTER B, SECTION 5-2.8 OF THE UNIFIED DEVELOPMENT ORDINANCES REGARDING DISCONTINUED USE – *Proposal of City/County inspections Division - UDO-130. [Planning Board forwarded this item to the Council with four in favor and four opposed.]*
17. APPROVAL OF SUMMARY OF MINUTES – *April 4, 2005.*