

D-27066

Summary of Minutes

April 3, 2006

A Regular Meeting of the Winston-Salem City Council was held on Monday, April 3, 2006 at 7:30 p.m. in the Council Chamber at City Hall, Mayor Allen Joines presiding and the following members present:

Members Present:	Molly Leight	Vivian H. Burke
	Robert C. Clark	Nelson L. Malloy, Jr.
	Dan Besse	Wanda Merschel
	Joycelyn V. Johnson	Evelyn A. Terry

Secretaries: Renée P. Henderson, City Secretary and Paige Deal, Recording Secretary

Sergeant at Arms: Lieutenant Connie Southern

Invocation: Reverend Elizabeth Forrest of Unity Church of Winston-Salem

Pledge of Allegiance

1. CONSIDERATION OF ITEMS RELATING TO A PETITION FOR ANNEXATION OF 31.45 ACRES LOCATED OFF OF W. CLEMMONSVILLE ROAD EXTENSION AND PETERS CREEK PARKWAY – *Petition of Lillian J. and Robert E. Snapp, Josh Harrison, Patricia Harrison, and Dwight D. Harrison. [Recommended by Public Works Committee.]*
 - a. PUBLIC HEARING AND ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF WINSTON-SALEM BY ANNEXING THERETO CERTAIN CONTIGUOUS TERRITORY.

No one heard.

Council Member Leight: Motion for adoption.

Council Member Clark: Second. Unanimous.

- b. RESOLUTION AMENDING OFFICIAL CITY MAP DESIGNATING CORPORATE LIMITS AND SOUTH WARD BOUNDARIES.

Council Member Leight: Motion for adoption.

Council Member Clark: Second. Unanimous.

2. PUBLIC HEARING ON ZONING PETITION OF PHIDEAUX GROUP, LLC FROM RS-9 TO RM-12-S (Residential Building, Multi-Family; Residential Building, Town House; Residential Building, Twin Home; and Residential Building, Duplex): Property located on the northwest corner of Country Club Road and Park Ridge Circle – Containing approximately 1.7 acres located in the WEST WARD (Council Member Clark) – Zoning Docket W-2845. *[Planning Board recommends approval of petition and site plan with staff recommendations.]*

No one heard.

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

Council Member Clark made a motion for approval of the petition, adoption of the zoning ordinance and approval of the site plan and special use district permit.

Council Member Johnson: Second. Unanimous.

3. CONTINUATION OF PUBLIC HEARING ON ZONING PETITION OF MJM REALTY COMPANY, LLC FROM RM-12-S TO RM-12-S (Residential Building, Single-Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Townhouse; and Residential Building, Multifamily): Property located on the west side of New Walkertown Road south of Addison Avenue – Containing approximately 1.43 acres located in the EAST WARD (Council Member Johnson) – Zoning Docket W-2825. *[Planning Board recommends approval of petition and site plan with staff recommendations. This hearing was continued from the March 6, 2006 Council meeting.]*

Speaking on behalf of the petitioners was Mr. Steve Causey of Allied Design, 4720 Kester Mill Road. He explained that this site plan has gone through a number of modifications in response to neighborhood concerns.

Speaking as Managing Members of MJM Realty Company was Mr. James Salters, 517 South Franklin Street, Hempstead, NY. He stated that his company would be more than willing to work with the community and come up with appropriate names for all three buildings in the development.

Appearing next was Ms. Marva Reid, 1434 N. Cameron Avenue. She stated that she was president of the East Winston Neighborhood Association. She stated that the East Winston Neighborhood Association and neighbors in Slater Park were opposed to the petition due to its proposed density, erosion issues, and the historical value of the property.

Mr. Paul Norby, Director of the City/County Planning Board, presented the recommendation of the Planning Board which was for approval of the petition.

**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

Council Member Johnson commented that the developers and the neighbors have met on several occasions. The elimination of the entrance from the development onto New Walkertown Road will help ease concerns regarding traffic congestion. She stated that erosion control will be carefully monitored, and the developers are willing to add public art as an amenity to the project. Due to the historical nature and character of the building itself, the developer is willing to name one of the buildings for an early, well-known African-American physician in the community. In addition, the developer has indicated a desire to work with the community in the naming of the other two buildings for individuals in the community who have made significant contributions. Council Member Johnson added that she would like to see a history of the Bruce family noted as the wall is

being erected. Taking those comments into consideration as well as the fencing along the north side of the site, Council Member Johnson made a motion for approval of the petition, adoption of the zoning ordinance, and approval of the site plan and special use district permit as noted.

Council Member Clark: Second.

Council Member Burke asked Mr. Salters to describe the benefits this development will bring to the neighborhood.

Mr. Salters described the townhomes and advised that they will be marketed at approximately \$175,000 in order to attract young professionals back to this community, and this is just the beginning. The company wants to do more real estate work in the area.

Council Member Burke commented that she is pleased that this development will be locally managed.

The motion was unanimously carried.

4. PUBLIC HEARING AND ORDINANCE AMENDING CHAPTERS A AND B OF THE UNIFIED DEVELOPMENT ORDINANCES TO ADD A DEFINITION FOR “MOBILE SCHOOL UNIT” AND AMEND THE USE CONDITIONS FOR “SCHOOL, PRIVATE” AND “SCHOOL, PUBLIC” – *UDO-145. [Planning Board recommends approval.]*

No one heard.

Mr. Norby presented a brief explanation of this item. He stated that last fall, Council remanded this text amendment to the Planning Board for additional study. The purpose of the text amendment is to provide an administrative approval mechanism for mobile units, in response to the need of school officials to move very quickly to the changing school population. This proposed amendment would set certain design standards and if those standards could be met, the Inspections staff could go ahead and approve the permit without a month’s delay in waiting for the Planning

Board. The requirements would include staying 40 feet off of property lines, placing units no closer to the street than the principal school building, and there be a tree planted for each mobile unit. There are also provisions for pedestrian access and safety. Mr. Norby advised that this text amendment has been reviewed by the Community Development/Housing/General Government Committee as well as a second review by the Planning Board and has been recommended to the Council.

Council Member Malloy: Motion for adoption.

Council Member Merschel: Second. Unanimous.

5. PUBLIC HEARING AND ORDINANCE AMENDING CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES TO AMEND TABLE 3.8 “OFF-STREET PARKING REQUIREMENTS” FOR “SCHOOL, PUBLIC OR PRIVATE” – *UDO-146*. [*Planning Board recommends approval.*]

No one heard.

Mr. Norby explained that this item was also remanded to the Planning Board by the City Council. At that time, there were two features of the ordinance: one was eliminating the bus parking requirement which had become outdated; and the other was a dual on-site parking requirement where a school either had to provide one space per five students plus one space for each faculty or staff member, or one space per three seats when a school stadium is a feature of the school site, whichever is greater. Using Glenn High School as an example, the requirement would result in several hundred parking spaces that would have to be built at great expense for spaces that would be used very few times during the school year. Mr. Norby remarked that it was felt that it would save money and also have a better effect upon the environment not to require that amount of large

impervious surface. He noted that the Community Development/Housing/General Government Committee has also discussed this item and recommended it to Council.

Council Member Malloy: Motion for adoption.

Council Member Burke: Second. Unanimous.

6. PUBLIC HEARING AND ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCES REGARDING TECHNICAL CHANGES – UDO-153. [*Planning Board recommends approval.*]

No one heard.

Mr. Norby explained that this item makes technical changes to the UDO, which has become complex after ten years of editing and adding other governmental units (small towns) under its requirements. Staff has retained the services of a consultant to go through the UDO to separate sections unique to certain towns or zoning authorities and create supplements specifically for that unit of government. Mr. Norby stated that this text amendment makes no substantive changes; it simplifies and clarifies what is already there, and will be turned over to the Municipal Code Corporation (the publisher of the Winston-Salem City Codebook) for updating and reprinting as needed.

Council Member Johnson: Motion for adoption.

Council Member Merschel: Second. Unanimous.

7. PUBLIC HEARING AND ORDINANCE AMENDING CHAPTER B OF THE UNIFIED DEVELOPMENT ORDINANCES PERTAINING TO THE NEIGHBORHOOD CONSERVATION OVERLAY (NCO) DISTRICT – *Proposal of W. Bradley Helms – UDO-156.* [*Planning Board recommends approval of amendment with modifications.*]

Council Member Besse made a motion to continue this hearing to the April 17 Council meeting.

The motion was duly seconded by Council Member Burke.

Council Member Besse stated that this is a complex item. There is actually a double negotiation in process: Mr. Helms' and concerned parties regarding his subdivision proposal; and the second negotiation relates to the overall ordinance and modifications to address broader concerns related to Neighborhood Conservation Overlay Districts. Council Member Besse commented that he believed that there is a good potential for resolving both issues if additional time is allowed.

The motion for continuance was unanimously carried.

Mayor Joines recognized Council Member Burke at this time.

Council Member Burke thanked staff for providing information regarding outstanding parking tickets. She stated that Council has been concerned about this issue for many years, and she asked for additional details regarding the potential for collecting unpaid tickets.

Council Member Merschel remarked that she is aware that some cities have hired outside companies to collect parking fees. She stated that this is an issue that should be considered and discussed during the budget process.

Mayor Joines recognized Council Member Clark for a motion.

Council Member Clark made a motion for the Council to enter into Closed Session to consider the location or expansion of an industry and/or business pursuant to N.C.G.S. 143-318.

Council Member Merschel: Second. Unanimous.

The Council entered into Closed Session at 8:06 p.m.

At 8:18 p.m., Council Member Burke made a motion to adjourn the Closed Session and resume Regular Session. The motion was duly seconded by Council Member Malloy and unanimously carried.

ADJOURNMENT: 8:19 p.m.