

D-27130

Summary of Minutes

September 5, 2006

A Regular Meeting of the Winston-Salem City Council was held on Tuesday, September 5, 2006 at 7:30 p.m. in the Council Chamber at City Hall, Mayor Pro Tempore Vivian H. Burke presiding and the following members present:

Council Members Present:	Molly Leight Robert C. Clark Dan Besse Joycelyn V. Johnson Nelson L. Malloy, Jr. Wanda Merschel Evelyn A. Terry
Member Absent:	Mayor Allen Joines
Secretaries:	Renée P. Henderson, City Secretary Paige Deal, Recording Secretary
Invocation:	Reverend Laura Spangler Lloyd Presbyterian Church
Sergeant-At-Arms:	Lieutenant Connie Southern

Mayor Pro Tempore Burke stated that, without objection, the Council would consider Item 6 on the agenda at this time.

6. CONTINUATION OF PUBLIC HEARING ON ZONING PETITION OF CHRIS PARR CONSTRUCTION, INC. FOR PROPERTY OWNED BY JANET HOOKER, CLARENCE C.V. WHITE, CHRISTIE WHITE, EXL DEVELOPMENT COMPANY, INC., AND THE HOUSING PARTNERSHIP OF WINSTON-SALEM/FORSYTH COUNTY, INC. FROM RS-9 AND RM-18-S TO RM-18-S (Residential Building, Multi-Family; and Residential Building, Townhouse): Property located on the north side of Reynolda Road and south side of Morningside Drive, west of Cheshire Woods Drive - Containing approximately 29 acres located in the NORTH WARD (Council Member Malloy) - Zoning

Docket W-2873. [Planning Board recommends approval of petition and site plan with staff recommendations. This hearing was continued from the August 7 Council meeting.]

Mrs. Henderson stated that the Council has received a request from the petitioner to withdraw this petition.

Council Member Malloy: Motion for approval of the request to withdraw.

Council Member Merschel: Second. Unanimous.

1. PUBLIC HEARING ON ZONING PETITION OF SHARON ROBBINS MARTIN FROM RS-9 TO MH: Property located on the west side of Robbins Road south of Jayson Lane - Containing approximately .54 acres located in the EAST WARD (Council Member Johnson) - Zoning Docket W-2869. [Planning Board recommends approval of petition.]

No one heard.

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

Council Member Johnson: Motion for approval.

Council Member Clark: Second. Unanimous.

2. PUBLIC HEARING ON ZONING PETITION OF ABCE PROPERTY MANAGEMENT, LLC FROM LI TO PB-S (Professional Offices; Residential Building, Multifamily; Arts & Crafts Studio; Offices, Miscellaneous; Services, Business A; Services, Business B; Services, Personal; Testing and Research Lab; Warehousing; and Government Offices): Property located on the east side of Main Street, south of Liberty Street - Containing approximately .38 acre located in the EAST WARD (Council Member Johnson) - Zoning Docket W-2879. [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 Johnson: Motion for approval.

Council Member Malloy: Second. Unanimous.

3. PUBLIC HEARING ON ZONING PETITION OF DONNIE MASON FOR PROPERTY OWNED BY US INCOME FUND IX, LTD. AND JONESTOWN RETAIL INVESTMENT FROM HB-S TO HB-S (ABC Store; Building Material Supply; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; Arts & Crafts Studio; Restaurant {with drive-through services}; Restaurant {without drive-through services}; Medical and Surgical Offices; Office, Miscellaneous; Professional Offices; Banking and Financial Services; Signs, Off-Premise; Services, Business A; Services, Business B; Services, Personal; Building Contractors, General; Building Contractors, Heavy; and Shopping Center): Property located on the northeast quadrant of US 421 and Jonestown Road - Containing approximately 8.91 acres located in the SOUTHWEST WARD (Council Member Besse) - Zoning Docket W-2880. [Planning Board recommends approval of petition and site plan with staff recommendations.]

No one heard.

Mr. Paul Norby, City/County Planning Director, pointed out a requested change to the condition under "Prior to the Issuance of Occupancy Permits" to read as follows: "Developer shall obtain a driveway permit from NCDOT or City DOT as appropriate. Any requirements of the driveway permit shall be completed." Mr. Norby explained that this wording would provide flexibility in the event City DOT has jurisdiction over the driveway permit.

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 Besse: Motion for approval as revised.

Council Member Malloy: Second. Unanimous.

4. PUBLIC HEARING ON ZONING PETITION OF NORTH CAROLINA WINSTON-SALEM HOUSING FOUNDATION, INC. AND WINSTON-SALEM HOUSING FOUNDATION, INC. FROM RS-7 AND RMU TO LO-S (Professional Offices; Offices, Miscellaneous; Residential Building, Multifamily; Church or Religious Institution, Neighborhood; Neighborhood Organization; and Museum or Art Gallery): Property located on the southeast corner of East 5th Street and Dunleith Avenue - Containing approximately 3.13 acres located in the EAST WARD - Zoning Docket W-2881. [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 Johnson advised that she serves as a volunteer member of the Housing Foundation Board, but there is no conflict of interest.

Council Member Johnson: Motion for approval.

Council Member Malloy: Second. Unanimous.

5. PUBLIC HEARING ON ZONING PETITION OF TRI-COM REAL ESTATE PARTNERSHIP FROM RS-9 AND HB-S TO HB-S (Building Contractor, General; Professional Office; Offices, Miscellaneous; Services, Business A; Services, Business B; Medical and Surgical Offices; Wholesale Trade A; and Warehousing): Property located on the south side of Jonestown Road west of Stratford Road and across from Huntington Woods Drive - Containing approximately 6.01 acres located in the SOUTHWEST WARD (Council Member Besse) - Zoning Docket W-2882. [Planning Board recommends approval of petition and site plan with staff recommendations.]

In response to a question from Council Member Leight, Mr. Doug Stimmel, 601 N. Trade Street, Suite 200, stated that there is a condition requiring a study of the stream

and approval by the Army Corps of Engineers. This will be done prior to any construction on the site.

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 Besse: Motion for approval.

Council Member Merschel: Second. Unanimous.

Council Member Besse stated that a number of concerns were raised by nearby residents which have been addressed by the petitioner. He noted the following points which are important to the approval of the petition: lighting restrictions, specifics of the enhanced streetyard, stormwater and signage limitations, and installation of the sidewalk as drawn on the site plan.

7. CONSIDERATION OF OCTOBER, 2006 MEETING SCHEDULE FOR CITY COUNCIL.

Council Member Merschel: Motion for approval.

Council Member Malloy: Second. Unanimous.

8. APPROVAL OF SUMMARY OF MINUTES - August 21, 2006.

Council Member Merschel: Motion for approval.

Council Member Terry: Second. Unanimous.

MAYOR/COUNCIL COMMENTS

Mayor Pro Tempore Burke commented that City staff has worked hard to advise residents near Bowen Park of the clean-up efforts undertaken from the recent diesel fuel

spill. She noted that Waste Management is spending approximately \$300,000 in correcting the situation.

In response to Mayor Pro Tempore Burke, Mr. Derwick Paige, Deputy City Manager, stated that two NBA players from Winston-Salem have contacted the Recreation and Parks Department regarding improvements at two recreation centers. Mr. Chris Paul of the New Orleans/Oklahoma City Hornets has renovated the outdoor basketball courts at Rupert Bell Recreation Center in memory of his grandfather. Likewise, Mr. Josh Howard of the Dallas Mavericks plans to make improvements to Reynolds Park Recreation Center in memory of his grandmother, which should be completed within the next week or so.

Several Council members expressed appreciation to these young men for their generosity and their positions as role models for the youth of the community.

Mayor Pro Tempore Burke commended the recreation center supervisors for their work, and stated that there will be other events scheduled for the citizens to show their appreciation to Mr. Paul and Mr. Howard.

Mayor Pro Tempore Burke and Council Member Merschel recognized young Sam Ogburn, III who was present in the audience working on a merit badge from Boy Scout Troop 920 from Centenary United Methodist Church.

Council Member Merschel reminded everyone of Rock the Block coming up on Friday, September 15. She particularly thanked Mr. Ed McNeal, Marketing and Communications Director of the City, and his staff for their hard work in bringing this event together.

In response to Mayor Pro Tempore Burke, Mr. Lee Garrity, City Manager, advised that staff is looking at a number of options in cooperation with the Downtown Partnership to make events inclusive for everyone, and to expand what is offered for all age groups.

Mayor Pro Tempore Burke noted that a significant investment has been made in downtown and thanked other organizations for working with the City to keep up positive momentum.

Council Member Merschel noted also that invitations have been sent out for participation in the 9/11 Commemoration Parade from Spring Street to Corpening Plaza. She and Mayor Pro Tempore Burke urged everyone to reflect on the events of five years ago and remember to say thank you to those persons who are dedicated to the safety of others.

ADJOURNMENT: 7:55 p.m.