

D-27303

Summary of Minutes

June 4, 2007

Regular Meeting of the Winston-Salem City Council was held on Monday, June 4, 2007 at 7:30 p.m. in the Council Chamber at City Hall, Mayor Allen Joines presiding and the following members present:

Council Members	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 Melanie Johnson, Recording Secretary

Pledge of Allegiance

Sergeant at Arms: Lieutenant David L. Kiger

Invocation: FATHER DEMETRI KANGELARIS OF THE GREEK
ORTHODOX CHURCH

RECOGNITION OF RECIPIENTS OF THE WILLIAM H. ANDREWS
SCHOLARSHIP

Council Member Burke introduced Mr. Barry Holmes, Chairman, William H. Andrews Scholarship Committee, and asked that the scholarship recipients come to the front to be recognized.

Mr. Holmes thanked City Council and introduced the scholars in attendance. He also recognized fellow Scholarship Committee members, Ms. Michelle Greene and Ms. Renetta Evans.

Council Member Burke thanked the Committee and noted that many of the students had finished high school as well as completed their education at Forsyth Technical College and were now moving on to various colleges and universities throughout the United States.

Mayor Joines congratulated everyone and wished them luck in their future endeavors.

RESOLUTION RECOGNIZING HANES MIDDLE SCHOOL FOR WINNING THE NATIONAL ACADEMIC LEAGUE CHAMPIONSHIP

Council Member Johnson: Motion for approval.

Council Member Burke: Second. Unanimous.

Mayor Joines congratulated the students for their hard work and superb representation of the city. He presented the resolution to Mr. Joe Childress, Principal of Hanes Middle School.

Mr. Childress thanked City Council for the honor and expressed pride in his students' hard work.

Council Member Burke pointed out that the school is in the Northeast Ward. She stated that she had been a counselor at the school at one time and she thanked the students for their efforts on behalf of the residents of the Northeast Ward.

RESOLUTION HONORING TARGACEPT, INC. FOR ITS CONTRIBUTIONS TO WINSTON-SALEM

Council Member Johnson: Motion for approval.

Council Member Merschel: Second. Unanimous.

Mayor Joines recognized Mr. Don deBethizy and the important input Targacept has provided in the biotechnology community.

Mr. deBethizy thanked the Mayor and City Council for their financial support, as well as City staff that has helped to encourage their success. He noted that their diverse staff continues to grow and should be at 110 employees by the end of 2007. Mr. deBethizy noted that attracting professional and talented personnel had not been difficult and pointed out that Targacept had gone public in 2006. He noted that the Piedmont Triad Research Park is the third largest biotechnology cluster in the United States. He presented a representative check to staff for the first payment on Targacept's loan from the City.

8. CONTINUATION OF PUBLIC HEARING ON ZONING PETITION OF SOUTHEAST GATEWAY VENTURES, LLC, STEPHEN KOPPENHAVER, LISA WELLER, AND JOAN YOW, ET AL FROM RS-9 AND MU-S TO MU-S (RESIDENTIAL BUILDING, MULTI-FAMILY) AND SITE PLAN AMENDMENT: Property located on the west side of Broad Street on the north and south sides of Salem Creek - Containing approximately 20.34 acres located in the SOUTH WARD (Council Member Leight) - Zoning Docket W-2919. [Planning Board recommends approval of petition and site plan with staff recommendations. The public hearing on this item was continued from the May 7, 2007 City Council meeting.]

Without objection, Mayor Joines suggested City Council first consider Item 8 since the petitioner had submitted a request for withdrawal.

Council Member Leight thanked the citizens as well as Place Properties for their efforts on the request. She inquired if the withdrawal request includes the MU-S as well as the RS-9 uses, and whether or not the petitioner could request the same rezoning in the future if the withdrawal request is approved tonight.

Mr. Ron Seeber, City Attorney, indicated that it was his understanding that the request was for withdrawal of the entire petition and he stated that if the withdrawal is approved, the rezoning request could be made again at any time.

Council Member Leight made a motion to approve the request for withdrawal of the rezoning petition.

Council Member Terry: Second. Unanimous.

1. PUBLIC HEARING ON ZONING PETITION OF OLA C. MORRIS FROM RS-9 TO PB-L (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Urban; Boarding or Rooming House, Combined Use; Congregate Care Facility; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Arts & Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Hardware Store; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Funeral Home; Health Services, Miscellaneous; Hotel or Motel; Medical or Dental Laboratory Medical and Surgical Offices; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Home; Adult Day Care Center; Child Care (Drop-In); Child Care (Sick Children); Child Care Institution; Child Day Care Center; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Correctional Institution; Dirt Storage; Government Offices; Group Care Facility A; Group Care Facility B; Habilitation Facility C; Institutional Vocational Training Facility; Landfill, LCID; Library, Public; Museum or Art Gallery; Neighborhood Organization; Nursing Care Institution; Police or Fire Station; Post Office; Postal Processing Facility; School, Private; School, Public; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Borrow Site; Access Easement, Private, Off-Site; Broadcast Studio; Helistop; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities): Property located on the south side of Waughtown Street across from Butler Street - Containing approximately 0.50 acres located in the SOUTHEAST WARD (Council Member Terry) - Zoning Docket W-2912. [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

APPROVAL OF SPECIAL USE DISTRICT PERMIT

Council Member Terry asked for a staff report.

Mr. Norby explained that the request involves a one-half acre site that constitutes the first special use district limited request, and only involves changes in conditions and use limitations, but no site plan is required.

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

Council Member Merschel: Second. Unanimous.

2. PUBLIC HEARING ON ZONING PETITION OF FAITH BAPTIST CHURCH AND THE G. CARL GREEN TRUST FROM IP AND RS-9 TO HB-S (Food or Drug Store; Professional Office; Offices, Miscellaneous; Restaurant without drive through; and General Merchandise Store): Property located on the northwest corner of Reynolds Park Road and Waughtown Street - Containing approximately 4.83 acres located in the SOUTHEAST WARD (Council Member Terry) - Zoning Docket W-2914. [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 Terry 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 Burke: Second. Unanimous.

3. PUBLIC HEARING ON ZONING PETITION OF SOUTH FORK CHURCH OF CHRIST, THE CHURCH OF CHRIST AT SOUTH FORK, THE ELDERS OF THE CHURCH OF CHRIST AT SOUTH FORK, AND THE SOUTH FORK CHURCH OF CHRIST TRUSTEES AND CONSIDERATION OF FOUR

FINDINGS OF FACT FOR A SPECIAL USE PERMIT FOR THE EXPANSION OF INSTITUTIONAL PARKING IN A RS-12 ZONING DISTRICT: Property located on the west side of Keating Drive south of Royalton Street - Containing approximately 3.93 acres located in the SOUTHWEST WARD (Council Member Besse) - Zoning Docket W-2928. [Planning Board determined that this proposal addresses all applicable findings of fact and recommends approval of permit.]

Council Member Besse stated that some issues had arisen and he had been unable to speak with interested parties about the case. He made a motion to continue this item to the July 2, 2007 City Council meeting.

Council Member Burke: Second. Unanimous.

4. PUBLIC HEARING ON ZONING PETITION OF BETHESDA CENTER FOR THE HOMELESS AND CONSIDERATION OF FOUR FINDINGS OF FACT FOR A SPECIAL USE PERMIT FOR A SHELTER FOR THE HOMELESS IN A GB ZONING DISTRICT: Property located on the southwest corner of Patterson Avenue and Tenth Street - Containing approximately 0.30 acres located in the EAST WARD (Council Member Johnson) - Zoning Docket W-2929. [Planning Board determined that this proposal addresses all applicable findings of fact and recommends approval of permit.]

Mayor Joines noted that there were individuals signed up to speak and he noted that since this is a quasi-judicial matter, the Deputy City Secretary would need to swear in the speakers.

After being sworn in, Mr. Jimmy Norwood, P.O. Box 4888, indicated that a shelter expansion had occurred last year and along with this request, a total of 10,000 square feet of expansion will have been completed. He noted that the outside gathering area for clients would now be located at the rear of the building as opposed to the front.

Mr. Mike Ryan, 100 Sutters Place Court, confirmed that the four findings of fact included in the report were correct.

Mayor Joines asked if anyone else wished to be heard. Seeing no one, he declared the public hearing closed.

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 PERMIT

Council Member Johnson requested a staff report and a description by the petitioners of the design of the facility.

Mr. Norwood stated that the residency would not increase and the design will allow for a day shelter to accommodate 100 clients. He noted that a conference room, laundry room and showers would be on the first floor, and offices, a conference room, restrooms and a break room would be located on the second floor, with the basement being used for storage. Mr. Norwood explained that the building will be masonry split faced with a shingled roof and some gables. He indicated that an exterior plaza area will be located in the rear for use by clients of the facility.

Mr. Norby presented a brief overview of the Planning Board report, noting that the expansion will improve upon the facilities without an expansion in the number of beds.

Council Member Johnson expressed concern about efforts to convert the area into a major metroactivity center and the fact that the nature of the Bethesda Center services present challenges to the community, and she asked City staff as well as Bethesda Center staff to continue to monitor residents. She made a motion 1) that the City Council affirm the four findings as required by Section 6-1.5(F) of the Unified Development Ordinance, and detailed on the first page of the ordinance in the agenda packet; 2) that the City Council approve the site plan that is included with this special use permit request, along

with the conditions included in the special use permit and staff report; and 3) that the City Council issue a special use permit to Bethesda Center for the Homeless for a Shelter for the Homeless in a General Business Zoning District.

Council Member Clark: Second.

Council Member Burke agreed with Council Member Johnson's concerns and noted the need for additional programs for clients of the Bethesda Center.

The motion to affirm the four findings and approve the item was unanimously carried.

5. PUBLIC HEARING ON ZONING PETITION OF KDT GRADING INC. FROM HB TO LI-S (Building Contractor, Heavy; and Dirt Storage): Property located on the west side of Patterson Avenue north of Motor Road - Containing approximately 9.53 acres located in the NORTHEAST WARD (Council Member Burke) - Zoning Docket W-2930. [Planning Board recommends approval of petition and site plan with staff recommendations.]

Council Member Burke made a motion to continue the item to the July 2, 2007 meeting.

Council Member Clark: Second. Unanimous.

6. PUBLIC HEARING ON ZONING PETITION OF CITY OF WINSTON-SALEM FOR PROPERTY OWNED BY ANNA L. NELSON FROM COUNTY ZONING JURISDICTION TO CITY ZONING JURISDICTION FOR RS-9 ZONED PROPERTY: Property located on the north side of Denise Lane west of Darwick Meadow Trail - Containing approximately 0.24 acres located in the SOUTH WARD (Council Member Leight) - Zoning Docket W-2931. [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 Leight made a motion for approval of the petition and adoption of the zoning ordinance.

Council Member Johnson: Second. Unanimous.

7. CONTINUATION OF PUBLIC HEARING ON ZONING PETITION OF BRANCO CORPORATION FROM GI TO LI: Property located on the east side of Glenn Avenue, south of Akron Drive - Containing approximately 4.79 acres located in the NORTHEAST WARD (Council Member Burke) - Zoning Docket W-2916. [Planning Board recommends approval of petition. The public hearing on this item was continued from the May 7, 2007 City Council meeting.]

No one heard.

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

Council Member Burke made a motion for approval of the petition and adoption of the zoning ordinance.

Council Member Malloy: Second. Unanimous.

Council Member Merschel noted that the Finance Committee would conduct a public hearing on the proposed Fiscal Year 2007-2008 Budget on Thursday, June 7, 2007 at 7:30 p.m. in the Council Chamber.

Council Member Johnson indicated that minutes from the recent East Ward Town Hall meeting were now on the City's website.

Council Member Burke explained that she had gone to downtown events on Friday night and asked staff to continue discussion with churches and neighborhood groups to further efforts on downtown events. She also noted that more events for youth were being planned.

Council Member Besse stated that members of the Early Action Compact wished to convey congratulations to the City for its approval of the Cool Cities item to combat global warming and he encouraged City Council members to accept the Triad Commuter Challenge.

ADJOURNMENT: 8:21 p.m.