

**MINUTES  
CITY-COUNTY PLANNING BOARD  
MAY 28, 2020  
4:30 P.M.  
VIRTUAL MEETING**

MEMBERS PRESENT: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman  
MEMBER ABSENT: None  
PRESIDING: Chris Leak

**CALL TO ORDER**

**A. ACTION ON MINUTES**

- March 12, 2020 Public Hearing

MOTION: Clarence Lambe moved approval of the minutes.

SECOND: Johnny Sigers

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

**B. PUBLIC HEARING ITEMS**

The actual order of cases considered by the Planning Board on May 28, 2020, is determined procedurally by taking consent agenda cases first, then cases for which there was a public hearing. Accordingly, the order of cases on May 28, 2020, were as follows: C.1.; D.1.; D.2.; B.1.; B.3.; B.4.; B.5.; B.8.; B.2.; B.6.; B.7.; B.9.

1. Zoning petition of John L. Dyson Sr., Phyllis Dyson, and Nancy S Wall from AG and RS20 to RS20-S (Residential Building, Single Family and Planned Residential Development): property is located north of Patsy Drive, east of Glenn Landing Drive (Zoning Docket W-3436) (Case starts at 17:39).

Desmond Corley presented the staff report.

## **PUBLIC HEARING**

FOR: None

AGAINST: None

## **WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

2. Zoning petition of William Luther Dixon from RS9 to RM12-S (Residential Building, Multifamily and Life Care Community): property is located on the east side of Old Salisbury Road and south side of Jay Avenue (Zoning Docket W-3437) (Case starts at 1:33:02).

Gary Roberts presented the staff report.

George Bryan asked Gary if multifamily or some other higher density would work in this space.

Gary stated that there was a lot of effort put into the area plan that recommended concentrating multifamily development closer to the major thoroughfares where transit is available, as well as other services that people can walk to. This is not a walkable area; It is surrounded by single-family homes, there is no direct connection to Stafford Village Boulevard, no sidewalk linkage, and the building is out of scale with the surrounding homes.

Melynda Dunigan asked whether, should this proposal be approved, staff could see an impact on how an adjacent vacant piece would be used. Her concern is that it might also open the door for

that piece to request multifamily zoning, since it would be hard to do single-family development between two multifamily developments.

Gary stated that it would have some sort of impact, based on the fact that the other site is surrounded by property recommended for higher density residential development, but it's not accessed from those properties that have a direct connection to Stafford Village Boulevard. The property is accessed by Jay Avenue and the internal street to the south. Although it's undeveloped, staff feels there would definitely be an impact.

Aaron King added that getting connectivity from Jay Avenue would mean that somebody would have to build the public road in that right-of-way, which would be costly.

## **PUBLIC HEARING**

FOR:

Dennis Tharrington, WDT Development, LLC, 112 Westlake Drive, Henderson, NC 27536

- This particular project is very similar to a number of other projects my firm has developed. I understand there has been a lot of discussion about the height of the building, walkability, and how that is going to affect the neighbors. We had a neighborhood meeting, and we invited all the folks within 500 feet to come, and a few people showed up. After looking at our proposal, none of the people were in opposition. In fact, all of the people that attended said they were in favor and that it would help their neighborhood. One of the residents on Tortoise Lane gave us a right-of-way to go through his property to be able to access sewer. The residents in that surrounding area have been welcoming towards this project.
- There has been a lot said about walkability around this site. Every project we've done in Henderson, Oxford and Gastonia are on streets that are more or less major thoroughfares; there are no sidewalks. There are sidewalks within the facility, but not sidewalks going out of the facility. That is something that our particular client likes. The average person that lives in one of these facilities is a 73-year-old widow, and quite frankly she is not going to get on the sidewalk, doesn't want to get on the sidewalk and go down through some crowded area, or walkability area, and get her groceries and then walk them back home. That is not who is going to live in this facility. This facility is going to be mainly occupied by 70-year-old widows. In the environment that they are in, they do not want to go out and mingle in crowds.
- Where you would want to put this type of facility might seem like it would be a great fit, and it probably would be a great fit for ordinary multifamily, but it's not really a good fit for the type of clientele that would be living here.
- They actually form communities within the building that look after each other. They don't really want a lot of people around them in the general population.

- There have been comments made about the height of the building. We put additional space around the building where we plan to have additional trees planted and a landscaped area so that the building would be hidden from view, to a certain extent.
- We will probably reduce the number of units in the building from 84 to 72 units, which would lower our density, but the building would still be a three-story building of the style shown in the PowerPoint presentation.
- The sellers of the land think that senior living would be a valid use of the “home place.” It abuts the Peters Creek Activity Center and could be a transitional area between the assisted living and that area. I think it’s consistent with a natural growth pattern that happens in this area, and quite frankly it meets a huge need for affordable housing.
- Walkability is not something that the people who live there are going to want to do, but it is a compatible use from a practical standpoint. It doesn’t negatively impact the surrounding neighbors. It’s very low traffic. Nowadays, grocery stores and pharmacies deliver to places, not to mention Amazon and other stores. Elderly people are less likely to go out and want to be in crowds.
- I do think it would be a strong addition to the affordable housing choices in the City, and I think it would be well received. And it will be very attractive and well managed.

AGAINST: None

### **WORK SESSION**

With regard to the parcel to the east that Ms. Dunigan mentioned, Clarence Lambe brought up the feasibility of getting a road to a traditional subdivision. He also pointed out that a traditional subdivision is going to be backed directly up to property recommended for development up to 18 units per acre. Activity centers are designed so that commercial development is in the center, surrounded by high-density multifamily, then it goes down to moderate-density multifamily, and then down to single-family. This parcel and the parcel immediately to the east look like the perfect stepping stone that would take you from 8 to 18 units, then down to 8 or 9 units per acre. It seems like that is the way we try and design these things.

Chris Murphy stated that it looks different on paper than if you are looking at it in the field. If you are looking at it in the field, there is a genuine disconnect between this area and the area to the north and the east due to topography. It drops significantly as you go to the east and rises back up after you go through the streams. The area that is currently shown in brown is all served on the other side of the creek area and is accessed via Stafford Village Boulevard, where this area, even though adjacent, is all single-family and goes back towards Old Salisbury Road. That is one of the reasons for staff’s recommendation of denial for case W-3437, on the grounds that they don’t really fit well together. One of staff’s major concerns was scale, or the height of the buildings. These are 45 feet from floor to the top of the three stories. It is close to 60, if you go to the top of the building.

Clarence stated that on three sides, the surrounding topography looks like it is 20 feet higher. That would take the rooftops down 20 feet in comparison to the adjacent parcels.

Aaron pointed the Board to the GeoData map of the parcels in question and explained that staff felt those two parcels oriented more towards the south, even though on the area plan map you've got high-density residential to the top and left of the property. When the property gets developed, there is a good chance that someone will not cross the stream because it's like a natural buffer built in, which orients more toward the single-family neighborhood to the south. This is why staff felt like the parcel has more of a single-family flavor versus a multifamily flavor, even though on the landuse map it certainly is right next door to the brown high-density multi-family.

Kirk Ericson added that when staff was preparing this recommendation, they thought single-family would access from the existing stub, and that they were not expecting the right-of-way to be open. It would be an extension of the adjacent single-family subdivision. And if this piece were combined with it, you could connect through that subdivision to the existing street that is already in place.

Clarence asked if the southern boundary of the blue institutional use lot was a dedicated public right-of-way that would meet current street standards. Aaron stated that Jay Avenue would not meet today's public street standards.

George stated a need for the property to be more transitional.

Brenda Smith asked the petitioner what the topographic scale will be from the west, whether it will be lower compared to the adjacent property, or sitting on the same level.

Bryan Murr, the site engineer, stated that there is a significant drop in the topography across the site. Along Jay Avenue, the property is sitting at approximately 840 feet, and across the site it drops almost down to 800 feet. The drop is significant across the site.

Chris stated that the finished floor elevation for the structure is 818 feet.

Bryan stated that the total building height would be approximately 40 to 45 feet, including the roof.

Mr. Tharrington stated that one of the folks at the neighborhood meeting owned a significant amount of property on Jay Avenue, and after seeing everything he was not opposed to it. This gentleman owns a good bit of property around the end of Jay Avenue.

Jack Steelman asked the petitioner to expand on the affordable housing that is being proposed.

Mr. Tharrington stated that the average person that would live in the apartments has to qualify to live there. The qualification is based on income. Income can stretch anywhere from approximately 30 percent of the median income on up to 80 percent of the median income. It has to average 60 percent. In Forsyth County/Winston-Salem there is a huge need for properties that can satisfy that requirement. In this particular case, most of the people that will live there are going to be, on average, 73-year-old widows. Their source of income is social security. The rents are much less than market rate rents.

Melynda Dunigan expressed her concern about the incompatibility of multifamily development wedged up on the back side of a single-family neighborhood she felt that it would be setting a bad precedent because it really doesn't respect the area plan and all the work that went into it. Additionally the stub street to the south, coming from that neighborhood to the south, and this multifamily development would put pressure on another multifamily development that could only be accessed practically through a single-family neighborhood. All these reasons make the plan problematic.

MOTION: Melynda Dunigan recommended that the Planning Board find that the request is inconsistent with the comprehensive plan.

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Melynda Dunigan recommended denial of the zoning petition.

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan, Tommy Hicks

AGAINST: Jason Grubbs, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Jason Grubbs

VOTE:

FOR: Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: George Bryan, Melynda Dunigan

EXCUSED: None

3. Zoning petition of James N. Howard and Kerry E. Howard from RS9 to RM12-S (Residential Building, Multifamily; Residential Building, Twin Home; Residential Building, Townhouse; Residential Building, Duplex; Residential Building, Single Family; and Planned Residential Development): property is located on the east side of Stafford Place Boulevard, south of Stafford Village Boulevard (Zoning Docket W-3438) (Case starts at 21:55).

Desmond Corley presented the staff report.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

### **WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Johnny Sigers

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

4. Zoning petition of Forsyth County from IP to GB-S (Group Care Facility C): property is located on the south side of Union Cross Road, west of Wallburg Road (Zoning Docket W-3439) (Case starts at 25:40).

Desmond Corley presented the staff report.

George Bryan asked about the presence of a Quonset hut on the property and whether it was historical in nature. Desmond recalled the site plan showing a structure that fit that description but wasn't sure it was contributing to the possibility of a historic listing.

Aaron King added that there is a condition that, prior to obtaining grading permits, developers are to document any structures on the site proposed for demolition in accordance with the standards suggested by the Historic Resources staff.

George asked if, historically, ARCA gained any federal or state dollars from the Quonset hut being on the property and for keeping it (in terms of tax breaks).

Darrell Boyles (ARCA) stated that ARCA is owned by Forsyth County, has been in Forsyth County since 1975, and is a 501(c)(3) nonprofit. They have not benefitted financially from the hut.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

### **WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

5. Site Plan Amendment of Wachovia Bank N.A. for additional accessory structures on a site previously approved for Services A in a GO-S zoning district: property is located at the northwest corner of the intersection of Sunnynoll Court and Silas Creek Parkway (Zoning Docket W-3440) (Case starts at 31:40).

Desmond Corley presented the staff report.

Melynda Dunigan asked if there would be some vegetation that would provide screening to the structure.

Desmond indicated that the site plan shows proposed evergreen plants in front of the wall and fence, as well as some additional trees on the northeastern corner of the property next to the Sheetz. There will be additional trees at the intersection of Silas Creek Parkway and Sunnynoll Court. Desmond stated that what the applicant has proposed will not look like what is there now, due to the fact that there was no room for that degree of screening.

George Bryan asked what the accommodations were for potential spills into the nearby waterway from moving the tanks above ground and how the applicant would propose to take care of that if it did happen.

Bart Sargent (Architect for Wells Fargo) said that the proposed above-ground tanks will be phased in to replace the existing underground tanks due to some environmental concerns. The existing tanks are approximately 25 years old and have reached the end of their lifespan. The proposed design includes curbing and capture basins in order to contain any leaks. The proposed tanks are double-wall steel with an interstitial space that is monitored for leak detection. That leak detection is required for a critical facility like this.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

### **WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the site plan amendment.

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None  
EXCUSED: None

6. Zoning petition of W.R. Vernon Produce Company, IH-850 Trade LLC, and Industry Hill Properties LLC from LI to PB-L (Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Combined Use; Food or Drug Store; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hotel or Motel; Institutional Vocational Training Facility; Library, Public; Micro-Brewery or Micro-Distillery; Museum or Art Gallery; Offices; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services, A; Shopping Center; Shopping Center, Small; Special Events Center; Swimming Pool, Private; Testing and Research Lab; Theater, Indoor; Transmission Tower; Urban Agriculture; Utilities; Veterinary Services; Warehousing; Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Family Group Home B; Family Group Home C; Group Care Facility A; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; and Access Easement, Private Off-Site; property is located on the west side of North Trade Street, between west Eighth Street and West Tenth Street (Zoning Docket W-3441) (Case starts at 2:20:25).

Dakota Pahel-Short presented the staff report.

George Bryan asked what staff's feeling was about the different types of uses abutting with entertainment and how that will work out in the future. Dakota stated that the Pedestrian Business district, would function as a buffer for the E district. It is supposed to produce a walkable area, which seems compliant with having a school; whereas, the current Limited Industrial district does not fit a school, or really condominiums, adjacent to it.

Aaron stated that there was debate among staff regarding E zoning and PB zoning, and in the end staff is comfortable with the PB-L zoning because a lot of the uses requested are similar to those that are allowed in the E district. Aaron explained that if you pull the E-L zoning case and what's allowed in the E district, it's very mixed-use oriented, and a lot of the uses and what's intended here are all in the same vein. It fits with the surrounding zoning, and it's in line with the type of development that has taken place in this area of town over the years. Staff feels like it meets the Special Land Use consideration that's called for on this site. Staff also feels those two districts are very similar. Back in 2011-2012, staff was of the opinion one should use the PB district because it does a lot of what the E district was trying to achieve. Staff feels those districts are very close.

George stated that his question came from Stimmel's letter that talked about residential multifamily. It obviously works Downtown, where there are a number of venues, a number of bars that operate until late at night with residential there. It almost doesn't make sense not to call it Downtown, in a sense, if the uses are mixed like that. As long as people's expectations meet and understand that.

Jack Steelman stated that he was highly appreciative of Downtown walkability and connectivity, and as a condition of staff's recommendation for the developer to construct new sidewalks where there are none, he would equally recommend that the City do its part as well, replacing the dilapidated public sidewalks that currently exist so there is a cohesive, finished project at the end of the day.

## **PUBLIC HEARING**

FOR:

Luke Dickey, Stimmel Associates, 601 N. Trade Street, Suite 200, Winston-Salem, NC 27101

- This site is being looked at by DPJ Residential as the developer, if you're familiar with West End Station. They also did the Easley Apartments, so this is the third development that they are looking at in the community. Market rate apartments that are roughly 244 units as planned are still being developed for that. Overall, he is looking at a \$45 million investment in this area. It's also in an opportunity zone. We're looking at this as kind of a transition zone as it moves forward in the future. Of course with the Ramkat there, Wise Man Brewing, Earl's Whiskey bar, I just think it's a great, vibrant area to be located as the next up and coming location in Winston-Salem, with its proximity to Downtown.
- We looked at both the E district and the PB district, discussed it with staff, and felt it was better to go with PB as kind of a transitional zoning at this point. At one time, the New Bethel Baptist Church had concerns from when the E-Limited across the way was zoned that that E district would continue on, so we felt this was a good buffer between that zoning and making the transition back towards 8<sup>th</sup> Street. Plus, the adjacent existing condominium building is also PB.
- We sent out approximately 76 notification invites in our neighborhood outreach. Two property owners responded and were supportive of the rezoning. One was in the condominiums and another just off University Parkway. At this point we have no known opponents to the proposed rezoning.
- We worked with Planning staff on uses, and staff is supportive.
- This area provides for mixed-use opportunity in a redeveloping area of Downtown that is transitioning from former industrial uses.
- This proposed rezoning is consistent with the *North Central Winston-Salem Area Plan*.
- There is no known opposition to the request.

John Klinedinst, 836 Oak Street, Winston-Salem, NC 27101

- I did not say I wanted to speak in support, although I am in support of it. I would just echo all of the things that Stimmel has said. It sounds like a very good neighbor for our condominium building.

Martha Myer, 836 Oak Street, Winston-Salem, NC 27101

- I do think that this is a good use for this property. My concern with the zoning request is that no site plan seems to be required to do it, and I think it would be helpful if we could see a site plan before it's approved by City Council.
- We have some people actually living on Oak Street out of their vehicles. I am concerned about that. And I don't know if that's a matter for Social Services or someone else to help these people who are basically homeless, unless you consider their vehicles a home.

AGAINST:

Lou Carrico, Winston-Salem Rescue Mission, 718 N. Trade Street, Winston-Salem, NC 27101

- This is my first zoning case, and I really wanted to listen in and see what this was going to be about today and how it might or might not affect the Rescue Mission and our location there. I'm definitely not an opponent now that I've listened in on this conversation today. I would say that we are a proponent. We want to have a good relationship with our neighbors.
- We do have some concerns as far as the E district and what we're trying to do at the Rescue Mission with our men in recovery. We are doing very well. We realize that's just the nature of being in Downtown. But as far as the PB district being a buffer for that area, it's definitely a good thing.
- I do appreciate Martha's request for the site plan. I think that would be very helpful. I wanted to at least reserve the right to be an opponent if anything would have come up that I thought might have adversely affected the Rescue Mission, but I'm not hearing that. That is the only reason I came in as an opponent. I would retract that and we would be a proponent and do not want to hinder any beautification of our area with things that are good, like the PB districting.

## **WORK SESSION**

Jack Steelman asked staff for input on the fact that the proposed list of permitted uses includes far more uses than are needed for what is being discussed today. Jack reviewed aloud some of the uses listed that do not seem overly compatible.

Luke Dickey stated that when it comes to zonings, property owners like to include as many uses as possible in case the project does not work out. It keeps flexibility open, from a zoning standpoint, and is supported by the area plan as well.

Aaron stated that applicants are always encouraged to consider all appropriate uses, and if the deal falls through, perhaps there will be appropriate zoning in place for someone else as long as the land uses make sense. Staff did not see any that were out of character with the area.

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

7. Zoning petition of Zinat Management, LLC from RS9 to RM5-S (Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Duplex; and Residential Building, Townhome): property is located on the west side of Ebert Road across from Truelove Lane (Zoning Docket W-3442) (Case starts at 2:45.44).

Gary Roberts presented the staff report.

Melynda Dunigan stated that the site plan shows an emergency access road and partially shared driveway with a single-family home; she asked if there was any possibility that it would be opened up as a secondary access, or if there was any prohibition against using that as a secondary access.

Aaron King stated that this was a Special Use site plan, and it locks them in to exactly what is shown on the site plan. Therefore, it will have to be an emergency only access road. Should anyone want to change the condition of that road, it would trigger a Site Plan Amendment.

Chris Murphy stated that there is a house located to the west of the northernmost cul-de-sac that can be accessed via that driveway, but they actually have a driveway into the subdivision off of Brookhill Drive. They can use this driveway that goes out to Ebert, but they have a formal driveway that goes and ties in to the cul-de-sac on Brookhill Drive. The piece of property on the corner of that emergency access road and Ebert is a Bell South building, it is not a home.

## PUBLIC HEARING

FOR:

Steve Causey, Allied Design, 4720 Kester Mill Road, Suite C, Winston-Salem, NC 27103

- We prepared the site plan for the petitioner. We did have a neighborhood meeting. We had a couple folks in attendance. One was an adjoining property owner, and the other was a lady across the road. They expressed more curiosity and interest than anything. I think you have the meeting summary in your agenda packets.
- We felt like the density was consistent with the area plan. The twin-home clustering arrangement allows us to deal with topography. We have 50 feet of fall across the site from one end to another, so it did allow us to densify things more internally. I think Gary pointed out the bufferyards around the perimeter would not be required with single-family development. We did agree to a little extra sidewalk. We actually have sidewalks along both sides of the streets, at staff's request. The developer has agreed to that. I think he referenced the sidewalk along Ebert, we would be making a payment in lieu of that sidewalk because it is not practical to construct at this time.

Majid Mirzazadeh, 842 Windalier Lane, Winston-Salem, NC 27106

- It's very compatible with the area and should not add any traffic, and it will make that area look better.

AGAINST:

Fred Marlow, 3216 Laurenfields Way, Winston-Salem, NC 27107

- We are within the 500-foot area of the proposed site. The main thing that we're concerned with, as residents here, is that we're in a fairly modest subdivision in Ashton Grove, which is right off the top of the first drawing there off Hope Road, and the homes are pretty similar. They are single-family homes and the square footage on the lot has to be about 9,000 square feet or so. We would like to see if we're going to have additional growth within the area. We have had a lot around the Salisbury Road area on the way to Wal-Mart on Peters Creek Parkway, and all those pockets of homes all seem to have single-family dwellings. The fact that these are duplexes is a concern that we have. It's just not going to look as good as the other homes that we have around. We have a very strong HOA, very enforceable in terms of keeping your house clean, your yard clean, and those kinds of things. And we're just concerned that making the multi-family home change would not be consistent with what we've seen.
- Obviously, a lot of planning has gone into this. I can understand that. We can obviously understand undeveloped areas need to be developed, and we welcome that as well. I know you guys have done a lot of due diligence.
- If you look back at something you talked about earlier, you talked about incompatibility when something was designed and was backed up against single-family homes, that

seems like what we have here, and that is the only thing that I would like to go on the record as saying. One other thing is we didn't get information about the meeting. We would have certainly been there. We did get this information recently, and that is the reason I have been on the call. Thank you for that.

### **WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Johnny Sigers

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

8. Zoning petition of Piedmont Natural Gas Company, Inc. from LB-S to LO-S (Utilities; Residential Building, Single Family; Residential Building, Duplex; Combined Use; Banking and Financial Services; Bed and Breakfast; Offices; Recreation Facility, Public; Adult Daycare Center; Child Care, Sick Children; Child Daycare Center; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; and Museum or Art Gallery): property is located on north side of Robinhood Road east of Meadowlark Drive (Zoning Docket F-1594) (Case starts at 1:23:40).

Desmond Corley presented the staff report.

George Bryan asked whether, in expanding this gas facility, there would be any potential danger to the surrounding residential community.

In response to George question, Corretta Amos (attorney for Piedmont Natural Gas) stated that this utility poses no risk to the community. There is a similar utility station a mile down the road. There are also no noise or sound issues.

George asked if there are separation requirements where these facilities must be located away from residential development.

Pinkney Bynum (Piedmont Natural Gas) responded that the facility is designed to change transmission pressure to a lower pressure; there are regulators involved that change from a higher pressure to a lower pressure. All of that is above ground. If there is a sudden change in pressure, there might be a brief expelling of the excess gas vented to the atmosphere, but that is an abnormal operating condition. That is how it is designed to ensure safety. We are not aware of any incidents at the other facility on Robinhood Road that serves the same function, or of any other facilities of this type in Winston-Salem.

Johnny Sigers stated that he has put in these type of facilities before, and there are normally no issues.

Jack Steelman asked how Piedmont Natural Gas would compare the exterior appearance of this facility to the other facility on Robinhood Road.

Mr. Bynum stated that the Robinhood facility was shielded by woods from the road and only enclosed by a chain-link fence. For the current facility, Piedmont Natural Gas has proposed a brick enclosure to match the adjacent brick at the fire department and the adjacent shopping center. It will look completely different.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

### **WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman  
AGAINST: None  
EXCUSED: None

9. An ordinance amendment proposed by Planning and Development Services staff amending Sections 3.2.13 and 5.1.5 of the *Unified Development Ordinances* to clarify approval procedures for Special Use Permits (UDO-CC2) (Case starts at 3:01:57).

Chris Murphy gave the staff report and explained that this ordinance provides additional clarification of the UDO.

### **PUBLIC HEARING**

FOR: None

AGAINST: None

### **WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jack Steelman

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the text amendment.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

## **C. SPECIAL USE PERMITS**

1. Special Use Permit petition of Camel City Commercial, LLC for a parking reduction for a Restaurant (without drive-through service) in Growth Management Area 2: property is located on the southeastern portion of the intersection of Reynolda Road and West End

Boulevard; property consists of ± 0.12 acre and is PIN 6825-78-5091 as shown on the Forsyth County Tax Maps and on a site plan on file in the office of the City-County Planning Board (Zoning Docket W-3443) (Case starts at 6:00).

Desmond Corley presented the staff report.

George Bryan asked Desmond what kind of parking was available for the retail/office space that was there previously. Desmond stated that the UDO does not require additional parking to be provided for those uses. The only use that is required to provide additional parking in older buildings that were constructed prior to 1988 in GMA's 1 and 2 is Restaurant. Anything other than restaurant in an older commercial building does not have to provide additional parking.

George asked if the applicant has made any attempts to accommodate customers with parking by contracting with other nearby parking lots to provide parking. Desmond stated that the applicant cannot get a use permit for zoning without the Special Use Permit, and he is not aware of any intent on the applicant's part.

George stated that there are neighbors who are already squeezed by having no off-street parking, and he hopes City Council will be more than helpful in arranging permit parking for the neighbors in that area who are having problems with parking.

Aaron King commented that this case would go forward to City Council for a quasi-judicial hearing for the issuance of a Special Use Permit. Folks will be able to attend that meeting, give sworn testimony and be able to talk about those things. Aaron stated that this subject was on City Council's radar and would expect parking needs to be discussed at that meeting. What the Planning Board is asked to do today is decide whether the site plan meets UDO requirements.

**MOTION:** Clarence Lambe recommended that the Planning Board find the site plan conforming to UDO requirements.

**SECOND:** Jason Grubbs

**VOTE:**

**FOR:** George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

**AGAINST:** None

**EXCUSED:** None

#### **D. PLANNING BOARD REVIEWS**

1. PBR 2020-02; Ralph Ketchie, Eugene Ketchie, Robert Lee Hire (Ketchie Park); East and west sides of South Peacehaven Road north of Wexham Road and south of Foxdale Drive; 180-lot Planned Residential Development; Winston-Salem; 45.70 acres (Case Starts at 12:30).

Desmond Corley presented the staff report.

There was discussion about what makes this plan a good example of an open space plan and the greenway easement being accessible from common open space.

MOTION: Clarence Lambe moved approval of the Planning Board Review.

SECOND: Jack Steelman

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

2. PBR 2020-03; Robert Weidl (Crescent Hill); East side of intersection of Caradco Road and Monarch Way; 53-lot Planned Residential Development; Forsyth County; 25.49 acres (Case Starts at 15:32).

Desmond Corley presented the staff report.

MOTION: Clarence Lambe moved approval of the Planning Board Review.

SECOND: Tommy Hicks

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

## **E. STAFF REPORT**

Aaron King commended staff on an exemplary job of putting together the first ever virtual Planning Board meeting.

Desmond Corley presented the cases for the June 11 public meeting: four rezoning cases and two subdivisions thus far.

The next Work Session will include a preview of the 2021 Work Plan.

Aaron and Chris Leak have had discussion as to whether the July public meeting will be conducted in person or virtually. A decision will need to be made by June 20.

Site visits have been suspended indefinitely. Desmond will supply the Board with the same information as previously to inform the Board on the cases.

Aaron commended the Board on perfect attendance at this meeting.

There was discussion of how staff has been informing the public of the Planning Board meetings.

**F. FOR THE GOOD OF THE ORDER**