

City of Winston-Salem

*101 North Main Street
Winston-Salem, NC 27101*



Winston-Salem

Summary

Monday, October 2, 2017

7:00 PM

Council Chamber Room 230, City Hall

City Council

CALL TO ORDER

Mayor Joines called the meeting to order and asked the City Secretary to call roll.

ROLL CALL

The City Secretary called the roll.

Present: 7 - Council Member John C. Larson, Council Member Robert C. Clark, Council Member Dan Besse, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Jeff MacIntosh, and Council Member James Taylor Jr.

Absent: 1 - Council Member Derwin L. Montgomery

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF SERGEANT-AT-ARMS

Lt. John Norris

H HONORARIUMS

H-1. [17-841](#) Proclamation Declaring October 2-6, 2017 Customer Service Week.

Attachments: [Customer Service Week 2017](#)

Mayor Joines presented the Proclamation to Vernetta Devane, Community Assistant Liaison.

Ms. Davane accepted the Proclamation and stated how important Customer Service is to not only citizens but employees as well. She suggested all employees participate in upcoming Customer Service events and noted those events could be found on the City's Intranet site.

17-873 Mayors Announcement

Title: Mayors Announcement

By general consensus Items Z-4 and Z-6 were heard first.

Z ZONING AGENDA

- Z-4.** [17-836](#) Public Hearing on Zoning Petition of Burger King Corporation #1283 (W-3344) from HB MLKO to HB: property is located on the northwest corner of Martin Luther King, Jr. Drive and Fifth Street - Containing approximately 0.80 acre located in the EAST WARD (Council Member Montgomery). [Planning Board recommends approval of petition.] (Item Continued from the October 2, City Council Meeting.)

Attachments: [W-3344 CARF](#)

[W-3344 Ordinance](#)

[W-3344 Staff Report](#)

[W-3344 Map](#)

[W-3344 Area Plan Map](#)

[W-3344 Attachment A](#)

[W-3344 Attachment B](#)

[W-3344 Attachment C](#)

[W-3344 Attachment D](#)

[Statement of Consistency - Approval - W-3344](#)

[Statement of Consistency - Denial - W-3344](#)

Council Member Adams: Motion to continue.

Council Member MacIntosh: Second.

Motion carried with the following vote:

Aye: 7 - Council Member Larson, Council Member Clark, Council Member Besse, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

Absent: 1 - Council Member Montgomery

- Z-6.** [17-835](#) Public Hearing on Site Plan Amendment of Jemsite Development, LLC (W-3343) for a Banking and Financial Services use in a GB-S zoning district: property is located on the west side of Silas Creek Parkway, north of Fairlawn Drive - Containing approximately 0.87 acre located in the NORTH WARD (Council Member Adams). [Planning Board recommends denial of the Site Plan Amendment and approval of the site plan with staff recommendations.] (Item Continued from the October 2, City Council Meeting.)

Attachments: [2017 09 25 Continuance Request W-3343](#)

[W-3343 CARE](#)

[W-3343 Ordinance](#)

[W-3343 Permit - REVISED AFTER PB](#)

[W-3343 Staff Report](#)

[W-3343 Map](#)

[W-3343 Area Plan Map](#)

[W-3343 Attachment A](#)

[W-3343 Attachment B](#)

[W-3343 Attachment C](#)

[W-3343 Interdepartmental Comments](#)

[Statement of Consistency - Approval - W-3343](#)

[Statement of Consistency - Denial - W-3343](#)

Council Member Adams: Motion to continue.

Council Member MacIntosh: Second.

Motion carried with the following vote:

Aye: 7 - Council Member Larson, Council Member Clark, Council Member Besse, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

Absent: 1 - Council Member Montgomery

- Z-1.** [17-838](#) Public Hearing on Zoning Petition of Hector Hernandez and Dania Alvarez (W-3341) from RS9 to GB-L (Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Multifamily; Boarding or Rooming House; Combined Use; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Urban Agriculture; Arts and Crafts Studio; Building Materials Supply; Convenience Store; Food or Drug Store; Fuel Dealer; Furniture and Home Furnishings Store; Micro-Brewery or Micro-Distillery; Motorcycle Dealer; Nursery, Lawn and Garden Supply Store, Retail; Outdoor Display Retail; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; Shopping Center ; Shopping Center, Small ; Wholesale Trade A; Banking and Financial Services; Bed and Breakfast; Building Contractors, General; Car Wash; Entertainment Facility, Large; Funeral Home; Hotel or Motel; Kennel, Indoor; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Storage Yard; Offices; Services A; Services B; Storage Services, Retail; Testing and Research Lab; Veterinary Services; 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 Center; Animal Shelter, Public; Cemetery; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Correctional Institution; Dirt Storage; Government Offices, Neighborhood Organization, or Post Office; Group Care Facility A; Group Care Facility B; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Hospital or Health Center; Institutional Vocational Training Facility; Landfill, Construction and Demolition; Landfill, Land Clearing/Inert Debris; Library, Public; Police or Fire Station; Museum or Art Gallery; Nursing Care Institution; School, Private; School, Public; School, Vocational or Professional; Shelter for Homeless; Special Events Center; Stadium, Coliseum, or Exhibition Building; Manufacturing A; Borrow Site; Access Easement, Private Off-Site; Helistop; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities): property is located on the west side of Commerce Court, south of Oak Summit Road - Containing approximately 2.19 acres located in the NORTHEAST WARD (Council Member Burke). [Planning Board recommends approval of petition.]

Attachments: [W-3341 CARF](#)
[W-3341 Ordinance](#)
[W-3341 Permit](#)
[W-3341 Staff Report](#)
[W-3341 Map](#)
[W-3341 Area Plan Map](#)
[W-3341 Attachment A](#)
[W-3341 Attachment B](#)
[W-3341 Attachment C](#)
[Statement of Consistency - Approval W-3341](#)
[Statement of Consistency -Denial- W-3341](#)

No one heard.

Mayor Pro Tempore Burke: I move for approval of: (1) W-3341 and (2) the Statement of Consistency for approval of said item.

Council Member Larson: Second.

Motion carried with the following vote:

- Aye:** 7 - Council Member Larson, Council Member Clark, Council Member Besse, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor
- Absent:** 1 - Council Member Montgomery

- Z-2.** [17-839](#) Public Hearing on Zoning Petition of John and Zoe Vlahos (W-3335) from RS9 and HB to HB: property is located on the north side of Old Walkertown Road, east of Davis Road - Containing approximately 1.13 acres located in the NORTHEAST WARD (Council Member Burke). [Planning Board recommends approval of petition.]

Attachments: [W-3335 CARF](#)
 [W-3335 Ordinance](#)
 [W-3335 Staff Report](#)
 [W-3335 Map](#)
 [W-3333 Area Plan Map](#)
 [W-3335 Attachment A](#)
 [W-3335 Attachment B](#)
 [W-3335 Attachment C](#)
 [Statement of Consistency Approval - W-3335](#)
 [Statement of Consistency Denial - W-3335](#)

No one heard.

Paul Norby, Director of Planning and Development Services, gave a presentation on this item.

Mayor Pro Tempore Burke: I move for approval of: (1) W-3335 and (2) the Statement of Consistency for approval of said item.

Council Member Adams: Second.

Motion carried with the following vote:

Aye: 7 - Council Member Larson, Council Member Clark, Council Member Besse, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

Absent: 1 - Council Member Montgomery

- Z-3.** [17-840](#) Public Hearing on Zoning Petition of Family Services, Inc. (W-3342) from RS9 and IP to IP-S (Residential Building, Single Family; Family Group Home A; Urban Agriculture; Swimming Pool, Private; Adult Day Care Center; Child Care, Drop-In; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Child Day Care, Large Home; Child Day Care, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Hospice and Palliative Care; Library, Public; Museum or Art Gallery; Police or Fire Station; School, Private; School, Public; and School, Vocational or Professional): property is located on the east side of Buchanan Street, across from Warren Avenue - Containing approximately 1.76 acres located in the SOUTH WARD (Council Member Larson). [Planning Board recommends approval of petition and approval of the site plan with staff recommendations.]

Attachments: [W-3342 CARF](#)
 [W-3342 Ordinance](#)
 [W-3342 Permit](#)
 [W-3342 Staff Report](#)
 [W-3342 Map](#)
 [W-3342 Area Plan Map](#)
 [W-3342 Proposed Area Plan Map](#)
 [W-3342 Site Plan](#)
 [W-3342 Attachment A](#)
 [W-3342 Interdepartmental Comments](#)
 [Statement of Consistency - Approval - W-3342](#)
 [Statement of Consistency - Denial - W-3342](#)

No one heard.

Paul Norby gave a presentation on this item.

Council Member Larson: I move for approval of: (1) W-3342 and (2) the Statement of Consistency for approval of said item.

Council Member Adams: Second.

Motion carried with the following vote:

Aye: 7 - Council Member Larson, Council Member Clark, Council Member Besse, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

Absent: 1 - Council Member Montgomery

- Z-5.** [17-837](#) Public Hearing on Zoning Petition of Powerscreen Mid-Atlantic, Inc. (W-3345) for property owned by the City of Winston-Salem from LI-S Two-Phase to GI-S (Manufacturing C): property is located on the northeast corner of Graytuck Drive and High Point Road - Containing approximately 5.21 acres located in the SOUTHEAST WARD (Council Member Taylor). [Planning Board recommends approval of petition and approval of the site plan with staff recommendations.] (Item Continued from the October 2nd, City Council Meeting.)

Attachments: [W-3345 CARF](#)
 [W-3345 Ordinance](#)
 [W-3345 Permit - Revised](#)
 [W-3345 Staff Report](#)
 [W-3345 Map](#)
 [W-3345 Area Plan Map](#)
 [W-3345 Site Plan - Revised](#)
 [W-3345 Attachment A](#)
 [W-3345 Interdepartmental Comments](#)
 [Statement of Consistency - Approval - W-3345](#)
 [Statement of Consistency - Denial- W-3345](#)

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to be heard on this item.

Proponent:

Steve Causey, Allied Designs, Inc., 4720 Kester Mill Rd., 27103

Mr. Causey stated there was 3 neighborhood meetings concerning this petition. He listed several conditions that were added to the petition as a result of those meetings and the petitioner has agreed to those conditions.

Opponents:

Gary Gatrost, 4161 Graytuck Drive, 27107

Mr. Gatrost stated he attended the neighborhood meetings and objects to the petition because he believes his property value will decrease.

Mayor Joines asked for a rebuttal remarks, seeing no one, he declared the Public Hearing closed and asked Mr. Norby to give a presentation on this item.

Council Member Taylor: Motion to continue this item to the October 16, 2017, City Council meeting.

Mayor Pro Tempore Burke: Second.

Motion carried with the following vote:

Aye: 7 - Council Member Larson, Council Member Clark, Council Member Besse, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

Absent: 1 - Council Member Montgomery

Z-7. [17-799](#) Public Hearing on Ordinance Amending Chapter B of the Unified Development Ordinances to Amend Regulations to Add Alternative Compliance Provisions for the Martin Luther King Overlay (MLKO) District - UDO-282 - Recommended by Planning and Development Services Staff and Community Development/Housing/General Government Committee.

Attachments: [UDO-282 CARF](#)
 [UDO-282 Ordinance](#)
 [UDO-282 Staff Report](#)
 [Statement of Consistency - UDO 282](#)

Paul Norby gave a presentation on this item.

No one heard.

Council Member Adams: I move for approval of: (1) UDO 282 to amend the regulations to add alternative compliance provisions to the Martin Luther King, Jr. Overlay District and (2) the Statement of Consistency for approval of said item.

Council Member Besse: Second.

Motion carried with the following vote:

Aye: 7 - Council Member Larson, Council Member Clark, Council Member Besse, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

Absent: 1 - Council Member Montgomery

- Z-8.** [17-631](#) Public Hearing on Ordinance Amending Chapters A and B of the Unified Development Ordinances to Amend and Update the Airport Overlay (AO) District - UDO-274 - Proposal of City-County Planning and Development Services staff. [Recommended by Planning Board and Community Development/Housing/General Government Committee.]

Attachments: [UDO-274 Memo](#)
 [UDO-274 CARF](#)
 [UDO-274 Staff Report](#)
 [UDO-274 Ordinance](#)
 [UDO-274 Map](#)
 [UDO-274 Statement of Consistency](#)

Steve Smotherman, Project Planner, gave the presentation on this item.

In response to Mayor Pro Tempore Burke, Angela Carmon, City Attorney, stated this UDO amendment met all legal requirements.

Mayor Pro Tempore Burke: I move for approval of: (1) UDO 274 to amend and update the Airport Overlay District and (2) the Statement of Consistency for approval of said item.

Council Member Adams suggested in the future that community meetings be held to inform the citizens when changes are made.

Council Member MacIntosh: Second.

Motion carried with the following vote:

Aye: 7 - Council Member Larson, Council Member Clark, Council Member Besse, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

Absent: 1 - Council Member Montgomery

- Z-9.** [17-800](#) Public Hearing on Ordinance Designating Certain Property as a Historic Landmark - Hoots Milling Company Roller Mill, 1151 Canal Drive, Winston-Salem (Tax Block 1120, Lot 308/PIN # 6825-88-1927. (Northwest Ward).
Recommended by Finance and Community Development/Housing/General Government Committees.

Attachments: [Hoots Milling CARF Livable Neighborhoods](#)

[Hoots Milling Ordinance](#)

[Hoots Milling Application](#)

[Hoots Milling Map](#)

[Hoots Milling Photos](#)

[Hoots Milling National Register Criteria](#)

Michelle McCullough, Project Planner, gave a presentation on this item.

Mayor Joines opened the Public Hearing and asked if there were anyone in the Council Chamber that wished to speak concerning this item.

Dewey Anderson, 232 Shawnee Street, 27101

Mr. Anderson stated the restoration of the Mill is complete and he is pleased with the results. He thanked the Mayor and City Council for their consideration of this item.

Mayor Joines asked if there were anyone else in the Council Chamber that wished to be heard. Seeing no one, Mayor Joines closed the Public Hearing.

Council Member MacIntosh: Motion for approval.

Council Member Adams: Second.

Motion carried with the following vote:

Aye: 7 - Council Member Larson, Council Member Clark, Council Member Besse, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

Absent: 1 - Council Member Montgomery

- Z-10.** [17-834](#) Approval of Summary of Minutes - June 19, 2017 and August 7, 2017.

Attachments: [Summary of Minutes - June 19, 2017](#)

[Summary of Minutes - August 7, 2017](#)

Council Member Clark: Motion for approval.

Council Member Adams: Second.

Motion carried with the following vote:

Aye: 7 - Council Member Larson, Council Member Clark, Council Member Besse, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

Absent: 1 - Council Member Montgomery

ADJOURNMENT

8:13 p.m.