

WINSTON-SALEM CITY COUNCIL
Regular Virtual Meeting
November 1, 2021

CALL TO ORDER

Mayor Joines called the meeting to order at 7:00 p.m. and stated due to the pandemic, all Council Members are participating virtually. Council Members will vote by roll call vote. A Council Member will be recognized, raise their hand, and state their vote. He then asked the City Clerk to call the roll.

ROLL CALL

Present: Council Member John C. Larson, Council Member Robert C. Clark, Council Member Kevin Mundy, Council Member Annette Scippio, Mayor Allen Joines, Council Member James Taylor Jr., Council Member Jeff MacIntosh, and Council Member Barbara Hanes Burke

Absent: Mayor Pro Tempore Denise D. Adams,

MOMENT OF SILENCE

HONORARIUMS

H-1. Resolution Honoring The 2021 City of Winston-Salem University Graduates.

Mayor Joines stated he had an opportunity to speak with the graduates and heard a some of their excellent budget presentations. He thanked them for taking the time to learn and engage in their City Government.

Council Member MacIntosh stated it is time such as this that he wished these proceedings were in person as there is a lot of work that goes into this, not just from the graduates but the staff side as well. He stated this is a great program and congratulated the graduates.

A motion was made by Council Member Taylor, seconded by Council Member Scippio, that the Resolution Honoring the 2021 City of Winston-Salem University Graduates be approved. Motion carried with the following vote:

Aye: Council Member Larson, Council Member Clark, Council Member Mundy, Council Member Scippio, Council Member Taylor, Council Member MacIntosh, and Council Member Burke

Absent: Mayor Pro Tempore Adams

ZONING AGENDA

Z-1. Continuation of Public Hearing on Zoning Petition of Jones Estates A&W, LLC (W-3482) from MH and RS20 to MH-S (Manufactured Housing Development): property is located on the north side of High Point Road, east of Glenn Hi Road; – Containing approximately 9.72 acres located in the SOUTHEAST WARD (Council Member Taylor). [Planning Board recommends approval of petition.] (This item was continued from the August 2, 2021 and September 7, 2021 City Council Meetings)

A motion was made by Council Member Taylor, seconded by Council Member Clark, to continue Z-1 to the April 4, 2022 meeting of the City Council. Motion carried with the following vote:

Aye: Council Member Larson, Council Member Clark, Council Member Mundy, Council Member Scippio, Council Member Taylor, Council Member MacIntosh, and Council Member Burke

Absent: Mayor Pro Tempore Adams

Z-2. Continuation of Public Hearing on Site Plan Amendment of Housing Authority of City of Winston-Salem (W-3487) for changes to replace a 120 unit apartment building with multiple apartment buildings containing 81 units: property is located on the east side of Highland Avenue, between East Twelfth Street and East Eleventh Street; – Containing approximately 4.47 acres located in the EAST WARD (Council Member Scippio). [Planning Board recommends approval of petition.] (This item was continued from the September 7, 2021 and October 4, 2021 City Council Meetings)

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak regarding this item. Seeing none, he closed the Public Hearing.

Council Member Scippio stated a well-attended community meeting was held October 11, 2021 and was hosted by the Housing Authority of Winston-Salem.

A motion was made by Council Member Scippio, seconded by Council Member Clark, for approval of: (1) the Statement of Consistency for approval of this item and (2) W-3487. Motion carried with the following vote.

Aye: Council Member Larson, Council Member Clark, Council Member Mundy, Council Member Scippio, Council Member Taylor, Council Member MacIntosh, and Council Member Burke

Absent: Mayor Pro Tempore Adams

Z-3. Public Hearing on Zoning Petition of Rosemary Nina Chalk, William F. Chalk, and Mary Elizabeth W. Sutphin (W-3496) from LB-L and RS9 to HB-S: property is located on the east side of University Parkway, south of Noel Drive; – Containing approximately 1.92 acres located in the NORTHEAST WARD (Council Member Burke). [Planning Board recommends approval of petition.]

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak regarding this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Burke, seconded by Council Member MacIntosh, for approval of: (1) the Statement of Consistency for approval of this item and (2) W-3496. Motion carried unanimously.

Aye: Council Member Larson, Council Member Clark, Council Member Mundy, Council Member Scippio, Council Member Taylor, Council Member MacIntosh, and Council Member Burke

Absent: Mayor Pro Tempore Adams

Z-4. Public Hearing on Zoning Petition of Nathan Lee Myers and Stephanie Jane Myers (W-3497) from RM18-S and RS9 to RM5: property is located on the east side of Ebert Street across from Kaywood Lane, and the west side of Martin Street; – Containing approximately 1.5 acres located in the SOUTHWEST WARD (Council Member Mundy). [Planning Board recommends approval of petition.]

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak regarding this item. Seeing none, he closed the Public Hearing.

Chris Murphy, Interim Planning and Services Director, provided the staff report for this item.

A motion was made by Council Member Mundy, seconded by Council Member MacIntosh, for approval of: (1) the Statement of Consistency for approval of this item and (2) W-3497. Motion carried with the following vote:

Aye: Council Member Larson, Council Member Clark, Council Member Mundy, Council Member Scippio, Council Member Taylor, Council Member MacIntosh, and Council Member Burke

Absent: Mayor Pro Tempore Adams

Z-5. Public Hearing on Zoning Petition of Brian James McCulley and Elizabeth Anne McCulley (W-3498) from RS12 to RS12-S (Residential Building, Single Family and Accessory Dwelling, Detached): property is located on the south side of Forest Drive, east of N. Westview Drive; – Containing approximately .69 acres located in the WEST WARD (Council Member Clark). [Planning Board recommends approval of petition.]

Mayor Joines opened the Public Hearing and asked if there were anyone that wished to speak for or against this item. Seeing none, he closed the Public Hearing.

A motion was made by Council Member Clark, seconded by Council Member MacIntosh, for approval of: (1) the Statement of Consistency for approval of this item and (2) W-3498. Motion carried with the following vote:

Aye: Council Member Larson, Council Member Clark, Council Member Mundy, Council Member Scippio, Council Member Taylor, Council Member MacIntosh, and Council Member Burke

Absent: Mayor Pro Tempore Adams

Z-6. Public Hearing on Special Use Permit of Claude Allred, Jr. (W-3495) for a Transmission Tower in RS9: property is located in the southeast quadrant of Interstate 40 and High Point Road; – Containing approximately .25 acres located in the EAST WARD (Council Member Scippio). [Planning Board recommends approval of petition.]

Mayor Joines read the quasi-judicial guidelines.

Chris Murphy and Ben Herrick were sworn in.

Mayor Joines asked if anyone with standing was against virtual hearing. Hearing none, he opened the Public Hearing.

Mr. Murphy provided the Staff Report.

Angela Carmon, City Attorney, clarified the Public Hearing was held open for Mr. Murphy's testimony.

In response to Council Member Scippio, Mr. Murphy stated the tower height setback was created to ensure if the tower clasped it would not damage anything. This is a compromise the tower industry worked out with the neighborhood advocates when this text amendment was going through. If a waiver is needed it would need to be approved by the elected body thru the Special Use Permit process.

Mayor Joines closed the Public Hearing.

A motion was made by Council Member Scippio, seconded by Council Member Mundy, that based upon the staff report, testimony, and evidence presented at the public hearing, that:

- 1) the City Council affirm the four findings as required by Section 3-2.13(E)(6)(a) of the Unified Development Ordinances;**
- 2) 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;**
- 3) the City Council find that the proposed setback fulfills the intent and purposes of Section 5-2.92(D) as well or better than would strict conformance with this section based upon its consideration of the factors set forth in:**
 - (a) Section 5-2.92(D) (3)(c)(iv) existing and proposed screening and buffering, and**
 - (b) Section 5-2.92(D)(3)(c)(viii) other site development issues, in the Unified Development Ordinances; and**
 - 4) the City Council issue a special use permit to Claude Allred for a transmission tower in an RS-9 Zoning District, per the site plan submitted, subject to the conditions proposed in the staff report.**

Motion carried with the following vote:

Aye: Council Member Larson, Council Member Clark, Council Member Mundy, Council Member Scippio, Council Member Taylor, Council Member MacIntosh, and Council Member Burke

Absent: Mayor Pro Tempore Adams

Z-7. Public Hearing on Special Use Permit of Brenda and Arbie Smith (W-3499) for a reduction of required side and rear setbacks for Kennel, Indoor: property is located on the north side of N. Liberty Street, between Brenner Street and Linden Street; – Containing approximately .95 acres located in the EAST WARD (Council Member Scippio). [Planning Board recommends approval of petition.]

Mayor Joines read the quasi-judicial guidelines.

Mayor Joines asked if anyone objected to the virtual Public Hearing. Hearing none, he opened the Public Hearing.

Chris Murphy, Interim Planning and Services Director; Kendra McCurdy, LMI Builders; and Cole Parsons, Potential Property Owner, were sworn in.

Mr. Murphy provided the staff report.

In response to Council Member Mundy, Mr. Murphy stated he did not know what the previous business was for the building nor what the vacant lot was used for.

Council Member Scippio stated the building was used as an auto repair shop and was unsure of the vacant lot.

Mayor Joines closed the Public Hearing.

A motion was made by Council Member Scippio, seconded by Council Member Clark, that based upon the staff report, testimony, and evidence presented at the public hearing, that:

- 1) the City Council affirm the four findings as required by Section 3-2.13(E)(6)(a) of the Unified Development Ordinances,**
- 2) 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) the City Council issue a special use permit to Brenda and Arbie Smith for a reduction of the required side and rear setbacks for a Kennel, Indoor.**

The motion carried with the following vote:

Aye: Council Member Larson, Council Member Clark, Council Member Mundy, Council Member Scippio, Council Member Taylor, Council Member MacIntosh, and Council Member Burke

Absent: Mayor Pro Tempore Adams

Z-8. Public Hearing on Special Use Permit of Hroark Properties, LLC (W-3500) for a parking exemption for a Restaurant (without drive-through service) in Growth Management Area (GMA) 2: property is located at the northeast corner of Summit Street and Fourth and One-Half Street; – Containing approximately .16 acres located in the NORTHWEST WARD (Council Member MacIntosh). [Planning Board recommends approval of petition.]

Mayor Joines read quasi-judicial guidelines.

Mayor Joines asked if there were any objections to the virtual Public Hearing. Hearing none, he opened the Public Hearing.

Chris Murphy, Keith Wales, Cathy McLaughlin, Dan McLaughlin, Robert Ulery were sworn in.

Proponents:

Keith Wales, 3151 Milhaven Lake Drive, Architect

Opponents:

Robert Ulery, 929 W Fifth Street Winston-Salem, Adjacent Property Owner

Dan McLaughlin, 934 W Fifth Street Winston-Salem, Adjacent Property Owner

Cathy McLaughlin, 934 W Fifth Street Winston-Salem, Adjacent Property Owner

Proponents' Rebuttal:

Keith Wales

Opponents' Rebuttal:

Cathy McLaughlin

Robert Ulery

Dan McLaughlin

Mr. Murphy provided the staff report.

In response to Council Member Mundy, Mr. Murphy explained what the buildings were nearby.

Mr. Murphy clarified to Council Member Scippio that the current number of parking spaces of ten would be lowered to five and the pool would be allowed if the property became a single-family resident unit.

In response to Council Member Larson, Mr. Murphy stated he was unsure who requested the sidewalk widening. He stated parking fronting the building would count towards their parking, but there isn't parking directly in front of the building.

Mayor Joines closed the Public Hearing.

A motion was made by Council Member MacIntosh, seconded by Council Member Burke, that based upon the staff report, testimony, and evidence presented at the public hearing, that:

- 1) the City Council affirm the four findings as required by Section 3-2.13(E)(6)(a) of the Unified Development Ordinances,**
- 2) 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) the City Council issue a special use permit to Hroark Properties for a parking exemption for a restaurant (without drive through service) in Growth Management Area 2.**

The motion carried with the following vote:

Aye: Council Member Larson, Council Member Mundy, Council Member Taylor, Council Member MacIntosh, and Council Member Burke

Minutes

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Virtual

Nay: Council Member Clark, and Council Member Scippio

Absent: Mayor Pro Tempore Adams

ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:20 p.m.