



**Summary**  
**City Council**

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**Tuesday, September 5, 2017**

**7:00 PM**

**Council Chamber Room 230, City Hall**

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**CALL TO ORDER**

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

**ROLL CALL**

**City Secretary called the roll.**

**Present:** 8 - Council Member John C. Larson, Council Member Robert C. Clark, Council Member Dan Besse, Council Member Derwin L. Montgomery, Mayor Pro Tempore Vivian H. Burke, Council Member Denise D. Adams, Council Member Jeff MacIntosh, and Council Member James Taylor Jr.

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**RECOGNITION OF SERGEANT-AT-ARMS**

**Lt. Rick Newnum**

**Z ZONING AGENDA**

- Z-1.**     [17-741](#)     Public Hearing on Zoning Petition of Janet Bullins (W-3334) from LB-S to NB: Property located on the north side of Old Hollow Road, west of Merry Dale Drive - Containing approximately 0.73 acre located in the NORTHEAST WARD (Council Member Burke). [Planning Board recommends approval of petition.]

**Attachments:**   [W-3334 CARF](#)  
                          [W-3334 Ordinance revised](#)  
                          [W-3334 Staff Report](#)  
                          [W-3334 Map](#)  
                          [W-3334 Area Plan Map](#)  
                          [W-3334 Attachment A](#)  
                          [W-3334 Attachment B](#)  
                          [W-3334 Planning Board Letter](#)  
                          [W-3334 Statement of Consistency Approval](#)  
                          [W-3334 Statement of Consistency Denial](#)

**No one heard.**

**Council Member Burke: I move for approval of: (1) W-3334 and (2) the Statement of Consistency for approval of said item.**

**Council Member Adams: Second.**

**Motion carried with the following vote:**

**Aye:**   8 -   Council Member Larson, Council Member Clark, Council Member Besse, Council Member Montgomery, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

- Z-2.**     [17-742](#)     Public Hearing on Zoning Petition of Delia Alvarado (W-3336) from RS9 to PB-L (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Combined Use; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Restaurant (without drive-through service); Retail Store; Banking and Financial Services; Funeral Home; Offices; Services A; Recreation Services, Indoor; Recreation Facility, Public; Adult Day Care Center; Child Care Drop-In; Child Care Institution; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Police or Fire Station; School, Private; and School, Vocational or Professional): Property located on the northwest corner of Sprague Street and Dacian Street - Containing approximately 0.48 acre located in the SOUTHEAST WARD (Council Member Taylor). [Planning Board recommends approval of petition.]

**Attachments:**   [W-3336 CARF](#)  
                          [W-3336 Ordinance](#)  
                          [W-3336 Permit](#)  
                          [W-3336 Staff Report](#)  
                          [W-3336 Map](#)  
                          [W-3336 Area Plan Map](#)  
                          [W-3336 Attachment A](#)  
                          [W-3336 Attachment B](#)  
                          [W-3336 Attachment C](#)  
                          [W-3336 Planning Board Letter](#)  
                          [W-3336 Statement of Consistency Approval](#)  
                          [W-3336 Statement of Consistency Denial](#)

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

**Proponents:**  
**None.**

**Opponent:**

**Fred Terry, 1224 Reynolds Forest Rd. Winston-Salem, 27107**  
**Mr. Terry stated he was opposed to this zoning request because he was unclear as to which of the several items listed as potential zoning classifications, applied to this zoning petition.**

**No one else heard.**

**Paul Norby, Director of Planning and Development Services, gave a presentation on this item. In response to Council Member Besse, he stated incorporation of three of the larger trees on the edge of the lot in the Site Plan was not in the proposed conditions and that the Petitioner would need to agree to those conditions.**

**Mr. Steve Causey, Allied Designs, agreed to the conditions.**

**Council Member Taylor: I move for approval of: (1) W-3336 and (2) the Statement of Consistency for approval of said item.**

**Second: Council Member Montgomery.**

**Motion carried with the following vote:**

**Aye:** 8 - Council Member Larson, Council Member Clark, Council Member Besse, Council Member Montgomery, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

- Z-3.**     [17-743](#)     Public Hearing on Zoning Petition of Delia Alvarado (W-3337) from GI to LI-L (Fish Hatchery; Urban Agriculture; Arts and Crafts Studio; Building Materials Supply; Fuel Dealer; Micro-Brewery or Micro-Distillery; Wholesale Trade A; Wholesale Trade B; Banking and Financial Services; Building Contractors, General; Building Contractors, Heavy; 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; Signs, Off-Premises; Storage Services, Retail; Testing and Research Lab; Warehousing; Recreation Services, Indoor; Recreation Facility, Public; Academic Biomedical Research Facility; Academic Medical Center; Adult Day Care Center; Animal Shelter, Public; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; College or University; Dirt Storage; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Landfill, Construction and Demolition; Landfill, Land Clearing/Inert Debris; Police or Fire Station; Postal Processing Facility; Recycling Center; School, Vocational or Professional; Solid Waste Transfer Station; Special Events Center; Manufacturing A; Manufacturing B; Borrow Site; Access Easement, Private Off-Site; Helistop; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities): Property located on the west side of Old Lexington Road across from East Devonshire Street - Containing approximately 0.91 acre located in the SOUTHEAST WARD (Council Member Taylor). [Planning Board recommends approval of petition.]

**Attachments:**   [W-3337 CARF](#)  
                          [W-3337 Ordinance](#)  
                          [W-3337 Permit](#)  
                          [W-3337 Staff Report](#)  
                          [W-3337 Map](#)  
                          [W-3337 Area Plan Map](#)  
                          [W-3337 Attachment A](#)  
                          [W-3337 Attachment B](#)  
                          [W-3337 Attachment C](#)  
                          [W-3337 Attachment D](#)  
                          [W-3337 Planning Board Letter](#)  
                          [W-3337 Statement of Consistency Approval](#)  
                          [W-3337 Statement of Consistency Denial](#)

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

**Proponents:**

None.

**Opponents:**

**Fred Terry, 1224 Reynolds Forest Rd. Winston-Salem, 27107**

**Mr. Terry stated his opposition for this item was the same as the previous item. He was unclear as to which of the several items listed as potential zoning classifications, applied to this zoning petition.**

**No one else heard.**

**Paul Norby gave a presentation on this item.**

**Council Member Taylor: I move for approval of: (1) W-3337 and (2) the Statement of Consistency for approval of said item.**

**Council Member Clark: Second.**

**Motion carried with the following vote:**

**Aye:** 8 - Council Member Larson, Council Member Clark, Council Member Besse, Council Member Montgomery, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

**Z-4. [17-744](#)**

Public Hearing on Site Plan Amendment of Crown/Hanes Square Circle LLC (W-3339) for a Restaurant (with drive-through service) in a GB-S zoning district: Property located on the southeast corner of Hanes Mall Boulevard and Hanes Square Circle - Containing approximately 1.73 acres located in the SOUTHWEST WARD (Council Member Besse). [Planning Board recommends approval of the Site Plan Amendment with staff recommendations.]

**Attachments:** [W-3339 CARF](#)  
[W-3339 Ordinance](#)  
[W-3339 Permit](#)  
[W-3339 Staff Report](#)  
[W-3339 Map](#)  
[W-3339 Area Plan Map](#)  
[W-3339 Site Plan](#)  
[W-3339 Planning Board Letter](#)  
[W-3339 Interdepartmental Comments](#)

**No one heard.**

**Council Member Besse: I move for approval of W-3339.**

**Council Member Montgomery: Second.**

**Motion carried with the following vote:**

**Aye:** 8 - Council Member Larson, Council Member Clark, Council Member Besse, Council Member Montgomery, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

- Z-5.**     [17-745](#)     Public Hearing on Zoning Petition of Three Properties, LLC (W-3340) from RSQ and RM18 to RMU-S (Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development): Property located on the west side of Peters Creek Parkway and east side of Fourth Street - Containing approximately 1.97 acres located in the SOUTHWEST WARD (Council Member Besse). [Planning Board recommends denial of petition and approval of the site plan with staff recommendations.]

**Attachments:**   [W-3340 CARF](#)  
                          [W-3340 Ordinance](#)  
                          [W-3340 Permit](#)  
                          [W-3340 Staff Report](#)  
                          [W-3340 Map](#)  
                          [W-3340 Area Plan Map](#)  
                          [W-3340 Site Plan](#)  
                          [W-3340 Elevations](#)  
                          [W-3340 Attachment A](#)  
                          [W-3340 Attachment B](#)  
                          [W-3340 Petition of Support](#)  
                          [W-3340 Attachment C](#)  
                          [W-3340 Letters of Opposition](#)  
                          [W-3340 Planning Board Letter](#)  
                          [W-3340 Interdepartmental Comments](#)  
                          [W-3340 Statement of Consistency Denial](#)  
                          [W-3340 Statement of Consistency Approval](#)

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

**Proponents:**

**Eric Morrison, of Eric Morrison Architecture, 507 Heritage St. Greensboro, NC 27405**

**Mr. Morrison stated the new facility would be in a great location in regards to the BB&T Field and he feels it is in compliance with the renovations taking place to Peters Creek Parkway. He said several residents have signed the petition in support of this item and he addressed the concerns and questions of the citizens regarding traffic and the status of the current residents.**

**Jay Clapp, Ramey Kemp and Associates, Inc., 621 Jonestown Road, Suite 201 Winston-Salem, NC 27103**

**Mr. Clapp explained the traffic study and stated there was a collaboration with North Carolina Department of Transportation as well as Winston-Salem Department of Transportation, both of which approved the traffic measures. He stated 22 of the new units would be offered to the current residents.**



**Lori Cheek, 1404 West 4th St. Winston-Salem, NC 27101**

**Ms. Cheek stated she is in favor of this petition. She said she feels these new units would provide beauty, tax revenue, increased participation for the ballfield, and a general increase of the living standards for Peters Creek Parkway.**

**Opponents:**

**Bonnie Crouse, Representative of the Ardmore Neighborhood Association, 2001 Boone Avenue Winston-Salem, NC 27103**

**Ms. Crouse stated the Ardmore Neighborhood Association is against the proposed development because of the height of the building and traffic issues. She stated the homes that would be demolished are not decrepit and though they lack sufficient maintenance, she feels they could be refurbished. She stated she disagreed with the developer that the proposed new apartment building would blend in with the neighborhood. She said the current residents of the apartment building are not the only stake holders, but that the entire neighborhood would be affected.**

**Rebuttal Proponents:**

**Jay Clapp**

**Mr. Clapp explained the impact of the traffic regarding this proposal is an additional 74 total trips in the morning, and 97 total trips in the afternoon. He stated there is potential for new lane sections along 4th street.**

**Eric Morrison**

**Mr. Morrison stated he wanted to clarify that the four story part of the building will be on the 4th Street side and the five story part will be on the Peters Creek Parkway side. He said the relocation and the of units to the current residents has been put in writing by the developer.**

**Rebuttal Opponents:**

**Bonnie Crouse stated when the Area Plan was created for the Ardmore Neighborhood, it was mentioned that the response was more than any other, and she feels this proposal does not coincide with the current Area Plan. She said affordable housing is another major concern for the current residents.**

**Mayor Joines closed the Public Hearing and recognized Paul Norby for the presentation.**

**Council Member Besse: I move for: (1) denial of W-3340 and (2) approval of the Statement of Consistency for denial of said item.**

**Council Member Larson: Second.**

**Motion carries with the following vote:**

**Aye:** 8 - Council Member Larson, Council Member Clark, Council Member Besse, Council Member Montgomery, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

- Z-6.**     [17-632](#)     Public Hearing on Resolution Adopting The Proposed Northeast Suburban Area Plan Update. (Recommended by Community Development/Housing/General Government Committee.)

**Attachments:**   [NESAP Update Memo](#)  
                          [NESAP Update CARF](#)  
                          [NESAP Update Resolution](#)  
                          [NESAP Update Public Hearing](#)  
                          [NESAP Update Draft Plan](#)

**Mayor Joines recognized Kirk Ericson, Principal Planner, for the presentation of this item.**

**No one heard.**

**Council Member Burke: Motion for approval.**

**Council Member Adams: Second.**

**Motion carries with the following vote:**

**Aye:**   8 -   Council Member Larson, Council Member Clark, Council Member Besse, Council Member Montgomery, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

- Z-7.**     [17-630](#)     Public Hearing on Ordinance Amending Chapter B of the Unified Development Ordinances to Amend Regulations for Accessory Dwellings - UDO-267 - Proposal of City-County Planning and Development Services staff. (Recommended by Planning Board. Recommended by Community Development/Housing/General Government Committee with three in favor and one opposed.)

**Attachments:**   [UDO-267 CARF](#)

[accessory dwellings memo August 23 2017 \(3\)](#)

[UDO 267 Statements of Consistency](#)

[UDO-267 Ordinance Eliminating Kinship Provisions with S Zoning](#)

**Mayor Joines** asked Kirk Ericson, to make a presentation concerning this item.

**Mayor Joines** opened the Public Hearing, and asked if anyone in the Council Chamber wished to make a comment on this item.

**Bonnie Crouse, 2001 Boone Avenue Winston-Salem, 27103**

Ms. Crouse listed several reason why the Ardmore Neighborhood Associations supports the second draft of this Ordinance, noting the ability to have a public hearing and requiring a special use permit.

**Leslie Kamtman, 29 Gloria Avenue, Winston-Salem, 27127**

Ms. Kamtman stated she supports the second version of this Ordinance and thanked City Council Members and Staff for allowing such extensive input by the community and neighborhoods and making changes as necessary at the request of the people.

**Billy Rich, 1805 Southlawn Avenue, Winston-Salem, 27127**

Mr. Rich stated he thinks this Ordinance should go back to Committee for more community input.

**Carolyn Highsmith, 3335 Anderson Drive, Winston-Salem, 27127**

Ms. Highsmith spoke on behalf of the Konnoak Hills Neighborhood Association and supports option two of this Ordinance. She stated option two allows for the City Council to view each case individually and a public hearing would be conducted. She said the only concern of the Association is the high cost of the rezoning permit and urged Council to lower the cost.

**Hazel Watson, 3136 Anderson Dr. Winston-Salem, 27127**

Ms. Watson spoke on behalf of the New South Community Coalition. She said that she believes that Accessory Dwellings should be regulated, and feels option two is a better option for the community. She requested City Council reexamine the permit fee associated with the rezoning permits.

**Eric Bushnell, 2113 Walker Rd Winston-Salem, 27106**

Mr. Bushnell spoke on behalf of the Winston-Salem Neighborhood Alliance. He stated that option two allows for Council Members to better manage accessory dwellings for the needs of their particular wards and neighborhoods.

**Susan Holly, homeowner in the Ardmore Neighborhood**

Ms. Holly requested that the City Council maintain the homeowners' freedom and rights as much as possible and although she does not have immediate plans for an accessory dwellings some homeowners may find one necessary to care for loved ones. She stated she chose the Ardmore neighborhood because she felt it was not overly restricted. She said she hopes Council will not let property values override the needs of the homeowners.

Tina Thacker, 2023 Elizabeth Ave. Winston-Salem, 27103

Ms. Thacker stated she is a proponent of accessory dwellings and supports this Ordinance.

Mayor Joines closed the Public Hearing and recognized Council Member Montgomery for a motion.

**Council Member Montgomery:** I move for approval of: (1) UDO-267 eliminating the kinship provisions and adding a special use district rezoning process and (2) the Statement of Consistency for approval of said version.

**Council Member Besse:** Second.

**Motion carried with the following vote:**

**Aye:** 8 - Council Member Larson, Council Member Clark, Council Member Besse, Council Member Montgomery, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

**Z-8.**     [17-661](#)

Resolution Approving a Long-Term Lease Agreement with New Cingular Wireless PCS, LLC for Space on the Jointly Owned City-County Radio Tower Located off of Fairlawn Drive. (Northwest Ward)  
(Recommended by Finance Committee.)

**Attachments:** [Lease for Fairlawn Drive City-County Radio Tower - CARF](#)  
[Lease for Fairlawn Drive City-County Radio Tower - RES](#)

**Council Member Clark:** Move for approval.

**Council Member MacIntosh:** Second.

**Motion carried with the following vote:**

**Aye:** 8 - Council Member Larson, Council Member Clark, Council Member Besse, Council Member Montgomery, Mayor Pro Tempore Burke, Council Member Adams, Council Member MacIntosh, and Council Member Taylor

**ADJOURNMENT**

8:50 p.m.