

MINUTES
CITY-COUNTY PLANNING BOARD
MAY 13, 2021
4:30 P.M.
Virtual Meeting

MEMBERS PRESENT: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe,
Chris Leak, Mo McRae, Brenda Smith, Jack Steelman
MEMBER ABSENT: None
PRESIDING: Chris Leak

CALL TO ORDER

The Chair recognized Council Member Scippio, who was in attendance.

A. ACTION ON MINUTES

- April 8, 2021 Public Hearing
- April 22, 2021 Work Session

MOTION: Clarence Lambe moved approval of the minutes.

SECOND: Jack Steelman

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

B. PUBLIC HEARING ITEMS

The actual order of cases considered by the Planning Board on May 13, 2021, 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 13, 2021, was as follows: B.1., B.2., B.3., B.4., B.5., B.7., C.1., D.1., D.2., B.6.

1. Zoning petition of City of Winston-Salem from Forsyth County LI-L to Winston-Salem LI-L: property is located on the west side of Wallburg Road, south of Business Park Drive (Zoning Docket W-3466) (Case starts at 5:07).

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: Melynda Dunigan

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, 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, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

2. Zoning petition of City of Winston-Salem from Forsyth County LI-S to Winston-Salem LI-S: property is located on the east side of Wallburg Road, north of Sherlie Weavil Road (Zoning Docket W-3467) (Case starts at 8:50).

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: Melynda Dunigan

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo
McRae, 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, Clarence Lambe, Chris Leak, Mo
McRae, Brenda Smith, Jack Steelman
AGAINST: None
EXCUSED: None

3. Zoning petition of Beroth Oil Company from HB-S to RM12-S (Adult Day Care Home; Bed and Breakfast; Boarding or Rooming House; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Family Group Home A; Habilitation Facility A; Habilitation Facility B; Library, Public; Nursing Care Institution; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Swimming Pool, Private; Transmission Tower; Child Day Care, Large Home; Church or Religious Institution, Community; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Limited Campus Uses; Planned Residential Development; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Utilities; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Habilitation Facility C; Park and Shuttle Lot; Urban Agriculture; Access Easement, Private Off-Site; and Parking, Off-Site for Multifamily or Institutional Uses): property is located on the south side of Polo Road, between North Cherry Street and Dalton Street (Zoning Docket W-3469) (Case starts at 11:00).

Desmond Corley presented the staff report.

George Bryan made the observation that this was like mixed-use development, with an institution on one side and commercial on the other. Aaron King added that we will likely see more rezoning cases similar to this, where commercial districts are converting to residential.

Melynda Dunigan indicated that she appreciated the design of this proposal, which shows less intrusive development on the neighborhood side.

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, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition with revised stormwater conditions.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

4. Zoning petition of MFStyers Ferry, LLC from GB-S to RS9-S (Residential Building, Single Family and Planned Residential Development): property is located on the east side of Styers Ferry Road, south of Lura Road (Zoning Docket W-3470) (Case starts at 17:05).

Desmond Corley presented the staff report.

There was discussion about traffic on Styers Ferry Road, and Desmond explained the current traffic plan.

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, Clarence Lambe, Chris Leak, Mo McRae, 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, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

5. Zoning petition of Lane Dental Properties, LLC from LO-S to IP-S (School, Private): property is located on the northwest side of Country Club Road, between Mozart Avenue and Cebon Avenue (Zoning Docket W-3473) (Case starts at 22:00).

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, Clarence Lambe, Chris Leak, Mo McRae, 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, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

6. Zoning petition of Living Word Fellowship Inc. from RS9 and MH to RM5-S (Residential Building, Multifamily; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Single Family; Family Group Home A; Recreation Facility, Public; Swimming Pool, Private; Adult Day Care Home; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; and Police or Fire Station): property is located on the west side of Bethabara Road, north of Bluebird Lane (Zoning Docket W-3474) (Case starts at 32:37).

Elizabeth Colyer presented the staff report.

Melynda asked what type of buffer would be on the western side of the property, adjacent to the homes on Queen Anne Circle. Elizabeth indicated that it will be a Type II bufferyard.

Clarence Lambe asked how comparable the proposed density was to RS9. Elizabeth compared the densities, and Chris Murphy clarified by adding that 84 units were proposed in place of the 81 that would be allowed in RS9.

George asked whether the sidewalks proposed on just one side of the road would be sufficient. Elizabeth indicated that it meets UDO requirements. She added that there are proposed sidewalks inside the development near common areas, and that there was a proposed public sidewalk on Bethabara Road. George asked whether a sidewalk might continue along Edgeware Road in the future. Aaron responded that it is not precluded, but that the developer was not required to extend the sidewalk into the existing neighborhood.

PUBLIC HEARING

FOR:

Paul Fidishun, 120 Club Oaks Court, Suite 100, Winston-Salem, NC 27104

- We have been working with Nicole Neil, one of the representatives from Living Word Fellowship Church, to put together the best use of what can be done on this parcel. It is just under 17 acres. After looking at a number of different ways to develop this, we fell into the residential setting that you see in front of you. Some of the main objectives to the site plan are to create a residential subdivision that would fit into the neighborhoods that already exist and to create individual homeownership. In addition to creating homeownership opportunities, we wanted to create amenities within the development.

We have a community building within the subdivision and public sidewalks throughout the development and walking trails.

- We also wanted to create a neighborhood that does not come in at a higher density than what is currently allowed. Under the existing zoning, RS9, 81 homes are allowed, and we are coming in and proposing a total of 84. They will be duplexes and/or twin homes so they will be attached to each other.
- We wanted to develop this in an environmental way. We are cognizant of the neighbors on all three sides as far as keeping trees. Where we are able to confine grading and disturbed areas we are going to do so to the best of our ability and preserve existing trees as buffers. Where we cannot do that, we will come in and plant required bufferyards to try and screen between existing neighborhoods.
- We followed several Planning staff recommendations. Along Bethabara, we are proposing more than the standard streetyard, which is reflected on the plan in front of you. We are also taking staff's recommendation to make the connection to Edgeware Road. We are going to create a nice entrance on Bethabara Road. There is a right-of-way taking on Bethabara and you will see a road widening along there with a proposed sidewalk. There was one comment on expanding right-of-way on Edgeware Road. Throughout the Planning comments, there was no indication that staff was requesting additional right of way to be taken, and so that is what we were trying to portray during our conversation with the neighborhood, that this plan does not propose any additional right-of-way taking. We are not doing a roadway widening, we are tying into the existing conditions as they are.
- We did have a neighborhood meeting. Two of the women that were at the meeting are on this call tonight. They both expressed concern over increased traffic that would be generated through Edgeware Road. They were also concerned about the safety of their neighborhood and if the interconnectivity with Bethabara would decrease the safety of their neighborhood. They are concerned with rental properties going up next to their homes. We appreciate their comments and time talking to us.

Scott Miller, 120 Club Oaks Court, Suite 100, Winston-Salem, NC 27104

- We are here to answer any questions that may come up. We are trying to do a neighborhood-friendly product, trying to keep within the residential feeling and flavor that is out there currently. If there is anything we can do to help answer any questions, we are certainly here and will make ourselves available.

AGAINST:

Myrtle McNeil, 3835 Queen Anne Circle, Winston-Salem, NC 27106

Dorothy Carpenter, 4098 Edgeware Road, Winston-Salem, NC 27106

- (Ms. McNeil) Our concern was that there was a proposal for a 30-year stormwater. There is so much water here already, and we want to know if that is going to cause us to have more water than we already have.

- (Ms. Carpenter) The other concern is the traffic on Edgeware Road. I am on the end of Edgeware Road, and they said they were going to curve the road for them to have it coming up Edgeware Road to get into that property. We have a lot of kids that play in the street as you come into Edgeware, and I want to know if you are going to put in speed bumps to slow the traffic because we already have a lot of traffic coming up Edgeware, turning into Queen Anne Circle, and coming out. There are a lot of elderly folks around here, and we would like to keep the noise down. We do not have drug problems here and we want to keep it that way.
- We have a lot of water flowing down Edgeware Road and Queen Anne Circle. There is also a trailer park near where they said the neighborhood is going to come, so does that mean they will be able to have access to come out and down Edgeware also? These are questions we want answered.
- We are not opposed to having the condominiums built, but we just don't want our community open to a lot of problems. I have been out here for 30 years, and we don't have drugs, and we don't want it to start up. We have formed our own community that watches out for each other. We know progress is coming and we don't mind, we just want reassurance that things will not get bad.
- (Ms. McNeil) Another thing is the sidewalk coming out of the new development; we are not interested in sidewalks down this way. That would be another concern, people coming in and out around our houses.

WORK SESSION

George asked if there was currently a stormwater retention pond on this property. Mr. Fidishun stated that there was not, and that they are not proposing one, but that they will meet all the requirements for stormwater on the site. He stated that they were trying to be cognizant of the water flowing downstream towards Edgeware Road. There is a series of two sand filters in place, which is staggered so that it catches water in two different areas before it releases onto the site. All the stormwater is tied into two 18-inch pipes that are immediately adjacent to the property on the Edgeware side. They pipe directly into a creek that is away from the homes. All of the stormwater that is within this parcel is being directed to those two inlets after it goes through the stormwater BMP.

There was discussion about sidewalks as a safety device.

Melynda asked whether there was a stormwater condition the Board would be recommending, as there was not one in the conditions of approval in the staff report. Desmond confirmed that there was a comment by stormwater staff, but that it does not appear in the staff report. He indicated that if the Board would like to attach a condition to the development, it can be included in the recommendation to City Council. The condition can also include a requirement that the development control or manage the 50-year storm event. Melynda brought up her concern about creeks in this area being problematic for downstream flooding.

Mo McRae asked whether the developer was also using a permeable surface to filter, such as permeable asphalt or pavers. Mr. Miller stated that this was basically a performance-based requirement by the City. They are holding to a certain design for storm events, which can be done a number of ways. Pervious pavement is one way to do that. What they chose to do is divide the stormwater into larger areas and create sand filters to accomplish the same thing that pervious pavement would do. While pervious pavement has not been involved in design, it is one of the tools in the toolbox, but they have selected different tools.

Brenda Smith expressed her concerns regarding adding conditions for stormwater management that are outside the scope of existing regulations. Clarence echoed Brenda's comments and stated that if there was a need for a 50-year storm, then the requirement should be imposed legislatively. He suggested advocating for a change in the ordinance but felt uncomfortable getting into a trend of imposing conditions outside the scope of their purview. Mr. Miller stated that they have tried to follow all rules and regulations to make sure that whatever they develop is developed in a way that is environmentally friendly to the neighborhood.

George stated that this area has been destroyed by flooding and trusts that the staff has taken that into account in negotiating the 30-year storm. Melynda recommended that the City Council take a close look at this case and take the advice of its experts (in the Stormwater Division) to make sure that we are not creating more problems, and if there is a need to control to a higher standard, that that be done.

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, Clarence Lambe, Chris Leak, Mo McRae, 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, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

7. Zoning petition of City of Winston-Salem from Forsyth County LI-L to Winston-Salem LI-L: property is located on the west side of Union Cross Road, between Carl L. Clarke Road and Axle Drive (Zoning Docket W-3475) (Case starts at 25:10).

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, Clarence Lambe, Chris Leak, Mo McRae, 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, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

C. PRELIMINARY SUBDIVISION APPROVALS

Desmond Corley presented the staff report.

1. #2021045; Summit Pointe Partners, LLC (The Ridge at Summit Pointe); north side of Oak Summit Drive, west of Oak Pointe Drive; 13-lot single-family residential development; Winston-Salem; 12.25 acres (Case Starts at 27:01).

MOTION: Clarence Lambe moved approval of the preliminary subdivision approval.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

D. PLANNING BOARD REVIEWS

1. PBR 2021-06; Sherwood Company (The Ramble at Meadowlark); east side of Meadowlark Drive, south of Ashlyn Drive; 71-lot Planned Residential Development; Winston-Salem; 70.72 acres (Case Starts at 28:28).

MOTION: Clarence Lambe moved approval of the preliminary subdivision approval.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

2. PBR 2021-07; Salem Baptist Church, Inc. (Salem Baptist Christian School Modular Learning Unit Site Improvements); generally bounded by South Broad Street, West Bank Street, South Spring Street, South Poplar Street, and Wachovia Street; improvements to the existing school; Winston-Salem; 7.13 acres (Case Starts at 30:32).

MOTION: Clarence Lambe moved approval of the preliminary subdivision approval.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

E. STAFF REPORT

Walter Farabee has recently been confirmed by the County Commissioners as an appointment to the Planning Board and will be joining the next meeting as our newest Board member.

There will be 10 hearing items presented at the next Planning Board public meeting.

F. FOR THE GOOD OF THE ORDER