

**MINUTES  
CITY-COUNTY PLANNING BOARD  
JULY 8, 2021  
4:30 P.M.  
VIRTUAL MEETING**

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

**CALL TO ORDER**

**A. ACTION ON MINUTES**

- June 10, 2021 Public Hearing
- June 24, 2021 Work Session

MOTION: Clarence Lambe moved approval of the minutes.

SECOND: George Bryan

VOTE:

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

AGAINST: None

EXCUSED: None

**B. PUBLIC HEARING ITEMS**

The actual order of cases considered by the Planning Board on July 8, 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 July 8, 2021, was as follows: C.1.; C.2.; B.2.; B.1.; B.3.

Brenda Smith joined the meeting at Item B.2.

1. Zoning petition of Salem Congregation from C to GB-L (Building Contractors, General; Building Materials Supply; Car Wash; Cemetery; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Government Offices, Neighborhood Organization, or Post Office; Institutional Vocational Training Facility; Motor Vehicle, Body or Paint Shop; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Motor Vehicle, Storage Yard; Motorcycle Dealer; Museum or Art Gallery; Park and Shuttle Lot; Parking, Commercial; School, Vocational or

Professional; Storage Services, Retail; Wholesale Trade A; and Services, A); property is located at the northeast corner of East Salem Avenue and City Yard Drive (Zoning Docket W-3483) (Case starts at 37:33).

MOTION: Clarence Lambe recommended that Case W-3483 be continued to the August 12 public meeting.

SECOND: George Bryan

VOTE:

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

AGAINST: None

EXCUSED: None

2. Site Plan Amendment of BRE Tarpon Whitaker Square, LLC for changes modifying the overall site layout in a HB-S zoning district: property is located at the southeast corner of North Peace Haven Road and Whitaker Ridge Drive (Zoning Docket W-3484) (Case starts at 10:20).

Gary Roberts presented the staff report.

Melynda Dunigan asked whether staff had received a total trip generation number for this proposal. Gary stated that they had not received that information from Transportation.

### **PUBLIC HEARING**

FOR:

Laura Reid, 1717 Fleetwood Drive, Charlotte, NC 28208

- I am here representing Harris Teeter. I am their traffic engineer supporting them on this site.
- I wanted to share the trip generation potential for this site. The daily trip generation of this fuel center is 2,054. I also wanted to share some information on the peak hour generation. Based off our projections, we are looking at 125 a.m. and 140 p.m. trips generated by a fuel center of this size. Once you consider the internal capture, or vehicles going to the Harris Teeter and other retail uses within the shopping center, and also considering the vehicles already on the roadway that will stop and get gas and then head back out, the fuel center is anticipated to add 35 a.m. and 38 p.m. new trips to Peace Haven. So that equates to one trip every two minutes in the peak hour.

Garrett Maravetz, 701 Crestdale Road, Matthews, NC 28105

- I'm with the applicant, Harris Teeter. I am mainly here to answer any questions regarding the fuel program and/or the operation of the facility.
- I would like to state for the record that we are extremely excited about this project. I think it's a good plan and look forward to further investing in the community.

Megan Fitzsimmons, 200 South Tryon Street, Suite 200, Charlotte, NC 28202

- I am here representing Harris Teeter from the engineering side and wanted to talk a little bit about the Harris Teeter plan and program.
- Harris Teeter Fuel has become one of the accessory uses to most of their grocery stores that are existing throughout the Carolinas, Virginia, Georgia, Florida, and up and down the east coast. This site is a multiple product dispenser fuel center. It offers 10 fueling positions for cars. You can stack on either side of the pump, like you see at most fueling stations. This one will have a 240-square foot kiosk where you can walk up to pay. There will be an attendant there from 6:00 a.m. to 10:00 p.m., and then it will be attended via credit card payment after hours if there are people that want to get gas after the fact.
- As you saw in the architectural elevations earlier, Harris Teeter prides themselves on their nice-looking gas stations matching their grocery stores and matching the uses in the shopping center - the Phoenix brick to match the store and the Hartford green overhead canopy you are used to seeing with all of Harris Teeter branded designs. Always nice looking, always kept clean, manned by an attendant who is an employee. You get the same service you're getting within the grocery stores. Attendants are brought in as a service to Harris Teeter customers that are already existing. You can go to the grocery store and get your groceries, go to the pharmacy, and then you can go over and fill up your gas tank with fuel points from your grocery purchases.
- We are working to provide some additional pedestrian access to help any pedestrians coming down North Peace Haven into the shopping center to connect to our fuel center and into the rest of the Whitaker Square Shopping Center.

AGAINST:

Robert Ballin, 2020 North Peace Haven Road, Winston-Salem, NC 27106

- I represent Coco Properties, and we own the property and building at the above-referenced address. We are opposed to the building of this fuel station. I have heard the statistics of increased traffic, and I can tell you, as someone who drives the Peace Haven and Robinhood intersection every day, the traffic is heavy in the morning, it's heavy at lunchtime, and it's heavy in the evening. There are times where the traffic at the stoplight/intersection of Robinhood and Peace Haven backs up past our building. The additional traffic is just going to create a nuisance. I would have to disagree with the perception that the roads are designed to handle that much traffic. I think a redesign would need to happen to allow for the increase of traffic. The exit to that property where

the Chick-fil-A sits is exceptionally dangerous. I have had multiple employees of our business get into traffic accidents. To increase the number of cars without doing anything to change the roads or put in a traffic device seems irresponsible to me.

- There are already two gas stations located across the street from this property. There is a third one located west on Robinhood Road a short distance away. It's only going to be manned by a single person at a kiosk and not providing that many new jobs. We are just saturating this area with more gas stations, and it's not like those gas stations are filled to capacity with lines going into the street. They can certainly handle the demand of what is here. I can't imagine that 10 more pumps will alleviate anything as far as traffic or accessibility to fuel.
- There is an environmental impact. There will be fumes coming from the fuel being put into vehicles. The fuel can be spilled, as you can notice at any gas station. There will be fumes from exhaust from cars that are at that station. There is also potential for tank leaks and spillage contaminating the groundwater. One of the Board members mentioned electric vehicle charging stations, and Harris Teeter mentioned that they did not even consider it. I really think they should. The country is moving toward that. I am really surprised that they did not consider that when it would be a source of revenue for them.
- They talked about the kiosk not being manned after hours. What happens when there is a spillage? Are we going to count on the person fueling their vehicle to run over to the building to push the stop button, or are they just going to drive away leaving that fuel on the ground to saturate into the concrete and maybe contaminating the groundwater?
- The last thing is the lowering of property values. Properties here are worth something, and to put a fuel station in across the street from our property is just going to lower the property values.

## **WORK SESSION**

Melynda asked Ms. Fitzsimmons to speak in more detail about the plantings and landscaping. Ms. Fitzsimmons outlined a plan not to disturb anything along North Peace Haven Road. The trees and shrubbery will stay on the north side, along the back side of the sidewalk. The internal plantings along the back of the curb will be removed to allow for the additional curb to be pushed out but will be replaced with additional trees. Shrubby will be installed to screen the fuel center and the vehicle use area.

Jack Steelman asked if this site was designed for the addition of electric vehicle charging stations as demand increases. Ms. Fitzsimmons stated that it was not and that such stations had not been considered for this area.

Mo McRae asked Ms. Fitzsimmons if anyone on the development team had engaged with any of the other tenants of the shopping center to get their thoughts about this development. Ms. Fitzsimmons stated that Harris Teeter had been working with the landlord for the shopping center. Mr. Maravetz added that most of the communication had been through the landlord and that Harris Teeter is the largest tenant in the shopping center. He went on to state that these

situations usually receive positive feedback, especially when they add a different use that is drawing more customers into the shopping center and is a quality operation like Harris Teeter.

George Bryan noted that he is often confounded by the stacking that occurs going toward Robinhood Road at the intersection with Peace Haven Road and wished that DOT would solve the current situation and address future concerns. He added that he felt a bit constrained in voting to approve this case because it is a Site Plan Amendment. The original plan had already considered additional outparcels being part of this development and they knew there would be additional traffic when this was approved.

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, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the Site Plan Amendment.

SECOND: Jason Grubbs

VOTE:

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

AGAINST: None

EXCUSED: None

3. An ordinance amendment proposed by Edward Nichols modifying Section 5.4.2E of the *Unified Development Ordinances* pertaining to the temporary use Turkey Shoot (UDO-CC13) (Case starts at 39:16).

MOTION: Clarence Lambe recommended UDO-CC13 be continued to the August 12 public meeting.

SECOND: Melynda Dunigan

VOTE:

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

AGAINST: None

EXCUSED: None

### **C. PLANNING BOARD REVIEWS**

Desmond Corley presented the staff report.

1. PBR 2021-10; William R. Grose Sr. Family LP, Jack Norman Grose, and Grose Family Limited Partnership (Rosewood Place); west side of Griffith Road, between Browndale Street and Waterwheel Circle; 25-lot Planned Residential Development; Winston-Salem; 5.19 acres (Case Starts at 5:14).

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

SECOND: Jack Steelman

VOTE:

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

AGAINST: None

EXCUSED: None

Desmond Corley presented the staff report.

2. PBR 2021-11; Paul D. Ivey; south side of Center Grove Church Road, west of Center Grove Place Drive; 31-lot Planned Residential Development; Forsyth County; 40.53 acres (Case Starts at 7:35).

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

SECOND:

VOTE:

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

AGAINST: None

EXCUSED: None

### **D. ELECTION OF CHAIR AND VICE-CHAIR**

For the Election of Chair, Aaron King chaired the meeting.

MOTION: Clarence Lambe nominated Chris Leak as Chair and moved that nominations be closed.

SECOND: George Bryan

VOTE:

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

AGAINST: None

Chris Leak resumed chairing the meeting.

MOTION: Clarence Lambe nominated Melynda Dunigan as Vice-Chair and moved that nominations be closed.

SECOND: Jack Steelman

VOTE:

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

AGAINST: None

Clarence Lambe expressed his appreciation for Chris and Melynda's willingness to serve as Chair and Vice-Chair.

#### **E. STAFF REPORT**

As of this meeting, 16 applications have been received for the August public meeting. Due to the number of cases being heard, Chris Leak encouraged the Board to read over the information concerning the August meeting and divert any questions to staff to move the meeting along more efficiently.

There will be two speakers at the July Work Session: Courtney Driver, Director of Utilities will speak on sewer expansion, and Keith Huff will speak about stormwater. Aaron asked the Board to direct specific questions to staff regarding items they would like Courtney and Keith to address.

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