

SUMMARY OF MINUTES

COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE

3:00 p.m., Thursday, November 10, 2016

COMMITTEE ROOM

Room 239, City Hall

COMMITTEE MEMBERS: Mayor Allen Joines (out at 5:02 p.m.)
Council Member Molly Leight, Chair
Council Member Jeff MacIntosh, Vice Chair
Council Member Denise D. Adams
Council Member Dan Besse (arrived at 3:38 p.m.)

OTHERS PRESENT: Council Member Derwin L. Montgomery (out at 5:29 p.m.)

Chair Leight called the meeting to order and expressed her desire that housing items should be broken up and handled prior to the Community Development/Housing/General Government Committee meeting. Homeowners with the citations are not communicating with staff and after two notifications, their properties should be directly added to the demolition list after going to Council. This has been such a back log. This consideration may speed the meeting along. It also would give the Committee an opportunity to consider policy.

Chair Leight called the meeting to order and stated without objection, the Committee would first consider the Consent Agenda. Council Member MacIntosh pulled Item C-5 for discussion. Chair Leight stated Items C-2(f) and (g), and need to be removed because they had been brought into compliance. Staff pulled Item C-4(a) for technical reasons.

Council Member Adams made a motion to approve the balance of the Consent Agenda. The motion was duly seconded by Council Member MacIntosh and carried unanimously.

CONSENT AGENDA

C-1. CONSIDERATION OF ORDINANCES RESCINDING AN ORDINANCE ORDERING THE DEMOLITION OF A DWELLING:

a. Winston-Salem Presbytery 117 Dellabrook Road (East Ward)

C-6. CONSIDERATION OF ITEMS REGARDING LOCAL HISTORIC LANDMARK DESIGNATION:

- a. ORDINANCE DESIGNATING CERTAIN PROPERTY AS A HISTORIC LANDMARK – *The O’Hanlon Building, 101-104 West Fourth Street.*
 - b. ORDINANCE DESIGNATING CERTAIN PROPERTY AS A HISTORIC LANDMARK – *The Pepper Building, 100-104 West Fourth Street.*
- C-7. RESOLUTION AUTHORIZING THE IMPLEMENTATION OF BUILDING INTEGRATED COMMUNITIES ACTION PLAN.
- C-8. APPROVAL OF COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE SUMMARY OF MINUTES – *September 13, 2016.*
- C-2. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-2013(f)(2) OF THE CITY CODE OF THE CITY OF WINSTON-SALEM: [*Repairs more than 50% of value of structure (>50) six months*].

- a. Myrtle B. Grant, Heirs 801 Twenty-Fifth Street
(North Ward)
- b. Gwendolyn S. Bell 1807 E. Fourth Street
(East Ward)
- c. Christopher Antonio Jordan 1901 E. Third Street
(East Ward)
- d. Lula H. Harris, Heirs 2835 Rowell Street (East Ward)
- e. Ada M. Page 506 Alexander Street (East Ward)
- h. Devon W. Jones-Patterson Lyles 670 Glenbrook Drive (East Ward)
- i. Eric Demarko 805 Hutton Street (South Ward)

Chair Leight noted a neighbor is concerned about a shared driveway and if it would be destroyed in the demolition process.

- j. Raul A. and Amanda M. Lio 1406 Diggs Boulevard (East Ward)
- k. Dollie M. Hargrave 2829 Gilmer Avenue (North Ward)

Council Member MacIntosh made a motion to approve this item. The motion was duly seconded by Council Member Adams and carried unanimously.

- C-3. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(2) OF THE CODE OF THE CITY OF WINSTON-SALEM: [*Repairs more than 50% of value of structure (>50) six months*].

- a. Ray and Judy Joyner 810 Rich Avenue (East Ward)
- b. Marie Cole and Nathan Littlejohn, Heirs 1220 N. Jackson Avenue
(East Ward)
- c. Martha Alvarez Silva 1347 Dunleith Avenue
Accessory Building (East Ward)
- d. Michel Hernandez 1917 East Third Street
(East Ward)
- e. Eric Stephen Kirkman 4538 Shattalon Drive
Accessory Building
(Northwest Ward)
- f. Pearl C. Lee 1417 East 22nd Street
(Northeast Ward)
- g. Rebecca White 2238 School Street (Northeast Ward)

Council Member MacIntosh made a motion to approve this item. The motion was duly seconded by Council Member Adams and carried unanimously.

C-4. ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-SALEM CITY CODE: [Repairs more than 65% of value of structure (>65)].

- b. Lyfe Enterprises, LLC 745 Barney Avenue
(Southeast Ward)
- c. William Douglas Babbitt Jr., Heirs 3313 Urban Street (Southeast Ward)
- d. Gloria Ortner 4930 Germanton Road
(Northeast Ward)

C-2. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-2013(f)(2) OF THE CITY CODE OF THE CITY OF WINSTON-SALEM: [*Repairs more than 50% of value of structure (>50) six months*].

**This item removed for consideration – brought up to code.*

- f. Edna J. Glenn 224 Terrace Avenue (East Ward)

**This item was removed for consideration – brought up to code.*

g. James Edgar Turner 110 N. Jackson Avenue (East Ward)

**This item was removed for technical purposes.*

a. James E. Hayden, Sr. 1139 E. Twenty-Fifth Street
(Northeast Ward)

Council Member MacIntosh made a motion to approve this item. The motion was duly seconded by Council Member Adams and carried unanimously.

C-4. ORDINANCE ORDERING THE COMMUNITY AND BUSINESS DEVELOPMENT DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-SALEM CITY CODE: [*Repairs more than 65% of value of structure (<65)*].

**This item was removed for technical purposes.*

a. James E. Hayden, Sr. 1139 E. Twenty-Fifth Street
(Northeast Ward)

C-5. RESOLUTION SUPPORTING THE ELIGIBILITY OF PROPERTY FOR THE NATIONAL REGISTER OF HISTORIC PLACES – *Oak Crest Historic District*.

Council Member MacIntosh made mention that the residents in this neighborhood have been very proactive in protecting their community and he wants to thank them and acknowledge their efforts.

Council Member MacIntosh made a motion to approve this item. The motion was duly seconded by Council Member Adams and it carried unanimously.

GENERAL AGENDA

G-1. ORDINANCE AMENDING CHAPTERS A AND B OF THE *UNIFIED DEVELOPMENT ORDINANCES* TO CREATE THE USES BREWERY OF DISTILLERY AND SPECIAL EVENTS CENTER – (UDO-271) – *Proposal of the City-County Planning and Development Services Staff. [Recommended by Planning Board.]*

Mr. Kirk Erickson, Principal Planner gave the staff report on this item.

In response to Council Member MacIntosh, Mr. Erickson stated, the Foothills Brewery was one of the facilities considered for this project and staff proceeded to conduct further research around downtown at the urban facilities to see which ones met the micro-breweries and micro-distilleries accessory uses.

In response to Council Member MacIntosh, Mr. Erickson stated this project is centered on the design of the Camel City Barbeque Factory, however, this project would not have any food involved. There will be complimentary activities in the same structure such as a taproom or tasting room.

In response to Council Member MacIntosh, Mr. Erickson stated parking is required at a rate of one parking space per 100 square feet of taproom or tasting room space plus one parking space per 575 square feet of brewing or distilling space.

Council Member Adams requested the number of micro-brewery and micro-distillery facilities located in the city.

In response to Council Member MacIntosh, Mr. Erickson stated, due to the need to protect nearby residential properties from potential negative impacts of this use, additional requirements are proposed for special events centers in business, campus and mixed-use districts. New facilities must have direct vehicular access to a major or minor thoroughfare or collector street. If the special events center is located in a converted existing structure, it must be located no more than 1,500 feet from a thoroughfare or collector street.

Council Member Adams made a motion to approve this item. This motion was duly seconded by Council Member MacIntosh and carried unanimously.

G-2. RESOLUTION CONTAINING THE CITY OF WINSTON-SALEM'S LEGISLATIVE PROGRAM FOR THE 2017 LEGISLATIVE SESSION.

Mrs. Angela Carmon, City Attorney gave the presentation on the four Legislative Acts and their amendments.

In response to Council Member MacIntosh, Mrs. Carmon stated, the City could collect those recovery costs associated with service by publication, if the property is worth foreclosing on. If those costs are not paid, according to this item, it becomes a tax lien against the real property upon which the cost was incurred.

In response to Council Member Adams, Mrs. Carmon stated, the General Assembly is looking to change the terms regarding the time of the election cycle. When it was at the same time as the Presidential Election, it took the attention off of the local officials and the issues and concerns.

In response to Chair Leight, Mrs. Carmon stated the Council would have to petition the court to release the law enforcement agency recordings.

Council Member Besse requested an appeal on the pre-existing statute and a broader overhaul be established in the language of the law enforcement agency recordings Act.

Mrs. Carmon stated she would present the statute back to the General Assembly in two different way, for a possible rewriting of the language stated in the Act.

Council Member Besse stated to be able to support the Equal Rights Amendment, there should be information included that is tied specifically to City programs and ordinances.

Council Member Besse made a motion to move Item G-2 forward without a recommendation. The motion was duly seconded by Council Member Adams and carried unanimously.

G-3. REPORT ON PETERS CREEK COMMUNITY INITIATIVE.

Mr. Derwick Paige, Assistant City Manager, gave the staff report on this item.

In response to Council Member Besse, Mr. Paige stated staff does think this is a good decision to use the Shalom Project in initiating this project.

Mr. Len Brown, Executive Director, Shalom Project and Mr. Kelly Mitter, NRI Coordinator presented on this item.

In response to Council Member MacIntosh, Mr. Mitter stated, site control has not been assigned yet. The study would be paid for after this is assigned.

Mr. Paige stated the information concerning this item will be dispersed for the Committee's consideration in the November 21st packets.

Council Member Besse made a motion to approve this item. The motion was duly seconded by Council Member Adams and carried unanimously.

G-4. REPORT ON A FEDERAL LOBBYING CONTRACT.

Mr. Paige gave the staff presentation on this item.

Council Member Adams requested data of financial performance from the last seven years from the four lobbying firms and to continue to see it on a regular basis.

In response to Council Member Adams, Mr. Paige responded this lobbying contract ends December 31, 2016.

Council Member Adams requested a discussion to move forward and to include Council Member elect Larson so he is able to participate.

Council Member Adams proposed a Special Meeting be held prior to City Council's December 19th meeting.

Council Member Montgomery requested consideration, of an extension in the case, if a decision is not met in the time frame of the Special Meeting, due to the expiration of the lobbying contract.

By consensus, the Committee agreed to bring this item back at a later date for discussion.

G-5. PRESENTATION REGARDING STAR COMMUNITY LEADERSHIP PROGRAM.

Mr. Wendall Hardin, Sustainability Department, gave the report on this item.

G-6. REPORT ON HANDICAPPED PARKING.

Mr. Gregory Turner, Assistant City Manager, gave the staff presentation on this item.

Ms. Nancy Dennis, resident on Marshall Street, gave information in support of this item.

Chair Leight indicated the Committee would follow-up with a plan to support this item.

Council Member Adams requested a drawing be presented to Committee to show where prospective handicap parking spaces can be provided.

Council Member Besse made a motion to forward the item to Council without a recommendation. The motion was duly seconded by Council Member Adams and carried unanimously.

G-7. ORDINANCE REVISING CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES* TO AMEND REGULATIONS FOR ACCESSORY DWELLINGS – *UDO-267 – Proposal of the City-County Planning and Development Services Staff [Recommended by Planning Board. Item continued from the August meeting of the Community Development/Housing/General Government Committee.]*

Mr. Erickson gave a brief staff report on this item.

In response to Chair Leight, Mr. Erickson stated, the site plans do not show the parking plans but there are provisions listed in the ordinance. One parking space must be provided per bedroom in an accessory unit and in the form of off-street parking.

In response to Council Member MacIntosh, Mr. Erickson stated the Planning Committee has discussed whether variances may or may not be granted for lots less than 9,000 square feet in size for the accessory dwellings.

In response to Chair Leight, Mr. Erickson stated the current ordinance states the lots are gradated at five percent of the lot with a maximum cap at 1,000 square feet and with the standard 9,000 square feet lots there would be a cap at 450 square feet (this is five percent of the 9,000).

In response to Council Member MacIntosh, Mr. Erickson stated, at a public meeting with concerned citizens where accessory dwellings would prospectively be going into their communities with small lots. They were concerned about the lessening density.

Council Member Besse indicated that he would like to see the regular set back of 25 feet applied as opposed to the detached units set back or 20 feet from the principal residence on the lot. If a neighborhood engages, he stated there should be an opt-in option.

Mr. Erickson stated as The Neighborhood Conservation Overlay (NCO) language is written; and area does not have to be as large as the neighborhood and it does not have to be a platted neighborhood. However, there has to be identifiable characteristics that make it stand together as a unit, which sometimes may be a plat or a phase of a new neighborhood.

By consensus, the Committee agreed to have the Planning Committee bring back for December an opt-in proposal and with a revision of the 7,000 square feet lot if it can meet the setbacks.

ADJOURNMENT: 5:53 p.m.