



## **Town of Walkertown, North Carolina**

**Website: [townofwalkertown.com](http://townofwalkertown.com)**

**Walkertown Town Council Meeting**

**Walkertown Library Auditorium**

**THURSDAY 7:00 P.M. NOVEMBER 17, 2005**

# **MINUTES**

The meeting was called to order by Mayor Doc Davis at 7:00 p.m. Present were Mayor Davis, Councilmembers Larrimore, Warner and Welch, Clerk Lynn, and Attorney Steve Garland. Councilmember Dot Duggins was absent. After a short invocation by Mayor Davis, Councilmember Wallace Larrimore led the Pledge of Allegiance.

The agenda after being amended by Mayor Davis for the addition of a Closed Session was approved on a motion by Horace Warner and seconded by Wallace Larrimore.

Council meeting minutes of October 27, 2005 and November 1, 2005, an Emergency Called Meeting, were approved by a motion from Sarah Welch and seconded by Wallace Larrimore.

### **PUBLIC SESSION**

Public Session was opened and closed at 7:04 p.m. with no speakers.

### **PUBLIC HEARING**

**WA-005E - GLENWOOD CO. / PINECREST APTS.**

Aaron King, of the City-County Planning Board, made the initial presentation for this Final Development Plan request for 80 apartment units. He said this was not a rezoning request - zoning for the property, RM-18, is currently in place. "The use of apartments on this site, previously approved, is current and in place. What we're looking at tonight is the site plan - and the compliance with UDO requirements. Again, it's RM-18S to Final Development Plan for Residential Building, Multi-Family. It's located at the southeast corner of NC-66 and Reidsville Road, behind the Walkertown Commons Shopping Center. To the north there is HB-S zoning, currently undeveloped. To the east, there are a couple of single-family homes, zoned RS-20, as well as to the south and to the west, there is undeveloped property zoned Limited Office-Special Use. Subject property is approximately 8 ½ acres in size and is located in Legacy's Growth Management Area IV - Future Growth Area. The site plan submitted with the request shows **ten two-story multi-family buildings**, proposes a total of **eighty units** with an overall density of **9.4 dwelling units per acre**. That is significantly less than what is allowed under the existing RM-18, of up to 18 units per acre. The buildings are arranged in a sort of circular pattern with everything, parking, sidewalks oriented to the internal portion of the site. They've provided a Type II

buffer along the north, east and south property lines - it's not required by the UDO along the western property lines. This site is located within the **Salem Lake Watershed**. It was part of a **previously approved SIDA request** - no further SIDA request needed for this project. Part of this request is that petitioner/developer will be required to **construct a road and sidewalk beginning from the subject property to the shopping center** as well as this portion out to NC-66. That's part of the requirements. They have two building types labeled on the site plan - Building "A" and Building "B". Building "A" is a combination of brick and vinyl siding. Building "B" is not much different. At the November 1<sup>st</sup> Planning Board, four people spoke regarding the request. Petitioners as well as Mr. Weavil spoke in support of the request. An adjacent property owner spoke regarding the buffers along this other property line. The **Walkertown Planning Board voted unanimously to approve this request**. They did add a **condition that lighting be consistent with Walkertown Commons Shopping Center** and that **antique lighting be provided at the entrance to this project**. The Planning Board also asked that the petitioners investigate that buffer along the southern property line with the neighbor and they also asked that the petitioner consult with the Walkertown Volunteer Fire Department. It is my understanding in talking with the neighbors and both of the petitioners, there have been discussions with each other. They walked out the property. They revised their site plan to pull the storm water pond back away from that property line a little bit and also added a 5-foot undisturbed area that runs along that property line....provides a little bit more buffer for the adjacent property owners to the south. And, it is my understanding, after speaking to Chief Hutchins, of the Walkertown Volunteer Fire Department, that he is okay with the site plan as it has been presented."

Mr. Warner asked, as far as the sidewalks, are they going to be concrete or??? Mr. King said "concrete". Mr. Warner asked if there will be raised curb and gutter? And Mr. King responded that his understanding was yes. Mr. Warner then asked if he could request that this project install sprinklers to give proper protection to the residents. Mr. King said that the County Fire Department conducts the initial review at the inner departmental meeting; then at the request of the Walkertown Planning Board, the petitioners met with Chief Hutchins from the Walkertown Fire Department. And he has spoken with Chief Hutchins and he is agreeable to the site plan as it has been drawn up.

Mayor Davis asked about the traffic count on the report - the trip generation. Mr. King said, "Basically you take the 80 units proposed and they use their "general trip generation rate" - put out by the traffic engineers - and that 6.59 is based on the general rate that is used for calculating. Proposed trip generation for multi-family projects - take the 80 units times that number - and that is an approximate number - it comes up to 527 trips per day that this project will be expected to generate - somewhere around that area. The 12,000 count is an average daily count on NC-66. The Capacity/LOS D (Level of Service - ie. roads are graded at a certain "A", "B", "C", "D" ---- If the traffic capacity exceeds 11,000 trips per day on that road, then it falls below that level of service "D". Obviously, the higher grade you are operating at, the better capacity the road has.) That's generally

what the thoroughfare plan calls for - they compare that to the level of service "D".

Mayor Davis then said, "So does the lower the level the grade you get, maybe means, we might get some help on it." Mr. King said he couldn't speak to that but that the developers would be required to make the necessary improvements to NC-66 as part of this project, as required by NC-DOT in their driveway permit.

Public Hearing was opened at 7:15 p.m.

1. Brandy Angus  
Durham NC

"I'm here, basically, I think you all know what we're presenting tonight that we did receive a recommendation from the county and from your Town Planning Board, that we met all UDO requirements. In addition, to the additional requests from the Planning Board, which was to meet with the Fire Department and we were told that there were no issues with our current plan. We were able to pick up a little bit of an additional buffer along that property line. I'm just here to answer any further questions you might have."

Mr. Warner asked if her company would "sprinkle those apartments" and Ms. Angus replied, "No. We've pretty much met the entire building code requirements for a two-story building. According to building code and everybody, we've met all."

Ms. Welch: "They will have fire alarms, won't they?" Ms. Angus: "There will be fire alarms, and they will all be up to code." (Mayor Davis said they will have smoke detectors - they'll have to meet the safety codes.)

2. Patrick Hennigan  
107 Tisbury Ct.  
 Mooresville NC

"I just wanted to recap several items with regard to the project. Brandy *is* the applicant - not myself. We're just selling the land to Brandy - but we're involved -- the projects tied together. In 1999, our approval process required us to have a Mixed-Use project. In other words, it was imperative for us to get our approvals, for us to have the shopping center, and multi-family, and office - all together. And we've been working since then to market the multi-family land to basically to do what we were obligated to do ---- which was to provide multi-family, in this case, apartments. We're not an apartment developer. I wasn't jumping for joy when they said you have to have an apartment component to this, but that's what we were obligated to do so that's what we're here accomplishing. As Aaron pointed out, the density could be almost double - if they wanted to max it out and go four stories, they could have twice as many units as they're going to have. They're only going to be two-story buildings. Brandy's job is to comply with all the UDO requirements. The zoning was done six years ago. Ms. West is satisfied and Mr. West is satisfied. Property is going in next door but what we did is we met with Ms. West, after the Planning Board meeting that day and walked our property, which is next to her property and looked at the existing trees that were there. To accomplish picking up an extra 25% --- in other words going from 15-feet to 20-feet of keeping the existing trees by relocating the retention basin that we worked with the county and they said we could do it so we split the retention basin over a

little bit which enabled us to pick up another 5-feet of being able to keep the trees and not touch them. So, we didn't have to do that but we thought that was the right thing to do, so we did it. That's what's been going on. With regard to the sprinkler question -- just to clarify....Brandy's project meets all applicable fire codes 100%. It's a cost issue - The fire department does not have sprinkler because they meet all the codes, the building meets all the code. It would be great to sprinkler everything but, oftentimes, we all live on budgets and we met the code so that's where they stand now. We're happy to have this. We think it's going to add a lot of energy to our project. We've got, if you notice in our project, there's some of the spaces that remain vacant since we've opened, like the ones we call Main Street - the ones along the side. And I think this project is going to bring more shoppers to our project. They're going to be able to drive there, walk there easily, without going out on to the main roads. Again, the question of whether or not apartments should go there was decided six years ago --- we're trying to make sure we comply with all the code requirements, which we have."

3. Mary Jo Weavil  
3434 Old Hollow Rd.  
Walkertown NC

"My husband, Teddy, and I have lived at 3434 Old Hollow for the past ten years. Prior to that time we lived at 3444 Old Hollow Rd. We \_\_\_ about 200 feet in front of our current home. We've lived on this land about 28 years. Prior to this development of Walkertown Commons Shopping Center, we opposed that development. We didn't want to live directly adjacent to a large grocery store or strip mall. Our opposition was to no avail. Our home is now located adjacent to the back entrance to many of the mall stores. The back drive, which offers the entrance for loading and unloading of supplies for Lowes and other stores, is less than 90-feet from our front door. Our understanding is that Phase II of the Walkertown Commons development project is the building of apartment buildings directly behind us and it includes some much-needed multi-family housing. According to Glenwood Developers and the Department of Transportation, our property is best suited for access and egress to these apartments. We really would not want to maintain our home this close to commercial property. I come to you today to ask for your support for the proposed site plan for these apartments. This will allow Teddy and me to move on with our lives. I truly do thank you for your careful consideration."

4. Philip West  
115 Robert West Rd.  
Walkertown NC

"I'm one of the homeowners on the south end side of the property. Much like Mary Jo, we opposed the issue of the shopping center and the apartments simply because the traffic, which we found out today, is about 10% over on Old Hollow Road anyway. Other situations around - the apartments the fact that there would be some low-income apartments, which, I think caught many people by surprise, caught me by surprise... We have worked with Brandy - she did come out - they were very helpful. I think she has done a good job in terms of trying to do the best she can to get her property site plan to where it would be the least inconvenient as possible. I'm still a little concerned about the security. We spoke

to her today and asked about a berm, which I'm not familiar with a Type II buffer is. I don't know if it means just shrubbery or just woods - I've requested that maybe a berm be investigated. I don't know what the status of that might be. It may not even be feasible. I do think it would be at least somewhat of an additional barrier between myself, our property, and theirs. Still very concerned about the overall security in terms of the fact that Walkertown has no police force, no security force, no guaranteed deputy for us because of funding issues. I realize that's the situation. The only request that we've made of Brandy was that we have contact names, contact phone numbers if there were to be a problem. We wanted to have someone that we could contact if there were situations that had to be addressed once the renters are there, we would like to have someone not only on site, but maybe at the corporate office. I have always been opposed to the development of the apartments but I will tell you this: I am in favor of you approving this site plan, simply from the standpoint of how it has affected the community, especially the Weavils'. They do not need to be where they're at. They need not have ever been put in a situation of putting - that is not the fault of this council - that is the fault of the Zoning Board of Forsyth County. We've all read stores of the donut zoning - and that was about as bad of a donut zoning situation I think has ever been. But I would like to ask you to approve this, simply from the standpoint of how it would affect them and their situation."

5. Wesley Hutchins, Fire Chief  
Walkertown Volunteer Fire Department

"I would just like to make a general overall statement before I make some comments in regards to the project. Walkertown Fire Department is not a code regulating agency. We don't have the staff. We're a volunteer department. We rely on our volunteers to provide fire protection for the community - and we do supplement with some paid part-time folks during the daytime, when our volunteer staff is kind of low. So we're not the code regulating agency. We rely on the County Fire Department to do that. They employ an assistant Fire Marshal whose job is to do strictly plans review. As promised to the folks with the project, I met with them on Monday morning. We discussed the project. I looked at the plan and that was my first opportunity to see it. I've heard about it but didn't have a chance to look at it. I reviewed it and as I promised I would meet with the folks from the County Fire Department. I went out this afternoon and met with Assistant Fire Marshal Brock Smith, who is charged with that task of reviewing site plans. I discussed with him some of the things that we talked about on Monday morning. They did agree to relocate a hydrant. Code calls for hydrants to be no more than 500-feet apart in distance. Code also requires that the means of egress and exit, the driveways, to be a certain width, I believe the code calls for about a 20-foot width. If you look at the plan, it's set up for 26-foot width and they've been very gracious to supply that so as far as the code goes. It's a sound plan. It meets all the code regulations. Mr. Warner, I do appreciate your comments on the sprinkler system. We'd love to see every building in the county and every building in Walkertown sprinkled. We'd love to sprinkle our building. It is, as mentioned, a cost factor. There are regulations coming up on that and I'd be all in support of the regulation to see that everybody sprinkle - but that's not the issue right now. One comment that I would like to make, and, again, we've talked about it with the planning and zoning folks, and we discussed this on

Monday morning...the plan that you have before you with those ten buildings come on line here in Walkertown. Great addition to the community! It does provide housing for folks - and I'm not here to comment on that - but the concerns that we have here in the Fire Department is that you're tossing something out there to the Fire Department that's going to alter our plans on the way we do business. The folks here at our Fire Department are more commonly geared to fire fighting operations at single-family dwellings. Go back and look at our figures...our figures show that over the past five years, probably 90% of the alarms we run - they're actual, as we term "working structure fire". Our single family room and contents fire - maybe somebody left a candle burning, or they have electrical problem - or something like that - "room and contents" - and that's what we're geared more towards. Fire fighting operations in multi-story, multi-family occupancy buildings is pretty difficult. Requires a lot of manpower; it requires a lot of apparatus and things like that. We discussed Monday when we were looking at the building and noted on the plan, that the maximum height of the buildings, and, again, we don't have a floor plan, I think that's to come, but noted on your site plan, the maximum height on those buildings are 30-feet. Our largest, or our highest capabilities right now are our 35-foot ladder. We have one of those in our department. My concern is some of the height requirements and, again, the Fire and Life safety issues with multi-story, multi-family occupancies. The other thing that is of small concern, and, again, it's not with the site plan, but once the water system is developed, we figured the fire flow on one of those buildings is going to be somewhere between 4,000 and 5,000 gallons per minute. Again, that's a fully-involved building, 100% involvement that we'd have to do our job at. Hopefully, you've got a good fire department and we'd get there a lot sooner than that building got that far. The alarm systems would be a plus for us. That's a concern because we don't know what the water system's going to be. The other is the height requirement. I mentioned we have that one ladder. Three years ago, we were graded by the Department of Insurance and they do the fire protection grading, which impacts each of you in the room, each of you on the council, if you live here in town, because they set your fire protection grades. We were graded in one of their quadrants in there and looked at an elevated stream, and when I talk of elevated stream I talk of a ladder truck or a snorkel truck or an air apparatus for better terms. At that time, there were about five percentage points awarded for that type of equipment. We received .475% because we didn't have one. Our closest is over in Kernersville - that's outside the five mile radius that they grade the fire department on. Our next closest is in Winston-Salem. So that presents another problem for us. Our long-range plan, looking down the road, somewhere around 2009, is to look or identify the impact for that elevated stream, with these structures coming on line, if you so approve the plan, again, I'm not there to oppose the plan, but it's going to accelerate our plans to look at that type of equipment. It's also going to accelerate our plans to look at our manpower here. And I mentioned to you when I got started that we are a volunteer organization. From 8:00 to 5:00 we have two people here and that's to get our equipment on the road to hopefully get there and respond to those emergencies. From 5p.m. to about 7 or 8am the next morning, we rely on our volunteer staff. We do very well. We're very proud of our folks and I hope that it would provide that service to the town. And to kind of sum it all up, with the plan you're going to accelerate some thing that we're going to have to look at. And, I'm

sure you are aware, that impacts our budget, our staffing - we talked about full time people, we talked about adding a piece of equipment that we desperately need for that elevation. We're looking at \$300,000 to \$400,000 - maybe more - on an investment. So, I guess to bring it all back together - we're not opposed, good plan, meets the code. It's going to impact us on down the road."

Mr. Larrimore spoke of several other developments that have come into town and how it would relate to fire fighting.

Mr. Hutchins said the townhomes at Hanley Park were pre-planned are situated so that it's a single-family -- an upstairs and a downstairs -- not multiple. The new apartments are four up and four down, eight per building. So we're looking at eight per building versus the townhomes down off Rocky Branch are single family - living area downstairs, sleeping area upstairs - one family.

Public Hearing was closed at 7:36 p.m.

**MOTION:** **TO APPROVE WA-005E, FINAL DEVELOPMENT PLAN GLENWOOD WALKERTOWN, LLC, BLOCK 5357B, LOT 07, PINECREST APARTMENTS, MV COMMUNITIES TO INCLUDE THE RECOMMENDATIONS OF THE WALKERTOWN PLANNING BOARD**  
**BY:** **WALLACE LARRIMORE**  
**SECOND:** **SARAH WELCH**  
**VOTE:** **MOTION PASSED UNANIMOUSLY (LARRIMORE, WELCH, WARNER)**

7. **DISCUSS PLANNING BOARD VACANCIES**

(1) Appointments to fill vacancies

DD

Mr. Warner said he would like to make a motion to use a deadline for applications to be received for the Planning Board.

Ms. Peggy Leight spoke on behalf of Mike Warren, the Chairman of the Walkertown Planning Board. She said that two of the five positions on the Planning Board expire December 31<sup>st</sup>. In addition, the Council appointed three alternates, whose one-year terms expire in January, 2006. The one-year alternate term comes with conditions that the alternate attend all meetings, and notify the chairman and the town clerk in case of their absence. All three alternates are interested in continuing to serve on the Planning Board. The Planning Board has the option to recommend the members as well as the alternates. At the December Town Council meeting, the Planning Board will recommend for those positions.

By deciding this in December, the January meeting will have the full complement of members. Applications are being accepted for the Planning Board.

Applications come before the Planning Board for review and then are recommended to the Council, who makes the final decision.

**MOTION:** **TO APPROVE ACCEPTING APPLICATIONS FOR THE PLANNING BOARD AND FOR ALTERNATES WITH ALL APPLICATIONS TO BE IN BY DECEMBER 15, 2005**  
**BY:** **HORACE WARNER**  
**SECOND:** **SARAH WELCH**

**VOTE: MOTION PASSED UNANIMOUSLY  
(WARNER, WELCH, LARRIMORE)**

Clerk Lynn was asked to place an ad one time in the Kernersville News stating that Walkertown is in the process of looking for Planning Board candidates.

8. **DISCUSS DONATION FROM HOTEL OCCUPANCY RECREATION  
FUND TO WINTERIZE DARROW ROAD PARK BATHROOMS** SW

Councilwoman Welch has spoken to Mike Schwarski (?) about the bathroom situation at the Forsyth County Park on Darrow Road. He has told her only one park (Triad) has winterized bathrooms. By winterizing the bathroom at the Darrow Road park, it would enable senior citizens as well as others to continue visiting the park for health and recreation. This could be paid for out of the recreation money. The park would then be opened at 7:00 a.m. and closed at dark. The council agreed by consensus that it would be a good suggestion for the Recreation Committee to discuss.

**MOTION: TO APPROVE TURNING THIS IDEA OVER TO THE  
RECREATION COMMITTEE FOR DISCUSSION**

**BY: SARAH WELCH**

**SECOND: WALLACE LARRIMORE**

**VOTE: MOTION PASSED UNANIMOUSLY  
(WARNER, WELCH, LARRIMORE)**

9. **FINANCIAL STATEMENTS**

- OCTOBER, 2005

WL

The financial statements were presented with nothing outstanding to speak about. The audit has been completed and will be presented to the council as soon as the LGC approves it.

**MOTION: TO APPROVE THE FINANCIAL STATEMENTS AS  
PRESENTED BY THE TOWN CLERK**

**BY: WALLACE LARRIMORE**

**SECOND: HORACE WARNER**

**VOTE: MOTION PASSED UNANIMOUSLY  
(WARNER, WELCH, LARRIMORE)**

10. **TO ESTABLISH WALKERTOWN TOWN COUNCIL REGULAR  
MEETING DATES FOR CALENDAR YEAR 2006  
RESOLUTION #05-027**

This resolution for meeting dates for year 2006 was presented for approval by the Town Clerk. It was decided to table this issue until the next meeting to allow the new council to approve.

**MOTION: TO TABLE TO THE DECEMBER 15<sup>TH</sup> MEETING**

**BY: HORACE WARNER**

**SECOND: SARAH WELCH**

**VOTE: MOTION PASSED UNANIMOUSLY**

(WARNER, WELCH, LARRIMORE)

11. **CHRISTMAS HOLIDAY SCHEDULE FOR TOWN HALL STAFF  
RESOLUTION #05-028**

This resolution is to approve the Floating Holiday for the Town Staff and to advise the council of the holiday schedule.

**MOTION:** **TO APPROVE RESOLUTION #05-028  
CHRISTMAS HOLIDAY SCHEDULE FOR TOWN HALL  
STAFF**  
**BY:** HORACE WARNER  
**SECOND:** SARAH WELCH  
**VOTE:** MOTION PASSED UNANIMOUSLY  
(WARNER, WELCH, LARRIMORE)

12. **OTHER BUSINESS**

A. Change insurance from BCBS to MIT (NCLM) LM

Town Clerk Lynn has asked that the insurance for the Town Hall Staff be moved from Blue Cross/Blue Shield back to the Municipal Insurance Trust group with the North Carolina League of Municipalities. This would "bundle" all the town's insurance together as it had been for years and would include a cheaper price on insurance costs. The MIT insurance is comparable to BC/BS.

**MOTION:** **TO APPROVE THE CHANGE FROM BLUE CROSS BLUE  
SHIELD INSURANCE TO MIT**  
**BY:** WALLACE LARRIMORE  
**SECOND:** SARAH WELCH  
**VOTE:** MOTION PASSED UNANIMOUSLY  
(WARNER, WELCH, LARRIMORE)

13. **PUBLIC SESSION**

THIS SESSION IS FOR ANY TOPIC

Public Session was opened and closed at 8:04 p.m. with no speakers.

14. **ANNOUNCEMENTS:**

- Recycling in Walkertown continues every two weeks.  
DECEMBER 12<sup>TH</sup> AND 26<sup>TH</sup>
- TOWN COUNCIL MEETINGS: (4<sup>TH</sup> THURSDAYS)  
7:00 p.m. at the Walkertown Library Auditorium on:  
12-15-05
- PLANNING BOARD MEETINGS: (1<sup>ST</sup> TUESDAY)
- 11-28-05 6:00 p.m. Walkertown Library  
.....To discuss the Land Use Plan
- 12-06-05 3:00 p.m. Walkertown Library  
.....Post-meeting immediately following regular meeting

**TOWN HALL WILL BE CLOSED FOR THANKSGIVING  
NOVEMBER 24<sup>TH</sup> AND NOVEMBER 25<sup>TH</sup>**

**TOWN HALL WILL BE CLOSED FOR CHRISTMAS  
½ DAY DECEMBER 23<sup>RD</sup>  
ALL DAY DECEMBER 26<sup>TH</sup>  
ALL DAY DECEMBER 27<sup>TH</sup>**

**TOWN HALL WILL BE CLOSED FOR NEW YEAR'S  
ALL DAY JANUARY 2<sup>ND</sup>**

A Motion to go into Closed Session was introduced by Wallace Larrimore, seconded by Horace Warner and unanimously approved at 8:05 p.m. as per:

**143-318.11. Closed sessions.**

(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

- (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

A motion to return to Open Session was made by Horace Warner, seconded by Sarah Welch and unanimously approved at 8:55 p.m.

**15. ADJOURNMENT @ 8:57 p.m.**

Upon a motion by Wallace Larrimore, seconded by Sarah Welch, and unanimously approved.

**ATTACHED AS INFORMATION:**

**MISCELLANEOUS MINUTES**

- Planning Board Meeting Minutes -  
11-01-05
- Land Use Committee Meeting Minutes -  
09-29-05

**ATTEST:**

**TOWN OF WALKERTOWN:**

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**Lynn McKinnie, Town Clerk**

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**Kenneth R. Davis, Mayor**