

MINUTES OF THE MEETING OF THE CITY COUNCIL HELD
DECEMBER 7, 2020

WORK SESSION

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on December 7, 2020 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Bill Broadway
Councilmember Taj Polack
Councilmember David Ham
Ron Lawrence, City Attorney
Tim Salmon, City Manager
Melissa Capps, City Clerk

Absent: Councilmember Brandi Matthews
Councilmember Gene Aycok

Call to Order. The meeting was called to order by Mayor Allen at 5:00 p.m.

Adoption of the Agenda. Mayor Pro Tem Broadway made a motion to adopt the agenda. Mr. Timothy Salmon asked Council to consider adding vacant District 1 seat discussion to the agenda. The motion was seconded by Councilmember Polack and unanimously carried, Council adopted the agenda.

Councilmember Ham stated Councilmember Williams is seated here. Mayor Allen stated he cannot vote. Councilmember Ham asked if legally he should be seated at the table. Councilmember Ham stated I respect your history here but legally he is no longer a councilmember, correct. Mayor Allen stated that is correct. Former Councilmember Williams stepped away from the table and sat in the audience.

Boards and Commissions Vacancies. Ms. Capps stated in your folders you will find a memo regarding the recommendations made by city council as the last work session regarding board and commission appointments. Washea Lancaster and Marcus Lewis were recommended for both the Commission on Community Relations and the Mayor's Committee for Persons with Disabilities. Since the work session, the Planning Commission met and has recommended extending the term of Chris Boyette for 3 years and reappointment of Anthony Slater. The following vacancies still exist:

- Commission on Community Relations - 1 appointment
- P&R – 1 appointment and 1 student (no student applications)
- Mayor's Committee for Persons with Disabilities – 2 appointments

Mayor Allen suggested next time the boards should come in and share their recommendations.

Council discussed vacancies.

- Commission on Community Relations – Washea Lancaster
- P&R – Tonya Barber (confirm she is interested in serving); Councilmember Polack reached out to a student, he will submit an application.
- Mayor's Committee for Persons with Disabilities – ask the committee for recommendations.

Upon motion of Mayor Pro Tem Broadway, seconded by Councilmember Ham and unanimously carried, Council approved the changes made to the appointments as discussed above. Staff will bring back a resolution appointing members as discussed at the December 21st council meeting.

WCDA and Economic Development Discussion. Mr. Craig Honeycutt, Wayne County Manager shared the following information:

What's Different?

- Now, Wayne County is part of a regional economic development approach using the Global TransPark (GTP) as central hub with Wayne, Lenoir and Greene Counties.
- All new industrial clients/leads generated by State Department of Commerce/EDPNC/North Carolina Southeast will be handled by the new regional group.
- Each County shall have representation on the new regional board

What's the Same?

- WCDA will continue to operate "as normal" in Wayne County
 - WCDA will continue to operate and raise funding for projects and product for "WAYNE COUNTY" and Wayne County only
 - Still a local WCDA Board active with Wayne County reps only
- Tiffany Creech still serves as Existing Industry Representative for Wayne County
 - Works for Wayne Community College under the small business and industry department working with Craig Foucht
- Mark Pope shall remain President of WCDA

So, Why Change?

- GTP is underutilized and a "diamond in the rough" for our region
- Economic Development has always been a "regional issue". What is good for Wayne is good for Lenoir, Greene, or the GTP, and vice versa.
- We have assets individually, but the goal is to use the region which will enhance our workforce and development by playing off of each others strength's.
 - The more "eyes" we get to look at this new partnership, the more opportunity we will have and the more "eyes" will be on Wayne County

So, Why the Change?

- We need to stand out to bring new companies to the area, and this is the first type of multi-county/state partnership in North Carolina.
- By partnering with others will give us a broader footprint for economic development in our region

County Funding/Budget

- Wayne County funded the operations of economic development as a County Department – spending approximately \$550,000 annually
- Our new agreement for the regional approach, the County will contract with the Regional Group for \$150,000 annually (+ 2% increase annually)
 - We will also continue to contract with WCC for our Existing Industry Position – approximately \$75,000 annually
- We will then use any "savings" and place it back into product for WAYNE County, leveraging also the private dollars raised by WCDA into product

So, What is Product?

- Shell Buildings/Goldsboro Business Campus/pad ready sites – things that put Wayne County "ready" to attract new businesses.
 - New businesses want to move quick, new businesses want to go where the basic questions on zoning/infrastructure/workforce have already been answered and addressed
 - They want to take the guesswork out of new site development upfront

What's So Special about the Global TransPark?

- 2500 acre industrial site with access air, rail, highways, and North Carolina's two international ports
- 11,500 ft. runway (2nd largest civilian runway on east coast)
- Regional workforce of 450,000 +
- One of five NC Foreign Trade Zones (#214) - offers individuals and businesses in a 22-county area the opportunity to import foreign goods and raw materials into a duty-free zone.

Council thanked Mr. Honeycutt for coming.

District 1 Vacant Seat Discussion. Attorney Ron Lawrence shared information related to filling the vacant seat in District 1. The Council is charged with the responsibility of filling the vacancy within a reasonable amount of time. Attorney Lawrence asked Council to look at the information he emailed regarding a resolution establishing a procedure for filling vacant council seat, city codes applicable to the vacancy, an application for vacant seat, etc.

Attorney Lawrence suggested Council declare the seat vacant.

Upon motion of Mayor Pro Tem Broadaway, seconded by Councilmember Polack and unanimously carried, Council declared District 1 seat vacant.

Mr. Salmon stated I would just note with the Consent Agenda, when it comes to an ordinance, NC GS 160A-75 states “no ordinance nor any action having the effect of any ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats.” Mr. Salmon suggested if there are any items Council disagrees with on the Consent Agenda, they move those items to Items Requiring Individual Action.

Councilmember Polack made a motion to remove Item I. Z-10-20 Wayne Oil Company, Inc.—located on the northwest corner of Wayne Memorial Drive and Fourth Street (Rezoning) and Item J. S-8-20 Wayne Oil Company, Inc. (Preliminary Subdivision Plat- 2 Lot Final) Northwest corner of Wayne Memorial Drive and Fourth Street from the agenda. The motion failed, as there was no second to the motion.

Consent Agenda Review. Each item on the Consent Agenda was reviewed. Additional discussion included:

Councilmember Polack stated I would be remised if I did not mention the elephant in the room with the audit. Today I received an email from a citizen regarding the city manager’s and finance director’s inability to turn over the city’s fiscal year 2019 audit. Councilmember Polack read the email. Councilmember Polack asked how would you evaluate your status in this situation.

Mr. Salmon responded. Council approved the new auditors on May 20, 2019, that was the second meeting I was the city manager. So the change was in work before my time. I came aboard with new auditors, previous auditors had served 22 years, it seemed like a pretty good idea to me when you should be rotating auditors every 3, 5 or 7 years or so. The problem was you have a new city manager, a new finance director, a new assistant director and new auditor that needs to go through this paperwork to figure it out. We have had extensions that Council was well aware of I believe in March, June and September. I believe we are now getting to the end of road. Mr. Salmon shared he, Mayor Allen and Catherine spoke with the auditors this morning. I have asked they present to Council at the second meeting in December.

Ms. Gwynn stated we take this situation very seriously. I know myself I have worked several thousand hours over, trying to do my job and get this audit done. We have had several prior period issues that we have had to deal with and rebuild history. Our new auditors want to ensure the numbers in the financial statements are as accurate as they can be. To me these are extenuating circumstances that you would not have in normal years. I think we have gone above and beyond and I foresee very soon we will be winding this up.

Councilmember Polack stated I have 100% confidence, and still do because I signed the signature to send up. Discussion continued regarding when resources would be available from NC Housing Agency. Ms. Gwynn stated they have only suspended reimbursements until the audit is received and the city manager has signed an extension request for one of those funds.

Councilmember Polack asked how often are storm drainages reviewed. Councilmember Polack shared information regarding an issue in Musgrave Manor. Ms. Collins stated I believe stormwater utility ponds are inspected annually, it is handled through the Engineering

Department, any immediate concerns please let us know so we can share with the Engineering Department.

Closed Session Held. Upon motion of Councilmember Polack, seconded by Mayor Pro Tem Broadaway and unanimously carried, Council convened into Closed Session to discuss a personnel matter.

Council came out of closed session.

The meeting recessed until the 7:00 p.m. meeting.

CITY COUNCIL MEETING

The City Council of the City of Goldsboro, North Carolina, met in regular session in Large Conference Room, City Hall Annex, 200 North Center Street, at 7:00 p.m. on December 7, 2020 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Bill Broadaway
Councilmember Taj Polack
Councilmember David Ham

Absent: Councilmember Brandi Matthews
Councilmember Gene Aycock

The meeting was called to order by Mayor Allen at 7:00 p.m.

Councilmember Williams provided the invocation. The Pledge of Allegiance followed.

Approval of Minutes. Upon motion of Councilmember Ham, seconded by Councilmember Polack and unanimously carried, Council approved the Minutes of the Work Session and Regular Meeting of November 16, 2020.

Resolution Expressing Appreciation to Antonio Williams for Serving as a Goldsboro City Councilmember for Five Years. Resolution Adopted. Antonio Williams has served this community and the City of Goldsboro well in numerous capacities, including five years as a member of the Goldsboro City Council, representing District One, since December 2015. These years of service have been marked by exemplary dedication to the best interests of the community as he has worked constantly for the betterment of its economic, cultural and aesthetic development. During these years of service, Councilmember Williams has gained the admiration and respect of local officials and citizens for his untiring efforts in improving the lives of citizens in District One. During his term in office, Councilmember Williams has served as a member of the Historic District Commission, Law and Finance Committee, GWTA Board of Directors and various other Special Project Committees. Many projects have commenced and been completed by the City during Councilmember Williams years of service, including construction of the Multi-Sports Complex, new Police/Fire Complex, replacement of Fire Station 4, sewer rehabilitation, street resurfacing throughout the city, the Center Street Streetscape Project-Phase II and III, and the renovation of the T.C. Coley Community Center. The Mayor and City Council express to you, Antonio Williams, on behalf of themselves, city employees and the citizens of the City of Goldsboro, our appreciation and gratitude for your unselfish, devoted and invaluable service and contributions rendered to the Council and the City of Goldsboro in the many capacities in which you have served. We offer you our very best wishes for success, happiness, prosperity and good health in your future endeavors. This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 7th day of December, 2020.

Upon motion of Mayor Pro Tem Broadaway, seconded Councilmember Ham and unanimously carried, Council adopted the following entitled Resolution.

RESOLUTION 2020-80 “RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO ANTONIO WILLIAMS FOR SERVING AS A GOLDSBORO

CITY COUNCILMEMBER FOR FIVE YEARS”

Councilmember Williams stated I want to thank all that have helped me throughout my experiences with the municipal government with the City of Goldsboro. There have been many highs and lows as a councilman for District 1. One of those lows was losing Pinky Jacobs from our District 1 community. Even with the highs and lows, I have been honored to serve with my fellow board members, even with the alpha males and now the Councilwoman Matthews alpha female qualities. This journey has made me wiser and stronger as an individual. These mental keepsakes will forever be a part of me and will travel with me over to my next journey. I am grateful to God for keeping his grace upon me as no one can deny he has always been in the midst and when I least expect it, he has always shown up and allowed me to clear numerous obstacles in my course. If God be for you, who could be against you. One of my best quotes is, “for much is given, much is required.” I try my best to live by this. I have never missed a city council meeting. I have never forgotten who I work for, you the people of Goldsboro. No matter how difficult a task, or how unpopular an issue was, I have stood strongly for the betterment of our communities, not with the powerful but with the powerless. To the constituents, I hope I have done all that was expected of me and I hope you continue to use your voices and never be silent as again, it is your voice that ultimately moves us forward. I am most proud of District 1 constituents, as you have been most active with regard to getting involved in city business. My hope is with examples that have been set, that we can truly appreciate what we achieve, when we come together with the help of District 1 constituents, we were able to work together and accomplish many of our goals. As I transition over to the county government, my hope is to bridge the gap between the city and the county. My hopes for the Goldsboro City Councilmembers is always remember to much is given, much is required. Do your best to be fair to citizens as well as fellow councilmembers. My hope is that this council respects transparency within the municipal government, not for some but for all. I would hope that this board would abide by the North Carolina general statute rules 132-6 (b) and the guidelines from Attorney General Josh Stein’s office and correct the fee policy that is unethical and illegal. My hope is the city council continue the summer youth employment, as this program is vital to our families who live in our lower wealth communities and provide soft skills to our youth. My hope is this council will reinstate the public comment period back to twice a month, as in these turbulent times, there is much the citizens will need to express to this council. My hope is that the city council approve a special election for the District 1 seat, to give the constituents of District 1 the right to choose their leadership. I wish the City of Goldsboro great success and I wish miss you.

Public Comment Period. Mayor Allen opened the Public Comment Period and the following people spoke:

1. Alicia Pierce shared comments regarding former Councilmember Williams, thanking him for what he did for the City of Goldsboro and expressed concerns regarding issues around consolidated block grant funding.
2. Yvonnia Moore shared comments regarding former Councilmember Williams, thanking him for his service to the City of Goldsboro. Ms. Moore also shared comments regarding replacement of District 1 seat, City of Goldsboro financial concerns, and transparency.

No one else spoke and the public comment period was closed.

Consent Agenda - Approved as Recommended. City Manager, Timothy Salmon, presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Councilmember Ham moved the items on the Consent Agenda, Items B, C, D, E and F be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Polack and a roll call vote resulted in all members voting in the affirmative. The items on the Consent Agenda were as follows:

Amending a Grant Project Fund Ordinance – Coronavirus Aid, Relief and Economic Security (CARES) Act Miscellaneous Grants Special Revenue Fund (R1106). Ordinance Adopted. City Council adopted a resolution at the November 16, 2020 meeting to accept an award from the Economic Development Partnership of North Carolina (EDPNC) as a

sub-recipient of CARES Act funding in the amount of \$10,750.00 to help promote visitor economy in Goldsboro-Wayne County due to the impact of COVID-19. The period of the performance is March 1, 2020 through December 30, 2020. This grant will be managed by Ashlin Glatthar, Travel and Tourism Director.

There is no match required for the grant.

Staff requests that the Council appropriate expenditures in the amount of \$10,750.00 so that the City may begin fulfilling the terms of the grant. This will be funded with Federal grant revenue.

It is recommended the following entitled Grant Project Ordinance for the Coronavirus Aid, Relief and Economic Security (CARES) Act Miscellaneous Grants Special Revenue Fund (R1106) be amended for \$10,750.00. Consent Agenda Approval. Ham/Polack (4 Ayes)

ORDINANCE NO. 2020-31 “AN ORDINANCE AMENDING THE GRANT PROJECT FUND FOR THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT MISCELLANEOUS GRANTS SPECIAL REVENUE FUND (R1106)”

Contract Award for Unified Development Ordinance Update Assistance. Resolution Adopted. The City of Goldsboro requested proposals to assist the City with a Unified Development Ordinance Update to reflect the Chapter 160D reorganization. In 2019, the NC General Assembly adopted a complete reorganization of the state’s planning and development regulation statutes and named it Chapter 160D. To conform to this new regulatory and statutory framework, every city and county development regulation in the state of North Carolina must update his or her ordinances by August 1, 2021.

The City of Goldsboro first adopted its Unified Development Ordinance (UDO) in 2005 and has amended it from time to time over the past 15 years. The main purpose of the update is to focus on the reorganization mandated by Chapter 160D however, the update is to include necessary revisions of the following Articles within the existing UDO: Article 5 – Zoning, as it relates to general setback, height and area standards, table of permitted uses, supplemental use regulations, and Historic Preservation Overlay District; Article 6 – Supplemental Design Standards, as it relates to parking standards and; Article 8 – Administrative Agencies, to ensure all Boards and Commissions reflect the recent updates of the City’s Code of Ordinances Chapter 32. The firm selected will provide professional consulting services for the City to update, revise and modernize the exiting UDO, ensure its conformance with the state land use & zoning laws (including Chapter 160D) and implement the applicable updates to Article 5, 6, and 8. Three consultants’ submitted proposals and submittals were evaluated based on seven criteria: Quality of proposal, Project Management, Project Team, Project Approach, Project Timeline, Cost Estimate and References.

Upon review, the evaluation indicated Stewart, Inc., scored the highest based on qualifications, past experience, project approach and cost.

Stewart is a planning, design, and engineering firm located in Raleigh, Durham, Charlotte, and Wilmington, NC. Stewart has extensive background and knowledge developing codes and ordinances in other North Carolina communities. Their team is skilled in preparing and updating UDOs that are well organized, user friendly, and in conformance with current North Carolina General Statues.

In order to achieve the goals of the City in this update, Stewart proposes a work program that is divided into three phases. Phase 1 - Project Initiation, which will involve a kickoff meeting with staff as well as the Planning Commission and City Council. Phase 2 is UDO Preparation and Composition, which will involve working meetings with staff, release of first draft UDO update and public informational presentations with Planning Commission and City Council. Finally, Phase 3 is Adoption, which will involve periodic coordination with staff, release of final draft of the UDO, Planning Commission review/recommendation and City Council review/ adoption. The fee proposal for this project has been reviewed by the Planning Department and the Finance Director. Sufficient funds are available within the Planning Department’s FY 21 budget with the UDO Update not exceeding \$35,000 as budgeted.

Upon notice to proceed, the consultant anticipates the development of the UDO Update being completed by May 2021.

It is recommended Council adopt the following entitled Resolution authorizing the Mayor and City Clerk to execute a contract not to exceed \$35,000 with Stewart Inc., for Unified Development Ordinance Update Assistance. Consent Agenda Approval. Ham/Polack (4 Ayes)

RESOLUTION NO. 2020-81 “RESOLUTION AWARDING AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE CITY OF GOLDSBORO UNIFIED DEVELOPMENT ORDINANCE UPDATE ASSISTANCE”

S-11-20 KG Plaza, LLC; (Preliminary Subdivision Plat-80 lots of Magnolia Grove-Phase I Development). Approved. The property is located on the east side of Eleventh Street between Norwood Avenue and Englewood Drive.

On October 7, 2019, Goldsboro City Council approved a zoning change for the subject property from Residential (R-16) and Residential (R-9) to Residential Conditional District (R-6CD) for the construction of a 303-lot cluster subdivision.

(PHASE I DEVELOPMENT)

Totals Lots:	80
Total Area:	20.2 acres
Average Lot Size:	6,000 sq. ft.
Zoning:	R-6CD (Residential-6 Conditional District)

The submitted preliminary plat contains a total of 80 residential lots within the proposed subdivision.

Building setbacks for single-family dwellings within the R-6 zoning district are as follows:

Front:	25 ft.
Rear:	25 ft.
Side:	8 ft.
Side (Corner Lot):	32 ft.

According to the City’s Unified Development Code, the developer may reduce the minimum lot size, width and setbacks up to 40% from the specifications of the prevailing zoning district. The Council may require larger lot sizes, if in the opinion of the City Council, smaller lot sizes would be incompatible with adjoining development.

Three new streets are proposed with curb and gutter within the first phase of development and identified as Grove Lane, Ivory Lane and Pioneer Drive.

Grove Lane will serve as one of two main entrances to the subdivision off of 11th Street for approximately 800 ft. and terminate to a cul-de-sac in accordance with City street standards. Ivory Lane will serve as a main intersecting street within the subdivision for approximately 800 ft. Pioneer Street will originate off Ivory Lane for approximately 600 ft. and terminate to a City-approved cul-de-sac. Proposed streets will be designed and constructed in accordance with City Engineering standards.

At least 20% of the total project area shall be reserved as commonly held open space and be preserved in a natural or vegetative state. The applicant is reserving approximately 24.7 acres of the entire site as open space with perpetual maintenance by a homeowner’s association.

City water and sewer are available to serve the subdivision. As such, the applicant will be required to annex into Goldsboro City limits. The property proposed for phase I construction of the subdivision is not located within a Special Flood Hazard Area. Storm water calculations and drainage plans have been submitted for review and approval by City Engineering.

The Planning Commission, at their meeting held on November 30, 2020, recommended approval of the Preliminary Subdivision Plat.

It is recommended City Council accept the recommendation of the Planning Commission and approve the Preliminary Subdivision Plat. Consent Agenda Approval. Ham/Polack (4 Ayes)

SITE-26-20 KG Plaza, LLC (Site Plan-Magnolia Grove-Phase I Development).

Approved. The property is located on the east side of Eleventh Street between Norwood Avenue and Englewood Drive.

On October 7, 2019, Goldsboro City Council approved a zoning change for the subject property from Residential (R-16) and Residential (R-9) to Residential Conditional District (R-6CD) for the construction of a 303-lot cluster subdivision. Separate site plan review and approval by Goldsboro City Council is required for the cluster subdivision.

(PHASE I DEVELOPMENT)

Totals Lots:	80
Total Area:	20.2 acres
Zoning:	R-6CD Residential Conditional District

The property is currently clear and vacant and has previously been used for agricultural purposes.

The submitted site plan indicates a total of 80 lots within the proposed phase-1 development project for single-family residential construction.

The property will be served by one of two primary access drives off of 11th Street. Grove Lane will serve as the main entrance for phase 1 development. Since 11th Street is a state-maintained road, NCDOT driveway permits will be required.

The applicant has been informed that future road improvements along 11th Street will be required before the 303-lot cluster subdivision is complete and in accordance with NCDOT specifications. NCDOT has informed applicant that no road improvements will be required for the phase 1 portion of the project.

As previously stated, 80 new lots are proposed for single-family construction. Included as part of the development is a 1.58 acre storm water retention pond and a 2.4 acres are reserved for a future club house.

At the completion of Phase I road improvements, street trees will be provided for each residential lot in accordance with the City's landscape ordinance.

City water and sewer are available to serve the subdivision. The property proposed for phase I construction is not located within a Special Flood Hazard Area. Storm water calculations and drainage plans have been submitted for review and approval by City Engineering.

According to the City's UDO, sidewalks are required along one side of all minor streets, including cul-de-sacs within the proposed subdivision. The submitted site plan shows sidewalks as required by the City's Subdivision Design Standards within the proposed subdivision. In addition to the internal sidewalks within the proposed phase I development, external sidewalks along 11th Street are required. Since the City's Recommended Facilities and Pedestrian Plan does not identify sidewalks for this area, the applicant is requesting a modification of the City's sidewalk installation. A fee in lieu of sidewalk construction in the amount of \$9,360 will be required to be paid to the City of Goldsboro.

Interconnectivity has been provided east of the proposed phase I development and adjacent to existing residential development.

The Planning Commission, at their meeting held on November 30, 2020, recommended approval of the Site and Landscape Plan with the requested modifications.

It is recommended City Council accept the recommendation of the Planning Commission and approve the site and landscape plan with the following modifications.

- (1) Modification to install City sidewalks and pay a fee in lieu of sidewalk construction in the amount of \$9,360. Consent Agenda Approval. Ham/Polack (4 Ayes)

SITE-23-20 North Carolina Department of Agriculture and Consumer Service (NCDA&CS) – Site and Landscape Plans for Cherry Research Farm Office. Approved. The property is located on the south side of Old Smithfield Road between Stevens Mill Road and O’Berry Center Road.

It is formally known as the Cherry Research Farm specializing in agricultural research and sustainability. The facility provides a diverse mix of livestock operations, as well as, field and horticultural crops.

Frontage: Approx. 4,070 ft.
Depth: Approx. 1,335 ft.
Area: 3,095,394 sq. ft. or 71 acres
Zoning: Office & Institutional-2

The proposed site is clear and vacant.

The submitted site plan indicates a single-story, 2071 sq. ft. building proposed for use as a research farm office facility. The commercial building will consist of two offices, a conference room, a breakroom, a reception area, a mechanical/storage area and a restroom for employees.

Hours of Operation: Monday-Friday 8:00am – 5:00 pm

Number of Employees: 3-4

The site will be served by an approximate 60 ft. wide gravel curb cut proposed off Old Smithfield Road and subject to NCDOT for approval.

The applicant has proposed a 31 ft. wide compacted gravel access drive that will provide parking for 13 gravel parking spaces located at the front of the facility. According to the City’s Unified Development Code, access drives, parking lots and parking lot spaces shall be paved with asphalt or concrete. The applicant is requesting that the proposed access drive and parking lot be gravel in lieu of asphalt or concrete based on the agricultural context of the site and the fact that other farm roads upon the property are of compacted gravel. A modification of the paving requirement will be necessary.

Parking for the site requires 1 space per 350 sq. ft. of gross floor area. A total of 13 parking spaces have been provided including 1 handicap accessible parking space.

Exterior sidewalks are required for new commercial development. However, according to the City’s Updated Pedestrian and Facilities Plan, sidewalks are not recommended for the area. The applicant will be required to install exterior sidewalks or pay a fee in lieu of for sidewalk construction in the amount of \$3,420. Interior concrete sidewalks are shown on the submitted site plan leading from the parking lot into the principle building by means of handicap ramps and sloped walkways.

A total of four street trees are proposed along Old Smithfield Road. The development is exempt from vehicular surface area planting requirements. The applicant is proposing additional trees and shrubs to serve as foundation plantings, as well as, supplemental landscaping that would enhance other areas of the site.

Exterior building components consist of asphalt shingles, fiber-cement vertical siding, wood trim and fascial boards with glazed windows.

The site is not located within a Special Flood Hazard area. City water and sewer are available to serve the property. Storm water calculations are exempt from the site, however, grading and drainage plans have been submitted and are subject to approval by City Engineering before construction permits are released.

The applicant is requesting a modification of the City's paving requirement based on the agricultural context of the site and the existing conditions of nearby roads upon the property. The Planning Commission, at their meeting held on November 30, 2020, recommended approval of the Site and Landscape Plan with the requested modifications.

It is recommended Council accept the recommendation of the Planning Commission and approve the site and landscape plan with the following modifications.

- (1) Modification of the City's paving requirement based on the agricultural context of the site and existing conditions of nearby roads upon the property.
- (2) Modification to install City sidewalks and pay a fee in lieu of sidewalk construction in the amount of \$3,420. Consent Agenda Approval. Ham/Polack (4 Ayes)

End of Consent Agenda

CU-6-20 Site Plan (Jones Sawmill). Approved. Subject property is located on the northwest corner of Belfast Road and I-795. The site plan is associated with a rezoning request Z-8-20 as previously presented.

If the Goldsboro City Council approves the applicant's rezoning request from R-20A (Residential-20A) to General Industry Conditional District (I-2CD), the use of the property will be limited for the operation of a commercial sawmill. A commercial sawmill requires a Conditional Use Permit when located in the General Industry (I-2) zoning district.

Frontage: (None)
Area: 574,207 sq. ft., or 13.18 acres
Zone: Residential (R-20A)/Wayne County (Airport Overlay)

The property is currently clear and vacant. The property is located directly east of an existing solar farm. On July 6, 2015, Goldsboro City Council approved a change of zone from R-40 to R-20A Residential Conditional District to allow the development of the solar farm.

The submitted site plan indicates four (4) commercial buildings to be utilized in the operation of the business. A 15ft. x 25ft. (375 sq. ft.) metal office building will serve as the principle structure in the operation of the business. A 50ft. x 50ft. (2,500 sq. ft.) enclosed metal storage shelter will serve as an add-on to the principle building. An 18ft. x 34ft. (612 sq. ft.) commercial dry kiln is proposed behind the proposed storage shelter along with a proposed 20ft. x 60 ft. (1,200 sq. ft.) commercial sawmill.

A floor plan has been provided which consists of an office, restrooms for customers and employees, storage areas and three (3) automobile service bays.

Hours of Operation: Monday-Friday: 7:00am-5:00pm
Saturdays: Varies
No. of Employees: 4

The applicant has proposed a new 24 ft. wide driveway cut off of Belfast Road to access the site. Belfast Road is an NCDOT maintained roadway. The applicant has consulted with NCDOT and has been made aware of the fact that driveway permits will be required, however, no other roadway improvements will be necessary.

The site has no frontage along Belfast Road. As such, a proposed 50ft. ingress, egress and regress easement off Belfast Road will provide access to the site, as well as, to employee and commercial trucking parking spaces. The applicant is proposing a 20ft. wide gravel access road for approximately 1,000 ft. since heavy log trucking operations will be conducted on site. Log trucks will enter and exit the site off Belfast Road.

Parking for the commercial sawmill requires 1 space per 2 employees on the maximum shift, plus 1 space for each vehicle stored on site. A total of 4 employee parking spaces have been proposed including 1 handicapped accessible parking space. According to the applicant, there will be no overnight parking conducted on the site.

The property is not located in a Special Flood Hazard Area. City water and sewer are not available to serve the property. Private water and on-site waste disposal systems will be incorporated. Grading and drainage plans have not been submitted. The applicant will be required to submit plans in accordance with City Engineering standards before construction permits are released.

In addition to the land-use requirements of the General Industry (I-2) zoning district, the following supplemental regulations are required for the proposed sawmill:

1. The entire area of the site shall be enclosed by a six foot high opaque fence set back one hundred feet from any public right of way or residentially developed or zoned property and/or fifty feet from any other adjacent property.
2. The yard area between the fence and the property line, not used for parking, shall be planted with grass and have landscaping composed of large trees spaced not more than forty feet apart and not less than one row of shrubs thirty inches in height, spaced so that they will form a continuous visual screen six feet in height within three growing seasons.
3. No loading or unloading of materials shall occur outside of the fenced area.
4. A statement shall be submitted with the plans indicating whether any manufacturing or processing operation will create smoke, offensive odor, dust, noise, fumes or vibrations beyond the lot lines of the proposed use. If one or more of such conditions exist, the developer shall explain what measures will be taken to mitigate such conditions to acceptable levels.
5. The uses shall be located a minimum of one thousand feet from any residentially developed or zoned property. The one thousand foot separation distance shall be measured in a straight line from property line to property line, with no consideration as to intervening structures, roads or landforms.

The applicant is requesting a modification of item #5 listed above as residentially-zoned and developed property is located within 1,000 ft. of the subject property.

The applicant is requesting a waiver of the fencing and landscaping requirements for a period not to exceed 1 year from site plan approval.

At the public hearing held on October 19, 2020, the property owner and applicant came forward to speak in favor of the request and no one appeared to speak against the request.

The Planning Commission, at their meeting held on October 26, 2020, recommended approval of the Site and Landscape Plan with the requested modifications.

Due to the rezoning request associated with this Conditional Use Permit not receiving an affirmative vote equal to or greater than two-thirds of all the actual membership of the council at their meeting November 2, 2020, the Conditional Use Permit request to operate a commercial sawmill could not be approved. The City Council approved the second reading of the ordinance changing the zoning for the property at their meeting November 16, 2020.

Conditional Use Permits require an order of approval and even though the permit was approved at their meeting held November 16, 2020 the Conditional Use Permit failed to have an order of approval attached. The order indicates the finding of facts in which the City Council makes their conclusion regarding the proposed use does satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit.

Councilmember Polack asked DOT would not have to do anything to the turn lanes until after that year.

Ms. Collins stated NCDOT will monitor the business, if it generates more upscale traffic, right now it is a small scale sawmill, if it increases in a year, NCDOT will monitor and work with the applicant if any improvements are necessary.

Upon motion of Mayor Pro Tem Broadaway, seconded by Councilmember Ham and unanimously carried, Council accepted the recommendation of the Planning Commission and:

1. Adopted an Order approving the Conditional Use Permit for the operation of a commercial sawmill within the General Industry Conditional District (I-2CD) zoning district.
2. Approved Site and Landscape Plans with modification of item #5 listed above as residentially zoned and developed property is located within 1,000 ft. of the subject property.
3. Approved Site and Landscape Plans with a waiver of the installation of fencing and landscaping requirements for a period not to exceed 1 year from site plan approval.

Z-9-20 Chestley Taylor - Southwest corner of E. US 70 Hwy. and Carriage Road R-20 (Residential)/Residential-Manufactured Non-Conforming (RM-NC) to R-12 (Residential). Ordinance Adopted. The applicant requests to rezone subject property from R-20 (Residential)/Residential-Manufactured Non-Conforming (RM-NC) to R-12 (Residential) in order to develop property for residential use.

The subject property was previously occupied by a non-conforming manufactured home park that existed prior to the adoption of the City's Unified Development Code. All manufactured homes have been removed and the lot is currently unoccupied.

Frontage: 109.45 ft. (E. US 70 Hwy.)
 290.33 ft. (Carriage Rd.)
 Area: 32,100 sq. ft., or 0.74 acres

Surrounding Zoning:

North: Residential (R-20);
 South: General Business (GB);
 East: General Business (GB), and
 West: General Business (GB), Residential (R-20)

The subject property is unoccupied and vegetated with pine trees and large shrubs.

The property is not located in a Special Flood Hazard Area. City water and sewer are available to serve the property.

The City's updated Land Use Plan designates the property for low-density residential use. However, the plan recommends that areas accessible to water and sewer services and proposed for "infill" development, higher residential densities should be encouraged and allowed.

The subject property is located within the 65-69 DNL zone of Seymour Johnson Air Force Base's Noise Overlay Contour. Base officials have indicated that measures to achieve an outdoor to indoor noise level reduction of at least 25 decibels should be required for any residential structure proposed for the site.

At the public hearing held on November 16, 2020, no one appeared to speak for or against the request.

The Planning Commission, at their meeting held on November 30, 2020, recommended approval for the change of zone request from Residential (R-20A) and Residential Manufactured Nonconforming (RM-NC) to Residential (R-12) zoning district.

Upon motion of Mayor Pro Tem Broadaway, seconded by Councilmember Ham and unanimously carried, Council accepted the recommendation of the Planning Commission and:

1. Find the request consistent with the City's adopted Comprehensive Land Use Plan and;
2. Adopted the following entitled Ordinance changing the zoning for the property from Residential (R-20A) and Residential Manufactured Nonconforming (RM-NC) to Residential (R-12) zoning district.

ORDINANCE NO. 2020-32 “AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA CODE OF ORDINANCES”

Z-10-20 – Wayne Oil Company, Inc. - Northwest corner of Wayne Memorial Drive and Fourth Street (Neighborhood Business to General Business Conditional District).

Deferred. The applicant requests to rezone a portion of the subject property from Neighborhood Business (NB) to General Business Conditional District (GBCD) for the operation of an automatic car wash.

The requested zoning will be associated with the recombination of two individual lots described as follows:

Lot #1:

Frontage: 297.41 ft. (Wayne Memorial Drive)
325 ft. (Fourth Street)
Area: 141,700 sq. ft., or 3.25 acres
Zone: Neighborhood Business (NB) / General Business Conditional District (GB CD)

Lot #2:

Frontage: 83.69 ft. (Wayne Memorial Drive)
Area: 8,596 sq. ft., or 0.19 acres
Zone: Neighborhood Business (NB)

Area Proposed for Rezoning:

Frontage: 164.05 ft. (Wayne Memorial Drive)
Area: 40,355 sq. ft., or 0.926 acres
Zone: Neighborhood Business (NB)

Surrounding Zoning:

North: Residential (R-9);
South: Residential (R-9), Office and Institutional (O&I-1), Neighborhood Business (NB);
East: Neighborhood Business (NB); and
West: Neighborhood Business (NB) and Residential (R-9)

The subject properties are currently occupied by an existing business formally known as Wayne Oil Company, Inc.

The City’s Comprehensive Land Use Plan recommends commercial development for the property. The proposed rezoning would be compatible with the Comprehensive Plan.

On January 3, 2017, Goldsboro City Council approved a change of zone request for a portion of the property from Neighborhood Business (NB) to General Business Conditional District (GB CD) limiting the use of the property to retail sale of auto parts and accessories. As of this date, the property has not been developed. The remaining portion is now being considered for sale and commercial development.

The submitted site plan indicates a single-story, 3,604 sq. ft. building of masonry and brick construction proposed for use as a drive-through automatic car wash facility.

A floor plan has been provided and consists of an express tunnel car wash, a lobby area, an office, restrooms and an equipment room.

In addition to the car wash, two automatic pay stations are proposed for the site, 28 parking spaces and 31 vacuum stations to be used by customers of the business.

Hours of Operation: Monday-Saturday 8am-8pm
Sunday 9am-8pm
Employees: 4 Employees (Shifts)

The site will be served by two new driveways off Fourth Street. Driveways are being limited to Entrance and Exit only with the Entrance Driveway being the most northern driveway. NCDOT has reviewed the proposed car wash and supports no driveway access from Wayne Memorial Drive, if the proposed site can have potential safer access elsewhere. If the City is concerned about proposed access off of Fourth Street and absolutely requires access from Wayne Memorial Drive, NCDOT would require a turn lane along Wayne Memorial Drive with right-in only access.

A total of 28 parking spaces have been provided including 2 handicap accessible parking spaces. A drive-through aisle is shown beginning at the rear of the site for stacking of an estimated 14 vehicles upon entry into the car wash bay area.

Exterior sidewalks are not shown on the submitted site plan. The applicant will be required to install sidewalks along Wayne Memorial Drive for approximately 143 linear feet and along Fourth Street approximately 228 linear feet or a modification will be necessary. If the modification is approved, the applicant will be required to pay a fee in lieu of in the amount of \$6,678 to the City of Goldsboro for sidewalk construction.

The landscape plan indicates a required Type A, 5 ft. wide landscape buffer along the northern and eastern property lines. A total of 10 street trees are proposed along Wayne Memorial Drive and Fourth Street accompanied by evergreen shrubs to serve as the required vehicular surface buffer. Vehicular surface area plantings are also represented on the landscape plan and in accordance with the landscape requirements of the Unified Development Ordinance.

The proposed automatic car wash building exterior consists of a metal standing seam roof, EIFS Wall System, split-face masonry block and brick veneer columns, stacked stone veneer bases and architectural wood brackets.

Commercial lighting plans have not been submitted, however, staff will work with the applicant to ensure proposed lighting is compliant with the City's commercial lighting ordinance.

The property is not located in a Special Flood Hazard Area. City water and sewer are available to serve the property.

Storm water calculations, grading and drainage plans have not been submitted. The site plan does indicate a proposed stormwater pond to serve both the car wash and future development of adjacent property to the east. The applicant will be required to submit plans in accordance with City Engineering standards before construction permits are released.

A concrete pad is shown as the end of the parking lot to the north for the location of a commercial dumpster. The dumpster enclosure will match the elevations of the car wash facility and be screened in accordance with City standards.

At the public hearing held on November 16, 2020, the applicant came forward and spoke in favor of the request. One person came forward to speak in opposition citing noise and lighting concerns, no others appeared to speak for or against the request.

The Planning Commission, at their meeting held on November 30, 2020, recommended approval for the change of zone request from Neighborhood Business (NB) to General Business Conditional Zoning district (GB CD) for the operation of an automatic car wash.

Councilmember Polack asked what the decibels would be from the vacuum cleaners.

Ms. Collins stated nothing had been provided regarding the sounds, there is nothing we require as far as the actual noise of the system. There are 31 vacuum hoses, the unit itself is screened, I believe two will be onsite, to support the vacuum stations.

Councilmember Polack shared concerns with the car wash being in a residential area.

Ms. Collins reminded Council, in order for it to pass the first reading it would need a 4-0 vote or come back at the next meeting for a second reading.

Councilmember Polack made a motion to defer Z-10-20 – Wayne Oil Company, Inc. - Northwest corner of Wayne Memorial Drive and Fourth Street (Neighborhood Business to General Business Conditional District) and revisit at the next meeting. The motion was seconded by Mayor Pro Tem Broadaway and carried unanimously.

S-8-20 Wayne Oil Company, Inc. (Preliminary Subdivision Plat- 2 Lot Final) Northwest corner of Wayne Memorial Drive and Fourth Street. Deferred. Ms. Collins requested Council defer action as the rezoning has not passed at this time. Upon motion of Councilmember Polack, seconded by Councilmember Ham and unanimously carried, Council deferred action on S-8-20 Wayne Oil Company, Inc. (Preliminary Subdivision Plat- 2 Lot Final) Northwest corner of Wayne Memorial Drive and Fourth Street and will revisit at the next meeting.

City Manager’s Report. Mr. Salmon stated in case citizens did not hear during the work session in respect to the FY 19 Audit, the Mayor, Finance Director and I spoke with the auditors, Dixon, Hughes, Goodman this morning, the latest update, we expect the preliminary draft by Thursday of this week. The auditors will provide the Council and the public an update at the next Council meeting on December 21, 2020. I would like to thank the city employees for their continued efforts to work through COVID-19 and the Governor’s Executive Order associated with it. In particular, significant efforts have been done with the coronavirus relief funds, it took a lot of efforts for staff, non-profits, and for profits. We will get you a report by the end of December.

Mayor and Councilmembers’ Reports and Recommendations. Councilmember Ham stated no comment.

Councilmember Polack stated I just want to pray that our newly elected commissioners, Commissioner Foster for District 3 and Commissioner Williams for District 2, that they have a smooth transition into their new offices and we can as a city and a county, build bridges not walls, to work cohesively, to build a brighter future for our county. I want to also solicit everyone to continue to wear their mask, I think we did the right thing with not holding the parade. I would rather err on the side of safety than cause health issues. I would ask all parents to remind the students to do the same. I know statistics say that the youth do not have as good as chance of contracting corona but the teachers they interact with do have high risk. Thank you.

Mayor Pro Tem Broadaway stated I would like to thank our Public Works people, they are working very hard and keeping things clean and working, that is not easy. Let us all wear our masks and get through this thing.

Mayor Allen thanked everyone.

There being no further business, the meeting adjourned at 8:07 p.m.

Chuck Allen
Mayor

Melissa Capps, MMC/NCCMC
City Clerk