

MINUTES OF THE MEETING OF THE CITY COUNCIL HELD  
APRIL 5, 2021

**WORK SESSION**

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Council Chambers, City Hall, 214 North Center Street, at 5:00 p.m. on April 5, 2021 with attendance as follows:

Present:

Mayor Pro Tem David Ham, Presiding  
Councilmember Hiawatha Jones  
Councilmember Bill Broadaway  
Councilmember Taj Polack  
Councilmember Brandi Matthews  
Councilmember Gene Aycock  
Ron Lawrence, City Attorney  
Tim Salmon, City Manager  
Melissa Capps, City Clerk

Absent: Mayor Chuck Allen

**Call to Order.** Mayor Pro Tem Ham called the meeting to order at 5:00 p.m.

**Adoption of the Agenda.** Councilmember Polack made a motion to adopt the agenda. The motion was seconded by Councilmember Broadaway. Mayor Pro Tem Ham, Councilmembers Jones, Broadaway, Polack and Aycock voted in favor of the motion. Councilmember Matthews did not vote, however, pursuant to G.S. 160A-75, Councilmember Matthews' vote would be considered an affirmative vote. Council adopted the agenda.

**Closed Session Held.** Upon motion of Councilmember Aycock, seconded Councilmember Polack and unanimously carried, Council convened into Closed Session to discuss an economic development matter, potential litigation matters and a personnel matter.

Council came out of Closed Session.

Councilmember Matthews stepped out at 5:55 p.m.

Mayor Pro Tem Ham asked that Item L. Location of the hotel at the Maxwell Center and associated items be added to the agenda under Items Requiring Individual Action.

Upon motion of Councilmember Polack, seconded by Councilmember Jones and unanimously carried, Council added Item L. Location of the Hotel at the Maxwell Center and Associated Items to Items Requiring Individual Action.

**Council Committees/GWTA Appointment Discussion.** Mayor Pro Tem Ham stated there is a vacancy on the GWTA Board. There is also a vacancy on the Law and Finance Committee.

Upon motion of Councilmember Aycock, seconded by Councilmember Broadaway and unanimously carried, Council appointed Councilmember Hiawatha Jones to the GWTA Board.

Upon motion of Councilmember Jones, seconded by Councilmember Broadaway and unanimously carried, Council appointed Councilmember Polack to Law and Finance Committee.

**Coronavirus Relief Fund Update Presentation.** Mr. Octavius Murphy presented the following information:

Council Approved Expenditures

#1 – Medical expenses: \$0

- #2 – Personal Protective Equipment: \$36,363
- #3 – Payroll Expenses: \$196,692
- #4 – Public Health Measures: \$387,737
- #5 – Public Economic Support: \$100,000
- #6 – Impact on Residential REFUSE & Recycle Collections: \$45,897
- #7 – Grants to Nonprofits: \$200,000

Total: \$966,688

Public Economic Support (PES)

- Expenses associated with the provision of economic support in connection with COVID 19 public health emergency:
- \$100,000.00
  - Small Business Grant     **19 Grants Awarded; \$57,500 = Balance \$42,500**
  - Fund Details:
    - Approximately 30 grantees based on a randomized lottery system
    - \$2,500 to employers with 2-8 employees
    - \$5,000 to employers with 9-15 employees
    - Grant funds can be used for rent, payroll and/or COVID-19 related material expenses
    - Up to \$1,500 in business support services available through the SBC

Grants to Nonprofits

Expenses provide food, rent, utilities, supplies, case management & facility accommodations to adjust for virtual learning and social distancing.

\$200,000.00	AVAILABLE BALANCE = \$3,879.31
WAGES: \$40,000	0
Salvation Army: \$40,000	0
Wayne County YMCA: \$25,000	0
Boys and Girls Club of Wayne County: \$15,000	0
Three is One Family Center: \$15,000	\$1,128.22
A lot of Direction Love & Affection (ADLA): \$15,000	0
Rebuilding Broken Places: \$12,500	0
4 Day Movement: \$12,500	0
Wayne Uplift Resource Center: \$12,500	\$2,751.09
Society of St. Vincent de Paul St. Mary Conference: \$12,500	0

Councilmember Matthews stepped back in at 6:02 p.m.

**Public Comment Period Discussion.** Councilmember Matthews stated the majority voted to reduce the public comments to once a month due to COVID. Restrictions are being lifted and now we are back in the Chambers, this was to be temporary and I think it is something we should revisit and go back to twice a month.

Councilmember Polack made a motion to accept that, to go back to having public comment period twice a month. Councilmember Polack asked with once a month we were at 35 minutes, do we reconvene back to the 3 minutes.

Additional discussion included amount of time per speaker, guidelines and amendments to the public comment policy.

Attorney Lawrence suggested the clerk send out the old policy and the new policy for Council to look at.

Councilmember Matthews seconded the motion. Councilmember Jones stated I think if we are going to agree to have it two times a month then we need to agree on how we are going to have it; as I said previously, I think we all want to hear what our constituents say. Councilmember Jones stated my concern is; I want it to be structured and diplomatic. Discussion continued. Attorney Lawrence asked Council to clarify the motion, Councilmember Polack did you want

that to be twice a month beginning May. Councilmember Polack stated that is correct. Attorney Lawrence suggested any member who has changes or questions to the policy to send them to him before the next meeting so that he has time to review. Discussion continued regarding time allotted for speakers, structure for the public comment period and minutes for the portion of the public comment period. Mayor Pro Tem Ham called for a vote on the motion by Councilmember Polack to reconvene the public comment period twice a month beginning in May and seconded by Councilmember Matthews. Councilmembers Polack and Matthews voted in favor of the motion. Mayor Pro Tem Ham, Councilmembers Jones, Broadaway and Aycock voted against the motion. The motion failed 2:4.

**Parks and Recreation Marker or Memorial Policy.** Ms. Felicia Brown reviewed the following suggested changes for Requirements for the Placement of Markers or Memorials on City of Goldsboro Park Areas:

1. All nominations must be submitted, in writing, to the office of the ~~Recreation & Parks~~ **Parks and Recreation** Department Director for consideration by the Recreation & Parks Advisory Commission. Nomination forms are available at the **Parks and Recreation Office, located at 901 E. Ash Street, Goldsboro.**
2. Definition:
  - a. Marker - a monument or plaque commemorating the life of a Goldsboro resident.
  - b. Memorial - any piece of equipment, parcel of land, or facility conducive to park development that is marked in a manner appropriate to eternalize the memory of a deceased individual.
  - c. ~~Living Memorial - such items as trees, tree groves, arboretums, and flower or plant beds.~~
3. Eligibility Requirements:
  - a. ~~Markers, memorials, and living memorials~~ shall be allowed on City of Goldsboro Park areas for individuals who rendered outstanding volunteer service as an appointed member to a City board or Commission or who were active supporters of leisure activities or who lived exemplary lives within the community.
  - b. To be eligible to receive a marker on a City of Goldsboro Park area, an individual must be deceased ~~and must have been a resident of the City of Goldsboro for a minimum of ten years.~~
  - c. To be eligible to receive a memorial ~~or a living memorial~~, an individual must be deceased **and a resident of the City of Goldsboro at some point in their life.**
4. Marker Specifications:
  - a. No marker shall have dimensions greater than 24"x 24".
  - b. Markers shall be of stone, marble, bronze, aluminum, or standard plaque composition metal. Wood or painted markers will not be considered.
  - c. All lettering must be engraved or permanently attached.
  - d. Installation must be of a permanent nature and must be in accordance with the manufacturer's specifications.
  - e. No marker or memorial may contain any advertisements.
  - f. No marker or memorial shall be illuminated.
5. Sponsor Responsibilities -
  - a. All expenses incurred relative to the purchase and installation of a marker or memorial shall be borne by the sponsor.
  - b. ~~Upon establishing a living memorial, the sponsor shall be required to satisfy one of the following, if needed, for the care and maintenance of said living memorial.~~
    1. ~~Establish with the City of Goldsboro a perpetual care fund in an amount sufficient to meet the annual expenses of caring for the living memorial.~~

~~This amount shall be set after consultation with area nurserymen and shall be renewable on each anniversary of the establishment of the living memorial.~~

~~2. The sponsor may execute a legally binding agreement with the City of Goldsboro whereby said sponsor accepts responsibility for the care and upkeep of the living memorial, subject to previously set standards.~~

6. Procedure for the establishment of a marker or memorial:
- a. All nominations must be submitted in writing on forms provided by the **Parks and Recreation** Department.
  - b. Nominations must include a full description, including a detailed, scale drawing of the proposed marker. Exact wording proposed for the marker must be included.
  - c. Nominations must specify the park area and exact location of the proposed marker or memorial. A  
site visit with the Director of the **Parks and Recreation** Department or **her/his** representative will be required as a follow up to this written information. The Recreation & Parks Advisory Commission ~~reserves the right to approve~~ **make a recommendation on** the location of each marker or memorial.

7. Approval

- a. All nomination proposals shall be acted on by the Recreation & Parks Advisory Commission within 90 days of receipt of the fully completed proposal.
- b. The Recreation & Parks Advisory Commission reserves the right to **recommend** approval or disapproval of any or all proposals.
- c. **The recommendation will then go before the Goldsboro City Council for their decision on the matter.**
- ~~d. Appeal of a decision by the Recreation & Parks Advisory Commission shall be made in writing directly to the Goldsboro City Council.~~
- e. Any marker or memorial may be removed **if it is deemed unsafe by Parks and Recreation staff or for cause** upon the recommendation of the Recreation & Parks Advisory ~~Council~~ **Commission** and the approval of the Goldsboro City Council.

CITY OF GOLDSBORO  
**PARKS AND RECREATION DEPARTMENT**  
Park Area Marker/Memorial Nomination Proposal

1. Sponsor Information:

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

2. Honoree Information:

Name \_\_\_\_\_

Address \_\_\_\_\_

Date of Death \_\_\_\_\_

Years lived in Goldsboro \_\_\_\_\_

3. Please list all appropriate volunteer services the honoree may have contributed to City Boards or Commissions, civic organizations, public agencies, or to the community.
4. Please describe, in detail, your reasons for honoring this individual. Use additional sheets if necessary.
5. Please indicate on which park the proposed marker/memorial is to be placed and describe the exact location within this park. A site visit with the Director of the **Parks and Recreation** Department or **her/his** representative will be required before this proposal can be considered by the Recreation Parks Advisory Commission.
6. Please provide a detailed, scaled drawing of the proposed marker. Include exact lettering proposed. If a memorial ~~or living memorial~~ is proposed, please ~~give a detailed written description~~ **indicate choice from catalog provided.**

Councilmember Aycock asked who pays for the memorial or the marker. Ms. Brown stated the requestor.

Staff will bring back the proposed changes for Council's approval at the next meeting.

**Consent Agenda Review.** Each item was reviewed.

There being no further business, 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 Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on April 5, 2021 with attendance as follows:

Present: Mayor Pro Tem David Ham, Presiding  
 Councilmember Hiawatha Jones  
 Councilmember Bill Broadaway  
 Councilmember Taj Polack  
 Councilmember Brandi Matthews  
 Councilmember Gene Aycock

Absent: Mayor Chuck Allen

Mayor Pro Tem Ham called the meeting to order at 7:00 p.m.

Pastor Dan Baer with St. Luke United Methodist Church provided the invocation. The Pledge of Allegiance followed.

**Approval of Minutes.** Upon motion of Councilmember Broadaway, seconded by Councilmember Aycock and unanimously carried, Council approved the Minutes of the Work Session and Regular Meeting of February 15, 2021 and the Minutes of the Council Retreat of February 24-25, 2021.

Mayor Pro Tem Ham read the following Proclamation.

**Child Abuse Prevention Month Proclamation.** Mayor Pro Tem Ham proclaimed April as Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Councilmember Matthews read the following Proclamation.

**Week of the Young Child Proclamation.** Mayor Pro Tem Ham of the City of Goldsboro, North Carolina, proclaimed April 10-16, 2021, as “WEEK OF THE YOUNG CHILD,” and commend its observance to all citizens of the City of Goldsboro.

**Public Comment Period.** Mayor Pro Tem Ham opened the public comment period. The following person spoke:

1. Ilene Henderson spoke regarding the proposed apartments on Cuyler Best and shared concerns regarding the last Planning Commission Meeting, traffic on Cuyler Best and needed improvements.

Councilmember Polack shared I used to work in that fire district and traffic was a concern of mine as well. Councilmember Polack stated I took it upon myself to go through this past week during different peak hours and I have seen there is a bottleneck.

Councilmember Aycock shared information regarding New Hope Road and the MPO.

2. Mack Sullivan expressed concerns regarding safety and traffic on Cuyler Best Road and asked Council not to allow apartments to be built until there is infrastructure in place.
3. Dustin Mills shared commends regarding New Hope Place apartments, provided comments regarding traffic and road improvements. NCDOT has an annual average daily traffic count of about 9800 cars and capacity is 12,000.

Councilmember Matthews asked about sidewalks.

Mr. Mills stated I can tell you in our proposal we asked to pay a fee in lieu, that would be up to the board if they allowed that.

Attorney Lawrence stated the public hearing was held at the last meeting. Comments are welcome, but technically, you are not supposed to consider the comments made tonight, because that was the reason for the public hearing.

No one else spoke and the public hearing 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 Polack moved the items on the Consent Agenda, Items D, E, and F be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Jones. Councilmember Matthews stated I think it is necessary to move Item E. Authorization of an Agreement with Goldsboro Football Club Youth Academy for use of Bryan Multi-Sports Complex and other Fields for Soccer Games and Practices to Items Requiring Individual Action. Councilmember Polack withdrew his motion.

Councilmember Polack made a motion to remove Item E. from the Consent Agenda and placed under Items Requiring Individual Action. Councilmember Matthews seconded the motion. Mayor Pro Tem Ham, Councilmembers Jones, Broadway, Polack and Matthews voted in favor of the motion. Councilmember Aycock voted against the motion. The motion carried 5:1

Councilmember Jones made a motion to approve the items on the Consent Agenda, Items D and F. Councilmember Polack seconded the motion and a roll call vote resulted in all members voting in favor of the motion. The items on the Consent Agenda were as follows:

**Change Order No. 1 for Wastewater System Improvements Formal Bid No. 2020-002. Resolution Adopted.** The Wastewater System Improvements project consists of rehabilitation of approximately 3,215 feet of gravity sewer line and repair/replacement of manholes.

Staff requested the contractor, AM Liner East, Inc., provide costs for additional work to repair the Carolina Street sewer main and the 36-inch Big Ditch sanitary sewer outfall line. AM-Liner East submitted an estimated cost of \$61,325.00.

This additional work will require the contract completion time to be extended by 90 days. The amended contract completion date for the remaining rehabilitation work is June 22, 2021.

Staff recommends issuing a change order to the current contract with AM-Liner East, Inc. for the Wastewater System Improvements Project. We have reviewed this change order with the Finance Director and determined that funds are available from SRP loan reimbursement.

It is recommended the City Council adopt the following entitled resolution authorizing the City Manager to execute a change order for \$61,325.00 with Am-Liner East, Inc., contingent upon DWI approval. Consent Agenda Approval. Jones/Polack (6 Ayes)

RESOLUTION NO. 2021-RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER WITH AM-LINER EAST, INC. FOR WASTEWATER SYSTEM IMPROVEMENTS PROJECT FORMAL BID #2020-002

**A Drummers World Drumline Video Promo-Temporary Street Closing. Approved.** An application was received from A Drummers World, requesting permission to shoot a promotion video on Thursday, April 22, 2021 from 6:00 p.m. to 7:30 p.m.

The video shoot is scheduled to begin at Chestnut Street on Center Street, run north in the north bound section of Center Street to Walnut Street, and circle back in the same north bound section to end at Chestnut Street. The Police, Fire, Public Works and Downtown Goldsboro offices have been notified of this request.

The time requested for the closing is from 6:00 p.m. to 7:30 p.m.

Staff recommends approval of this request subject to the following conditions:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is maintained in the center of the street to provide access for fire and emergency vehicles.
3. All activities, changes in plans, etc. will be coordinated with the Police Department.
4. The Police, Fire, Public Works and Downtown Goldsboro offices are to be involved in the logistical aspects of this event.

It is recommended that the Council approve the street closing of the north bound section of Center Street at Chestnut Street and Walnut Street for the promotional video shoot of A Drummers World Drumline from 6:00 p.m. to 7:30 p.m. on Thursday, April 22, 2021. Consent Agenda Approval. Jones/Polack (6 Ayes)

**End of Consent Agenda.**

**Z-1-21 MC Morgan & Associates (Shannon View) West side of New Hope Road between Cuyler Best Road and N. Harding Drive. Denied. Associated Conditional Use Permit – CU-4-21 Shannon View 84 unit Senior Apartments. Denied.** The applicant requests a change of zone for a portion of the subject property from Residential (R-12) to Residential (R-9CZ) Conditional Zoning limiting the use to an 84-unit senior apartment

complex. In conjunction with the request, the applicant is requesting a Conditional Use permit (CU-4-21) for the construction of the senior apartment complex in the Residential (R-9) zoning district.

Frontage: +360 ft. (W. New Hope Rd.)  
+188 ft. (Cuyler Best Rd.)  
Area: +10.2 Acres

Surrounding Zoning:

North: Neighborhood Business (NB)/Shopping Center (SC)  
South: Residential (R-6CZ)  
East: Residential (R-16/R-12SF)  
West: Office & Institutional (O&I-1)/Residential (R-12)

The property is partially wooded and cleared farmland.

On March 3, 2003, Goldsboro City Council approved a change of zone from Residential (R-16) to Residential (R-6CZ) for the construction of 216 apartments upon property directly south of the proposed development and formally known as The Reserve at Bradbury Place. If the proposed change of zone is approved, the applicant will be required to obtain a Conditional Use Permit approved by City Council for the proposed senior apartment complex.

The City's Land Use Plan recommends Mixed-Use development. Proposed zoning for the property is compatible with adjacent properties in the area. Since City water and sewer are available to serve the area, higher residential densities are encouraged.

The submitted preliminary site plan (associated with CU-4-21) indicates one three-story senior apartment building containing a total of 84 units.

Access to the site will be directly from W. New Hope Road. W. New Hope Road is a state-maintained road. Officials with NCDOT have been contacted and are recommending that the access drive for the senior apartments align with Shelley Drive to avoid conflicting left turns off of W. New Hope Road.

Parking for the site requires two spaces per unit plus .5 per bedroom over two. 51 units will be 2-bedroom units and 33 units will be 1-bedroom units. A total of 168 parking spaces are required. 84 parking spaces are shown on the submitted site plan. The applicant is requesting a modification of the City's parking requirement due to the fact that the North Carolina Finance Agency requires only 1 parking space per senior apartment unit.

External City sidewalks are required for new development, however, the City's Pedestrian Facilities Plan does not recommend sidewalks for the area. Frontage along W. New Hope Road is approximately 360 ft. and approximately 188 ft. along Cuyler Best Road. The developer will be required to install sidewalks or pay a fee in lieu of in the amount of approximately \$9,864 to the City of Goldsboro.

Internal concrete sidewalks are shown providing access to building entrances through sloped ramps and handicap accessible walkways.

A commercial lighting plan has not been submitted. Since the subject property is located adjacent to residentially zoned and developed properties, the developer will be required to submit a lighting plan in compliance with the City's Commercial Lighting ordinance.

Interconnectivity has not been shown for the site. The applicant is requesting a modification of the interconnectivity requirement. The applicant believes interconnectivity is not practical due to the proposed site layout of the senior adult facility. In addition, traffic from existing single and multi-family developments could cause unnecessary congestion and reduce pedestrian safety for the residents of the facility.



City water and sewer are available to serve the subject property. The property is not located within a special flood hazard area. City Engineering will require approval of storm water calculations and drainage plans prior to issuance of any building permits.

Street trees have been provided along W. New Hope Road and vehicular surface area landscape requirements must be met. A Type B 15' landscape buffer is required along all property lines with the exception of a Type C 20' landscape buffer adjacent to single family development along the western property line for approximately 267 feet. Staff is working with the applicant to ensure landscape requirements are met per the requirements of the City's Unified Development Ordinance.

Commercial dumpsters will be utilized for garbage collection. Staff will ensure that dumpster corals are properly constructed and appropriately screened from off-site views in accordance with City standards.

Building elevations have been submitted and indicate the proposed buildings will be constructed of brick veneer and fiber-cement shake siding. Roofing materials will be architectural shingles. Staff will ensure all multi-family development design standards, including 20% open space requirement, are met per the requirements of the City's Unified Development Ordinance prior to issuance of any building permits.

A majority of the subject property is located outside the City limits. Since City utilities are located within 1,000 ft. of the site, the developer will be required to connect to City water and sewer, as well as, annex into the City limits.

At the public hearing held on March 15, 2021, the applicant came forward in support of the request citing the 84 units would be restricted to 55 years and older population. Five citizens spoke in opposition primarily citing traffic congestion, safety concerns and potential off-site runoff.

The Planning Commission, at their meeting held on March 29, 2021, recommended approval of the change of zone request for a portion of the subject property from Residential (R-12) to Residential (R-9CZ) Conditional Zoning limiting the use to an 84-unit senior apartment complex.

The Planning Commission also recommended approval of the Conditional Use permit (CU-4-21) request for construction of an eighty-four (84) unit senior apartment complex in the Residential (R-9) zoning district.

Councilmember Aycock made a motion to deny the rezoning request. The motion was seconded by Councilmember Polack. Councilmembers Jones, Broadaway, Polack, Matthews and Aycock voted in favor of the motion to deny the rezoning request. Mayor Pro Tem Ham and Councilmember Broadaway voted against the motion. The motion passed 4:2.

Councilmember Polack made a motion to deny the associated Conditional Use Permit – CU-4-21 Shannon View 84 unit Senior Apartments. Councilmember Aycock seconded the motion. Councilmembers Jones, Broadaway, Polack, Matthews and Aycock voted in favor of the motion to deny the associated conditional use permit. Mayor Pro Tem Ham and Councilmember Broadaway voted against the motion. The motion passed 4:2.

**Z-2-21 MC Morgan & Associates (Tiffany Gardens – Phase II) West side of Thoroughfare Road between Central Heights Road and NC Railroad. Denied. Associated Conditional Use Permit – CU-5-21 Tiffany Gardens – Phase II 84 unit Apartment Complex. Denied.** The applicant requests a change of zone for a portion of the subject property from Residential (R-16) to Residential (R-6 CZ) Conditional Zoning limiting the use to an 84-unit apartment complex. In conjunction with the request, the applicant is requesting a Conditional Use permit (CU-5-21) for the construction of the apartment complex in the Residential (R-6 CZ) zoning district.

Frontage: +500 ft. (Thoroughfare Road)

Depth: +300 ft.  
Area: +7.7 Acres

**SURROUNDING ZONING:**

North: Residential (R-16) RM-NC/Residential (R-12CZ); Residential (R-9)  
South: Residential (R-16/R-12)  
East: Residential (R-16/R-9)  
West: Residential (R-16/R-12CZ)

On April 1, 2019, Goldsboro City Council accepted the recommendation of the Goldsboro Planning Commission and adopted an Ordinance (Z-14-19) changing the zone for property directly north of subject property from Residential (R-16 and R-12) to Residential (R-12CZ) Conditional Zoning limiting the use of the property to an eighty-four unit apartment complex. Now, the same developer is proposing a second phase of residential development consisting of another eighty-four (84) unit apartment complex. If the zoning is approved, the applicant will be required to obtain a Conditional Use Permit approved by City Council for the proposed apartment complex.

The property is currently vacant.

The City's Land Use Plan recommends Medium Density Residential (MDR) development. In addition, the Plan recommends that higher densities should be encouraged since City water and sewer are available to serve the property.

The submitted preliminary site plan (associated with CU-5-21) indicates three (3), three-story apartment buildings containing a total of 84 units. In addition, a community building is also being proposed on site.

Access to the site will be directly from Thoroughfare Road. Since Thoroughfare Road is a state-maintained road, NCDOT officials have been contacted and are requiring driveway permits, as well as, left and right turn lanes along Central Heights Road as a result of Phase I development.

Parking for the site requires two spaces per unit plus .5 per bedroom over two. 36 of the 84 total units will be 3-bedroom units, 35 units will be 2-bedroom units and the remaining 13 units will be 1-bedroom units. A total of 176 parking spaces are required and 176 spaces have been shown on the preliminary site plan.

External City sidewalks are required for new development, however, the City's Pedestrian Facilities Plan does not recommend sidewalks for the area. Frontage along Thoroughfare Road is approximately 460 ft. The developer will be required to install sidewalks or pay a fee in lieu of in the amount of \$8,280 to the City of Goldsboro.

Internal concrete sidewalks are shown providing access to building entrances through sloped ramps and handicap accessible walkways.

A commercial lighting plan has not been submitted. Since the subject property is located adjacent to residentially-zoned and developed properties, the developer will be required to submit a lighting plan in compliance with the City's Commercial Lighting ordinance.

Interconnectivity: Interconnectivity has been shown west of the site as adjacent property is currently being developed for multi-family use.

City water and sewer are available to serve the subject property. The property is not located within a special flood hazard area. City Engineering will require approval of storm water calculations and drainage plans prior to issuance of any building permits.

Street trees have been provided along Thoroughfare Road and vehicular surface area landscape requirements must be met. A Type B 15' landscape buffer is required along the western property line and a portion of the southern property line. A Type C 20' landscape buffer is required adjacent to single family development along a portion of the southern, northern and eastern property lines. Staff is working with the applicant to ensure landscape requirements are met per the requirements of the City's Unified Development Ordinance.

Commercial dumpsters will be utilized for garbage collection. Staff will ensure that dumpster corals are properly constructed and appropriately screened from off-site views in accordance with City standards.

Building elevations have been submitted and indicate the proposed buildings will be constructed of brick veneer and fiber-cement shake siding. Roofing materials will be architectural shingles. Staff will ensure all multi-family development design standards, including 20% open space requirement, are met per the requirements of the City's Unified Development Ordinance prior to issuance of any building permits.

The subject property is located outside the City limits. Since City utilities are located within 1,000 ft. of the site, the developer will be required to connect to City water and sewer, as well as, annex into the City limits.

At the public hearing held on March 15, 2021, the applicant came forward in support of the request citing the project is a continuation of a previously approved multi-family project known as Tiffany Garden Phase I. Four citizens spoke in opposition primarily citing traffic congestion, safety concerns and drainage issues.

The Planning Commission, at their meeting held on March 29, 2021, recommended approval for the requested change of zone for a portion of the subject property from Residential (R-16) to Residential (R-6 CZ) Conditional Zoning limiting the use to an 84-unit apartment complex. The Planning Commission also recommended approval for Conditional Use permit (CU-5-21) for the construction of an 84-unit apartment complex in the Residential (R-6) zoning district.

Councilmember Jones made a motion to deny the rezoning request. The motion was seconded by Councilmember Polack. Councilmembers Jones, Broadaway, Polack, Matthews and Aycock voted in favor of the motion to deny the rezoning request. Mayor Pro Tem Ham and Councilmember Broadaway voted against the motion. The motion passed 4:2.

Councilmember Polack made a motion to deny the associated Conditional Use Permit. Councilmember Jones seconded the motion. Councilmembers Jones, Broadaway, Polack, Matthews and Aycock voted in favor of the motion to deny the associated conditional use permit. Mayor Pro Tem Ham and Councilmember Broadaway voted against the motion. The motion passed 4:2.

**Z-3-21 Barnes Jewelers Building - South side of Eastgate Drive between Mall Road and Cashwell Drive** The applicant requests a change of zone for the subject property from **Shopping Center (SC) to General Business (GB). Denied.** In conjunction with the request, the applicant has submitted a Conditional Use permit application (CU-2-21) for the operation of an internet café (electronic gaming facility) for property addressed as 502, C-2 Eastgate Drive.

Frontage: 215 ft. (Mall Rd.)  
193 ft. (Eastgate Dr.)  
Area: 39,342 sq. ft. or 0.90 acres

**SURROUNDING ZONING:**

North: Shopping Center (SC)  
South: Shopping Center (SC)  
East: Shopping Center (SC)  
West: Shopping Center (SC)

The property is occupied by a commercial strip center consisting of three separate buildings totaling approximately 12,000 sq. ft. and containing five tenant spaces currently consisting of a jewelry store, nail salon, hair salon, restaurant and one tenant space currently for rent or lease. If the change of zone is approved, a Conditional Use Permit approved by City Council will be required for the proposed operation of the internet café (electronic gaming facility).

Land Use Plan Recommendation: The City's Land Use Plan recommends commercial development for the site.

At the public hearing held on March 15, 2021, the property owner was present and indicated he was available for any questions the Council may have however he did not voice support or opposition. No other persons came forward to speak for or against the request.

The Planning Commission, at their meeting held on March 29, 2021, recommended denial of the requested change of zone of the subject property from Shopping Center (SC) to General Business (GB). Even though consistent with the City's Comprehensive Land Use Plan the Planning Commission found the proposed zoning not compatible with adjacent zoning districts and existing developments.

Councilmember Aycock made a motion to accept the recommendation of the Planning Commission and deny the requested zoning change from Shopping Center (SC) to General Business (GB). Although consistent with the City's Comprehensive Land Use Plan, the proposed zoning request would not be compatible with adjacent zoning districts and existing developments. The motion was seconded by Councilmember Broadaway. Mayor Pro Tem Ham, Councilmembers Jones, Broadaway, Polack and Aycock voted in favor of the motion. Councilmember Matthews voted against the motion. The motion passed 5:1.

**CU-2-21 A&M Café – (Electronic Gaming Facility) South side of Eastgate Drive between Mall Road and Cashwell Drive. Denied.** The applicant is requesting a Conditional Use Permit for the operation of an internet café (electronic gaming facility). Subject property is located at 502-C2 Eastgate Drive.

In conjunction with the request, the applicant has requested a change of zone for the subject property (Z-3-21) which is part of a larger parcel of privately-owned property from Shopping Center (SC) to General Business (GB) zoning district.

Internet cafés are allowed in the General Business (GB) zoning districts only after the obtainment of a Conditional Use Permit approved by City Council.

On May 8, 2017, City Council amended the City's Electronic Gaming Ordinance. The following requirements were approved as they pertain to new gaming establishments proposed for operation in the City of Goldsboro's planning jurisdiction:

- (1) Electronic gaming operations are permitted only in the General Business (GB) zoning district after the obtainment of a Conditional Use Permit approved by City Council.
- (2) No establishment shall be located within five hundred (500) feet of any residentially zoned or developed property, church, school, day care, playground or public park. Where the proposed establishment is separated from residentially zoned or developed property by a four-lane highway, the five hundred (500) foot separation shall only apply to the properties along the sides and rear of the establishment.
- (3) No such establishment shall be located within one mile (5,280 ft.) of another such establishment.
- (4) The hours of operation for such operations shall be limited to 7:00 a. m. to 2:00 a. m.

City Council made no changes to the existing parking requirement of 1.5 spaces per gaming machine.

The applicant is requesting a Conditional Use Permit for the operation of an internet café consisting of eighteen (18) gaming machines.

Frontage: 16.5 ft. (Mall Rd.)  
Area (Tenant Space): 950 sq. ft. or .02 acres

Access to the commercial strip center is provided by two driveways; one 25 ft. wide driveway along Mall Road and one 20 ft. wide driveway along Eastgate Drive.

Parking is required at 1.5 spaces per gaming machine. Based on 18 proposed computer gaming stations, 27 parking spaces are required for the internet gaming operation.

Currently, there are 49 parking spaces for the commercial shopping center. Staff has conducted a parking evaluation of current businesses, which operate within the existing shopping center. If the internet café is approved, a total of 65 parking spaces will be required for the site. A parking modification will be necessary or applicant would need to obtain a share parking agreement to meet parking requirements. At this time, the applicant has not been successful with obtaining a parking agreement.

At the public hearing held on March 15, 2021, the attorney representing the applicant spoke in favor of the request. No other persons came forward to speak for or against the request. The Planning Commission, at their meeting held on March 29, 2021, recommended denial of a Conditional Use Permit for the operation of an internet café with 18 game units located within the Shopping Center (SC) zoning district as it does not meet the criteria set forth in the Unified Development Ordinance #2017-23 Internet Café/Sweepstakes Facilities – Electronic Gaming Operations.

Councilmember Aycock made a motion to accept the recommendation of the Planning Commission and adopt an Order denying the Conditional Use Permit #CU-2-21 operation of an internet café with 18 game units located within the Shopping Center (SC) zoning district. Such operations are only permitted in the General Business (GB) zoning districts and the rezoning request Z-3-21 Barnes Jewelers was denied. The motion was seconded by Councilmember Broadaway. Mayor Pro Tem Ham, Councilmembers Jones, Broadaway, Polack and Aycock voted in favor of the motion. Councilmember Matthews voted against the motion. The motion passed 5:1.

**CU-3-21 New Hope Place Apartments (Multi-Family Dwellings) – North side of Cuyler Best Road between Oxford Boulevard and Glenda’s Drive. Denied.** The applicant requests a Conditional Use Permit for the construction of an 80-unit apartment complex located in the R-9 (Residential) zoning district.

According to the City’s Unified Development Code, multi-family dwellings are a permitted use in the Residential (R-9) zoning district, however, a Conditional Use Permit approved by City Council is required for the construction of the apartment complex.

Frontage: 460 ft. (Thoroughfare Road)  
Area: 13.9 Acres

In November of 2016, Goldsboro City Council approved site and landscape plans for the construction of 50 senior apartments directly west of the subject property and formally known as the Cuyler Springs Senior Living Community.

The property consist of woodlands.

The submitted preliminary site plan indicates four (4), three-story apartment buildings containing a total of 80 units. In addition, a community building is also being proposed on site.

Access to the site will be directly from Cuyler Best Road. Since Cuyler Best Road is a state-maintained road, NCDOT officials have been contacted and are requiring driveway permits, as well as, left and right turn lanes along Cuyler Best Road.

Parking for the site requires two spaces per unit plus .5 per bedroom over two. 18 of the 80 total units will be 3-bedroom units, 62 units will be 1 and 2-bedroom units. A total of 169 parking spaces are required and 169 spaces have been shown on the preliminary site plan.

The submitted site plan shows 5 ft. wide external sidewalks for the site, however, the developer has requested to pay a fee in lieu of in the amount of \$8,280 since the area is not recommended for sidewalks according to the City’s Recommended Pedestrian Plan.

Internal concrete sidewalks are shown providing access to building entrances through sloped ramps and handicap accessible walkways.

A commercial lighting plan has not been submitted. Since the subject property is located adjacent to residentially-zoned and developed properties, the developer will be required to submit a lighting plan in compliance with the City's Commercial Lighting ordinance.

Interconnectivity has not been shown for the site. The developer is requesting a modification of the City requirement due to the nature of adjacent developments and their existing site conditions.

City water and sewer are available to serve the subject property. A portion of the property is located within special flood hazard areas known as the 100, 500-year floodplains, as well as, within the floodway. City Engineering will require approval of storm water calculations and drainage plans prior to issuance of any building permits.

Street trees have been provided along Cuyler Best Road. A Type A 10' wide landscape buffer is required along all property lines and vehicular surface area landscape requirements must be met. Staff is working with the applicant to ensure landscape requirements are met per the requirements of the City's Unified Development Ordinance.

Commercial dumpsters will be utilized for garbage collection and have been identified on the submitted site plans. Staff will ensure that dumpster corals are properly constructed and appropriately screened from off-site views in accordance with City standards.

Building elevations have been submitted and indicate the proposed buildings will be constructed of brick veneer and cedar-shake faux-vinyl siding. Roofing materials will be 30-year architectural shingles. Staff will ensure all multi-family development design standards, including 20% open space requirement, are met per the requirements of the City's Unified Development Ordinance prior to issuance of any building permits.

The subject property is located outside the City limits. Since City utilities are located within 1,000 ft. of the site, the developer will be required to connect to City water and sewer, as well as, annex into the City limits.

At the public hearing held on March 15, 2021, the applicant came forward in support of the request and specified a rezoning was not necessary for the proposed use. He indicated 133 units were allowed with the Conditional Use Permit request however, the developer is proposing a maximum of 80 units. Six citizens spoke in opposition primarily citing traffic congestion, safety concerns and potential off-site runoff.

The Planning Commission, at their meeting held on March 29, 2021, recommended approval of a Conditional Use Permit for the construction of an 80-unit apartment complex located in the R-9 (Residential) zoning district.

Councilmember Aycock made a motion to deny the conditional use permit request. The motion was seconded by Councilmember Polack. Councilmembers Jones, Broadaway, Polack, Matthews and Aycock voted in favor of the motion to deny the associated conditional use permit. Mayor Pro Tem Ham and Councilmember Broadaway voted against the motion. The motion passed 4:2.

**Authorization of an Agreement with Goldsboro Football Club Youth Academy for Use Of Bryan Multi-Sports Complex And Other City Fields For Soccer Games And Practices. Approved.** The City of Goldsboro was approached by the Goldsboro Football Club Youth Academy, a North Carolina nonprofit organization interested in using our fields. GFCYA would like to make use of City fields for their practices and games, including the Bryan Multi-Sports Complex.

The City of Goldsboro constructed the Bryan Multi-Sports Complex for local play and as a venue for sports tourism. Goldsboro Football Club Youth Academy proposes to exchange

volunteer hours at sports events in lieu of payment for field usage. Allowing Goldsboro Football Club Youth Academy to use the fields support our commitment to sports tourism.

Councilmember Matthews asked if the use of the fields included the lights and if they were a local group. Ms. Brown stated yes and they are a local group.

Upon motion of Councilmember Jones, seconded by Councilmember Polack and unanimously carried, Council authorized the Mayor and City Clerk to enter into an agreement with the Goldsboro Football Club Youth Academy for a 6-year term that includes an option for either organization to cancel the agreement with 90 day's written notice.

**City Manager's Report.** Mr. Salmon stated the NCDHHS "County Alert System" depicts Wayne County as: "Moderate Impact/Community Spread" (only one NC county is rated lower/low impact). The Daily Positive Tests - slightly up from 8 to 9; Active Cases - down from 127 to 95 (~10% of post-holiday high). COVID vaccinations are available. The County is moving to Group 4 (Adults at Higher Risk for Exposure and Increased Risk of Severe Illness) and Group 5, which is anybody, if you would like a vaccine, please contact the health department. I would like to commend the Goldsboro Fire Department, the water rescue team assisted many units in Wayne County to find the two drowning victims this past week. Parks and Recreation did an Easter Bag giveaway on March 31<sup>st</sup> at the Bryan MSCX, 300+ Easter bags were provided during the drive-thru event. I would also like to recognize the Goldsboro Police Department, Public Works and IT Department who over Easter fixed some communication repairs. The Litter sweep is scheduled for April 17<sup>th</sup>. Code Enforcement staff will assist in volunteer coordination and provide supplies. You may contact Rachel Smith at 919-580-4313 by April 12<sup>th</sup> to sign up to help with this effort.

#### **Mayor and Councilmembers' Reports and Recommendation.**

Councilmember Aycock stated no comment.

Councilmember Matthews stated I would like to thank everyone who came and participated in the Parade of Love for the Poplar Street Apartments. It was a beautiful event, it mattered a lot to me you being there, but it mattered even more to the residents. I also want to thank the Fire Department from the mighty Station 4 in District 4 came out and lead the procession. Thank you to the city manager for taking the time out to participate as well. Best wishes to the seniors, senior games started this past week and they are excited and fired up.

Councilmember Matthews read the following Proclamation.

**Women's History Month Proclamation.** Mayor Pro Tem Ham proclaimed the month of March 2021 as "Women's History Month" in the City of Goldsboro and encourage all citizens to observe this month by participating in and supporting all festivities celebrating the proud history and many accomplishments of women.

Councilmember Polack stated first I would like to applaud Councilmember Matthews on the event you had, I would have been there if I would have had the car seat for the baby. I also want to give a shout out to Ms. Linda Jordan for her organizational outreach within her community. I had a note on my windshield to call immediately and it was about establishing a cleanup initiative named Adopt a Block. Councilmember Polack shared information regarding the cleanup initiative. I think it is going to be a collaborative effort that we will see grow. I implore everyone to be safe throughout this time.

Councilmember Broadaway I just want to say a huge note of appreciation to Dr. Stackhouse and everyone at the health department with the way they have organized the Bussman Building. We are now ahead of the pack; anyone can go down there to get a COVID shot. Anyone can get a shot. A lot of EMT's have worked, a lot of volunteers, makes you proud of Wayne County.

Councilmember Jones stated I would like to thank the individuals who did not give up on looking for that father and son. Thank you so much, even though the outcome was not what we

wanted it to be, at least they did not give up. I want to thank the individuals who have volunteered for District 1 cleanup. There is monies available for funeral expenses, COVID Funeral Assistance, families can apply for up to \$7,000 for burial. COVID has really changed our lives, we have lost loved ones, if you need assistance, I do have that on my page or I can email.

Mayor Pro Tem Ham stated I would like to speak of the appreciation to our Fire Department, all the other agencies, volunteers, businesses, who have contributed their time, effort, food, or whatever to the search of the father and son who drowned last week. It was a very sad situation, the rescuers never gave up until they found them. Litter pickup, I had an opportunity last week to speak to the base commander and one of the things we talked about was litter. That was also one of Mayor Allen's big issues that we heard him talk about. We need to give our best effort to try to keep litter off the streets. Finally, I learned today, we lost a member of our community, Wilbur Shirley. His name is synonymous with Goldsboro. My heart goes out to the family, he will be missed.

The meeting adjourned at 8:19 p.m.

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David Ham  
Mayor Pro Tem

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Melissa Capps, MMC/NCCMC  
City Clerk