



Town of Walkertown, North Carolina
Website: townofwalkertown.com
Walkertown Town Council Meeting
Walkertown Library Auditorium

THURSDAY

7:00 P.M.

JULY 28, 2005

MINUTES

MINUTES ARE NOT VERBATIM DUE TO RECORDER MALFUNCTION

1. MEETING CALLED TO ORDER called to order at 7:01 p.m. by Mayor Davis. Present were Mayor Davis, Councilmembers Warner, Welch, Duggins and Larrimore, Attorney Bo Houff, and Town Clerk Lynn. The library auditorium was full and overflowing.

2. INVOCATION and PLEDGE OF ALLEGIANCE
Mayor Davis gave a short invocation and Councilman Larrimore led the pledge.

3. APPROVAL OF AGENDA
Councilwoman Duggins asked that "**FOR DISCUSSION AND/OR ACTION**" be added above Item #11 - Brandy Angus - MV Communities, which the council agreed to do.

MOTION: **TO APPROVE AGENDA AS AMENDED BY ADDING "FOR DISCUSSION AND/OR ACTION" BE ADDED ABOVE ITEM #11 - BRANDY ANGUS - MV COMMUNITIES**
BY: HORACE WARNER
SECOND: WALLACE LARRIMORE
VOTE: MOTION PASSED UNANIMOUSLY

4. APPROVAL OF MINUTES

- June 23, 2005
- June 23, 2005 – Closed Session Minutes

MOTION: **TO APPROVE REGULAR MINUTES OF JUNE 23, 2005 AND CLOSED SESSION MINUES OF JUNE 23, 2005**
BY: DOT DUGGINS
SECOND: WALLACE LARRIMORE
VOTE: MOTION PASSED UNANIMOUSLY

5. **PUBLIC SESSION**
THIS SESSION IS FOR NON-AGENDA ITEMS ONLY
Public Session was opened at 7:07.

Mayor Davis reminded the audience that this is an open session for items other than what is on the agenda. He also said a Public Hearing was not scheduled for

Item #11 - the MV Communities item, so anyone wishing to speak on that subject should speak now.

1. Phillip West of 115 Robert West Road Walkertown NC
Spoke concerning MV Communities and Housing Authority of Winston-Salem. Indication of low income housing and worried about adequate police protection. Walkertown does not have infrastructure in place to handle low income housing or police protection.

2. Patrick Hennigan of 107 Tisbury Ct. Mooresville NC
Spoke concerning MV Communities.
Explained that original approval from County Commissioners, which had land use jurisdiction at that time - required us to have Mixed Use project including Residential, Office and the Shopping Center. After more than a year working with County planning staff and commissioners with much discussion and debate we received zoning change in April, 1999. We are properly zoned to do multi-family housing. My business is not multi-family housing - I've never done it and I don't imagine that I will - my business is shopping center development. We wanted to contract with a company that does multi-family every day and we were approached by MV Communities, based in Columbus, Ohio, that does multi-family every day. We checked them out pretty closely because we want to make sure we have a good investment next to our big investment and we checked them out. Respectfully, I think there's a bit of misinformation out in the community about what's proposed back there and what type of people will be living there. And Brandy is going to speak to all the details. I don't know all the details --- but some of the details I do know. There's going to be 80 units proposed - there's an income limitation of \$39,000 and the rest are going to be about \$500 - \$600 a month, which is a pretty nice apartment. There's maybe 20 units out of 80 units that will be Section 8 and 12 of those 20 are earmarked for handicapped persons that have traditional handicapped persons. Thank you for your time.

3. Betsy Lindsey
4990 George West Court
Kernersville
George West Court is off George West Road. George West is my grandfather so that kind of tells you the situation. We are right adjacent - the property that I live on is right behind the shopping center, right near _____ who is right beside the shopping center at this point. There are in this area of 3 or 400 hundred acres, 5 to 6 homes who have 5 or 6 generations of family who have lived here. We're not going anywhere. My great-grandfather was there. My grandfather, my mother, I was born there, my kids were born there. We need to be protected. The apartments, when they first came in were supposed to be luxury, kind of upscale apartments. We didn't like it at that point but progress is going to happen. But when you go and revamp what you're doing into Section 8 and low-income homes or subsidized homes, then you're asking for a whole new element in our neighborhood. I know what Section 8 housing is. It sounds good, it looks good when they first move in...and the communities accept them...and then it changes over the years...Twenty years down the road Section 8 to

somebody in Ohio? I tried to find the group of a home that I helped clean out for a family. They were in New Jersey....they were slumlords. It gets to a point where they have no parameters. They're getting their rent. And that's basically a lot of it. Right now, it's going to look good, it sounds good...we all want people to have homes...but the management of the property on down the road, twenty years from now, when I hope I'm still living on this property. We need to be protected somewhere along the line.

4. Sarah Rossi
6100 Judge Clement Road

I'm here to express my opposition to the apartments as proposed. There are three points that I base my opposition on:

#1 - Traffic - The infrastructure to handle traffic now is inadequate.

#2 - 158/66 is one of the most dangerous intersections of road in Forsyth County. It is a high traffic, truck road. It is not an appropriate location for apartments.

#3 - Type of housing appeals to families with small children. I work with small children. They love to play outside - they're going to run across that road..small children do not think ahead..they do not always recognize inherent dangers in a situation. To put the very kind of families that we are proposing to help in a dangerous situation to me defies all logic.

I am urging you to please not vote for this project.

5. Kay Dillon
4956 George West Court
Kernersville

I live close to Betsy. Everything she said is the truth. My family has been there in those woods forever. I moved from Clemmons back here thinking I wouldn't have to deal with that kind of stress. Ever since I've been back here it's been one thing after another. I hope that you guys will think about the people that you need to protect. It's not about protecting developers. We are, in this area in this state in this country, development is unbridled. The reason I'm in Walkertown is because it's small, it's quiet. I go to Winston-Salem to work every day. I sit on a committee with some of the folks at the Housing Authority and they are good people but that's not the point here. People who live in public housing don't have the same "ownership" as we do. We have a stake here and it has nothing to do with being prejudiced because there's all kinds of people in public housing. Part of this complex is for low-income folks - 20 units out of 80 - what's to stop it from going from 80 units out of 80? When things start to slide, they go. This is a special community - we need to keep it that way.....I am for progress...but I am not for progress at the sacrifice of peoples' lives. Developers that come in here - don't live here. We were here first! They don't live here. Let's see if we can do some public housing, low income housing, in their neighborhoods and let's see if they can swallow that!

6. Steve O'Ferrell
4783 New Walkertown Rd.
Walkertown

These issues don't affect me as much as the ones who have spoken but I have an issue I'd like to bring up. Sheriff Schatzman spoke at our meeting a while back about police protection and that's a very important issue. We need the infrastructure for police protection, fire protection, our roads are not adequate.

7. Brandy Angus
MV Communities

I have read the article and wanted to address it. I had just found out about this meeting at 5:00 and was not given the courtesy of knowing I was on the agenda but fortunately found out about it and rearranged my schedule to be here because I find it important to clear up a couple of items. I was not contacted about this particular article and there is a big misrepresentation. This is not a Housing Authority sponsored or owned development. This is a project the same project that has been proposed for three years. We have been applying for tax credit funding. We did receive that funding. The majority of the project will be funded for an income tax credit. There will be a handful of these units that we're applying for rental assistance on. Some of these units are going to be targeted to persons with disabilities meaning they have to be rented to persons with disabilities. Most people would know that persons with disabilities are an extremely underserved population, even with apartments there are not apartments that have fully handicapped units designed within a mixed-use community. We are going to have some other units that allow for rental assistance. That is not the intent of the project. This is not Section 8, owned by Housing Authority or HUD. Our company has been managing, owning, operating, developing, and these types of units for over 15, 20 years now. We have never defaulted; we have never, ever had to board one up and we have on-site management on the property. We take pride in managing our properties. This is an investment to us and other investors in the property. I have volunteered several times to the council that I would be happy to drive them by and show them what the properties look like. We value this community. We do not want to come in here and bring down the neighborhood. We intend to have it as an added value to the community - bring the tax base to the community. In our management criteria, we do a criminal check, a credit check, a background check - all kinds of checks - and they can be denied. If we do a sub-section 8, we have the criteria that they have to be working as well. They can't just hang around. We're not going to accept criminal activity in our apartments.

8. Anthony Scott
5400 Sullivantown Rd.

I'm a teacher at East Forsyth. I have a few questions about this proposal. One, can this bring up my property values? As a young professional, I bought my home thinking the value would rise steadily. I bought in this community because of the friendliness, the peacefulness and it's away from downtown Winston-Salem. My main concern is property values. You're telling us we're supposed to care or be concerned about low-income housing. Well, honestly, I bought my home away from that situation. There's equal opportunity for everybody to improve and my house is my biggest investment as a young African-American male. So I'm really truly concerned about low income housing. If I wanted to live beside low-income housing, I would have bought beside low-income housing.

Why did you choose this location? It doesn't make sense in my mind why you choose Walkertown to build. It's a quiet community with roots. Why bring low-income housing here versus on the other side of Kernersville..or somewhere else?

From the audience, Kay Dillon asked Mr. Hennigan if he flipped the property to this new developer? Mayor Davis asked if he "sold" the property. Mr. Hennigan responded that they usually do that once people have their approvals, site plan approvals - it's already zoned for this use. Spent about two years 1997-1999 getting approvals. Ms. Dillon then asked Brandy where she was from...Durham?

Scott Anthony asked one more question - Do the vouchers come from the government? (No answer).

9. Bonnie Scott
767 Vance Rd.

I was raised in this community. I live on my grandfather's farm on Vance Road. I live next to a Section 8 home. It does detract from your property values. I live close to other rental homes and they detract from your values. There's an accountability and responsibility for renter purchase homeowners. With a Section 8 home - not apartments - not multi-family homes, we've seen there's a way to get around the system how to qualify for Section 8 homes - who monitors that - do they work, don't they work? It can be gotten around the system. We've seen trouble there - domestic problems, squad cars and it's just right next door. So it does take away from your community.

Someone from the audience asked if the council had made a decision on Sheriff Schatzman's recommendation for officers and the Mayor responded that since it wasn't put in the budget, the decision was made. We don't have the tax base to afford it.

Public Session was closed at 7:35 p.m.

6. **PUBLIC HEARING #1 – WA -023 – GLENWOOD WALKERTOWN CO.**

Advertised June 25, 2005

ORDINANCE #05-012

Owners: Same

FROM: RS-20

TO: HB-S

Aaron King from City-County Planning Staff explained this request. (See Staff Report attached and made a part of these minutes.)

Petitioner, Glenwood, has asked for rezoning from RS-20 to HB-S. Property is located on southwest side of Reidsville Road, south of Old Hollow Road. This is a two-phase request so a final development plan will need to be submitted for 2nd phase of this. They are asking for a SIDA which will allow up to 7% impervious cover on this site. Currently, Walkertown has 44.8 in SIDA bank. Approving the SIDA request for 2.07 acres will leave 42.82 in the bank. At the Planning Board

meeting, it was brought up that the northern portion of this property was included with the previous SIDA request and would not count against this SIDA request so the request for 2.07 will actually be less than that - probably about 2/10ths of an acre. Access off 158 should be worked out with the Dudley's and with D.O.T. At the Planning Board meeting, Mr. Hennigan and Mr. Dudley spoke in favor of this request. No speakers in opposition. Walkertown Planning Board recommended approval for this request along with SIDA approval. Site plan does meet UDO requirements.

Public Hearing was opened at 7:40 p.m.

1. Patrick Hennigan
Glenwood Development Co.

Mr. Hennigan said they were at the Planning Board meeting - received unanimous approval. Worked with Dudley's to work things out. Granted the Dudley's an easement; there will be a negative easement across their property. Glenwood will continue to develop their property; will continue to add to tax base in Walkertown.

2. Fred Martin
2733 Martin St.

County Planning Staff denied this and he does, too. Mr. Martin said, This should not be rezoned until Mr. Hennigan gets ready to build. He has 26 acres across 66 that's already been rezoned. He has a shopping center sitting there that's not full. There's no reason to rezone this until he gets ready to build on it - when he comes in with a contractor is the time to rezone. As far as this stoplight, I believe the trucking industry pays a lot more taxes than he does. And I don't believe as long as these transfer trucks go down 158, there's going to be another stoplight that close to the one at the corner. I believe that since the sewer system's come in, the developers have been running this town and I think it's time somebody put a stop to it!

3. Wendy Dudley
5138 Reidsville Road

Ms. Dudley elaborated on the property and its development. She said, As far as the stoplight, D.O.T. did tell us it was coming in. She also said traffic comes from all over, Kernersville and Belews Creek - not just Walkertown. Development needs to come in at a good pace and not an explosion. You have to give a little to get a little. This will provide tax base to get police and roads. There is a junk yard all around the property; there will likely be no residential use there.

5. Mark Dudley
5138 Reidsville Road

Just to clarify, you asked about the driveway. Glenwood's project and D.O.T. - we didn't actually lose a driveway - we moved a driveway. They didn't "take" it - they "asked" us and we said it would be fine to be able to get out of here better instead of trying to pull out into a turn lane. Glenwood, D.O.T. and we all worked together. As far as stoplight, as soon as traffic warrants, there will be a stoplight -

not until the traffic warrants, though. Nobody is going to put a million dollar home on this property.

6. Philip West

Address mumbled 115 Rock Crest Road???

Work for NC & SC D.O.T. - There is a number of criteria D.O.T. uses to determine when a new stoplight needs to be added; specifically, the number of fatalities per thousand vehicles that pass per day. He said that "when traffic warrants" for a stoplight, is a big "if" and could take a long time to get there. The current shopping center isn't full yet. If looking to bank on that stoplight, get someone at D.O.T. to give a signed piece of paper with a date on it, rather than just saying "when traffic warrants".

7. Patrick Hennigan

He said the stoplight is not necessarily relative to this item and doesn't know how this got off on that tangent.

Public Hearing was closed at 7:54 p.m.

MOTION: **TO DENY ZONING REQUEST BY GLENWOOD WALKERTOWN CO.**
BY: **HORACE WARNER**
SECOND: **MOTION DIES FOR LACK OF SECOND**

MOTION: **TO APPROVE ZONING REQUEST BY GLENWOOD WALKERTOWN CO. FROM RS-20 AND LO-S TO HB-S, TWO-PHASE**
BY: **WALLACE LARRIMORE**
SECOND: **DOT DUGGINS**
VOTE: **MOTION PASSED 3 TO 1**
YES - LARRIMORE
YES - DUGGINS
YES - WELCH
NO - WARNER

After the motion and before the vote, Ms. Duggins said that there can't be anything safer than two-phase zoning and that a very good restaurant will be coming to this site. She explained what two-phase zoning meant: This only okays this to be used for this purpose. The next phase will have the site plan that will come before the Planning Board and explain exactly how it will sit on the property, exactly what will be done there and all the particulars should be worked out at that point.

MOTION: **TO APPROVE SIDA ALLOWANCE REQUEST OF APPROXIMATELY 2.07 (MINUS 2/10THS) ACRES BY GLENWOOD WALKERTOWN CO.**
BY: **DOT DUGGINS**
SECOND: **WALLACE LARRIMORE**

VOTE: MOTION PASSED 3 TO 1
YES - LARRIMORE
YES - DUGGINS
YES - WELCH
NO - WARNER

7. **PUBLIC HEARING #2 – WA-021 – MARK AND WENDY DUDLEY**

Advertised June 25, 2005

ORDINANCE #05-013

Owners: Same

FROM: RS-20

TO: HB-S

Mr. King explained the request. (See Staff Report attached and made a part of these minutes.)

Public Hearing was opened at 8:01 p.m.

1. Mark Dudley
 5138 Reidsville Road

Mr. Dudley said that he grew up in Walkertown; family has had business in Walkertown since 1980. Bought his residence in 2001 - just a little house with a big fence. Property around house has become more commercial and his house is no longer suitable for residence. The main entrance to shopping center is adjacent to his property and there is already a turn lane and curb and gutter in front of his property - not a good residential use. What he is proposing is a small town family business - a specialized business. He works on Dodge and Plymouth Chrysler products - barely any traffic. Access to property will be in back, causing no threat or dangers to property. House will remain residential looking and brought up to code. Will be taking down two older buildings and replaced with a new building. It is no longer a residential area - asked that the council take into consideration that due to the location and what is already in place, the property would be better served as a business use.

2. Wendy Dudley
 5138 Reidsville Road

Ms. Dudley said she grew up in Walkertown; is part of the Crews family. They may not be well-known but they are not strangers to Walkertown. As a mother of three young children, when they bought the house, it was a residential area but now it has gone commercial all around them. They just want to do is put their family business there and move to the Walkertown area.

Public Hearing was closed at 8:07 p.m.

MOTION: **TO APPROVE ZONING REQUEST BY MARK AND**
WENDY DUDLEY
FROM RS-20
TO HB-S
BY: **DOT DUGGINS**

SECOND: SARAH WELCH
VOTE: MOTION PASSED 3 TO 1
YES - DUGGINS
YES - WELCH
YES - LARRIMORE
NO - WARNER

Mr. Warner stated that he would have to vote this down due to the natural boundary of commercial development.

8. PUBLIC HEARING #3 – WA-025 – ANNEXATION #10

Advertised June 25, 2005

ORDINANCE #05-014

Change zoning jurisdiction from FC to Walkertown

Mr. King explained this request. (See Staff Report attached and made a part of these minutes)

Public Hearing was opened at 8:10 p.m. and closed at 8:10 p.m. with no speakers for or against.

MOTION: **TO APPROVE CHANGING ZONING JURISDICTION FROM FORSYTH COUNTY TO WALKERTOWN FOR ANNEXATION #10**

BY: DOT DUGGINS

SECOND: HORACE WARNER

VOTE: MOTION PASSED UNANIMOUSLY

9. PUBLIC HEARING #4 - WA-024 – WHITEHALL VILLAGE - SOWERS

Advertised June 25, 2005

ORDINANCE #05-015

Owners: TWP Properties, LLC, Janie L. Pierce, Nancy L. Carmichael, Edna Cude, and Herman Blackburn

FROM: RS-20

TO: RM8-S

Mr. King explained this request. (See Staff Report attached and made a part of these minutes.)

Ms. Duggins asked what the smallest size lot in an unplanned community and to explain PUD.

Mr. King said, "The planned residential development, which is what they are asking for, and I think you're asking about the smallest lot size. If this property is not rezoned today, there's two ways it can be developed under the existing zoning. One is the existing zoning be RS-20, 20,000 square-foot lot, which is roughly a half-acre lot. He can do a conventional subdivision where each lot is a minimum of 20,000 square foot in area. That's your conventional subdivision. The second is **RS-20-PRD - PLANNED RESIDENTIAL DEVELOPMENT**. That does allow a smaller lot size in exchange for a more common open area left open in a project. The way that works, you balance it out, you have to keep the same

density as an RS-20 district. As far as a smaller lot size, I couldn't put a number on that.

Public Hearing was opened at 8:17 p.m.

1. Fay Gilgo
2952 Lakawanna Dr.
Walkertown

Ms. Gilgo questioned that what was being said about the planned as opposed to the unplanned community, basically is that even though the lots would be smaller, there would still be open spaces. It still works out to an R-20 kind of thing.

Mr. King said, "In a planned residential development, the smaller you make a lot, the more open space you're going to have to give up to equal out that density. It's kind of a trade off. The smaller the lot, the more open space you have to preserve to keep that density."

Someone asked for clarification on density - the density would be the same as the number of dwellings that could be put on that property as RS-20? Mr. King said this was correct.

Ms. Gilgo continued with her concerns which included school traffic ten months out of the year. 158 and 66 is stressful at times. Residential development does not necessarily cover, and in most instances, does not cover public service that is required to service. With continuing to add residential development, but not commercial development, which is going to be your major tax base, she recommended that the council look at that - We are putting in development that is not supporting the services that we cannot provide for our already residential tax base. It is a responsibility of the council to look at the fact that we cannot provide police protection for the people that live here now. She is not opposed to development - we need to grow - we just need to control it. The property will be developed; she has a vested interest in it on both sides - it's not a big deal to her. Need to make it something that will enhance our community rather than something that will create more problems.

2. Barbara Morris
4520 Poindexter Rd.
Walkertown

She said the main drawback to this development is the traffic. She contacted D.O.T. and in 2002, most recent traffic figures, Main Street to Darrow - 19,000 cars a day; from Darrow Road to Highway 66 - 14,000 cars per day. Traffic has increased since that time. Most of the traffic going to Walkertown schools impact Darrow Road right off Main Street. Looking at 20,000 cars a day at that intersection. Way too many cars into a road that's not equipped to handle that much traffic. Ruxton is not wide enough to handle extra traffic. Schools are expanding all the time. Middle school just got two new mobile units; Elementary has twelve. Concerned also about number of children Walkertown schools have at this time. Would like council to have a "wait and see" approach - look at planned growth where we need to grow. We know that development is coming - Dell, Fed-Ex and we need to see what's going to happen with this. The Planning

Boards, our local one as well as the county board, has recommended this be denied.

3. Wendy Dudley
5138 Reidsville Rd.

Ms. Dudley spoke from a written statement that is attached and made a part of these minutes.

Basically she stated that she and Peggy Leight had concerns for what might happen with an unplanned development rather than a planned, well-conceived development. Traffic is a very big issue. She then went on to explain what could happen without a controlled, planned development.

She also said that some people had signed a petition and then had decided that they were misinformed when they signed it. She said, "Please, as a community, before you sign anything - get your facts and your information. Our armor is our information and we need to address that."

4. Philip Stewart
8 W. Third St.
Winston-Salem NC

Mr. Stewart is a real estate agent and he spoke on behalf of the property owners. Wanted to emphasize points that have been made initially. Most of the property owners have been long-term residents and they want to see a nice development. What they're asking for is senior living primarily for the town homes and nice, single family houses. They feel the benefit of this particular plan would far outweigh the one negative - higher density. Senior homes would put less demand on the school system. This particular plan would allow for additional buffering between adjoining land owners and in between the houses. It would allow larger lots which would mean larger homes. Mr. Sowers has a contract to purchase this property contingent upon this particular plan being approved. Walkertown is a growing area - there's a lot of people looking to build in this area. Home-builders are looking at the property, too. So the landowners would like to move forward and get this land sold. With the RS-20-PRD, there are other options - fall-back position - 151 lots - smaller, 5,000 sq ft lots - there could be a possibility of smaller homes, smaller lots and less buffers, which the community would not want to see. Also, there's a possibility of a different traffic flow, where the entrance off of 66 may not remain the same. Activity between Ruxton and another busy street (Vance?).

From the audience, Ms Dudley requested a greenway.....

Mr. King said that part of the site plan includes a 40' greenway.

5. Kim Marshall
5245 Sullivantown Rd.
Walkertown

Mr. Marshall stated he was a lifelong resident of Walkertown. He has read the minutes and the comments from the Planning Board minutes on this issue. Out of the minutes, there seemed to be three significant areas of concern and he addressed them as follows:

1) Traffic

The traffic will be impacted on surrounding roads. He reminded everyone that Highway 66 would be five lanes through Walkertown today, if some of the people sitting in the room today and many of their predecessors had not opposed North Carolina D.O.T. They proposed three lanes rather than five because they did not want to impose on any of themselves or see anything go wrong in their front yards. So the good of the community was sacrificed for the concern of a few. Traffic dollars today are only available to areas with immediate needs. We can only get closer to that list by adding this development.

2) Type of development

This town needs planned communities. We do not need unplanned, haphazardly designed neighborhoods. We already have enough of those. This planned community will provide options for the elderly as well as attractive housing for families. Keep in mind that this request includes Special Use restriction that requires a developer to submit an approved plan or seek additional approval.

3) School capacity

A development like this is what is needed to ensure that the money for school construction is spent in Walkertown and not in southeast Forsyth County. Everyone wants to know when the high school will be built. The simple answer is - when we have the students. That is when the school will be built. The school system had a session at the middle school to talk about bonds. Numbers were shown that in five or six years construction of a high school here would be justified. A new, larger middle school is needed, also. Those plans included the proposed children that would come with this development! The school system knows about these things.

(From the back of the audience, one man said "Spanish speaking kids?")
Mr. Marshall continued that without this development, Walkertown may not have the numbers necessary to convince the school board or the county commissioners that we have the need for a new school. He encouraged everyone to vote for the future and not long for the past - and approve this zoning request. Our children and the future direction of this community may well be decided by how we handle this request and a precedent established tonight.

As he left the podium, he commented to his "heckler"....."And I promise I will not heckle you."

6. Vicy Marshall
2952 Martin St.
Walkertown

She said she would like to see a planned community - not one where they come in and strip all the trees. People in this town should go and look at what Mr. Sowers is developing and keep an open mind. She would appreciate if this would be taken into consideration - we want a planned community.

7. Chuck Warren
2917 Lakawanna
Walkertown

He teaches school in Winston Salem so he's there every day. He is in agreeance that Walkertown needs planned development but his main concern with this plan

is the 130 houses that will be behind the townhouses. That's just way too many houses to be behind 88 townhouses. Put too much traffic on Ruxton Drive. This is not the plan we need.

8. Buddy Guerry
2932 Avalee
Walkertown NC

He said he has only been here 29 years so he's a "newcomer". The area being considered for rezoning is sandwiched between Avalee Street and Lakawanna - both are areas with single-family dwellings on large lots. He said he represents a number of people on Avalee, Annie Lane, Ruxton and Lakawanna as well as other Walkertown citizens who don't live in those areas.

He presented the original petition against the development to the council. No one expected the area to be developed with such high-density housing like this. They would like something in the area more compatible to what is in the already developed areas. His house is probably the most affected in the area. His house sits on the back of his lot because the previous owner built there because of a ravine. The multi-family dwellings are going to be only about 60 feet on the other side of his property line. The Type IV buffer of Leyland cypress proposed by Mr. Sowers is very inadequate to satisfy Mr. Guerry. He said he would much prefer to have almost anything on large lots behind him than what he's getting now - high density. It is his understanding that even if this land were developed under PUD or PRD, that it would have to come back to the Planning Board. He also stated that anything that comes before the Planning Board because of a requirement the Town Council put on them, would have to come back before the Town Council. He said that Mr. Sowers is a developer from out of the area. He is a businessman and he is good at what he does. He is trying to make a profit and there's nothing wrong with that. But, when it's all said and done, he can go back to his home in Davidson County and those of us who live here will be faced with what's left - with a high density housing project. He stated: "I think that the goal of the Town Council should be to look out for Winston-Salem residents and not to cater to the interests of outsiders. Mr. Sowers and the property owners think that this is good for Walkertown, but they have a financial interest in it." It is up to the Council to decide who they are going to listen to and who they were voted in to represent.

9. George Sowers

"If you are going to limit me to three minutes, I'm going to have a hard time explaining all this in 3 minutes. I will come back."

10. Paul Gilgo
2952 Lakawanna Dr.
Walkertown NC

Mr. Gilgo said he was definitely against it. He doesn't like the looks or sound of it. We certainly don't want anything like this. In talking about elderly people to move in --- elderly people who live in Walkertown now already have their own homes and they're going to stay there. The elderly people that comes in will be coming in from outside. He certainly doesn't like the density of this project. Please vote against this and protect the property owners who already live around here.

11. E. A. Jumper
5028 Klondike Rd.
Walkertown NC

One thing he said has not been covered are the covenants - something on the deed - not homeowners covenant - that protects development as well as the people who buy homes and who live there. We need something in writing. He doesn't doubt that Mr. Sowers builds good houses - he wants to see in writing what is going in there. He likes controlled growth - it's what we really need. As Kim (Marshall) was saying - 5 lanes - yes, if some of the previous council years ago ... We'd have five lanes now. We went to 3 lanes - we dropped from 1st to 16th and now we're 9th, maybe. Slow development - great - Land rush, gold rush - we don't want! We want to grow - we need things that will stand up to the challenge.

12. Marilyn Martin
2733 Martin St.
Walkertown NC

She said she's not affected directly by this development - but she will be affected because she won't be able to get out on 66. It's the same song, same tune - nothing has changed - traffic; more people in the schools; response time for fire trucks and ambulances - 218 units being built - she doesn't think all the 218 will be for senior housing. She mentioned the open meeting for the Land Use Committee in October. People want slow, controlled growth. She also had a question about the petition that went around - she asked Ms. Dudley how many of the 110 people called. Ms. Dudley said it wasn't just her that they called.

Someone asked for clarification on the process if this request were denied and somebody came back with a RS-20-PRD.

Mr. King answered that if this request is denied, and somebody were to submit for an RS-20-PRD development, it comes back as an item that's reviewed by the Planning Board and ultimately by the Town Council. Keep in mind that if they meet the minimum requirements of the UDO, you can't deny that. So it's more or less review to make sure the requirements are met.

Ms. Duggins asked if Dempsey Drive was not going to be opened on this planned community, and if it was the unplanned community, which is already zoned RS-20 and can be done, no approval by us... And no approval by the Planning Board. It almost can be done. Can Dempsey Drive be opened?

Mr. King responded it would take issue with it - that the reason why we didn't push for it is because there was an existing house that's either in that public right-of-way or right up against it. And that's why we didn't push for that issue.

Ms. Duggins asked for further clarification --- that when that house was put there, there were zoning laws just like there are now that evidently someone did not follow.

Mr. King said, "Assuming that the house was built after the zoning laws came into effect."

13. John Thompson
3216 Ruxton Dr.
Walkertown NC

He said his yard is the one people use to turn in when they pick their kids up from school. His question is whether or not the project goes into effect, will the state take care of Ruxton so it will meet the traffic - so people won't make U-turns and will it be curbed and sidewalked for people who walk on a steady basis? The sidewalk goes as far as the Eckerd's property and then stops.

Ms. Duggins responded that sidewalks, when that development starts to slow down a little in that area, hopefully will continue throughout Walkertown. It's on our plan.

14. George Sowers

"I am the developer. I will buy the property if this goes through. I first of all want to say this - whether this goes through; whether it's denied; whether it's accepted, I will feel free to go sit on Buddy Guerry's back porch and he will be welcome to sit on my back porch. And that is the harmony that I would like to start this discussion in. But I want to thank publicly the property owners who have worked with me for a little over two years now on this project. And without their support, we would not be here tonight. If this property does not go through, I understand the property will be sold to Centex - out of Texas. My understanding is that they will put a street in from Ruxton over to Dempsey and that's the extent of the improvements they will make. Now, the folks at Centex - and where they get their name, is Central Texas - they are also a good customer of mine. They buy products from me. But what they're proposing to put in would 150 houses that would be a PUD RS-20 - if you go down on Everett(??) Road. (HE PASSED OUT PICTURES AT THIS POINT). These are pictures that I made Saturday when I found this out. The Centex people are very large - they're the largest builder almost in America. They build "starter" homes. I made these pictures on the property out there. It's called Hester(???) Grove. And I would ask you to look at the two houses sitting together between there. I took my ruler out and I measured between the houses and they're exactly 12-foot apart. You get to know your neighbor good that way! Centex builds starter homes - they do not require buffer on RS-20 as I have done. And they also finance it and they also have a _____(leasing agreement??). And I ask that you pay close attention to the vehicle there and you'll see what I'm talking about. But I want to let you know what will happen if this does not go through. What they're proposing to do is run a street from Ruxton over to Dempsey - just a street - and connect them through. Now, I want to read a letter for you. This letter is dated February 4, 2004. It says:

My name is George Sowers. This letter is to advise you that I have taken an option on four parcels of land, totaling approximately 72 acres. This property is fronted on Highway 66. The property is currently in Forsyth County but not in the city of Walkertown. However, it joins the Walkertown

city limits on three sides. I have not yet filed any land use or rezoning requests with the county on this property at this time.

Before any applications are made for rezoning or land plan use for this property, I am seeking the input of the adjoining citizens in and around the land under consideration. Therefore, I am inviting you to the Walkertown Public Library auditorium for your input on Thursday, February 26th from 6:00 p.m. to 8:00 p.m. This will simply be a drop-in time that you may drop by to give your input into this proposed development.....

At that meeting, we had a proposed plan here - draft - and we got one input from this meeting that I think helped us. Darren Ziglar pointed out something about how we could reconstruct something so that the fire department could get into this development. So what I'm telling you is that I mailed this to 154 people around this area. When I picked up the petition that was signed against me, it mirrors the list that I mailed to the 154 people - same people on the list. So, bottom line is, I have tried to reach out to everybody in this Walkertown area. I stood before your council with a tax map in hand to let you know, out of courtesy - and that's what I tried to do to Walkertown from the beginning of this, not that I had to. When I looked at this list here of the ones that signed against it, I found that 29 on Avalee Street, 13 on Annie Lane, Ruxton-12, Lakawanna-21 and Martin-6. If this plan goes through, the traffic that is a concern of mine - and I will tell you in a minute what I have done to make traffic better for Walkertown. If you will look at this plan here, Avalee Street, Annie Lane, and Martin Street - there's no traffic from this development to that, but if it is not approved, and Centex does come in, yes, they can sell houses cheaper if they don't put the amenities in - if they don't put the street lights that we're proposing to put in - and they put them on top of one another - yes, they can sell them cheaper. I wanted to point that out. I'm trying to get out tonight - just the facts. I would like you to take into consideration, and I have pulled this from the public record - of the Planning Board minutes and comments were made...and I want to respond to them. You're in a growing area - You're either going to have planned growth or non-planned growth. If you plan, you will have it - if it's not an upscale subdivision. In a little bit I'm going to introduce you to the builder and he's going to tell you what the houses are going to look like and show you pictures. But I want to address just a couple of other things that were said at the Planning Board meeting. It says "All surrounding property is zoned and Mr. Sowers should comply to this zoning." Zoning is not always - it can be worse if you zone it RS-20 than if you have a planned neighborhood and that's the whole point I'm making. The houses can be put right on top of one another. Here's 150 houses and I want to point that out. The other concern was the pumping station - now, that's behind Avalee. Before any _____ was drawn on a map, I met with the Utility Department because if I couldn't have gotten sewer to this, I wouldn't have been up here anyway. And, yes, whatever expense that there is for updating the pump station, it will be the expense of this development. I want to talk about schools just a minute - impact on our schools.....That's what Barbara Morris says. Tell you about schools - ask yourself this ...which product brings in the most kids? The starter houses like it's being proposed if this don't go in.....RS-20 zoning.....or senior town housing? Second time houses. Consider another thing. In Davidson County, I don't know

what it is in Forsyth, the word I got down there is it takes a \$150,000 house to overcome the expenses for education and the services that the county provides. Would you rather have 218 houses that have a tax base of close to \$200,000 or would you rather have 150 houses with a tax base of \$90,000? The gentleman that spoke while ago - he hit right on something that has been a problem for me ever since I started this, and that is the traffic around the schools ---- I've been concerned about that even though I haven't got up and said it. I've been out here even since the Planning Board meeting and sat out there when school took in and when it let out --- I know about the traffic. I passed down to you a few minutes ago a contract, that is a matter of public record and in my comments previously, I said when this development is finished, completed and designed to be built in two phases, will have two entrances - one on Highway 66 and one on Sullivantown Road. We're proposing a road to go all the way through to Sullivantown Road and the widening of Old Hollow Road will have to be done and also the turn lanes. Ruxton Drive is not a bigger issue right now as it was with D.O.T. before I acquired the property that will actually take traffic from Sullivantown Road and let it go through Highway 66 without letting it run through the middle of Walkertown. So, I have been doing something. I noticed that Ms. Martin has said that nothing has changed since the commissioners turned us down. Well, it has changed in the fact that this is now public information that I gave you while ago. I wrote a letter when I sent these comments out to the Planning Board and to you, telling you that if you wish to approve an upscale subdivision that I was here to work with you. And I will not be involved in this unless it is an upscale subdivision. Mr. Jumper mentioned while ago the restrictive covenants and I am surely glad that he mentioned that because I took it for granted when I came up here for the Planning Board meeting that they knew, it's a natural - I never build a subdivision unless I have restrictive covenants! And also in this case, homeowners' association. And, now I am going to let Kevin Dailey talk."

Speaking from the audience someone asked that it was mentioned Sullivantown would be opened up to two lanes or how many? How big do you plan to open up Sullivantown Road?

Mayor Davis answered by saying that Mr. Sowers was talking about going over to Sullivantown Road crossing 66 - not making Sullivantown wider. He's just talking about reaching to Sullivantown Road.

Mr. Sowers responded: "That's right. What I propose to do is run the road completely across and it will actually - talking about traffic - this will alleviate traffic in Walkertown."

Public Hearing was closed at 9:16 p.m.

Mr. Scott Wallace spoke: "We're excited about being involved in this project and this development is, what we think, a flagship community for Walkertown. I understand through the two-year progress here there are a lot of questions, and a lot of information that is not known or not clear to the public. I am available for questions and share with you what we do and what we want to do here in the Town of Walkertown. We are not building low-income - we are wanting to build upscale. We are not building for renters - we are building for empty-nesters and

professional families with children. We are not going to be spending the tax base - we are going to help add to the tax base. We're not building 8 units per acre - we are only building 3.15 units per acre. We are not building to rent - we're building for sell! We are not building for people who are irresponsible - we're building for people that have homeowner pride and take care of their property, like all of you. We're not building to detract values - we're building to enhance values. We're definitely - definitely - not building modular homes - we're building stick homes. As I said earlier, we're excited about being involved in this project. We really think it's going to be a flagship to this community. I think Mr. Sowers has worked real hard to satisfy a lot of concerns - traffic, schools, and I won't belabor that but I did bring some photos to show. As you can see by this conceptual plan, this takes this two-dimensional plan to a new level and represents how it's going to be laid out - with the buffer, etc. One aspect of this community we're really excited about is this round-about - this traffic intersection for this area. As we build our communities we developed insurance features and we're looking to use that round-about that we think will help our program. What we're proposing, what we're really excited about, is to have a real nice flagship monument in that round-about to really make a statement about this community in the Town of Walkertown. In our market, we find over and over, people - empty-nesters, moms and dads, grandparents - they're wanting to get out of the larger houses - they want to get into a smaller house; low-maintenance. They want to enjoy the golden years, their retirement years - they don't want to work through them. And there's a strong demand for this product in this area and it's a value to the citizens of this community.

(DURING THIS PRESENTATION, HE PROVIDED PHOTOS OF VARIOUS DEVELOPMENTS THEY HAVE BUILT IN SEVERAL COMMUNITIES AND HE DESCRIBED THEM TO THE COUNCIL.)

We are not building \$90,000 homes as has been rumored. We customize our homes to meet our customers' needs and values - especially the empty-nester buyer. They're used to bigger houses and they're wanting the nicer amenities - the glamour baths, the upgraded trim, the high ceilings, the ceramic tile, the hardwood flooring - those are attributes that we build into our homes, our town homes, especially. It's demanded of us from our customers. One thing we haven't absolutely decided on but we are strongly contemplating especially since we are having an additional phase here is an amenity package that includes full-length(?) cabana and other features of that nature. We'll have walking trails that will provide for walkable traffic. Do want to talk about the schools - we will have families that have school-age children. One thing from the homebuilder's perspective is being within walking distance of the elementary school, the middle school and eventually, the high school. That is a homebuilder's dream that they will be that close! You won't have the school buses - you don't have the vehicular traffic as much as you would because you can very literally walk to the schools! I want to speak to the covenants issue. We are very, very motivated to protect our communities. We are a young company. We want to be proud of what we do, just like Mr. Sowers wants to do. We have pages and pages of restrictive covenants and by-laws that prevent the undesirable activities happening in our communities because nobody wins if you have vehicles that are not licensed in front yards; or parking in front yards; or satellite dishes on the front of the house. We will not tolerate that - cannot tolerate that. It's a lose-lose for everybody involved so rest assured, without a doubt, there will be strong restrictions within

this community. The restrictive covenants will be managed by a homeowners association - a professional managed homeowners association - that will have the authority, the power, to enforce those restrictive covenants and the rules and regulations set out for this community. I will answer any questions now."

There were no questions and a recess was called by the mayor at 9:27 p.m. and session was called back at 9:33 p.m.

Mr. Sowers spoke again: "If this is approved, I would like that whatever motion is made protect Buddy Guerry with a buffer. And in that motion, I would want it to be a legal obligation that the homeowners' association and the property owner not only and the developer put that in but maintain it and replace it as it is needed because ever who is there deserves that buffer and I ___ respect this and with the addition now to going over to Sullivantown Road, if there is some provision within Ruxton, I don't have a problem with it. If you want to me build it out, you want to block it - whatever you want to do, I understand there is some issues with the middle school that probably needs to be resolved. I don't know anything about it so I and my people will be here to answer any questions."

Ms. Duggins: I've got a lot in there that's going to be affected....are you going to take care of me too?

Mr. Sowers: Well, if you notice there's a buffer - I've said something on the record here - the buffer is a Type IV buffer and you have in your possession what a Type IV buffer is and so that's what I would entertain anything that's done, it'd be put on record, that it would be maintained.

Mayor: You indicated something about Ruxton Drive, would you be interested in that being pedestrian traffic only? What's your thoughts?

Mr. Sowers: It would be open for that to be pedestrian traffic only if it's _____(needed?) but we don't want to build it. If we just give you, the town, an easement out through there and if it ever is built, it would cost the town probably \$20,000 - \$25,000 to build it. We would prefer to build it as is and turn it into pedestrian traffic if the Board so wishes because I don't want to do anything that is going to take away and it can cause more traffic. I am, believe it or not, looking at the acquisition of other property behind it - that's the reason that I did this - to alleviate the traffic by making it available where it can go to Sullivantown Road, back over to Highway 66, without coming through downtown Walkertown. And I guess I would be fine with that.

Mr. Warner: There's one more question on curb and gutter ---- we do prefer raised curbing rather than valley....

Kevin Davie:We went through the Planning Board process.....we added raised curbing.....street entrance...cutting into the traffic circle.....Ruxton Drive.....raised curb....Ruxton.....

Mr. Davie(?):Within the community, it will be the valley curb; however, within our restrictive covenants that we spoke about earlier, parking on any lawn is not allowed within our communities. We have designated parking areas or your driveway or garage. We do not allow parking on the lawn.

Mr. Warner: How will that be enforced?

Answer: By the Homeowners' Association and have rules and regulations. We give them the authority to fine people.
.....Yes. Yes... They are very active....Homeowners' Association
.....and once we have enough residents, they get real active in the Homeowners' Association as well... We do not manage - we remain the officers of the Homeowners' Association but we hire a professional homeowner's association management firm to do it on a day-to-day basis - to manage and enforce and to ensure professional look and homeowner pride in our communities.

Mayor: Help me understand..... where you have the valley curb again.....you said there will be some on the interior....?... or do they usually not there....?

Answer:There was some discussion about adding standard curb.....which essentially promote the sidewalk pedestrian pathway along Ruxton. Again, the standard curb is to protect pedestrian traffic there....and standard curb from the entrance into the traffic circle and somewhere right in that area to transition to valley.....

Mayor:So that will be all the standard curb you have....is to get to the circle, is that what you're saying?

Answer: That's the way it's been drawn; that's correct.

Answer:One other thing I forgot to mention - when we do the standard curb and gutter, which is the "raised" - some people call it raised curb and gutter versus the valley curb - some municipalities require to use valley; some cities require to use raised curb. From our perspective on the aesthetic appearance of community, the valley curb typically is a much better solution because when you have to cut in your driveways, and you have cars that the tires rub against the standard curb, that it affects the appearance of it, but when you cut in your driveways, into that standard curb, unfortunately you never get it perfect and you always have patches at every driveway. It doesn't provide for aesthetic - valley curb works better for appearance. If that makes any sense. No matter how hard we try to straighten out or get those curbs cut in perfectly, you get discolored concrete, different colors - you get patches on it, the valley curb just works a whole lot better.

MOTION: **TO APPROVE ZONING FOR ORDINANCE #05-015**
OWNERS: TWP PROPERTIES, LLC, JANIE L. PIERCE,
NANCY L. CARMICHAEL, EDNA CUDE, AND HERMAN
BLACKBURN
FROM: RS-20
TO: RM8-S
WITH THE FOLLOWING CONDITIONS:
(1) Applicant shall install a Type IV buffer yard
consisting of Leyland Cyprus trees planted eight feet on
center, to be at least six feet tall at planting;
(2) Applicant shall record appropriate Declarations and
Covenants, Conditions and Restrictions to establish a
Homeowners Association responsible for the
maintenance, and if necessary, replacement of all
buffer yard plantings;

(3) Ruxton Street shall be constructed as shown on the site plan, but applicant will install a gate across the street at the property line restricting traffic to emergency vehicles and pedestrian traffic only, until such time as the Town Council authorizes, by appropriate ordinance, the full opening of Ruxton Street.

BY: SARAH WELCH
SECOND: DOT DUGGINS
VOTE: MOTION PASSED 3 to 1
Yes - Welch
Yes - Duggins
Yes - Larrimore
No - Warner

Mr. Warner said he appreciated all the comments but he would honor the commitment he made when he ran for election and would vote against this. Ms. Duggins said she would like to make mention of the petition that had been circulated - there were 121 names on the petition but there are 4490 residents. There is a silent majority who do not sign petitions and trust the council to make good decisions. Mr. Warner responded that maybe the silent majority should be at the meeting.

10. **PUBLIC HEARING #5**
WA-UDO-4 TEXT AMENDMENT

ORDINANCE #05-016

AMENDING UDO TEXT IN SECTIONS 1, 2, 3, 4, 5, 6, & 7

David Reed of the City-County Planning Board briefly explained this item. (See Staff Report attached and made a part of these minutes.)

Public Hearing #5 was opened and closed at 9:51 p.m. with no speakers.

MOTION: **TO APPROVE ORDINANCE #05-016**
AMENDING UDO TEXT IN SECTIONS 1, 2, 3, 4, 5, 6, & 7
BY: HORACE WARNER
SECOND: WALLACE LARRIMORE
VOTE: MOTION PASSED UNANIMOUSLY

11. **BRANDY ANGUS – MV COMMUNITIES**

Article in W-S Journal - *"HAWES plans more homes"*

Brandy Angus from MV Communities spoke: "I think some of the confusion for this has come from an article that was presented. There will be 80 units; 60 of those units are going to have absolutely rental assistance whatsoever attached to them. Twenty of the units will have rental assistance - of those 20 units, 8 are targeted for persons with disabilities. That is how it is going to be broken down. I hear these comments where you don't want low-income housing. Sixty of those units are going to have - there will be income restrictions, and for the town that will be \$39,000..... That is if you look at an average salary for teachers,

manufacturer workers, teachers assistants - average salary for the Town of Walkertown is \$33,000. This is targeting the market of Walkertown. This is why it's being built this way. The other thing I want to point out is the design of this development, we took a lot of time working on this. It's going to be a two-story, eight-unit development. The zoning allows for 18 units per acre, and we're proposing 10-units an acre. So that's 2-story _____, which I don't think would be very appropriate right there. I think it would stand out. When you build only 2-story and when you're building 80 units, you're going to have more costs than it would _____. The way the tax credit program works is that it allows us to get some extra funding to offset the costs of the amenities which I have previously described for you: volleyball court, clubhouse, playground area, garden area, etc. All of that is included in this property development. HUD is not going to own it...the government is not going to own it....MV Communities or affiliate thereof is going to own it. We are also developing it and we are going to manage it. There will be an on-site manager on this property, taking in applications as I explained to you previously. This is, for us, a little over \$7million investment; if we did not think that the town of Walkertown would support a development like this, we rely on people that would want to live there to make the _____ in this neighborhood. We think this is a wonderful community. We think Patrick has built a wonderful shopping center that seems to be serving Walkertown nicely. We want to kind of compliment that development, helping Walkertown grow. Also, as Patrick said earlier, this rezoning took place back in 1999; it was recommended by County Planning Staff, County Planning Board and the County Commissioners. This was taken in consideration as part of mixed development for that corner. So this has been planned and approved and in the works for quite some time. The zoning is already in place and at this point, as I understand it, what we need to do is get the site plan approval, which will go to the County for their recommendation and review, then come before the Town Planning Board and Town Council. We intend _____ to meet all the site requirements as part of the site plan approval process. The other thing is just if you would like to see these properties, I will be glad to show you the property."

Question: You said you had a \$7million dollar investment, will that approach \$7million in tax credit?
 Answer: That will be basically what the cost is for our _____
 Ms. Duggins: These apartments that are going to be for the handicapped. Let's say that many handicapped people do not want those apartments, then what are you going to do with them?
 Answer: Well, I think the alternative is going to be hard to rent to other individuals; that they will be fully handicapped accessible and designed; meaning that they will have the lower countertops, the lower cabinets.....
 Ms. Duggins:I am asking you, if you do not have the amount of people that are handicapped that is required, you are not going to let them sit there empty.....
 Answer:The way it will actually work is that according to the handicapped _____, if it is not

filled up, then you can rent it to the next available renter who wants to live there and passes all our credit checks. However, what happens then, if all the units are rented up and the next person who comes to us with a disability, they instantly go on a waiting list and the next available unit has to be rented to them. So the intent is still to target them.

Ms. Duggins:

the \$39,000 limit? From \$13,000 to \$39,000.

And they would still have to meet

Answer:

That is correct. And we would still do an employment check. Everybody that moves in here will have to have a job. They will have to have some place of employment. They will have to go through an annual check; but once someone rents, if they move in making \$35,000 and they get a raise to \$40,000, we cannot kick them out. They've qualified. If they were to move out, they would not be qualified to move back in. The program was designed to build in an opportunity for people to not throw away a lot of their money on rent and to give them an opportunity to hopefully save it for better things; buying a home. The intent of the program is to help people earning an honest living, hard-working people, and give them a break.

Patrick Hennigan spoke: "We were kind of caught by surprise being on the agenda. We didn't apply for anything; we didn't make any application to any boards. But I think it was becoming quite a hot issue in town so we are happy to come here and talk about it."

Mr. Hennigan then summarized going through the application process and said that this is the use the County Planning Staff, the County Planning Board and the County Commissioners demand be included on this property. The Shopping Center would not be approved unless they had this residential property attached to it. Brandy could get 18 units per acre and she's only proposing 10 - so that leaves more green space for buffers and amenities. He said that somehow in the community, the impression got out that this was going to be an apartment complex for bad people and criminals. "I don't know where that came from. It didn't come from us and I don't think it's factual. It doesn't seem to be fair. We've got a huge investment there and we don't want to do anything to damage our investment. It's easy to be in the audience and throw stones; but if you listen to the facts and we'll present the facts through the proper channels as we make application. Please keep in mind we'll only be there for site plan approval. A rental unit for \$360 to \$625 is about, for the market, - I don't know how much a rental apartment is in Walkertown. But I don't think there's a lot of \$600 apartments in Walkertown. We have requirements in our sales contract to make sure buildings are made of certain materials and things are done a certain way because there's no way we're going to let them go in there and diminish what we've accomplished. We wanted to set the record straight - kind of counter-balance the misinformation. The Winston-Salem Journal is supposed to issue a correction on that article. It was just wrong."

Anthony Scott spoke:

I know an apartment is an apartment. I could care less if it's servicing this tax bracket or that tax bracket. How will that add tax value to my home? Across the street from where you are going to build these apartments, are some homes, correct? Single family? How are you going to affect their value? There are plenty of apartments in Kernersville. You say you want to help people save money to buy homes.

Well, then, they should go to the apartments; they can live there and save money and buy homes in Walkertown. Homes! At value!

Mr. Hennigan: Don't take this the wrong way.

But we spent two and a half years in this debate with the county, from 1997, 1998 to 1999, and they demanded that we have a part of the project where they could serve this type of residential demand....have people live near the retail, office. How it affects your house? I'm not sure. Why this area? The county required us to have this mixed-use development - retail/commercial, office, and residential. That's how it happened.

Question: What attracted you to this developer versus another developer?

Mr. Hennigan: They approached us. They wanted to make an investment in Walkertown. They felt that there was a demand in this area. We researched them; checked out their website; talked to them. They could perform; a legitimate well-capitalized company; quality designers; reasonable. Nothing negative we could find.
If I could defend my integrity and my reputation...I never said they were upscale apartments because I'm not an apartment builder. I think I said we contracted to sell the land to Brandy's company.....and we were pleased with what we saw. The worst thing we could do is to have a bad project next to our investment. We made sure we wouldn't do that.

Someone from the audience stood up and said, "I was here when Brandy first came for her presentation to tell us what was going on. When I saw it in the newspaper was the first time I ever heard they were going to be rental assistance units in the apartments. Now 25% of those apartments are going to be rental assistance. I understand that would be a situation where you would never want to discourage a handicapped individual from renting an apartment. I do have a situation, that I'm not really sure exactly of those 20, how many are just rental assistance for the sake of being low-income versus how many are going to be truly set aside just for handicapped individuals.....12 are set aside for anybody who can't afford to live there and can get rental assistance....."

Ms. Angus: No! No! There are still credit checks, criminal checks, employment checks. That is very, very important for people to understand. The reason that our company has been in business for 30 years, has been successful, and has 5500 units, and has not gone bankrupt, has not defaulted and still has a reputable reputation is because we manage these properties well! If people do happen to slip through the cracks, let's just say, and they rent our property and they create a problem, we have no problem evicting people. That's why we have such a huge, huge commitment to providing an on-site manager. That person needs to be there.....They need to see what's happening there..... I think there is a pre-conceived notion here that because we have 12 units that are going to target people who might need a little bit of help, that also means our project is going to go to the dump!! There are 60 units there that are not going to have rental assistance. I think that is important to know! Because those people will also make their voices known. If they are living there and they feel like there's a troubled resident living next door to them, they will definitely say something. I think that needs to be pointed out.

Question: I understand that. How will those 12 units with rental assistance provide value to the taxpayers of Walkertown?
 Ms. Angus: It's basically providing a taxable income - it's providing taxes to the Town of Walkertown. We did our research. Our company does market great housing. It does non-tax credit funded housing. When we came into Walkertown, the reason we applied for this funding is we cannot support a market-rate financed development. We cannot charge rent that is going to range from \$600 for a one-bedroom up to \$1,050 for a three-bedroom. Who is going to pay that?.....
 Question: Will MV Communities own the buffer zone?
 Mr. Hennigan: It can be owned by MV Communities.

Further discussion continued on this subject before a motion was finally made.

Mayor:: Does Council want to make a decision as far as support or non-support?
 Attorney Houff: They can make a resolution if they want to but there's nothing pending in terms of planning or zoning. I think what they're contemplating is a sense of a council resolution of some sort.
 Ms. Duggins: MV has asked for a letter of support....I am recommending that we send a letter of non-support for this because we asked if this is a glorified way of saying "subsidized" apartments and you said "no". And it comes out in the paper some of them are Section 8.....
 Ms. Angus:The entire property is not a subsidized property.....That is not a correct statement.....
 Ms. Duggins: My biggest problem with is that particular type of apartment. You have people with \$13,000 income - the majority will be in the \$13-\$15,000 range.....
 Ms. Angus:Why can't a person making \$25,000 live there?.....
 Ms. Duggins:Why can't you have apartments there that are open for anyone that can pay the rent, period?? I would like to see you put upscale apartments there. It's not a good place for children. I propose that there are better places in Walkertown to put these, close to the other shopping centers, where they can walk to school, to the store, to the health center, to the library, to the churches.
 Mr. Larrimore: I stand by my original letter of support for this project.

MOTION: **TO SEND A LETTER OF NON-SUPPORT FOR THIS PARTICULAR PROJECT OF MV COMMUNITIES**
BY: **DOT DUGGINS**
SECOND: **HORACE WARNER**
VOTE: **MOTION PASSED 3 TO 1**
YES - DUGGINS
YES - WARNER
YES - WELCH

NO - LARRIMORE

Ms. Angus: I appreciate and respect your decision as Town Council but we are still going to move forward on this project.

12. INTERIM MANAGER DISCUSSION

Town Clerk Lynn asked that the ad in the agenda packet that she typed up be advertised for the town manager.

The interim manager who was being considered has now withdrawn his name and is not available. Mr. Warner said we should proceed with advertising for this position but take our time in selecting a manager.

Mr. Larrimore said we have a lady that works in the office, that's doing double-duty, triple-duty - she's staying late, comes in early, doesn't take her lunch and we're not going to get a manager for whenever! Mr. Warner said he was grateful for that and that's the reason he can say we don't have to hurry - we can take our time. At this time, Mr. Warner read a proclamation for Lynn having reached status of Certified Municipal Clerk.

**MOTION: TO PROCEED WITH ADVERTISING FOR A TOWN
MANAGER BUT TAKE OUR TIME IN DECIDING.**
BY: HORACE WARNER
SECOND: SARAH WELCH
VOTE: MOTION PASSED UNANIMOUSLY

13. FINANCIAL STATEMENTS

- JUNE, 2005

The financial statements are self-explanatory.

**MOTION: TO APPROVE JUNE FINANCIAL STATEMENTS AS
PRESENTED BY THE TOWN CLERK**
BY: WALLACE LARRIMORE
SECOND: DOT DUGGINS
VOTE: MOTION PASSED UNANIMOUSLY

14. AUTHORIZE COLLECTION OF TAXES BY FORSYTH COUNTY

- (A) CURRENT YEAR TAXES --- RESOLUTION #05-021
- (B) PRIOR YEAR TAXES --- RESOLUTION #05-022

This is an annual process.

**MOTION #1: TO APPROVE--- RESOLUTION #05-021
AUTHORIZE COLLECTION OF CURRENT YEAR TAXES
BY FORSYTH COUNTY**
BY: SARAH WELCH
SECOND: HORACE WARNER
VOTE: MOTION PASSED UNANIMOUSLY

MOTION #2: **TO APPROVE--- RESOLUTION #05-022**
AUTHORIZE COLLECTION OF PRIOR YEAR TAXES BY
FORSYTH COUNTY
BY: **SARAH WELCH**
SECOND: **HORACE WARNER**
VOTE: **MOTION PASSED UNANIMOUSLY**

15. OTHER BUSINESS
None mentioned

16. PUBLIC SESSION
THIS SESSION IS FOR ANY TOPIC

Public Session was opened and closed at 10:33 p.m. with no speakers.

17. ANNOUNCEMENTS:
- Recycling in Walkertown continues every two weeks.
AUGUST 08 AND 22

 - TOWN COUNCIL MEETINGS: (4TH THURSDAYS)
7:00 p.m. at the Library Auditorium on:
07-28-05 10-27-05
08-25-05 11-17-05
09-22-05 12-15-05

 - PLANNING BOARD MEETINGS: (1ST TUESDAY)
PRE-MEETINGS ON MONDAY HAVE BEEN CANCELED.
08-02-05 3:00 p.m. Library (Actual Meeting)
POST-MEETING IMMEDIATELY FOLLOWING REGULAR MEETING

 - LAND USE COMMITTEE:
Thursday, August 18th, at 6:30 at Library

 - SCHOOL COMMITTEE:
As Needed

18. ADJOURNMENT

MOTION: **TO ADJOURN MEETING AT 10:34 P.M.**
BY: **DOT DUGGINS**
SECOND: **SARAH WELCH**
VOTE: **MOTION PASSED UNANIMOUSLY**

ATTACHED AS INFORMATION:

- Planning Board Meeting Minutes of July 12, 2005
- Land Use Meeting Minutes of July 21, 2005
- Proclamation – Town Clerk
- Council/Mayor only – Petitions WA-024

ATTEST:

TOWN OF WALKERTOWN:

Lynn McKinnie, Town Clerk

Kenneth R. Davis, Mayor