DOCKET #: W2733

PROPOSED ZONING:
Site Plan Amendment
(Shopping Center)

EXISTING ZONING:
HB-S

PETITIONER:
Blue Oak Limited Partnership and Inland Southeast Oak Summit LLC for property owned by Same

SCALE: 1” represents 400’

STAFF: Simmons

GMA: 3

ACRE(S): 23.5

MAP(S): 624886, 624890
November 19, 2004

Blue Oak Limited Partnership
P. O. Box 1390
Knoxville, TN  37901

RE:   SITE PLAN AMENDMENT W-2733

Dear Sirs:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, AICP
Director of Planning

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
Gary Pechter, Inland Southeast Oak Summit, LLC, 2901 Butterfield Road, Oak Brook, IL 60523
## ACTION REQUEST FORM

**DATE:** November 19, 2004  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, AICP, Director of Planning  

### COUNCIL ACTION REQUEST:

Request for Public Hearing on Site Plan Amendment of Blue Oak Limited Partnership and Inland Southeast Oak Summit, LLC

### SUMMARY OF INFORMATION:

Site Plan Amendment of Blue Oak Limited Partnership and Inland Southeast Oak Summit, LLC for HB-S (Shopping Center) zoning: property is located on the north side of Hanes Mill Road east of University Parkway (Zoning Docket W-2733).

### PLANNING BOARD ACTION:

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** CONFORMS
CITY ORDINANCE - SPECIAL USE

Site Plan Amendment of Blue Oak Limited Partnership and Inland Southeast Oak Summit, LLC, Docket W-2733

AN ORDINANCE AMENDING THE
WINSTON-SALEM CITY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF
THE CITY OF WINSTON-SALEM, N.C.

_________________________________

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by granting a Site Plan Amendment for property zoned HB-S (Shopping Center - Site Plan Amendment) and described as follows:

BEGINNING at a point in the northern right-of-way line of Hanes Mill Road, said point being the southwest corner of Lot 47 of Section 2 of St. Andrews Place Subdivision as shown on plat recorded in Plat Book 41 Page 11 in the Office of the Register of Deeds of Forsyth County, NC, and running thence from said BEGINNING point with said northern right-of-way line North 59° 45' 37" West 418.22 feet to a point; thence continuing with said right-of-way line North 59° 47' 45" West 399.14 feet to a point; thence again continuing with said right-of-way line on a curve to the left having a radius of 1755.00\(^{\circ}\) an arc distance of 1040.73\(^{\circ}\) (chord bearing and distance North 76° 47' 03" West 1025.55 feet) to a point in the eastern line of the property of Laurel Glen Partners described in Deed Book 1469, Page 1355; thence with the eastern line of said Laurel Glen Partners property North 01° 02' 38" West 94.75 feet to a point, said point being the northeast corner of said Laurel Glen Partners property; thence with the line of said Laurel Glen Partners property South 76° 24' 53" West 180.16 feet to a point; thence continuing with the line of said Laurel Glen Partners property North 00° 07' 37" West 67.89 feet to a point, said point being the southeast corner of Lot 43 shown on plat of Property of R.W. Clayton & J. E. Clayton recorded in Plat Book 13, Page 191; thence with the eastern line of said Lot 43 North 00° 14' 51" West 201.51 feet to a point in the northern line of Lot 5 shown on plat of Map showing the division of the remainder of the property of J. R. Clayton, dec., as recorded in Plat Book 11, Page 177, said northern line also being the southern line of a 30 foot street known as Harmony Street (formerly Clayton Street); thence with the northern line of said Lot 5 and the southern line of Harmony Street North 83° 07' 26" East 46.65 feet to a point, said point being a southerly extension of the western line of the property of Harvey Lee Millsap and wife, Shelby G. Millsap and William F. Badgett and wife, Carol B. Badgett described in Deed Book 1331, Page 1400; thence with said southerly extension North 00° 13' 47" East 36.09 feet to a point, said point being the southwest corner of said Millsap and Badgett property; thence with the
western line of said Millsap and Badgett property, said western line also being the eastern line of a 30 foot street known as Honeysuckle Lane, North 00° 13' 47" East 215.60 feet to a point, said point being the northwest corner of said Millsap and Badgett property; thence with the eastern line of said 30 foot street North 00° 15' 23" East 269.65 feet to a point in the southern line of Lot 3 shown on plat of Map of W. W. Clayton dec. Property recorded in Plat Book 9, Page 61, said line also being the northern line of Lot 7 shown on plat of Map showing the division of the remainder of the property of J. R. Clayton, dec., as recorded in Plat Book 11, Page 177; thence with said southern line of Lot 3 and said northern line of Lot 7 South 87° 16' 27" West 48.65 feet to a point, said point being the northwest corner of said Lot 7; thence North 13° 26' 17" West 6.56 feet to a point, said point being the southeast corner of the property of Harold D. Reich and wife Juanita C. Reich described in Deed Book 1011, Page 889; thence with the eastern line of said Reich property North 17° 28' 13" West 312.21 feet to a point, said point being the northeast corner of said Reich property; thence North 71° 42' 17" East 59.84 feet to a point, said point being the southwest corner of the property of Jackie H. Chrysikos described in Deed Book 1010, Page 59; thence with the southern line of said Chrysikos property North 72° 32' 56" East 199.94 feet to a point, said point being the southeast corner of said Chrysikos property; thence North 86° 55' 20" East 621.82 feet to a point in the center of a branch; thence with the branch in a southeasterly direction the eight (8) following courses and distances: 1) South 04° 50' 00" West 30.00 feet, 2) North 72° 30' 00" East 50.00 feet, 3) South 32° 10' 00" East 40.00 feet, 4) South 44° 20' 00" East 70.00 feet, 5) North 64° 30' 00" East 25.00 feet, 6) South 43° 00' 00" East 90.00 feet, 7) South 48° 00' 00" East 30.00 feet, and 8) South 54° 40' 00" East 53.32 feet more or less to a point in the western line of the property of Graham Enterprises described in Deed Book 720, Page 506; thence with said western line of Graham Enterprises property South 06° 01' 56" East 205.41 feet more or less to a point in the northern line of Lot 10 shown on plat of Map showing the division of the remainder of the property of J. R. Clayton, dec., as recorded in Plat Book 11, Page 177, said point being the southwest corner of said Graham Enterprises property; thence with said northern line of Lot 10, said line also being the southern line of said Graham Enterprises property North 89° 43' 04" East 220.55 feet more or less to a point in the center of a branch; thence with the center of the branch in a southeasterly direction the six (6) following courses and distances: 1) South 50° 50' 00" East 4.18 feet more or less, 2) South 37° 40' 00" East 40.00 feet, 3) South 49° 50' 00" East 70.00 feet, 4) South 87° 40' 00" East 25.00 feet, 5) South 47° 50' 00" East 35.00 feet, and 6) South 21° 50' 00" East 75.00 feet to a point; thence on a line falling near the center of a pond South 37° 44' 33" East 247.67 feet to a point; thence North 89° 51' 55" East 136.79 feet to a point; thence South 00° 08' 05" East 125.00 feet to a point in the north line of the property of Oak Summit, L.L.C. described in Deed Book 1901, Page 1837; thence with the north line of said Oak Summit, L.L.C. property North 89° 51' 55" East 175.00 feet to a point, said point being the northeast corner of said Oak Summit, L.L.C. property; thence with the eastern line of said Oak Summit, L.L.C. property South 01° 09' 22" West 783.39 feet to a point, said point being the northwest corner of the property of Oak Summit, L.L.C. described in Deed Book 1913, Page 2335; thence with the eastern line of said Oak Summit property South 1° 28' 14" West 223.83 feet to the point and place of BEGINNING. Containing 49.92 acres more or less.
This parcel contains the following tax lots designated by the Forsyth County Tax Department: Block 6244-Lot 2J, Block 6329-Lot 101, Block 2047-Lots 4R, 5R, 301, 207F, 208B, 209, and part of 210B, Block 2048-part of Lot 207B, part of Lot 4C, part of Lot 5E, and a portion of Harmony Street contained in Block 2047 bounded by Block 2047-Lot 301, Block 6329-Lot 101, Block 2047 Lot 5R, and a southerly extension of the western line of Block 2047-Lot 301 to the northern line of Block 2047-Lot 5R.

Section 2. This Ordinance is adopted after approval of the site plan entitled Blue Oak Limited Partnership and Inland Southeast Oak Summit, LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of ____________________, to Blue Oak Limited Partnership and Inland Southeast Oak Summit, LLC.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the Unified Development Ordinances for a development to be known as Blue Oak Limited Partnership and Inland Southeast Oak Summit, LLC. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.
CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council
of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Blue Oak Limited Partnership and Inland Southeast Oak Summit, LLC, (Zoning Docket W-2733). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription:

"Attachment A, Special Use District Permit for HB-S (Shopping Center) - Site Plan Amendment, approved by the Winston-Salem City Council the _____ day of ____________________, 20___" and signed, provided the property is developed in accordance with requirements of the HB-S zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

Note: These conditions were approved as part of the original Special Use District zoning (W-2338) and associated staff change approval (April 16, 2001) and shall carry forward as applicable with this Site Plan Amendment.

• PRIOR TO THE ISSUANCE OF GRADING PERMITS
  a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  b. Developer shall obtain a letter from the Corps of Engineers regarding "Wetlands" on this property.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  a. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
  b. Developer shall submit a Traffic Impact Study to the City Department of Transportation.
  c. Developer shall contact the Winston-Salem Transit Authority (WSTA) concerning the need for a transit stop or shelter on this property or along Hanes Mill Road.
d. Developer shall dedicate a forty (40) foot greenway easement wherever the property abuts the stream which runs along the northeast side of this property. Said greenway easement may be centered on the sewer easement that may be located along this section of the stream.

e. Developer shall dedicate any public right-of-way or public sidewalk easements needed to construct any road improvements or sidewalks along Hanes Mill Road as determined by the City Department of Transportation from the Traffic Impact Study.

f. The existing unopened right-of-way for Harmony Street located inside this development shall be closed by the Board of Aldermen.

g. Developer shall contact the owners of property on Honeysuckle lane and file a petition with the City Secretary's office for the closure of this public street right-of-way. This closure petition will not be required to be filed if any one of the property owners on this street files a letter protesting the closure with the Planning staff.

- PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
  
a. All required storm water management devices must be installed per the approval of the Public Works Department of the City of Winston-Salem.

b. A typical streetyard landscaping area shall be installed around the entire perimeter of all storm water management ponds in this development. This landscape area does not have to meet the ten (10) foot width requirement of the UDO.

c. All fire hydrants required by the City Fire Department shall be installed.

d. Developer shall install all the improvements to Hanes Mill Road including traffic signals that are recommended in the Traffic Impact Study to the specifications of the Public Works Department of the City of Winston-Salem and the North Carolina Department of Transportation. Additionally, developer shall either build or arrange to build North Summit Square Boulevard from the existing section in front of the ABC store into the existing section built in front of the North Summit Square Shopping Center to the specifications of the Public Works Department of the City of Winston-Salem and the North Carolina Department of Transportation. This street connection must be completed prior to the issuance of occupancy permits since it is necessary to justify the proposed traffic signal at the intersection of Hanes Mill Road and North Summit Square Blvd.

e. Developer shall install a sidewalk along the entire frontage of the property on Hanes Mill Road to the specifications of the Public Works Department of the City of Winston-Salem. Additionally, all the internal sidewalks shown on the site plan shall be installed, however, the pedestrian walkway connection to the south end of the existing pond on the eastern property line shall not be installed.

f. Forty (40) foot type II and type III bufferyards shall be installed around the perimeter of this property as shown on the site plan with the exception of the eastern most property line. The eastern property line abutting Angel Oaks Drive shall have a one hundred (100) foot type III buffer running from Hanes Mill Road north to the south end of the existing pond per "Exhibit A". An eight (8) foot
vinyl coated chain link fence shall be installed within the one hundred (100) foot buffer running along the west side of the creek. Existing plant material may be used with new plant material augmented to meet this bufferyard requirement.

g. All pedestrian pathways/walkways, pavement markings in the parking lots, or other devices indicating pedestrian walkways as shown on the site plan shall be installed, however, the pedestrian walkway connection to the south end of the existing pond on the eastern property line shall not be installed.

h. Any required transit stop or shelter recommended by WSTA in the shopping center or on Hanes Mill Road shall be installed or completed.

i. As volunteered by the developer, developer agrees to place a access and utility easement around the existing pond on the northeast property line. An additional fifty (50) foot easement will be placed on the north side of the expanded edge of the pond.

• OTHER REQUIREMENTS

a. Two (2) freestanding monument signs shall be permitted for the shopping center (one at each entrance). Said signs shall be limited to monument type signs with a maximum height of fifteen (15) feet.

b. As volunteered by the developer, all buildings proposed in the development shall have similar design materials. The front facades of all buildings shall be primarily brick with the use of stucco, and split face accents. The treatment for all buildings including the outparcels shall have the same basic design character and color as depicted in the elevation of Wal-Mart in Zoning File Docket W-2338 located in the office of the City-County Planning Board.

• OUTPARCEL OR OTHER TWO PHASE LOT REQUIREMENTS

a. City-County Planning Board shall approve Final Development Plans for all outparcels. Design guidelines shall be submitted for outparcels prior to or when Final Development Plan are submitted. Each outparcel will be evaluated for design guideline compliance when the Final Development Plan are reviewed and approved.

b. Ten (10) foot streetyards with consistent landscaping plants shall be installed around the perimeter of each outparcel.

c. All outparcels or lots other than the shopping center shall be limited to one (1) freestanding monument ground sign with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.

d. Access to all outparcels on the entrance drives to the shopping center shall be located at least 150 feet off Hanes Mill Road. All other internal access points to these outparcels shall also be installed in similar locations as shown on the site plan. Outparcels # 2 and # 3 shall be internally connected with drives.

e. Developer shall provide left turn lanes in the drive isles which provide access to parcels #1,2,3 and Retail #4 from Hanes Mill Road. Said access locations in the drive isles shall be no closer than two hundred (200) feet from Hanes Mill Road.
**ADDITIONAL CONDITIONS (April 16, 2001)**

a. Developer shall install additional landscape materials consisting of a double row of white pine trees, minimum six (6) feet high, ten (10) feet o.c. and ten sycamore trees minimum twelve (12) feet high at the top of the fill slope behind retail stores #3, #4, #5, and #6 and shops located on the east side of the property nearest Angle Oaks Drive with the exception that a single row of white pines of the same size shall be planted at the top of the existing retaining wall behind retail stores #4 and #5 as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.

b. Developer shall install additional landscape materials consisting of a single row of white pine trees, minimum six (6) feet high, ten (10) feet o.c. at the top of the fill slope behind retail store #3 extending in a northwest direction for a distance of 750 feet terminating at a point due west of the northwestern edge of the detention pond as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.

c. Developer shall terminate existing gravel service drive at the sewer easement behind retail store #3 located in the eastern portion of the site nearest Angel Oaks Drive.

d. Developer shall install landscape seedlings at a rate of one 12" high seedling per 200 square feet of surface area in accordance with planting specifications of section 7-7.3(B) of the UDO for a distance of fifty (50) feet behind the fence line and north and east of the sewer easement as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan. Said seedlings may be planted during a season which is most suited to plant survival provided that all plantings must be installed by December 31, 2001.

e. All cut and fill slopes in excess of three to one (3:1) slope and greater than ten (10) feet in height shall be planted with landscape seedlings at a rate of one 12" high seedling per 200 square feet of surface area in accordance with specifications of section 7-7.3(B) of the UDO.

f. All landscape materials used to satisfy Type III bufferyard plantings adjacent to the east and north property line adjacent to the required 8 foot high, black vinyl coated fence shall be located between said fence and the property line.

g. An eight (8) foot high, black vinyl coated fence shall be installed along the entire eastern and northern side of the property adjacent to the St Andrews Place subdivision as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan. Said fence shall be located forty feet off the adjacent property line except at such locations where it may interfere with existing trees whereby said fence may be installed farther from the property line to protect such trees.

h. Additionally, a six (6) foot high, black vinyl coated fence shall be installed at the top of the fill slope behind retail building #3 and extending eastward and southward to a point forty feet off the northern right-of-way line of Hanes Mill Road as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.
i. No designated (striped) customer or employee parking shall be located behind retail buildings #3, #4, #5, #6, or adjacent shops as indicated on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.
ZONING STAFF REPORT

DOCKET #  W-2733
STAFF:  Glenn Simmons

Petitioner(s):  Blue Oak Limited Partnership and Inland Southeast Oak Summit, LLC
Ownership:  Same

REQUEST

From:  HB-S (Shopping Center)
To:  Site Plan Amendment

Acreage: 23.5 acres

LOCATION:
Street:  North side of Hanes Mill Road, east of University Parkway
Jurisdiction:  City of Winston-Salem
Ward:  Northeast

SITE PLAN

Proposed Use:  Shopping Center
Square Footage:  172,049 total sf. (Note: Amended portion of site plan is only for 32,455 sf of the total 172,049 sf.)
Building Height:  One commercial story
Parking:  Required: 688 spaces; Proposed: 836 spaces
Bufferyard Requirements:  Enhanced Type III Bufferyard approved as part of the original HB-S site plan remains unchanged.
Vehicular Use Landscaping Standards Requirements:  UDO Standards apply.

PROPERTY SITE/IMMEDIATE AREA

Existing Structures on Site: None existing on portion of site proposed for site plan amendment.
Adjacent Uses:
  North -  Existing shopping center
  East-  Single family subdivision (St. Andrews Place) zoned RS-9
  South-  Shopping Center zoned HB-S
  West-  Shopping Center zoned HB-S
GENERAL AREA

Character/Maintenance: The portion of the site proposed for the site plan amendment is situated amidst a newly constructed, well maintained shopping center.
Development Pace: Moderate to rapid.

HISTORY

Relevant Zoning Cases:

1. W-2338; HB-S (Shopping Center) and RS-9 to HB-S (Shopping Center; and Theater, Indoor); approved September 7, 1999; North side of Hanes Mill Road and includes the location of the current site plan amendment; 49.92 acres; Planning Board recommended approval and staff recommended denial.

TRANSPORTATION

Direct Access to Site: Hanes Mill Road; North Summit Square Boulevard
Street Classification: Hanes Mill Road – Major Thoroughfare; North Summit Square Boulevard – Local Road
Average Daily Traffic Count/Estimated Capacity at Level of Service D (Vehicles per Day):
Hanes Mill Road between University Parkway and Germanton Road = 6,300 / 30,100
Trip Generation/Existing Zoning: Note: A Traffic Impact Analysis was prepared as part of the original 49.92 acre, HB-S shopping center rezoning (including the Wal-Mart site and outparcels) which was approved September 7, 1999. The analysis included 417,804 sf of retail commercial and associated restaurant and drug store uses. The proposed site plan amendment is 8,433 sf less that the overall approved square footage. All required turn lanes, signalization, and other transportation improvements required to support the approved larger development have been installed. No further transportation improvements are needed to accommodate the changes proposed as part of the site plan amendment.

Planned Road Improvements: None
Sight Distance: Good
Interior Streets: Private
Sidewalks: Existing along north side of Hanes Mill Road.
Transit: Route 44 along Hanes Mill Road
Bicycle Route: None

ANALYSIS

The proposed site plan amendment is to modify a small portion of an existing, previously approved site plan for a large, HB-S zoned shopping center located on the north side of Hanes Mill Road. The proposed area of change is located in the southeast corner of the site which is the only portion of the site which has not already been developed. Essentially the new plan calls for
creating three smaller buildings totaling 32,455 sf partially in place of a larger 107,500 sf footprint building approved as part of the original plan. The proposed new buildings, in addition to being smaller in size orient closer to Hanes Mill Road and are no closer to the eastern property line than the larger, previously approved building. Staff notes that all major infrastructure improvements including transportation improvements, stormwater management devices, and utilities have been installed and are functioning as intended.

Most importantly, existing grades and enhanced bufferyard plantings of the site as it currently exists do not change. Such landscape and grading conditions were specifically established to minimize visual and other impacts of the commercial development adjacent to the Saint Andrews Place subdivision. This was established as part of a minor staff change approved with extensive neighborhood participation April 16, 2001. Additionally Planning staff worked with the petitioner to maintain and enhance pedestrian connections of the proposed new buildings to the rest of the shopping center complex and to Hanes Mill Road. Staff notes that the proposed new buildings must be consistent with the architectural materials of the rest of the shopping center as a condition of the original site plan. Planning staff believes that the revised plan for the smaller buildings is more pedestrian oriented than the previously approved large footprint building and will be a more attractive addition to the shopping center.

FINDINGS

1. The proposed site plan amendment is a modification of a small portion (32,455 sf) of the originally approved 417,804 sf shopping center.

2. The revised plan proposes substituting three smaller building in place of a portion of a much larger footprint building.

3. Building, parking and service area are no closer that the original approved plan.

4. Existing grades and enhanced landscaping approved as part of a staff change (approved on April 16, 2001) with extensive neighborhood participation, does not change.

5. The new buildings have a much better pedestrian orientation and should be a positive contribution to the existing shopping center.

STAFF RECOMMENDATION
Site Plan Amendment: APPROVAL
Site Plan: Staff certifies that the site plan meets all code requirements, and recommends the following conditions:

Note: These conditions were approved as part of the original Special Use District zoning (W-2338) and associated staff change approval (April 16, 2001) and shall carry forward as applicable with this Site Plan Amendment.
• **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  a. Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  b. Developer shall obtain a letter from the Corps of Engineers regarding "Wetlands" on this property.

• **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  a. On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.
  b. Developer shall submit a Traffic Impact Study to the City Department of Transportation.
  c. Developer shall contact the Winston-Salem Transit Authority (WSTA) concerning the need for a transit stop or shelter on this property or along Hanes Mill Road.
  d. Developer shall dedicate a forty (40) foot greenway easement wherever the property abuts the stream which runs along the northeast side of this property. Said greenway easement may be centered on the sewer easement that may be located along this section of the stream.
  e. Developer shall dedicate any public right-of-way or public sidewalk easements needed to construct any road improvements or sidewalks along Hanes Mill Road as determined by the City Department of Transportation from the Traffic Impact Study.
  f. The existing unopened right-of-way for Harmony Street located inside this development shall be closed by the Board of Aldermen.
  g. Developer shall contact the owners of property on Honeysuckle lane and file a petition with the City Secretary's office for the closure of this public street right-of-way. This closure petition will not be required to be filed if any one of the property owners on this street files a letter protesting the closure with the Planning staff.

• **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  a. All required storm water management devices must be installed per the approval of the Public Works Department of the City of Winston-Salem.
  b. A typical streetyard landscaping area shall be installed around the entire perimeter of all storm water management ponds in this development. This landscape area does not have to meet the ten (10) foot width requirement of the UDO.
  c. All fire hydrants required by the City Fire Department shall be installed.
  d. Developer shall install all the improvements to Hanes Mill Road including traffic signals that are recommended in the Traffic Impact Study to the specifications of the Public Works Department of the City of Winston-Salem and the North Carolina Department of Transportation. Additionally, developer shall either build or arrange to build North Summit Square Boulevard from the existing section in front of the ABC store into the existing section built in front of the North Summit
Square Shopping Center to the specifications of the Public Works Department of
the City of Winston-Salem and the North Carolina Department of Transportation.
This street connection must be completed prior to the issuance of occupancy
permits since it is necessary to justify the proposed traffic signal at the intersection
of Hanes Mill Road and North Summit Square Blvd.

e. Developer shall install a sidewalk along the entire frontage of the property on
Hanes Mill Road to the specifications of the Public Works Department of the City
of Winston-Salem. Additionally, all the internal sidewalks shown on the site plan
shall be installed, however, the pedestrian walkway connection to the south end of
the existing pond on the eastern property line shall not be installed.

f. Forty (40) foot type II and type III bufferyards shall be installed around the
perimeter of this property as shown on the site plan with the exception of the
eastern most property line. The eastern property line abutting Angel Oaks Drive
shall have a one hundred (100) foot type III buffer running from Hanes Mill Road
north to the south end of the existing pond per "Exhibit A". An eight (8) foot
vinyl coated chain link fence shall be installed within the one hundred (100) foot
buffer running along the west side of the creek. Existing plant material may be
used with new plant material augmented to meet this bufferyard requirement.

g. All pedestrian pathways/walkways, pavement markings in the parking lots, or
other devices indicating pedestrian walkways as shown on the site plan shall be
installed, however, the pedestrian walkway connection to the south end of the
existing pond on the eastern property line shall not be installed.

i. Any required transit stop or shelter recommended by WSTA in the shopping
center or on Hanes Mill Road shall be installed or completed.

j. As volunteered by the developer, developer agrees to place a access and utility
easement around the existing pond on the northeast property line. An additional
fifty (50) foot easement will be placed on the north side of the expanded edge of
the pond.

• OTHER REQUIREMENTS
  a. Two (2) freestanding monument signs shall be permitted for the shopping center
     (one at each entrance). Said signs shall be limited to monument type signs with a
     maximum height of fifteen (15) feet.

  b. As volunteered by the developer, all buildings proposed in the development shall
     have similar design materials. The front facades of all buildings shall be
     primarily brick with the use of stucco, and split face accents. The treatment for
     all buildings including the outparcels shall have the same basic design character
     and color as depicted in the elevation of Wal-Mart in Zoning File Docket W-2338
     located in the office of the City-County Planning Board.

• OUTPARCEL OR OTHER TWO PHASE LOT REQUIREMENTS
  a. City-County Planning Board shall approve Final Development Plans for all
     outparcels. Design guidelines shall be submitted for outparcels prior to or when
     Final Development Plan are submitted. Each outparcel will be evaluated for
design guideline compliance when the Final Development Plan are reviewed and
approved.
b. Ten (10) foot streetyards with consistent landscaping plants shall be installed around the perimeter of each outparcel.

c. All outparcels or lots other than the shopping center shall be limited to one (1) freestanding monument ground sign with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.

d. Access to all outparcels on the entrance drives to the shopping center shall be located at least 150 feet off Hanes Mill Road. All other internal access points to these outparcel shall also be installed in similar locations as shown on the site plan. Outparcels # 2 and # 3 shall be internally connected with drives.

e. Developer shall provide left turn lanes in the drive isles which provide access to parcels #1,2,3 and Retail #4 from Hanes Mill Road. Said access locations in the drive isles shall be no closer than two hundred (200) feet from Hanes Mill Road.

- **ADDITIONAL CONDITIONS (April 16, 2001)**
  a. Developer shall install additional landscape materials consisting of a double row of white pine trees, minimum six (6) feet high, ten (10) feet o.c. and ten sycamore trees minimum twelve (12) feet high at the top of the fill slope behind retail stores #3, #4, #5, and #6 and shops located on the east side of the property nearest Angle Oaks Drive with the exception that a single row of white pines of the same size shall be planted at the top of the existing retaining wall behind retail stores #4 and #5 as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.

  b. Developer shall install additional landscape materials consisting of a single row of white pine trees, minimum six (6) feet high, ten (10) feet o.c. at the top of the fill slope behind retail store #3 extending in a northwest direction for a distance of 750 feet terminating at a point due west of the northwestern edge of the detention pond as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.

  c. Developer shall terminate existing gravel service drive at the sewer easement behind retail store #3 located in the eastern portion of the site nearest Angel Oaks Drive.

  d. Developer shall install landscape seedlings at a rate of one 12" high seedling per 200 square feet of surface area in accordance with planting specifications of section 7-7.3(B) of the UDO for a distance of fifty (50) feet behind the fence line and north and east of the sewer easement as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan. Said seedlings may be planted during a season which is most suited to plant survival provided that all plantings must be installed by December 31, 2001.

  e. All cut and fill slopes in excess of three to one (3:1) slope and greater than ten (10) feet in height shall be planted with landscape seedlings at a rate of one 12" high seedling per 200 square feet of surface area in accordance with specifications of section 7-7.3(B) of the UDO.

  f. All landscape materials used to satisfy Type III bufferyard plantings adjacent to the east and north property line adjacent to the required 8 foot high, black vinyl coated fence shall be located between said fence and the property line.
g. An eight (8) foot high, black vinyl coated fence shall be installed along the entire eastern and northern side of the property adjacent to the St Andrews Place subdivision as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan. Said fence shall be located forty feet off the adjacent property line except at such locations where it may interfere with existing trees whereby said fence may be installed farther from the property line to protect such trees.

h. Additionally, a six (6) foot high, black vinyl coated fence shall be installed at the top of the fill slope behind retail building #3 and extending eastward and southward to a point forty feet off the northern right-of-way line of Hanes Mill Road as shown on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.

i. No designated (striped) customer or employee parking shall be located behind retail buildings #3, #4, #5, #6, or adjacent shops as indicated on sheet C-7.1 (revised June 6, 2001) of the approved preliminary site plan.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Paul Mullican
VOTE:
FOR: Clark, Eickmeyer, King, Lambe, Mullican, Norwood, Smith
AGAINST: None
EXCUSED: None

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A. Paul Norby, AICP
Director of Planning