<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>April 11, 2019</td>
<td>4:30 P.M.</td>
<td>Public Hearing</td>
</tr>
<tr>
<td>April 22, 2019</td>
<td>8:15 A.M.</td>
<td>Sign Check</td>
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<tr>
<td>April 25, 2019</td>
<td>4:30 P.M.</td>
<td>Work Session</td>
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<tr>
<td>May 9, 2019</td>
<td>4:30 P.M.</td>
<td>Public Hearing</td>
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<td>May 23, 2019</td>
<td>8:15 A.M.</td>
<td>Sign Check</td>
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<tr>
<td>May 24, 2019</td>
<td>4:30 P.M.</td>
<td>Work Session</td>
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Rules and Procedures

• Persons supporting the zoning request have up to 12 minutes total.
• Persons opposing the rezoning request have up to 12 minutes total.
• There are no rebuttals.
• During the work session, no one is permitted to speak unless the Planning Board asks them a specific question.
• For general use zoning requests, the Planning Board must consider the full range of uses allowed in the zoning district being requested. The petitioner may not refer to a specific intended use of the property.
• For special use district zoning requests, the petitioner must identify the intended use or uses of the site and give specific details on how the site will be developed.
• Most requests listed under agenda item “B” require final action by an elected body (the City Council for cases within the City of Winston-Salem zoning jurisdiction and the Board of Commissioners for cases within Forsyth County zoning jurisdiction). As such, votes taken by the Planning Board concerning these items are recommendations which are considered by the elected bodies during their review of the requests.

Please Turn Off All Cell Phones and Two-Way Communication Devices.

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Planning Department are encouraged to contact the Department at least 72 hours in advance so that proper accommodations can be arranged. For information, call 336-747-7069 (727-8319 TTY).
CALL TO ORDER

PLEDGE OF ALLEGIANCE

A. ACTION ON MINUTES
   
   • March 14, 2019 Public Hearing
   • March 28, 2019 Work Session

B. PUBLIC HEARING ITEMS

1. Zoning petition of Gerald Byerly and William Byerly from RS9 to GB-S (Storage Services, Retail): property is located on the southeast side of Ebert Road, north of Evans Road (Zoning Docket F-1582) Remanded by the Forsyth County Board of Commissioners.
   
   a. Zoning Recommendation.
   b. Site Plan Recommendation.

   This is automatically continued to May 9, 2019, to allow the applicant to revise the site plan to meet UDO requirements.

2. Site Plan Amendment of Jak Ventures, LLC for a Residential Building, Multifamily use in a RM8-S zoning district: property is located on the west side of Olivers Crossing Drive, west of Peters Creek Parkway (Zoning Docket W-3397).

   CONTINUANCE HISTORY: February 14, 2019 to April 11, 2019.

   a. Site Plan Recommendation.

   This is automatically continued to May 9, 2019, per the applicant’s request and as per Planning Board’s By-Laws.

3. Zoning petition of Capital Bank National Association from HB-S to HB-L (Academic Biomedical Research Facility; Academic Medical Center; Arts and
Crafts Studio; Banking and Financial Services; Building Materials Supply; Child Care, Drop-in; Club or Lodge; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; Kennel, Indoor; Library, Public; Micro-Brewery or Micro-Distillery; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices; Recreation Facility, Public; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center, Small; Veterinary Services; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; and School, Private): property is located on the north side of Country Club Road, across from Southwin Drive (Zoning Docket W-3402).

CONTINUANCE HISTORY: March 14, 2019 to April 11, 2019.

a. Zoning Recommendation.

4. Zoning petition from RM12-S to RM18-S (Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; and Residential Building, Single Family) and Final Development Plan of Grand at Union Cross, LLC for a Residential Building, Multifamily use in a GB-S zoning district (Zoning Docket W-3116): property is located on the south side of Solomon Drive and north side of Pecan Lane, west of Union Cross Road (Zoning Docket W-3404).

CONTINUANCE HISTORY: March 14, 2019 to April 11, 2019.

a. Zoning Recommendation.
b. Site Plan Recommendation.
c. Final Development Plan Action.

5. Zoning petition of Sandra Donelson and Carley Siceloff from RS9 to RM12-S (Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; and Residential Building, Single Family): property is located on the south side of Kester Mill Road, west of Tatton Park Drive (Zoning Docket W-3405).

a. Zoning Recommendation.
b. Site Plan Recommendation.

6. Zoning petition of Forsyth County from CI-S to CI: property is located on the northeast corner of First Street and Church Street (Zoning Docket W-3406).

a. Zoning Recommendation.

7. Zoning petition of WPDA, Inc. from GO and GI to GB-L (Academic Biomedical Research Facility; Academic Medical Center; Animal Shelter, Public; Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Boarding or Rooming House; Building Contractors, General; Building Materials Supply;
Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Combined Use; Convenience Store; Food or Drug Store; Fraternity or Sorority; Fuel Dealer; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Hospital or Health Center; Hotel or Motel; Institutional Vocational Training Facility; Library, Public; Manufacturing A: Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Museum or Art Gallery; Nursing Care Institution; Offices; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center; Shopping Center Small; Special Events Center; Stadium, Coliseum, or Exhibition Building; Storage Services, Retail; Swimming Pool, Private; Terminal, Bus or Taxi; Testing and Research Lab; Theater, Indoor; Urban Agriculture; Utilities; Veterinary Services; Warehousing; Wholesale Trade A; Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Family Group Home B; Family Group Home C; Group Care Facility A; Group Care Facility B; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; School Private; School, Public; Access Easement, Private Off-Site; Entertainment Facility, Large); property is located on the north side of Reynolds Boulevard, west of Indiana Avenue (Zoning Docket W-3407).

a. Zoning Recommendation.

8. Zoning petition of The Commons of Forsyth County Inc. from MU-S and RS9 to GB-S (Group Care Facility C): property is located on the west side of Old Greensboro Road at its intersection with US 158/Reidsville Road (Zoning Docket W-3408).

a. Zoning Recommendation.
b. Site Plan Recommendation.

9. Zoning petition of Greater Tabernacle Worship Center from LI to LB-S (Retail Store): property is located on the northeast corner of Old Walkertown Road and Motor Road (Zoning Docket W-3409).

a. Zoning Recommendation.
b. Site Plan Recommendation.

10. An ordinance amendment proposed by the Winston-Salem City Attorney’s Office to amend Chapter B of the UDO to establish standards for front yard fences for residential uses (UDO-290).

a. Text Amendment Recommendation.
C. SPECIAL USE PERMITS

1. Special Use Permit request of Sara Caskey and Sara Shippee for a Landfill, Land Clearing/Inert Debris, greater than 2 acres in an AG zoning district: property is located at the west side of Germanton Road, north of Memorial Industrial School Road (Zoning Docket F-1584).

D. PRELIMINARY SUBDIVISION APPROVALS

1. #2019023; (Arden Group, LLC) Cottage Hill, south side of Robinhood Road across from Cherry Hill Lane, 26 Lot Single Family Subdivision in RS9; 14.48 acres.

E. PLANNING BOARD REVIEWS

1. PBR 2019-02, Charlton Farm (Formerly Deacon Woods), south side of Polo Road, east of Marlowe Avenue, 43 Lot PRD in RS9; 9.88 acres.

F. STAFF REPORT

G. FOR THE GOOD OF THE ORDER
RESULTS OF
CITY COUNCIL AND
BOARD OF COMMISSIONERS HEARINGS
REGARDING PLANNING MATTERS

The City Council and the Board of Commissioners made the following decisions on Planning Board matters:

WINSTON-SALEM CITY COUNCIL

1. Zoning petition of Zachary Rothrock and Glenda Rothrock from PB-S to RS9: property is located on the southwest corner of Styers Ferry Road and Lura Road (Zoning Docket W-3398).

APPROVED.

Planning Board and staff recommended approval of the amendment.

2. Zoning petition of Gary Smith and Carol Smith from AG to RS20: property is located on the south side of Glenn Hi Road, across from Country View Drive (Zoning Docket W-3399).

APPROVED.

Planning Board and staff recommended approval of the amendment.

3. Zoning petition of Krystal Corporation and Krystal Co. LLC from HB and RSQ to GB-L (Arts and Crafts Studio; Banking and Financial Services; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Combined Use; Food or Drug Store; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hotel or Motel; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Offices; Police or Fire Station; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Urban Agriculture; Shopping Center; Shopping Center, Small; Storage Services, Retail; Adult Day Care; Child Care, Sick Children; Child Day Care Center; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; School, Private; and School, Public): property is located on the southwest corner of Peters Creek Parkway and Academy Street (Zoning Docket W-3400).

APPROVED.

Planning Board and staff recommended approval of the amendment.
4. Zoning petition of Henry Heitman, Jr., Carol Powell, and Gilbert Frank from RS9 to RM18-S (Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Single Family; Planned Residential Development; and Life Care Community): property is located on the southwest corner of Reynolda Road and Briarcliff Road (Zoning Docket W-3401).

APPROVED.

Planning Board and staff recommended approval of the amendment and certified that the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

5. Zoning petition of Forsyth County from IP to GB-S (Group Care Facility C; Child Care, Drop-In; Church or Religious Institution, Neighborhood; Golf Course; Government Offices, Neighborhood Organization, or Post Office; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; Recreation Facility, Public; Utilities; Academic Biomedical Research Facility; Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Child Day Care Center; Church or Religious Institution, Community; Family Group Home B; Park and Shuttle Lot; School, Private; School, Public; School, Vocational or Professional; Club or Lodge; College or University; Family Group Home C; Recreation Services, Indoor; Recreation Services, Outdoor; Transmission Tower; Access Easement, Private Off-Site; and Animal Shelter, Public): property is located on the northwest side of Sturmer Park Circle, north of Shattalon Dr. (Zoning Docket W-3403).

APPROVED.

Planning Board and staff recommended approval of the amendment and certified that the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

FORSYTH COUNTY BOARD OF COMMISSIONERS

There have been no actions by the Board of Commissioners on Planning Board matters since the printing of the last Agenda Book.
MINUTES
CITY-COUNTY PLANNING BOARD
MARCH 14, 2019
4:30 P.M.
FIFTH FLOOR
BRYCE STUART MUNICIPAL BUILDING

MEMBERS PRESENT: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith
MEMBER ABSENT: None
PRESIDING: Arnold King

CALL TO ORDER

PLEDGE OF ALLEGIANCE

A. ACTION ON MINUTES

- February 14, 2019 Public Hearing
- February 28, 2019 Work Session

MOTION: Clarence Lambe moved approval of the minutes with the following addition to the Work Session Minutes: That Briarcliffe Village be added as the specific neighborhood to which George Bryan made reference to in discussions regarding stormwater and erosion control issues.
SECOND: Chris Leak
VOTE:
FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers
AGAINST: None
EXCUSED: None

Tommy Hicks and Brenda Smith joined the meeting at the presentation of Case B.6., W-3402.

B. PUBLIC HEARING ITEMS

The actual order of cases considered by the Planning Board on March 14, 2019, is determined procedurally by taking consent agenda cases first, then cases for which there was a public
hearing. Accordingly, the order of cases on March 14, 2019, were as follows: B.1., B.2., B.3., B.4., B.6., B.7., B.8., C.1., and B.5.

1. Site Plan Amendment of Jak Ventures, LLC for a Residential Building, Multifamily use in a RM8-S zoning district: property is located on the west side of Olivers Crossing Drive, west of Peters Creek Parkway; (Zoning Docket W-3397). (Case starts at 3:30).

   **This is automatically continued to April 11, 2019, per the applicant’s request and as per Planning Board’s By-Laws.**

2. Zoning petition of Zachary Rothrock and Glenda Rothrock from PB-S to RS9: property is located on the southwest corner of Styers Ferry Road and Lura Road (Zoning Docket W-3398) (Case starts at 3:58).

   Desmond Corley presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe recommended approval of the zoning petition.

SECOND: Jason Grubbs

VOTE:

   FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers

   AGAINST: None

   EXCUSED: None

3. Zoning petition of Gary Smith and Carol Smith from AG to RS20: property is located on the south side of Glenn Hi Road, across from Country View Drive (Zoning Docket W-3399) (Case starts at 4:99)

   Desmond Corley presented the staff report.
PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe recommended approval of the zoning petition.
SECONder: Jason Grubbs
VOTE:
   FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers
   AGAINST: None
   EXCUSED: None

4. Zoning petition of Krystal Corporation and Krystal Co. LLC from HB and RSQ to GB-L (Arts and Crafts Studio; Banking and Financial Services; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Combined Use; Food or Drug Store; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hotel or Motel; Institutional Vocational Training Facility; Library, Public; Museum or Art Gallery; Offices; Police or Fire Station; Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Urban Agriculture; Shopping Center; Shopping Center, Small; Storage Services, Retail; Adult Day Care; Child Care, Sick Children; Child Day Care Center; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; School, Private; and School, Public): property is located on the southwest corner of Peters Creek Parkway and Academy Street (Zoning Docket W-3400) (Case starts at 5:54)

Desmond Corley presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

During discussion by the Planning Board, the following points were made:

There is no reversion clause with this request as it goes to City Council.
Due to site visibility, access onto Academy Street will be for emergency vehicles only.

MOTION: Clarence Lambe recommended approval of the zoning petition.
SECOND: Chris Leak
VOTE:
FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers
AGAINST: None
EXCUSED: None

5. Zoning petition of Henry Heitman, Jr., Carol Powell, and Gilbert Frank from RS9 to RM18-S (Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Single Family; Planned Residential Development; and Life Care Community): property is located on the southwest corner of Reynolda Road and Briarcliffe Road (Zoning Docket W-3401) (Case starts at 14:14)

Gary Roberts presented the staff report.

**PUBLIC HEARING**

FOR:

Gina Jarrett, 4164 Greenmead Road, Winston-Salem, NC 27106
- There is a growing niche for people on a fixed income who need affordable housing.
- A place like Reynolda Landing needs to be near shopping, banks, medical offices, library and restaurants, and near an established neighborhood like ours.
- The developers plan to go above and beyond what the ordinance requires with regard to stormwater drainage and soil erosion.
- Developers have selected landscaping that will grow quickly and look nice.
- Developers also have a plan in place, during and after construction, to prevent damage to surrounding properties.
- I believe these people have shown professionalism and goodwill. They have been very accessible and forthcoming with their plans, they have listened to what we have to say, and they have incorporated that information into the revised plan. They want to be good neighbors.
- I would ask this Board to approve this plan so that we residents of Town and Country Estates will not have to keep showing up for meeting after meeting to decide the fate of a property that is already an eyesore in our neighborhood. This development can only be an improvement.

Charlie Heritage, 7204 West Friendly Avenue, Greensboro, NC 27410
- I am with South Creek Development in Greensboro. We sent letters to the neighbors asking them to meet with us on March 11 at the library off of Reynolda Road. Thirty-
five-forty people showed up. There were a number of questions and concerns brought up, ranging

- from the type of folks that would live there, and what the rent would be. And we felt like we alleviated a lot of those questions and concerns.
- After listening to some of the neighbors’ concerns, we asked them to come to another meeting, and at that time we answered questions about the site, in particular concerns about the retaining wall. The size of the building was reduced and therefore we added another story to accommodate the number of units and eliminate the retaining wall. The building is now 75 feet from the street. We assured the neighbors that there would be no exit or entry onto Briarcliffe Road. We have agreed to do a manual gate there with emergency access only.
- Stormwater was a major concern due to the current issues in the surrounding neighborhoods. As far as temporary erosion control during construction, it was our desire that the temporary erosion control skimmer basin be the volume capacity that exceeds the NC State Department of Environmental Quality requirements with a range of 5-1 percent greater than what the standard requirements are. We would also like to agree to design the permanent stormwater control with a volume capacity that exceeds the City of Winston-Salem’s requirements, again, within a range of 5-10 percent additional volume. We also agreed to do design around the dumpster screening.

AGAINST:

George Streblow, 3133 Briarcliffe Road, Winston-Salem, NC 27106

- I have lived at the present address for over 30 years.
- Reynolda Road is the peak of a ridge. It plunges downhill to Old Town. On either side it falls off dramatically, so those of us on the downhill slope have a tremendous time with runoff any time it rains.
- (Mr. Streblow handed out photographs).
- We suffer from erosion control and runoff, so it’s very concerning about this development. This proposal to empty their stormwater into a ditch on Briarcliffe Road concerns me. It runs into a storm drain, but it is not your city utility storm drain that takes water out of sight. It merely goes under the road and into another big ditch right through a property owner’s yard and then behind two more property owners’ yards. It then runs under Waterford Road and comes out on an embankment in a homeowner’s yard and flows into the same lake already mentioned. So this proposal is going to dump even more water into this lake that we already have a problem with and I don’t know how much is going to come down my side of the hill.
- We don’t know how many stormwater studies have been done and what this might generate.
- The neighborhood is not against development but this represents the last piece of property that borders and impacts our neighborhood. It sits on the main entrance to our neighborhood. I think the density is much too high for something backing up to a single-family residential neighborhood.
• Going up another story really exacerbates the height issue. I think there is a much better use and design for this land. We suggested stair-stepping buildings to follow the land. The parking pushes the building back 53 more feet toward Briarcliffe Road. I think more suitable parking on the north side could be achieved that would be on top of this underground cistern and put the building into more accessibility to a sidewalk. We would like to see the best use of this property as the last remaining one that would impact our neighborhood the least.

• The number of people that could be in a unit was a little concerning, that could give you a spread of extremes. One person per 1 bedroom; 2 people per bedroom would be 72 people. The other extreme of the absolute maximum would be 192 people. I don’t think either extreme would be realistic, but somewhere there is certainly an average in the middle, which is 134 people. That is still too high a density for the entryway to our neighborhood of single-family houses.

• In closing I would say all of these tax credit financing type developments are on a tight time schedule. So only three (3) weeks ago was our neighborhood made aware of a public meeting. As the developer said, there was a lot of pushback, and to their credit they made changes. That two (2) weeks was three days ago. We have had no chance to discuss this or poll the neighborhood association or the neighbors in general to get a consensus. I would humbly ask, in the best case scenario, to leave the zoning as RS9, which would allow 27 units to be developed in a much less intensive, impactful way on our neighborhood, and at the least to grant a continuance to give us a chance to give the Planning Board feedback from what the neighbors feel.

Thomas Rider, 4161 Wycliff Drive, Winston-Salem, NC  27106

• I live in the Town and Country development. I stand in opposition to the building primarily because it is in the wrong location. From Yadkinville Road to Fairlawn Drive, there is basically one-story structures, and Fairlawn down to the business park there is one-story structures. The developers, from the plans they had, they need to have a pad of about 3.2 acres. To do that they need a tremendous amount of fill in this area. So from the emergency area back to the end there, you’re going from 10-foot height to 20-foot height. From ground level up, that will be all fill. In addition, now we’re talking about a 3-story structure, so we’re talking about another 50 feet. So you’re going to have a total height of roughly 60 feet, from Briarcliffe Road looking to the top of those buildings. The buildings on Briarcliffe Road are one-story structures; basically ranch homes. There is no way to mask that building.

• The concern is the stormwater. The stormwater goes from one side to the other side of the building, to a retention area, and then that is piped out to Briarcliffe Road. We have asked about the amount of rainfall that this containment structure will handle and we just don’t know.

• In the previous development in Briarcliffe Village they had a plan for the number of houses in there, they had a drawing for a holding pond for the water, and I asked the developer at that point how much rainfall would that hold and he said this is just drawn in
• that particular time. So up to the planning and zoning, that’s what they had on there. The developer got in there, scraped the land, the rain came down, the water and mud went down and flooded the entire area creating havoc.

• My concern is that that containment structure is not going to be adequate. It’s taking 3.2 acres of water into that structure and it’s going to be piped out onto Briarcliffe Road. Nothing has been said about what is going to happen at that point.

• That facility could be put in another location. Fairlawn Drive is another location. It’s flat, has grocery stores, banking, and a library, all within walking distance, and it doesn’t have the problems that you have with this particular site.

WORK SESSION

Gary Roberts spoke to the following points that were raised by George Bryan:

1) From a Briarcliffe Road and Town and Country Estates perspective, it was felt that the current placement of the building and parking lot was the best design choice. Placing the building closer to the street was not ideal due to the use and the neighborhood to the back.

2) Removal of the retaining wall was due to neighborhood concerns. Once the retaining wall was removed, the number of stories increased in order to get the same number of units, due to restricted space that the retaining wall otherwise allowed. The hill would then include additional landscaping.

3) The emergency access will be gated and is for emergency vehicles only. No public access will be permitted.

During discussion by the Planning Board, the following points were made:

Charlie Heritage stated that he would be investing $50,000-$60,000 to control outflow and containment of water, an increase of what the requirement is, and that they would also be investing $30,000-$40,000 in tree plantings as well.

Joe Fogarty, stormwater engineer for the City of Winston-Salem, and Gene Mustin, an engineer with Borum, Wade and Associates, discussed post-construction volume and increased volume containment and working with 10 percent more volume containment. Joe Fogarty shared his comfort level with containment for a 50-year event.

Joe also explained that Briarcliffe Village is not a post-construction issue right now because it is still in the erosion control phase. The pond is actually an erosion control device. It is for a 10-year event, as will be the case with the current site that is being discussed. He also explained that piping water from the outlet all the way down the street actually goes against all good stormwater principles due to the fact that you are putting something in a pipe that is in a deep watershed, which is speeding up the velocity even more, so it’s going to come out even quicker. It doesn’t
allow any infiltration for a swell, or for evaporation.

Joe suggested the following conditions: That it must meet current ordinance standards. As an extra condition, the developer shall control the 50-year peak runoff rate, the predevelopment rate, and capture the increase in volume of the 50-year storm and release that over a 2-5 day period. It was stated previously that stormwater does not increase, but Joe assured the Board that stormwater does in fact increase when you develop a piece of property.

Mr. Heritage agreed to control the 50-year peak runoff rate.

There was more discussion between Mr. Mustin and Mr. Fogarty of going to a higher erosion control standard with higher volume percentages.

A post-construction volume control was agreed to, but due to the engineers’ further discussions with regard to erosion control, it was suggested by Aaron King and Chris Murphy that Gene Mustin meet with Matthew Osborne, the erosion control supervisor for the City, to come up with an enhanced erosion control plan for some condition language that can be taken to City Council.

George Bryan expressed appreciation for extra conditions being put on the developers to ensure that extra stormwater and erosion control measures are put in place, and shared his comfort level that the neighbors may see that this project may work in their neighborhood. He also expressed the desire for City Council to take up any other further issues that may arise and give the neighbors more time to respond to the City Council meeting if additional things come up in that period of time.

Melynda Dunigan expressed concerns over the 3-week period that neighbors had in which to respond, and perhaps what the neighbors feelings might be with regard to the trade-off of the wall versus the height of the building. Melynda stated that she was not comfortable with the stormwater issues due to the photographs shown by Mr. Streblow. Melynda read aloud a letter from one of the citizens stating their concerns. Melynda also noted that some years back the City put over $100,000 into a failed dam. Melynda felt it was a good idea to continue the case until April to give the engineers more time to discuss the issues and the neighbors more time to understand all that was involved.

Jason Grubbs did not feel that time was an issue and expressed his opinion of going forward with the case due to the fact that it’s an opportunity to bring affordable housing to a community that needs it.

MOTION: Clarence Lambe recommended approval of the zoning petition, including staff recommended conditions, along with conditions volunteered by the applicant, regarding enhanced stormwater requirements, erosion control, and dumpster screening, and certified the site plan meets all UDO requirements if the petition is approved.
SECOND: Jason Grubbs
SUBSTITUTE MOTION: Melynda Dunigan recommended the case be continued to the April 11 public hearing to allow more time for the engineers to discuss erosion control issues and for the property owners to hear what the engineers have determined the best way to proceed is.

SECOND: George Bryan

VOTE:

FOR: George Bryan, Melynda Dunigan, Tommy Hicks
AGAINST: Jason Grubbs, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith
EXCUSED: None

ORIGINAL MOTION: Clarence Lambe recommended approval of the zoning petition, including staff recommended conditions, along with conditions volunteered by the applicant, regarding enhanced stormwater requirements, erosion control, and dumpster screening, and certified the site plan meets all UDO requirements if the petition is approved.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Jason Grubbs, Tommy Hicks, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith
AGAINST: Melynda Dunigan
EXCUSED: None

6. Zoning petition of Capital Bank National Association from HB-S to HB-L (Academic Biomedical Research Facility; Academic Medical Center; Arts and Crafts Studio; Banking and Financial Services; Building Materials Supply; Child Care, Drop-in; Club or Lodge; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; Kennel, Indoor; Library, Public; Micro-Brewery or Micro-Distillery; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices; Outdoor Display Retail; Recreation Facility, Public; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center, Small; Veterinary Services; Adult Day Care Center; Child Care, Sick Children; and Child Day Care Center): property is located on the north side of Country Club Road, across from Southwin Drive (Zoning Docket W-3402) (Case starts at 8:12)

This is automatically continued to April 11, 2019, per the applicant’s request and as per Planning Board’s By-Laws.

7. Zoning petition of Forsyth County from IP to GB-S (Group Care Facility C; Child Care, Drop-In; Church or Religious Institution, Neighborhood; Golf Course; Government Offices, Neighborhood Organization, or Post Office; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Library, Public; Museum or Art Gallery; Nursing Care Institution; Police or Fire Station; Recreation Facility, Public; Utilities; Academic
Desmond Corley presented the staff report.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

During discussion by the Planning Board, the following points were made:

With regard to questions presented by George Bryan, Gary Roberts confirmed that the access road does connect with Sturmer Park Circle, and Aaron King stated that the anticipated trip generation produced in the staff report, being 271 trips per day spread over a day’s time, is a fairly low number for a street the size of Sturmer Park Circle.

George Bryan made the recommendation that the City look at making Sturmer Park Circle more accessible, or making it a one-way street due to the difficulty that Sturmer Park Circle has in handling two vehicles at the same time, specifically mentioning a bus route that goes onto that road.

MOTION: Clarence Lambe recommended approval of the zoning petition and certified the site plan (including staff recommended conditions) meets all UDO requirements if the petition is approved.

SECOND: Chris Leak

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith

AGAINST: None

EXCUSED: None

8. Site Plan Amendment and Final Development Plan of Grand at Union Cross, LLC for a Residential Building, Multifamily use in RM12-S and GB-S zoning districts: property is located on the south side of Solomon Drive and north side of Pecan Lane, west of Union Cross Road (Zoning Docket W-3404) (Case starts at 12:15)
This is automatically continued to April 11, 2019, per the applicant’s request and as per Planning Board’s By-Laws.

C. PLANNING BOARD REVIEWS

Desmond Corley presented the staff report.

1. PBR 2019-01; University Plaza, LLC (Meridian-University Plaza); north side of North Point Boulevard, west of University Parkway; City of Winston-Salem; Adult Day Care Center in GB zoning; 5.56 acres (Case Starts at 12:56).

MOTION: Clarence Lambe moved approval of the Planning Board Review.
SECOND: Jason Grubbs
VOTE: FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Tommy Hicks, Arnold King, Clarence Lambe, Chris Leak, Johnny Sigers, Brenda Smith
AGAINST: None
EXCUSED: None

D. STAFF REPORT

Aaron King recognized Council Member MacIntosh in attendance.

The second US/158 Beltway meeting was on March 12 with 20-plus people in attendance.

The next Peters Creek Parkway Corridor meeting will be on March 26 at the Georgia Taylor Recreation Center from 6:00 p.m. to 7:30 p.m.

Desmond Corley stated that there will be 14 items on the April agenda, including the three (3) that were continued today.

Chris Murphy stated that also on the agenda for April will be the Clear Code UDO Text Amendment and the Fence Ordinance.

E. FOR THE GOOD OF THE ORDER
I. ZONING STATEMENTS OF CONSISTENCY (Jerry Kontos)

Attorney Jerry Kontos updated the Planning Board on changes made by the General Assembly in 2017 and 2018 regarding approval of rezoning requests and text amendments. Jerry provided the Planning Board with article G.S. 160A-383, as well as a sample of the City Council’s current statements of consistency. The board was referred to paragraph (b) of G.S. 160A-383 that covers the governing board’s decisions when adopting or rejecting a zoning amendment. Jerry also pointed the board to paragraph (c) that governs planning board decisions. The statute requires planning boards to determine whether the proposed amendment is consistent or not consistent with the comprehensive plan. Jerry recommended that this be done as part of the motion to approve or deny.

Planning Board statements of consistency will become part of their motions beginning with the April public hearing meeting. Jerry Kontos and Aaron King will come up with appropriate approval and denial language for action on proposed rezoning requests and text amendments.

II. FENCE TEXT AMENDMENT (Chris Murphy)

Chris Murphy presented to the Planning Board a brief background of the fence text amendment being proposed as UDO-290. Chris gave an overview of the content included in UDO-290, which would be location requirements, height standards, prohibited material, finished side, maintenance, exemptions, and nonconforming fences and walls.

Chris presented examples of a variety of fencing. Permitting was a point of discussion, as well as the amortization period. Greensboro and High Point share some of the same fencing standards in their regulations, which Chris shared with the board.

During discussion, a few points were made with regard to materials used that board members felt would not be appropriate for a front yard, such as sheet metal, Concertina wire, and junk material. Height issues, side yard fencing, and the need for fencing along busy roadways and in noisy areas were also points of discussion.
It was noted that fencing with too much height, such as the one at Country Club and First Street, seem to be inconsistent with the vision of *Legacy*, in that it inhibits the feel of a walkable, interactive neighborhood.

Staff will present the proposal from the Community Development/Housing/General Government Committee to the board at the April 11 public meeting. After the Planning Board reviews the initial proposal, they will make recommendations for any revised proposals they may have at the April work session meeting.

### III. UDO CODE UPDATE (Kirk Ericson)

Initially, the UDO Code update from Chad Meadows was scheduled to be ready for public hearing in May, but due to the challenging nature of updating the UDO, Chad Meadows is expecting to have the update ready for staff by mid-April. The update will be brought to work session in May, to the Planning Board public hearing meeting in June, City Council committee in August, City Council public hearing in September, followed by County Commissioners in the fall of 2019. Staff is recommending that both elected bodies adopt the UDO updates to be effective January 1, 2020.

The city and county UDO Code will be a combined document and accessible online.

### IV. DEBRIEFING PUBLIC HEARING MEETING OF MARCH 14

Stormwater and erosion control was further discussed as a result of the March public hearing meeting. Aaron King will invite Matthew Osborne, the City’s erosion control supervisor, to a future work session meeting to explain in further detail erosion control language, standards, and cost impacts. There was further discussion about skimmer devices and how effective they may be, and whether it might be worthwhile to consider in future instances.

Higher standards for erosion control were discussed and the regulatory authority that would be responsible to set those standards. Aaron King explained the process a case goes through before it reaches public hearing, one being the interdepartmental meeting, where representatives from each department give their input on cases and may suggest going to higher standards based on a particular development. The responsibility of maintaining and regulating ponds and dams by homeowners’ associations was discussed at length.

Melynda Dunigan pointed out consistencies and non-consistencies with area plan recommendations on the staff reports and felt it was an omission not to highlight the fact that Case W-3401 (Briarcliffe Village) was not consistent with the land use recommendation of the *West Suburban Area Plan* that was approved less than a year ago.

### V. STAFF REPORT

The next US 158/Beltway Interchange meeting will be April 9 from 6:00-7:30 at Walkertown High School.

Approximately 25 people attended the last Peters Creek Parkway Corridor Plan meeting.
Updates to the Traffic Impact Study requirements and Planned Residential Development open space are work program items that have been pushed back on the agenda due to unforeseen staff issues.

Aaron reminded board members to please respond to attendance emails as they are helpful to staff in knowing whether there will be a quorum at meetings.

VI. FOR THE GOOD OF THE ORDER

Arnold King and Jason Grubbs will request to be excused from case W-3404 at the April public hearing meeting. If a public hearing occurs on this item, it has been recommended by Jerry Kontos that both Arnold and Jason step down from the dais.
DOCKET #: F1582  
(Remanded)

PROPOSED ZONING:  
GB-S

EXISTING ZONING:  
RS9

PETITIONER:  
Gerald Byerly and William Byerly

SCALE:  
1" represents 400'

STAFF:  
Corley

GMA:  
3

ACRES:  
1.43

NEAREST BLDG:  
178' north

MAP(S):  
6812.02, 6813.04

Property included in zoning request.

500' mail notification radius. Property not in zoning request.
DOCKET: F-1582
STAFF: Desmond Corley

Petitioner(s): Tyler and Todd Leinbach
Owner(s): Same

REQUEST SUMMARY:

The petitioner is requesting Special Use rezoning from RS9 to GB-S for Storage Services, Retail.

Acreage: ± 1.43 Acres

LOCATION:

Street: Southeast side of Ebert Road, north of Evans Road
Jurisdiction: Forsyth County

AUTOMATIC CONTINUANCE:

This rezoning request was submitted for review and recommendation at the April 2019 meeting. However, after receiving comments from the Interdepartmental review committee, the applicant needed to enlarge the area of the request to comply with certain regulatory provisions. Because the request has changed, this case must be continued to the May 2019 meeting to allow for new maps to be drawn and new notices to be sent to surrounding property owners.
DOCKET #: W3397
(Continued from 2/14/2019 and 3/14/2019)

PROPOSED ZONING:
Site Plan Amendment

EXISTING ZONING:
RM8-S

PETITIONER:
Jak Ventures LLC

SCALE: 1" represents 500'

STAFF: Roberts

GMA: 3

ACRES: 11.10

NEAREST
BLDG: 14' south

MAP(S): 6822.04
DOCKET: W-3397
STAFF: Gary Roberts, Jr. AICP

Petitioner(s): Jak Ventures, LLC
Owner(s): Same

REQUEST SUMMARY:

The petitioner is requesting a Site Plan Amendment for property zoned RM8-S. The previous case for this site was F-1325.

Acreage: ± 11.1 Acres

LOCATION:

Street: West side of Olivers Crossing Drive, west of Peters Creek Parkway
Jurisdiction: City of Winston-Salem

THIRD AND FINAL AUTOMATIC CONTINUANCE:

This rezoning request was automatically continued from the February 2019 Planning Board meeting to the March 2019 Planning Board meeting. The request was then automatically continued to the April 2019 meeting. Because a third request was received prior to 5pm on April 8, 2019, this case is automatically continued to the May 2019 Planning Board meeting. However, the Planning Board is required to provide the City Council with a recommendation on each rezoning request it receives within 120 days of the original filing date. This is the third and final continuance for this request, which was filed on January 10, 2019.
PROPOSED ZONING:
HB-L

EXISTING ZONING:
HB-S

PETITIONER:
Capital Bank National Association

DOCKET #:
W3402
(Continued from 3/14/2019)

SCALE:
1" represents 400'

STAFF:
Crum

GMA:
3

ACRES:
2.41

NEAREST
BLDG:
0' west

MAP(S):
6805.03

Property included in zoning request.

500' mail notification radius. Property not in zoning request.
CITY-COUNTY PLANNING BOARD  
DRAFT STAFF REPORT

<table>
<thead>
<tr>
<th>PETITION INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Docket #</strong></td>
</tr>
<tr>
<td><strong>Staff</strong></td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
</tr>
<tr>
<td><strong>Address</strong></td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
</tr>
</tbody>
</table>
| **Proposal**         | The petitioner is requesting to amend the Official Zoning Maps for the subject property from HB-S (Highway Business – Special Use) to HB-L (Highway Business – Special Use Limited). The petitioner is requesting the following uses:  
- Academic Biomedical Research Facility; Academic Medical Center; Arts and Crafts Studio; Banking and Financial Services; Building Materials Supply; Child Care, Drop-in; Club or Lodge; Convenience Store; Food or Drug Store; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Institutional Vocational Training Facility; Kennel, Indoor; Library, Public; Micro-Brewery or Micro-Distillery; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices; Recreation Facility, Public; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center, Small; Veterinary Services; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; and School, Private |

**NOTE:** General, Special Use Limited, and Special Use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General Use rezoning request, all uses in the proposed district must be considered.  

<table>
<thead>
<tr>
<th>Neighborhood Contact/Meeting</th>
<th>The applicant sent out letters dated March 15, 2019, to adjacent property owners. A copy of the letter and a summary of responses are attached.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zoning District Purpose Statement</strong></td>
<td>The HB District is primarily intended to accommodate retail service and distributive uses. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. However, the district is not intended to encourage or accommodate strip commercial development. Developments in this district generally have substantial front setbacks. This district is intended for application in GMAs 2, 3 and 4.</td>
</tr>
</tbody>
</table>
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | (R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?
--- | ---
| Yes. The property is currently zoned HB-S. The rezoning request is to allow additional uses on the site. Furthermore, the site is located along a major thoroughfare within Growth Management Area 3.

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>North side of Country Club Road at the intersection of County Club Road and Southwin Drive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>West</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 2.41 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Vacant commercial building</td>
</tr>
</tbody>
</table>

**Surrounding Property Zoning and Use**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RM8-S</td>
<td>Apartment complex</td>
</tr>
<tr>
<td>East</td>
<td>RM8-S</td>
<td>Apartment complex</td>
</tr>
<tr>
<td>South</td>
<td>HB</td>
<td>Commercial properties</td>
</tr>
<tr>
<td>West</td>
<td>HB</td>
<td>Commercial properties</td>
</tr>
</tbody>
</table>

**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)** | (R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?
--- | ---
| Yes. The site is adjacent to HB-zoned property to the west and south along County Club Road. An apartment complex is adjacent to the property’s boundary on the north and east. |

**Physical Characteristics**

The site is currently developed with a small, vacant retail building adjacent to Country Club Road. The rest of the site is undeveloped and wooded. There is a slight downward slope toward the northwest (rear) corner of the site. The western portion of the site is located within the floodplain of Silas Creek.

**Proximity to Water and Sewer**

The property is served by public water and sewer.

**Stormwater/Drainage**

No known issues exist. The petitioner will be required to meet the provisions of the stormwater ordinance.

**Watershed and Overlay Districts**

The site is not located within a watershed.

**Historic, Natural Heritage and/or Farmland Inventories**

The site is not located in a historic district and has not received any type of historic designation. It is not a natural heritage site or on a farmland inventory.

**Analysis of General Site Information**

Beyond the Silas Creek floodplain located along the western property line, the site does not appear to have any significant development constraints.
## RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Staff</td>
</tr>
<tr>
<td>W-2734</td>
<td>RS9 and HB to HB-S</td>
<td>Approval 12/06/2004</td>
<td>Subject property</td>
<td>2.53</td>
<td>Approval</td>
</tr>
<tr>
<td>W-3237</td>
<td>RS9 and LO-S to GO-S</td>
<td>Approval 09/02/2014</td>
<td>Southeast</td>
<td>2.06</td>
<td>Approval</td>
</tr>
<tr>
<td>W-3235</td>
<td>HB to HB (SUP)</td>
<td>Approval 09/02/2014</td>
<td>West</td>
<td>2.55</td>
<td>Approval</td>
</tr>
</tbody>
</table>

## SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country Club Road</td>
<td>Major Thoroughfare</td>
<td>373 feet</td>
<td>22,000</td>
<td>27,500</td>
</tr>
</tbody>
</table>

### Proposed Access Point(s)
As a site plan was not included with the rezoning, staff cannot confirm the number or location of access points to the site. Staff recommends that only one access be allowed from Country Club Road.

### Planned Road Improvements
No improvements to Country Club Road are proposed with the rezoning.

### Trip Generation - Existing/Proposed
Existing HB-S (based on approved site plan of zoning case W-2734)
Retail Building #1: \[8,400 \text{ SF} \times 44.32 \text{ (Specialty Retail Center trip rate)}]/1000 \text{ SF} = 372.29 \text{ trips}
Retail Building #2: \[7,381 \text{ SF} \times 44.32 \text{ (Specialty Retail Center trip rate)}]/1000 \text{ SF} = 327.13 \text{ trips}
Total Trips Per Day: 372.29 + 327.13 = 699.42 trips

As a site plan was not included with the rezoning, a determination on future trip generation is not possible.

### Sidewalks
A sidewalk currently exists along Country Club Road at the property.

### Transit
There are two WSTA stops within a half-mile of the property. Route 81 has a stop at the intersection of Country Club Road and Jonestown Road approximately 0.3 mile east of the site. There is a stop for Route 95 at Vinegar Hill Road and Briarhurst Road approximately 0.45 mile west of the site.

### Transportation Impact Analysis (TIA)
A traffic impact analysis was not required for the rezoning.

### Analysis of Site Access and Transportation Information
Sidewalks currently exist along Country Club Road and transit routes currently serve the area. No improvements to Country Club Road are proposed as part of this request. Staff recommends that only one access drive be permitted from Country Club Road.
### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th><strong>Legacy 2030 Growth Management Area</strong></th>
<th>Growth Management Area 3 – Suburban Neighborhoods</th>
</tr>
</thead>
</table>
| **Relevant Legacy 2030 Recommendations** | - Recycle and reuse land and buildings (p. 26).
| | - Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area (p.141).
| | - Encourage reuse of vacant and underutilized commercial and industrial sites (p. 57). |
| **Relevant Area Plan(s)** | West Suburban Area Plan Update (2018) |
| **Area Plan Recommendations** | - The area plan recommends commercial development for this site (p. 35)
| | - This plan calls for the creation of new commercial opportunities and the improvement of existing commercial areas to blend with existing development and not negatively impact nearby neighborhoods. (p. 25) |
| **Site Located Along Growth Corridor?** | Country Club Road is identified as a growth corridor. |
| **Site Located within Activity Center?** | The site is not located within an activity center. |
| **Comprehensive Transportation Plan Information** | The Comprehensive Transportation Plan (2012) recommends four lanes of traffic with a raised median, wide outside lanes and sidewalks for Country Club Road. |
| **Greenway Plan Information** | The Greenway Plan Update does not show a greenway on the property. |
| **Addressing** | As a site plan was not included with the rezoning request, it is not possible to determine the addressing for the site. Addresses will be assigned during the permitting process. |
| **Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)** | (R)(3) - Have changing conditions substantially affected the area in the petition? No |
| | (R)(4) - Is the requested action in conformance with Legacy 2030? Yes |
| **Analysis of Conformity to Plans and Planning Issues** | The rezoning request is to allow for additional commercial uses on the site that were not included in the previous rezoning (W-2734). Commercial use of the property is compatible with the surrounding area as the site is located along a growth corridor and surrounded by commercial property to the west and south and a multifamily development to the north and east. Furthermore, the use of the site for commercial development is supported by the West Suburban Area Plan Update. |
### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The request is consistent with the recommendations of <em>Legacy 2030</em> and the <em>West Suburban Area Plan Update.</em></td>
<td>The request will add some additional traffic to the area and an additional access drive on Country Club Road.</td>
</tr>
<tr>
<td>The project will reuse a previously developed site for new commercial opportunities along an established growth corridor.</td>
<td></td>
</tr>
<tr>
<td>The property is currently zoned for Highway Business – Special Use. The rezoning would allow for additional commercial uses on the site.</td>
<td></td>
</tr>
<tr>
<td>Commercial use of the site is compatible with the surrounding area.</td>
<td></td>
</tr>
</tbody>
</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
  a. Developer shall obtain a driveway permit from NCDOT and the City of Winston-Salem; additional improvements may be required prior to issuance of driveway permit.
  b. Developer shall obtain a demolition permit from the Inspections Division prior to the removal of the existing structures on the site.
  c. Developer shall obtain an erosion control permit for any work that creates more than 10,000 square feet of land disturbance. The developer shall submit a professionally engineered Erosion and Sedimentation Control Plan to the Winston-Salem Erosion Control Division.
  d. Developer shall obtain a stormwater management permit that addresses both the high density water quality and the water quantity provisions of the City of Winston-Salem's Post Construction Stormwater Management ordinance.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
  a. All required improvements of the City of Winston-Salem/NCDOT driveway permit shall be completed.

- **OTHER REQUIREMENTS:**
  a. Any freestanding signage shall be limited to one monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.

**STAFF RECOMMENDATION:** Approval

**NOTE:** These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. THE APPLICANT OR
REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.
April 2, 2019

RE: Neighborhood Outreach 4809 Country Club Road

On Friday, March 15, 2019 we mailed 25 letters to property owners in the general area surrounding our site informing them of the proposed rezoning and asking to contact us April 1, 2019 if they had any questions or concerns to express. We had also sent an earlier round of notices from our first rezoning before we resubmitted our package, so we have contacted the neighbors on two occasions requesting any comments or questions.

We received the following contact from the first round of letters:

- Emily Patton, Vice President of ARCAN Capital, owners of the apartment complex next door, contacted us and asked for more details. Paul spoke with her, provided them with a proposed site plan and shared that our anchor tenant is a Sherwin Williams paint store.
- Arash Nasseri, owner at 4740 Country Club Road, contacted us and indicated he has no objection to the proposed change and wished us the best.

We received the following contact from the second round of letters:

- Darla Johnson contacted us but did not provide an address and I could not locate her name as a property owner, so we do not know if she is a residential or commercial neighbor. Her comments were general in nature, expressing a desire for development that will upgrade the business climate moving forward and serve as an asset to the property owners in the neighborhood.

I have also been in contact with Robert Clark, Council Member, to discuss our request.

Sincerely,

Paul Williams
March 15, 2019

**Update from previous letter sent on February 23, 2019. A few uses have been removed from the previous listing.**

Dear Property Owner:

GEMCAP Development, LLC, is requesting to rezone the property at 4809 Country Club Road. In December 2004, the property was approved for a project with two buildings, totaling 15,781 square feet of various uses. Because of the nature of the approval, in order to modify the site plan, a new rezoning is required. We are requesting to reduce the current approved square footage from 15,781 square feet in the two buildings to a site plan with a single building approximately 8,193 square feet in size.

Our primary tenant for the property will be a paint store, occupying more than half of the building. The remaining half is expected to be a restaurant or retail use but has not been finalized. The HB Zoning district allows for several Highway Business uses, and we have reduced that list to the items contained below that we are requesting be included as possible uses for tenants in the building:

- Academic Biomedical Research Facility
- Academic Medical Center
- Arts and Crafts Studio
- Banking and Financial Services
- Building Materials Supply
- Child Care, Drop-in
- Club or Lodge
- Convenience Store
- Food or Drug Store
- Furniture and Home Furnishings Store
- Government Offices, Neighborhood Organization, or Post Office
- Hospital or Health Center
- Institutional Vocational Training Facility
- Kennel, Indoor
- Library, Public
- Micro-Brewery or Micro-Distillery
- Museum or Art Gallery
- Nursery, Lawn and Garden Supply Store, Retail
- Offices
- Recreation Facility, Public
- Restaurant (with drive-through service)
- Restaurant (without drive-through service)
- Retail Store
- School, Vocational or Professional
- Services A
- Services B
- Shopping Center, Small
- Veterinary Services
- Adult Day Care Center
- Child Care, Sick Children
- Child Day Care Center
- School, Private

If you have any questions or concerns about the project that you would like to discuss, please contact me by April 1, 2019. I can be reached at 336-724-0153 or by email at paul@gemcapdevelopment.com.

Regards,

Paul Williams
DOCKET #: W3404
(Continued from 3/14/2019)

PROPOSED ZONING:
Tract 1 - RM18-S
Tract 2 - Final Development Plan (W3116)

EXISTING ZONING:
Tract 1 - RM12-S
Tract 2 - GB-S

PETITIONER:
Grand at Union Cross

MAP(S): 6874.01

SCALE: 1" represents 500'

STAFF: Crum

GMA: 3

ACRES: 13.46  Tract 1 - 7.45
         Tract 2 - 6.01

NEAREST
BLDG: 10' north

R-O-W FOR PROPOSED BELTWAY

PROPERTY INCLUDED IN ZONING REQUEST.

500' MAIL NOTIFICATION RADIUS. PROPERTY NOT IN ZONING REQUEST.

LOCATION OF PROPERTY

Printed: 3/15/2019
Southeast Forsyth County Area Plan Update, 2013

Proposed land uses shown are generalized. See area plan for specific recommendations.

Proposed Land Use
- Large-Lot Residential or Agricultural Program
- Low-Density Residential
- Moderate-Density Residential
- Intermediate-Density Residential
- Manufactured Housing Park
- Office/Low-Intensity Commercial
- Commercial
- Mixed-Use Development
- Industrial
- Institutional
- Park/Open Space
- Commercial Recreation
- Utilities

Activity Center
Special Land Use Condition Areas

Plotted: 3/20/2019
## PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3404</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Amy Crum</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Grand at Union Cross, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN 6874-19-6243.00</td>
</tr>
<tr>
<td>Address</td>
<td>No address is currently assigned to the vacant property.</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use rezoning from RM12-S to RM18-S (Tract 1) and Final Development Plan approval for a Residential Building, Multifamily use in a GB-S zoning district (Zoning Docket W-3116) (Tract 2)</td>
</tr>
</tbody>
</table>

### Proposal

The petitioner is requesting to amend the Official Zoning Maps for the subject property **from RS12-S (Residential, Multifamily – 12 dwelling units per acre) to RM18-S (Residential, Multifamily – 18 dwelling units per acre maximum density)** for the western portion of the site labeled Tract 1. The petitioner is requesting the following uses:

- Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; and Residential Building, Single Family

The petitioner is also requesting Final Development Plan approval for a GB-S Two Phase (General Business – Special Use) site. The requested use is Residential Building, Multifamily. The request relates to the eastern half of the site labeled Tract 2.

The purpose of these requests is to permit the petitioner to shift units from Tract 2 (GB-S portion) to Tract 1 (RM12-S portion) and meet UDO density requirements.

### Neighborhood Contact/Meeting

The petitioner held a neighborhood meeting on February 17, 2019. Their summary is attached.

### Zoning District Purpose Statement

The RM18 District is primarily intended to accommodate multifamily uses at a maximum overall density of eighteen (18) units per acre. This district is appropriate for GMAs 1 and 2 and may be suitable for GMA 3 and Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available and the site has direct access to a minor or major thoroughfare.

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

(R)(1) - **Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?**

Yes. The site is located within Growth Management Area 3 (Suburban Neighborhoods) with direct access onto Solomon Drive and Pecan Lane. The site is located within 0.1 mile of the Solomon Drive and Union Cross Road intersection and within 0.5 mile of the Union Cross Road and Interstate 40 interchange.
**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>South side of Solomon Drive and north side of Pecan Lane, west of Union Cross Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>East</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 13.46 acres for overall site (± 7.5 acres for RM18-S rezoning portion and ± 6.07 acres for GB-S Final Development Plan portion)</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site is currently undeveloped.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS9</td>
<td>Single-family residential</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>GB-S</td>
<td>Undeveloped property</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>RS9 and GB-S</td>
<td>Undeveloped property</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>RS9</td>
<td>Single-family residential and undeveloped property</td>
<td></td>
</tr>
</tbody>
</table>

**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)**

(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes. The site is surrounded by GB-S-zoned property to the east and RS9-zoned property to the west. The proposed multifamily development will act as a transition between the proposed commercial uses along Union Cross Road and the existing single-family residential to the east.

**Physical Characteristics**
The site is undeveloped with minimal vegetation and relatively flat topography.

**Proximity to Water and Sewer**
Public water and sewer are available to the site.

**Stormwater/Drainage**
There are no known stormwater or drainage issues with the site. The proposed site plan shows a wet pond along the northwest boundary of the site. The Winston-Salem Stormwater Division has indicated that a stormwater management plan must be submitted for approval.

**Watershed and Overlay Districts**
The site is not located within a water supply watershed.

**Historic, Natural Heritage and/or Farmland Inventories**
The site is not listed on a historic, natural heritage, or farmland inventory. However, a property within the Voluntary Agricultural District program is located approximately 0.6 mile south on the east side of Union Cross Road.

**Analysis of General Site Information**
The site is currently undeveloped and does not appear to have any physical development constraints. It is not located in a watershed or overlay district.
## RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-3158</td>
<td>RS9 and GB-S to RM12-S and GB-S</td>
<td>Approved 11/05/2012</td>
<td>Subject property</td>
<td>13.53</td>
<td>Approval, Approval</td>
</tr>
<tr>
<td>W-3116</td>
<td>RS9 to GB-S Two Phase</td>
<td>Approved 12/05/2011</td>
<td>East</td>
<td>15.9</td>
<td>Approval, Approval</td>
</tr>
<tr>
<td>W-3297</td>
<td>GB-S to GB-S</td>
<td>Approved 06/06/2016</td>
<td>East</td>
<td>1.78</td>
<td>Approval, Approval</td>
</tr>
</tbody>
</table>

## SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pecan Lane</td>
<td>Local Street</td>
<td>348 feet</td>
<td>1,300</td>
<td>N/A</td>
</tr>
<tr>
<td>Solomon Drive</td>
<td>Collector Street</td>
<td>163 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

The property will have one access point from Solomon Drive intersection and two access points from Pecan Lane.

**Planned Road Improvements**

Improvements to Union Cross Road and Solomon Drive were recently completed by NCDOT.

**Trip Generation - Existing/Proposed**

- **Existing Zoning: RM-12**
  
  88 units x 6.65 (apartment trip rate) = 585.2 Trips per Day

- **Proposed Zoning: RM18-S**
  
  112 units x 6.65 (apartment trip rate) = 744.8 Trips per Day

**Sidewalks**

Sidewalks currently do not exist along Pecan Lane nor Solomon Drive. Sidewalks are shown on the proposed site plan as being installed along the south side of Solomon Drive and along the west side of the realigned Pecan Lane.

**Transit**

No transit routes are currently operating in the vicinity of the subject property. The closest WSTA route is approximately 3.5 miles west of the site.

**Transportation Impact Analysis (TIA)**

A TIA was completed as part of the previous rezoning case (W-3158). Review of the study for that case indicated that the level of service and delay values would be approximately the same as the previously approved GB-S development (W-3116). As the total number of units being proposed for the entire site is not changing with this new rezoning request, the findings of the 2012 study are still valid.

Improvements to Union Cross Road and Solomon Drive that were to be completed by NCDOT were incorporated into the findings of the TIA, including a left turn lane on Solomon Drive at the intersection with Pecan Lane. These improvements have been completed. While paved
space was allocated for the left turn lane onto Pecan Lane from Solomon Drive, the roadway was not marked with the turn lane. Additionally, the signalization at the Union Cross Road and Solomon Drive intersection does not account for the turn lane. Development of either the multifamily property or the adjacent commercial property will require improvements to the roadway striping and turn signalization to account for this left turn lane.

Analysis of Site Access and Transportation Information

The site will have a total of three access points; one from Solomon Drive and two from Pecan Lane. Though sidewalks do not currently exist along the property frontage on either Solomon Drive or Pecan Lane, the proposed site plan shows installation of sidewalks along those street frontages and internal to the site. As the total number of units is not changing from the previously approved site plan, the TIA submitted for that case is still valid and indicates no change in level of service or delay values with the multifamily development.

SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 apartment buildings ranging in footprints from 11,900 square feet to 15,096 square feet (RM18-S rezoning portion)</td>
<td>Various locations</td>
<td></td>
</tr>
<tr>
<td>7 apartment buildings ranging in footprints from 9,295 square feet to 11,900 square feet (GB-S Final Development Plan portion)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Units (by type) and Density</th>
<th>112 units on 7.5 acres = 14.93 units per acre (rezoning portion)</th>
<th>160 units on 6.07 acres = 26.34 units per acre (Final Development Plan portion)</th>
<th>272 units on 13.46 acres = 20.21 units per acre (total site)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Required</td>
<td>494 spaces</td>
<td>Proposed</td>
<td>495 spaces</td>
</tr>
<tr>
<td>Impervious Coverage Maximum</td>
<td>60 feet</td>
<td>Proposed</td>
<td>Two- and three-story buildings</td>
</tr>
<tr>
<td>Impervious Coverage Maximum</td>
<td>80 percent in RM18-S; no maximum in GB-S</td>
<td>Proposed</td>
<td>54.19 percent for overall site</td>
</tr>
<tr>
<td>UDO Sections Relevant to Subject Request</td>
<td>• Chapter B, Article II, Section 2-1.2 (N) RM18 Residential Multifamily District</td>
<td>• Chapter B, Article II, Section 2-5.64 Residential Building, Multifamily use conditions</td>
<td>• Chapter B, Article III, Section 3-6 Common Recreational Areas</td>
</tr>
</tbody>
</table>
Complies with Chapter B, Article VII, Section 7-5.3

| (A) *Legacy 2030 policies:* | Yes |
| (B) *Environmental Ord.* | N/A |
| (C) *Subdivision Regulations* | N/A |

**Analysis of Site Plan Compliance with UDO Requirements**
The proposed site layout meets the UDO requirements with regard to density, parking, building height and impervious coverage. The site plan also includes a clubhouse with pool, a dog park, and 8,835 additional square feet of recreational area, totaling 28,285 square feet of common recreational area. This exceeds the required 27,200 square feet of common recreational space.

**CONFORMITY TO PLANS AND PLANNING ISSUES**

**Legacy 2030 Growth Management Area**

**Relevant Legacy 2030 Recommendations**
- Concentrate development within the serviceable land area of Forsyth County with the highest densities at city/town centers, activity centers and along growth corridors (p. 29).
- Activity centers have the potential to accommodate denser mixed-use development (p. 32).
- Encourage the inclusion of housing at higher residential densities in activity centers and appropriate locations on growth corridors (p. 33).
- Encourage higher development densities and mixed-use development within the serviceable land area (p.42).
- Increase infill development in the serviceable land area (p.42).
- Facilitate land use patterns that offer a variety of housing choices (p. 42).
- Focus higher-intensity, quality mixed-use development in activity centers, growth corridors, and town centers (p. 170).
- Ensure appropriate transitional land uses or physical buffering between residential and nonresidential uses to maintain the character and stability of neighborhoods (p. 175).
- Consider requiring new buildings to be oriented to both public and internal streets and parking areas located internally on the site or behind buildings (p. 182).

**Relevant Area Plan(s)**

**Southeast Forsyth County Update (2013)**

**Area Plan Recommendations**
- The subject property is shown for commercial and moderate-intensity residential within the Union Cross Road/Interstate 40 Activity Center on Map 9: Proposed Land Use (p. 27).
- Activity Centers are compact, pedestrian-oriented, neighborhood business areas that provide needed services within walking distance of residential areas. Activity Centers may also include a housing component, especially in suburban or future growth areas where new activity centers are being proposed (p. 31).
<table>
<thead>
<tr>
<th>Site Located Along Growth Corridor?</th>
<th>This site is not located along a growth corridor.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Located within Activity Center?</td>
<td>The site is located within the Union Cross Road/Interstate 40 Activity Center.</td>
</tr>
<tr>
<td>Comprehensive Transportation Plan Information</td>
<td>Neither Solomon Drive nor Pecan Lane is listed in the Comprehensive Transportation Plan. However, improvements to the Solomon Drive and Union Cross Road intersection have been recently completed as part of NCDOT Transportation Improvement Program (TIP) U-4909.</td>
</tr>
<tr>
<td>Greenway Plan Information</td>
<td>A proposed greenway is not shown on the site.</td>
</tr>
<tr>
<td>Addressing</td>
<td>The proposed street names have been approved. Addresses will be issued during permitting.</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(3) - Have changing conditions substantially affected the area in the petition? Yes (R)(4) - Is the requested action in conformance with Legacy 2030?</td>
</tr>
</tbody>
</table>

**Analysis of Conformity to Plans and Planning Issues**

In general, the site layout shown on the proposed site plan is similar to the layout shown on the site plan submitted and approved as part of the previous rezoning (W-3158). Furthermore, the total number of proposed units for the entire 13.46 acre site has not changed from the previous rezoning, nor has the number of proposed buildings. The critical difference between the two proposals, which triggered the rezoning request, is the allocation of units across the site. For the previous rezoning, Buildings 9, 10, and 12, located on the western RM12-S portion of the site, were two-story, 16-unit buildings. With the new request, these buildings are shown as three-story, 24-unit buildings. Additionally, Buildings 3, 4, 5, and 6, located on the eastern GB-S portion of the site, were shown to be four-story, 32-unit buildings on the previous site plan. The new site plan shows these buildings as three-story, 24-unit buildings. Essentially, the new proposal shifts units from the eastern GB-S portion of the site to the western, RM12-S portion, thereby increasing the density of the RM12-S portion beyond UDO allowances.

Other minor changes to the new site plan include:

- Increasing the square footage of the northern recreation area (“dog park”) from 7,235 square feet to 8,450 square feet and decreasing the clubhouse recreation area from 11,510 square feet to 11,000 square feet.
- Changing Building 8 from a two-story, 16 unit building to a three-story, 24-unit building.

The proposed elevations (Exhibit A) are of a similar design to those submitted with the previous zoning case. However, the new elevations
show a higher quality of building materials compared to the previous elevations with more brick and hardy board used.

Use of the site for multifamily residential development is supported by the *Legacy 2030 Update* and the *Southeast Forsyth County Update*. The area plan update recommends the site be developed with commercial and moderate density residential uses as part of the Union Cross/Interstate 40 Activity Center. *Legacy* encourages inclusion of housing at higher residential densities in activity centers and serviceable land areas.

Procedurally, the special use rezoning request from RM12-S to RM18-S requires final approval from the Winston-Salem City Council. The Final Development Plan for the GB-S portion of the site requires final approval from the City-County Planning Board only.

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The rezoning and development plan support the recommendations of the <em>Southeast Forsyth County Update</em> and the <em>Legacy 2030 Update</em>.</td>
<td>The heights of the buildings closest to existing single-family homes will be increasing from two stories to three stories.</td>
</tr>
<tr>
<td>The multifamily development will provide a transition between the proposed commercial development to the east and the existing single-family development to the west.</td>
<td></td>
</tr>
<tr>
<td>The proposal allows for a residential component to be incorporated into the proposed Union Cross Road/Interstate 40 activity center.</td>
<td></td>
</tr>
</tbody>
</table>
The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO ISSUANCE OF ANY PERMITS:**
  a. Developer shall receive rezoning approval from the Winston-Salem City Council prior to Final Development Plan approval taking effect.

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
  a. Developer shall submit a stormwater management plan that meets all of the City of Winston-Salem's Post Construction Stormwater Management ordinance provisions.
  b. Developer shall obtain a driveway permit from NCDOT and the City of Winston-Salem; additional improvements may be required prior to issuance of the driveway permit.

- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
  a. Developer shall record a final plat in the office of the Register of Deeds. Final plat shall show tentative building locations for the multifamily buildings and all access and utility easements.
  b. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on “Exhibit A” and as verified by Planning staff.
  c. Developer shall obtain a post construction stormwater management permit prior to the signing of plats.

- **PRIOR TO ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:**
  b. Developer shall install a concrete band to the specifications of the City of Winston-Salem Public Works Department to delineate the beginning of private streets.
  c. All required improvements of the City of Winston-Salem/NCDOT driveway permit shall be completed.

- **OTHER REQUIREMENTS:**
  a. The berm along the Solomon Drive street frontage shall be extended to the western edge of the proposed dog park/recreational area.
  b. Any freestanding signage shall be limited to one monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.

**STAFF RECOMMENDATION:** Approval

**NOTE:** These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**
The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Wednesday the week before (8 days prior to) the Planning Board meeting.

### Open Issues: 14

<table>
<thead>
<tr>
<th>Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>The Grand at Union Cross_Basemap_3-5-19-SITE.pdf</strong> [10 redlines]</td>
</tr>
</tbody>
</table>

9. Text Box B

City of Winston-Salem
Albert Gaskill
336-747-6846
albertcg@cityofws.org
3/18/19 11:37 AM
01.03) Rezoning-Special Use District - 2

All private roadway design to be reviewed/approved by Engineering. Solomon Dr and Pecan Ave. City DW permits req’d with concrete aprons to R/W line.

10. Text Box B
**City of Winston-Salem**
Albert Gaskill
336-747-6846
albertcg@cityofws.org
3/18/19 11:37 AM
01.03) Rezoning-Special Use District - 2

**Erosion Control**

**General Issues**

**11. Erosion Control Plan Needed**
City of Winston-Salem
Matthew Osborne
336-747-7453
matthewo@cityofws.org
3/19/19 8:31 AM
01.03) Rezoning-Special Use District - 2

If the proposed project creates more than 10,000 sq. ft. of land disturbance, an Erosion Control/Grading Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval. Please submit the plan through the electronic plan review portal at the following link: [https://winston-salem.idtplans.com/secure](https://winston-salem.idtplans.com/secure)

**Fire/Life Safety**

**General Issues**

**7. Notes**
Winston-Salem Fire Department
Michael Morton
336-747-6935
michaelcm@cityofwsfire.org
3/12/19 1:23 PM
01.03) Rezoning-Special Use District - 2

As part of your construction plan submittal, include the calculated fire flow for this project and indicate the approved method used for that construction. Refer to Section 507 of the 2018 NC Fire Code and to [https://www.isomitigation.com/siteassets/downloads/guide-determinerequiredfireflow.pdf](https://www.isomitigation.com/siteassets/downloads/guide-determinerequiredfireflow.pdf) for further information.

Emergency responder radio coverage shall meet the requirements of Section 510 of the 2018 NC Fire Code for this project. Consider how these requirements, including any systems necessary to bring radio coverage into compliance with this section, may impact your plans.

**The Grand at Union Cross_Basemap_3-5-19-SITE.pdf [5 redlines] (Page 1) [1] SITE**

**4. WS - Fire/Life Safety**

Winston-Salem Fire Department
Michael Morton
336-747-6935
michaelcm@cityofwsfire.org
3/12/19 1:19 PM
01.03) Rezoning-Special Use District - 2

Provide design information to indicate fire apparatus can maneuver through this turn regardless of traffic conditions (including parked cars).

**5. WS - Fire/Life Safety**
Ensure no FDC is more than 100 feet from a fire hydrant, as measured along the path the hose would travel (no sharp bends, including at each coupling).

Please ensure that you have contacted your appropriate council member prior to arranging the neighborhood meeting. This meeting is to take place before the planning board public hearing.

Neighborhood meeting was held on February 17th and Council member Ms. Scippio attended.
- Parking calculation table calculations for Swimming Pool, Private are 1 space per 125 sf of pool surface area, bicycle parking is 1 space per 5,000sf of pool activity area, including pool, decking, and pool house, 2 space minimum, 20 space maximum. Please label the bicycle parking on the site plan for the pool and update the parking calculation table.

- Bicycle parking calculations for residential multifamily buildings are 0.125 spaces per dwelling unit; 2 space minimum per building, 20 space maximum per development. When development has 10 or more individual buildings, a maximum of 2 spaces may be allowed for each of 10 selected buildings, please update the parking calculation table to include bicycle parking and label all bicycle parking locations on the site plan.

- Per text amendment UDO-286, an engineered lighting plan must be submitted to obtain an approved commercial permit application demonstrating no more than one-half footcandle light levels at residential property lines and public right-of-way.

- Bufferyards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line.

- Indicate on the site plan the location and widths of all proposed Type II bufferyards adjacent to the property line.

- Correct the Type III Bufferyard notation on the site plan adjacent to the residential zoning.

- Where bufferyards include any part of a cut slope greater than 10’ in height, grading for such cut slope shall not encroach closer than 10’ to the property line.

- MVSA plantings will be required on a landscape plan at the time commercial permit applications are submitted.

---

**MapForsyth Addressing Team**

**General Issues**

14. **Addressing & Street Naming**

- Road names approved, addressing will be issue at permit.

**Planning**

**General Issues**

2. **CPAD**

- the proposed site plan complies with the recommendations of the Southeast Forsyth County plan update, which recommends intermediate density residential for this site.

---

Ver. 3 [Edited By Elizabeth Colyer]
City of Winston-Salem
Amy Crum
336-747-7051
amyc@cityofws.org
3/25/19 8:52 AM
01.03) Rezoning-Special Use District - 2

No comment.

15. Rezoning

City of Winston-Salem
Desmond Corley
336-727-8000
desmondc@cityofws.org
3/27/19 8:53 AM
01.03) Rezoning-Special Use District - 2

The bufferyard to the rear of the site (adjacent to single-family residential zoning/uses) should be enhanced to accommodate the increased height of the buildings along those shared property boundaries. Keep in mind that required bufferyard plantings cannot be installed on cut or fill slopes with slope ratios greater than 2:1, and where bufferyards include any part of a cut slope greater than ten 10 feet in height, grading for that slope cannot encroach closer than 10 feet to the property line.

In addition, the proposed location(s) of dumpsters should be as far away from public streets as possible. Enclosures should be compatible with the primary building(s) on-site.

The proposed landscaped berm along Solomon Drive should be continued so that it wraps around the proposed dog park.

Staff will recommend a condition limiting the size of the project signage.

[Ver. 4] [Edited By Desmond Corley]

Stormwater

General Issues

3. Stormwater Management Plan/Permit Required

City of Winston-Salem
Joe Fogarty
336-747-6961
josephf@cityofws.org
3/12/19 11:24 AM
01.03) Rezoning-Special Use District - 2

A Stormwater management plan that must meet all of the City of Winston-Salem's Post Construction Stormwater Management ordinance provisions must be submitted and approved and a post construction Stormwater management permit issued for this project. The ordinance requires water quality treatment of the 1st inch of runoff and also water quantity attenuation of the 2, 10 and 25 year peak rates and also the 25 year volume increase. Please note that their was a prior permit issued that addressed management of the lots on the South and West sides of Pecan Lane and the management device approved under that permit was located on the current subject property. This current development will therefore have to take into account management of the commercial lots off of Pecan Lane since the original Stormwater management plan appears to be modified with this submittal. Please also note that as a condition of Planning Board approval staff are further requiring that the designed Stormwater management device account for attenuation of the 50 year post developed peak runoff rate to at or below the pre developed runoff rate and also storage of the 50 year volume increase in the device with a release rate of 2 to 5 days for this volume. The permit will require a non-refundable surety equal to 4% of the construction cost of the Stormwater management system to be submitted to the City and also an Operation and Maintenance Agreement to be approved, signed by all parties and recorded at the Forsyth County Register of Deeds office.

Utilities

General Issues

8. General Comments
Water and sewer interior to the site will be private. Site will be master metered. Water meters purchased through COWS. Backflow preventer required on all water connections. Be aware of the New System Development Fees that begin May 1, 2019.
April 2, 2019

City of Winston-Salem
100 E. First St.
Winston-Salem, NC 27102

Attn.: Amy Crum
Project Planner

Re: The Grand at Union Cross
Neighborhood Meeting Summary

Dear Amy Crum,

On February 17, from 3-5pm, a neighborhood meeting was held at the Reserve at Smith Crossing Apartments located at 1461 Jag Branch Blvd, Kernersville, NC 27284. A total of 55 surrounding property owners (within 500’ of the site) were contacted by going door to door, delivering letters making them aware of the meeting. Seven people attended the meeting as well as councilmember Scippio. None of the attendees spoke out against the project.

SIGNATURE

4-2-19

DATE
PROPOSED ZONING: RM12-S

EXISTING ZONING: RS9

PETITIONER: Sandra Donelson and Carley Siceloff

SCALE: 1" represents 500'

STAFF: White

GMA: 3

ACRES: 4.80

NEAREST BLDG: 0' west

MAP(S): 6804.01
Southwest Suburban Area Plan Update, 2015

(Proposed land uses shown are generalized. See area plan for specific recommendations.)

Proposed Land Use

- Large-Lot Residential (over 5 Ac)
- Single-Family Residential (0-8 DU/Ac)
- Low-Density Attached Residential (0-8 DU/Ac)
- Intermediate-Density Residential (8.1-18 DU/Ac)
- High-Density Residential (over 18 DU/Ac)
- Office
- Office/Low-Intensity Commercial
- Commercial
- Mixed-Use Development
- Industrial
- Institutional
- Park
- Open space
- Commercial Recreation
- Utilities

Growth Corridors

- Rural Form - Large-Lot Residential
- Suburban Form - Commercial/Office/Multifamily

Legend:
- Activity Center
- Special Land Use Condition Area

Map Report 3/20/2019
### Proposed Uses:
- Residential Building - Family Group Home B or C (Hi)
- Residential Building - Fraternity or Sorority (Hi)
- Residential Building - Life Care Community (Lo)
- Residential Building - Planned Residential Development (Lo)
- Residential Building - Multifamily (Hi)
- Residential Building - Townhouse (Lo)

### Space Calculations:

#### Residential Building - Family Group Home B or C (Hi)
- 12 BR Units = 8 x 1.5 = 12
- 2 BR Units = 32 x 1.75 = 56
- 3 BR Units = 8 x 2 = 16

### Required Parking:

- 84 Spaces Required

### Tree Save Area Summary Calculations:

- Project Site not located in watershed

### Site Plan Legend:

- **RS9**
- **RM12-S**
- **Special Use Rezoning**
- **Site Plan Amendment**
- **Proposed Uses:**
  - Residential Building - Family Group Home B or C (Hi)
  - Residential Building - Fraternity or Sorority (Hi)
  - Residential Building - Life Care Community (Lo)
  - Residential Building - Planned Residential Development (Lo)
- **INFRASTRUCTURE**:
  - Stormwater Management
  - Infrastructure
  - 15' Side Setback / 15' Type II Bufferyard
  - 24 Units
  - 36,000 Square Feet
  - 45' maximum
  - 6804-26-8584
  - 84 Spaces Provided
  - 26,824
  - Riser Room & FDC
  - Dumpster Enclosure
  - Clubhouse
  - Water Meter
  - 24 Units
  - 36,000
  - ≈4.8 Acres
  - 822
  - 826
  - 828
  - 9.0'
  - 26.0'
  - 20.0'
  - 30.0'
  - 70.8 → 123.0
  - 239.8
  - 169.7
  - 278.5
  - 737.4
  - ≈4.8 Acres
  - 4784 Essex Country Lane
  - ≈4.8 Acres
  - Davis Jeanette S
  - 2019.04.01

### Site Size and Coverages:

- **SITE SIZE AND COVERAGES**
  - Total Acreage: ____________ Acres
  - 15' Side Setback / 15' Type II Bufferyard
  - S-III Watersheds – Salem Lake, Abbotts Creek, and Lake Brandt
  - 15' and 20' / N/A
  - Common Rec. Area Provided: 4,900 SF +/-
  - Common Rec. Area Required (@100 SF/Unit): 4,800 SF
  - Total Square Footage of New Trees Planted to Satisfy Minimum TSA: ___
  - Number of Trees 9.01-12"  DBH:  ___ X 750sf = ___
  - Number of Trees 24.01-36"  DBH: ___ X 3000sf = ___
  - Number of Trees Larger Than 36.01"  DBH:  ___ X 4000sf = ___
  - ¾ W 70.8 → 123.0

### Site Plan:

- Preliminary
- Not For Construction
- Essex Place
- 4784 Essex Country Lane
- Winston-Salem, NC 27103
- ARChitectural Site Plan
- 04/01/2019
- Version 2019 - Kester
- Deadline: April 3, 2019
ELEVATION MATERIAL KEY

- **30 YEAR ANTI-FUNGAL ARCHITECTURAL SHINGLE**
- **FIBER CEMENT LAP SIDING**
- **FIBER CEMENT PANELS**
- **FIBER CEMENT TRIM**
- **NOT USED**
- **VINYL OUTSIDE CORNER POST (WHITE)**
- **VINYL DOUBLE 5" LAP SIDING (ANTIQUE WHITE)**
- **VINYL DOUBLE 5" LAP SIDING (PREMIUM BLUE, SIENNA OR CREAM)**
- **VINYL DOUBLE 8" LAP SIDING (PREMIUM BLUE, SIENNA OR CREAM)**
- **VINYL SHAKES (ANTIQUE WHITE)**
- **VINYL SHAKES (PREMIUM BLUE, SIENNA OR CREAM)**
- **VINYL BOARD 'N BATTEN (ANTIQUE WHITE)**
- **VINYL BOARD 'N BATTEN (PREMIUM BLUE, SIENNA OR CREAM)**
- **SQUARE PVC COLUMN COVER**
- **PVC TRIM BOARD**
- **FACE BRICK**
- **PVC GUARDRAIL**
- **BRICK ROWLOCK SILL**
- **CONTINUOUS RIDGE VENT**
- **BRICK SOLDIER COURSE**
- **VINYL LOUVER**
- **VINYL SHAKES**
- **VINYL SINGLE 8" LAP SIDING (WHITE)**
- **ALUMINUM WRAPPED WOOD TRIM**
- **VINYL SINGLE HUNG WINDOW**
- **PRE-FINISHED ALUM DOWNSPOUT**
- **PRE-FAB METAL AWNING**

---

**CLUBHOUSE - RIGHT ELEVATION**

**1/8" = 1'-0"**

---

**CLUBHOUSE - FRONT ELEVATION**

**1/8" = 1'-0"**
### PETITION INFORMATION

<table>
<thead>
<tr>
<th><strong>Docket #</strong></th>
<th>W-3405</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff</strong></td>
<td>Tiffany White</td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
<td>Sandra Donelson and Carley Siceloff</td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
<td>Same</td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
<td>PIN  6804-26-1234</td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>4784 Essex Country Lane</td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
<td>Special Use rezoning from RS9 to RM12-S</td>
</tr>
</tbody>
</table>
| **Proposal**     | The petitioner is requesting to amend the Official Zoning Maps for the subject property **from** RS9 (Residential, Single Family – 9,000-square foot minimum lot size) **to** RM12-S (Residential, Multifamily – 12 dwelling units per acre maximum density - Special Use). The petitioner is requesting the following uses:  
  • Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; and Residential Building, Single Family |
| **Neighborhood Contact/Meeting** | See Attachment B for a summary of the petitioner’s neighborhood outreach. |
| **Zoning District Purpose Statement** | The RM-12 District is primarily intended to accommodate multifamily uses at a maximum overall density of twelve (12) units per acre. This district is appropriate for GMAs 1, 2, and 3 and may be suitable for Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available. |
| **Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)** | (R)(1) - **Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?**  
The proposal is consistent with the purpose statement of the RM12-S zoning district. The site is located within GMA 3 (Suburban Neighborhoods), the proposed residential density is less than twelve units per acre, and the site is located within close proximity to retail services. |

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th><strong>Location</strong></th>
<th>South side of Kester Mill Road, west of Tatton Park Drive</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Jurisdiction</strong></td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td><strong>Ward(s)</strong></td>
<td>Southwest</td>
</tr>
<tr>
<td><strong>Site Acreage</strong></td>
<td>± 4.8 acres</td>
</tr>
<tr>
<td><strong>Current Land Use</strong></td>
<td>The site is mostly wooded and undeveloped except for one single family house along Essex Country Lane.</td>
</tr>
<tr>
<td><strong>Surrounding Property Zoning and Use</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Direction</strong></td>
<td><strong>Zoning District</strong></td>
</tr>
<tr>
<td>---------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>North</td>
<td>RS9</td>
</tr>
<tr>
<td>East</td>
<td>RM8-S</td>
</tr>
</tbody>
</table>
### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-2905</td>
<td>RM8-S to RM8-S</td>
<td>Approved 2/05/2007</td>
<td>Directly east</td>
<td>19.48 acres</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2425</td>
<td>RS9 to RM8-S</td>
<td>Approved 11/6/2000</td>
<td>Directly east</td>
<td>19.48 acres</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2373</td>
<td>RS9 to GI and GI-S</td>
<td>Approved 3/6/2000</td>
<td>Northwest of site</td>
<td>6.83 acres and 1.79 acres</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### Physical Characteristics

The site is mostly wooded and slopes north to south with a stream at the far southern edge of the parcel.

### Proximity to Water and Sewer

Public water and sewer are available to the site.

### Stormwater/Drainage

A stormwater management pond is proposed along the western property line.

### Watershed and Overlay Districts

The site is not located within a water supply watershed.

### Analysis of General Site Information

The site is currently mostly undeveloped with one single-family home and includes no regulatory floodplains, watersheds, or steep slopes. The site plan proposes the removal of the home to accommodate the proposed buildings and parking area.

### RELEVANT ZONING HISTORIES

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kester Mill Road</td>
<td>Collector</td>
<td>155 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Essex Country Lane</td>
<td>Private Access Drive</td>
<td>422 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

The site will have one full access onto Kester Mill Road at the northern property line.

**Planned Road Improvements**

There are no planned road improvements for Kester Mill Road in the current Comprehensive Transportation Plan.
Trip Generation - Existing/Proposed

**Existing Zoning:** RS9
Estimate based on possible (maximum) RS9 density on 4.8 acres:
23 units x 9.57 (single-family detached housing trip rate) = 220 Trips per Day

**Proposed Zoning:** RM12-S
48 units x 6.65 (Apartment trip rate) = 319 Trips per Day

Sidewalks
Sidewalks exist along the south side of Kester Mill Road.

Transit
WSTA Route 81 runs along Jonestown Road to approximately 1,600 linear feet to the east of the subject property.

Analysis of Site Access and Transportation Information
The subject property is located along a road that includes existing multifamily properties and is near Jonestown Road, which provides transit options. Staff foresees no transportation-related issues associated with this request.

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>± 55,084 for the apartment buildings + ± 3,267 for the clubhouse = 58,351 total</td>
<td>The proposed apartment buildings are located along the eastern edge of the site, with the clubhouse building along the west side.</td>
<td></td>
</tr>
</tbody>
</table>

| Units (by type) and Density | 48 multifamily units on 4.8 acres = 10 dwelling units per acre |

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>84 spaces</td>
<td>84 spaces</td>
<td>90-degree head-in</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>45 feet</td>
<td>Three-story apartment buildings and one-story clubhouse</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>75 percent</td>
<td>21 percent</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Chapter B, Article II, Section 2-1.2 (M) RM12 Residential Multifamily District</td>
</tr>
<tr>
<td>• Chapter B, Article II, Section 2-5.64 Residential Building, Multifamily Use Conditions</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
<th>(A) <strong>Legacy 2030 policies:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(B) <strong>Environmental Ord.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(C) <strong>Subdivision Regulations</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
</tr>
</tbody>
</table>

Analysis of Site Plan Compliance with UDO Requirements
The proposed site plan shows two three-story residential buildings with 24 units each, totaling 48 units. The buildings are situated along the eastern side of the subject property, adjacent to existing apartment buildings. The clubhouse and parking area are located along the western portion of the property, and the developer has proposed a 15-foot Type II buffer yard along the adjacent single-family properties to the west. A stormwater management pond is proposed at the southern end of the property.
<table>
<thead>
<tr>
<th>** Legacy 2030 Growth Management Area **</th>
<th>Growth Management Area 3 – Suburban Neighborhoods</th>
</tr>
</thead>
</table>
| Relevant Legacy 2030 Recommendations | - Facilitate land use patterns that offer a variety of housing choices (p. 42).  
- Promote the use of moderate-density residential and office as transitional uses between intense business and residential uses (p. 54).  
- Promote standards requiring high-quality design for infill development that is compatible with the surrounding neighborhood (p. 177). |
| Relevant Area Plan(s) | Southwest Suburban Area Plan Update (2015) |
| Area Plan Recommendations | - The area plan recommends Intermediate-Density Residential (8-18 DU/Ac) uses for this site (p. 25).  
- Develop a variety of housing types and densities for different ages, income levels, family sizes, and personal preference, particularly when developing large parcels of land along transportation corridors (p. 47). |
| Site Located Along Growth Corridor? | The site is not located along a growth corridor. |
| Site Located within Activity Center? | The site is not located within an activity center. |
| Addressing | Addresses will be issued at permitting. |
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | (R)(3) - Have changing conditions substantially affected the area in the petition?  
No  
(R)(4) - Is the requested action in conformance with Legacy 2030?  
Yes |
| Analysis of Conformity to Plans and Planning Issues | The request is to rezone 4.8 acres from RS9 to RM12-S for two three-story, 24-unit apartment buildings. The site is located to the south of Kester Mill Road adjacent to other three-story apartment buildings. Legacy 2030 recommends the use of moderate-density residential and office as transitional uses between intense business and residential uses. This project would serve as that transition between the commercial uses on Jonestown Road to the east and the single-family residences to the west.  

The Southwest Suburban Area Plan Update recommends intermediate-density residential uses for this site. This proposal falls within the 8-18 dwelling-units per acre definition of that recommendation. |
Planning staff believes this site is a good location for multifamily residential development because of its proximity to other multifamily development and access to commercial and employment centers. Staff also sees this request as being consistent with the recommendations of *Legacy 2030* regarding compatible infill residential development as well as the recommendations of the *Southwest Suburban Area Plan Update*.

<table>
<thead>
<tr>
<th>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Positive Aspects of Proposal</strong></td>
<td><strong>Negative Aspects of Proposal</strong></td>
</tr>
<tr>
<td>The site is close to basic services, employment, transit, and sidewalks.</td>
<td>Proposed multifamily development is adjacent to single-family residential zoned parcels.</td>
</tr>
<tr>
<td>The <em>Southwest Suburban Area Plan</em> recommends Intermediate-Density Residential uses for this site.</td>
<td></td>
</tr>
<tr>
<td>The site plan locates the residential buildings adjacent to existing multifamily residences.</td>
<td></td>
</tr>
<tr>
<td>The site plan includes bufferyards and stormwater management to reduce impacts on neighboring single-family parcels.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the recommendations of <em>Legacy 2030</em> to facilitate a variety of housing choices.</td>
<td></td>
</tr>
</tbody>
</table>
The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  a. Developer will be required to obtain a stormwater management permit from the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.
  b. Developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of the driveway permit.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on “Elevation A” and as verified by Planning staff.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. Developer shall complete all requirements of the driveway permit.
  b. Buildings shall be constructed in substantial conformance with the approved building elevations as approved by Planning staff.

**STAFF RECOMMENDATION: APPROVAL**

**NOTE:** These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**
The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Wednesday the week before (8 days prior to) the Planning Board meeting.

Open Issues: 21

Engineering

2019.02.05 Essex Place Site Plan.pdf [28 redlines] (Page 1)

21. Text Box

City of Winston-Salem
Albert Gaskill
336-747-6846
albertcg@cityofws.org
3/18/19 11:50 AM
01.03) Rezoning-
Special Use District - 2

City of Winston-Salem
Albert Gaskill
336-747-6846
albertcg@cityofws.org
3/18/19 11:50 AM
01.03) Rezoning-
Special Use District - 2

22. Text Box

City of Winston-Salem
Albert Gaskill
336-747-6846
albertcg@cityofws.org
3/18/19 11:50 AM
01.03) Rezoning-
Special Use District - 2

Engineering to review/approve all roadway Design. City DW permit req’d with concrete apron and ADA ramps. 10 X 70 SE req’d with stop bar and stop sign at Kester Mill Rd.
show 10’ util easements both side of roadway.

Show C&G and SW to PL
Erosion Control

24. Erosion Control Plan Needed

If the proposed project creates more than 10,000 sq. feet of land disturbance, an Erosion Control/Grading Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval. Please submit the plan through the electronic plan review portal at the following link: https://winston-salem.idtplans.com/secure/

Fire/Life Safety

18. Notes

As part of your construction plan submittal, include the calculated fire flow for this project and indicate the approved method used for that construction. Refer to Section 507 of the 2018 NC Fire Code and to https://www.isomitigation.com/siteassets/downloads/guide-determinerequiredfireflow.pdf for further information.

Emergency responder radio coverage shall meet the requirements of Section 510 of the 2018 NC Fire Code for this project. Consider how these requirements, including any systems necessary to bring radio coverage into compliance with this section, may impact your plans.
### Winston-Salem Fire Department
Michael Morton
336-747-6935
michaelcm@cityofwsfire.org
3/12/19 1:40 PM
01.03) Rezoning-Special Use District - 2

Ensure vegetation does not obstruct the required clear height and width for fire apparatus access roads.

### IDTP

#### 2019.02.05 Essex Place Site Plan.pdf [19 redlines] (Page 1)

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>PLEASE ENSURE THAT YOU HAVE CONTACTED YOUR APPROPRIATE COUNCIL MEMBER PRIOR TO ARRANGING THE NEIGHBORHOOD MEETING. THIS MEETING IS TO TAKE PLACE BEFORE THE PLANNING BOARD PUBLIC HEARING.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bryan Wilson</td>
<td>Will do - Linwood Davis</td>
</tr>
<tr>
<td><a href="mailto:linwood@sylvanroadpartners.com">linwood@sylvanroadpartners.com</a></td>
<td></td>
</tr>
<tr>
<td>2/6/19 11:55 AM</td>
<td>Pre-Submittital Workflow - 1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sylvan Road Partners, LLC</th>
<th>I have traded extensive voice mails with Dan Besse. He's aware of the rezoning. His messages do not indicate that he will have concerns with this.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Linwood Davis</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:linwood@sylvanroadpartners.com">linwood@sylvanroadpartners.com</a></td>
<td></td>
</tr>
<tr>
<td>3/8/19 11:13 AM</td>
<td>Pre-Submittittal Workflow - 1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sylvan Road Partners, LLC</th>
<th>I met with Dan Besse on 3/25 for an hour to discuss the development project.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Linwood Davis</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:linwood@sylvanroadpartners.com">linwood@sylvanroadpartners.com</a></td>
<td></td>
</tr>
<tr>
<td>3/26/19 9:50 AM</td>
<td>01.03) Rezoning-Special Use District - 2</td>
</tr>
</tbody>
</table>

### Inspections

#### General Issues

#### 28. Zoning
- Tree Save Area cannot utilize existing trees in a 20' Sewer Easement.
- Bicycle parking calculations are 0.125 spaces per dwelling unit; 2 spaces minimum per building, please update Site Plan Legend and provide bicycle parking at the clubhouse building and label all bicycle parking locations on the site plan.
- Type II Bufferyard is required against RS9 single family zoning, widths provided on site plan are both 15' and 20', please correct in Site Plan Legend.
- There is a required 15' minimum side setback and Type II bufferyard as noted on the site plan along the northwestern property boundary adjacent to residential zoning.
- Per text amendment UDO-286, an engineered lighting plan must be submitted to obtain an approved commercial permit application demonstrating no more than one-half footcandle light levels at residential property lines and public right-of-way.

Map Forsyth Addressing Team

### General Issues

#### 19. Addressing & Street Naming

<table>
<thead>
<tr>
<th>Forsyth County Government</th>
<th>Road name Thurrock Court is not labeled on the plan, please add road name.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gloria Alford</td>
<td></td>
</tr>
<tr>
<td>3367032178</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:alfordgd@forsyth.cc">alfordgd@forsyth.cc</a></td>
<td></td>
</tr>
<tr>
<td>3/12/19 2:35 PM</td>
<td></td>
</tr>
<tr>
<td>01.03) Rezoning-Special Use District - 2</td>
<td></td>
</tr>
</tbody>
</table>

Planning

### General Issues

#### 14. CPAD

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>This plan complies with the recommendations of the Southwest Suburban plan update, which recommends intermediate density residential for the site (8-18 units per acre).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kirk Ericson</td>
<td></td>
</tr>
<tr>
<td>336-747-7045</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:kirke@cityofws.org">kirke@cityofws.org</a></td>
<td></td>
</tr>
<tr>
<td>3/12/19 11:23 AM</td>
<td></td>
</tr>
<tr>
<td>01.03) Rezoning-Special Use District - 2</td>
<td></td>
</tr>
</tbody>
</table>

#### 30. CAC/Greenway

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>No comment.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amy Crum</td>
<td></td>
</tr>
<tr>
<td>336-747-7051</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:amyc@cityofws.org">amyc@cityofws.org</a></td>
<td></td>
</tr>
<tr>
<td>3/25/19 8:49 AM</td>
<td></td>
</tr>
<tr>
<td>01.03) Rezoning-Special Use District - 2</td>
<td></td>
</tr>
</tbody>
</table>

31. Design
See comments below from the 1-25-19 Sketch Plan Meeting:
The land use and density are fully consistent with the recommendations of the Southwest Suburban Area Plan Update. This site is within a +/- 70 acre area recommended for density up to 18 du/ac which equates to a potential of 1,260 units. The first piece in achieving this long term planning goal should facilitate future comprehensive development in this larger area. While the proposed design does not completely preclude such an approach, if the adjacent PIN 6804-26-0233 cannot be included, I recommend redesigning the entrance as a public street and aligning it to serve adjacent properties similar to the attached conceptual street network. Good job on the benches and picnic shelter and because most pedestrians to and from the site will be walking to the east and the buildings are on the eastern side of the site, consider relocating the proposed sidewalk which connects to Kester Mill Road to the eastern side of the entrance and provide a wide, tree lined planting strip between the back of curb and said sidewalk.

City of Winston-Salem
Gary Roberts
336-747-7069
garyr@cityofws.org
3/25/19 11:36 AM
01.03) Rezoning-
Special Use District - 2

32. Site/Design

City of Winston-Salem
Tiffany White
336-727-8000
tiffanyw@cityofws.org
3/26/19 1:37 PM
01.03) Rezoning-
Special Use District - 2

Site plan needs to show where drainage from parking lot ties to proposed stormwater pond. Site plan also needs to show location of discharge outlet from proposed stormwater pond.

33. Site/Design
### 34. Site/Design

City of Winston-Salem
Tiffany White
336-727-8000
tiffanyw@cityofws.org
3/26/19 1:39 PM
01.03) Rezoning-Special Use District - 2

Common Rec. Area needs to conform to UDO Chapter B Article 3 Section 3-6, including finish grade requirements.

### 2019.02.13 Essex Place Rezoning Site Plan (Revised).pdf [15 redlines] (Page 1)

### 26. planning callout  B

City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
3/21/19 12:35 PM
01.03) Rezoning-Special Use District - 2

Sewer easement cannot contain tree save area.

### Stormwater

#### General Issues

### 15. Stormwater Management Plan/Permit Required

City of Winston-Salem
Joe Fogarty
336-747-6961
josephf@cityofws.org
3/12/19 11:35 AM
01.03) Rezoning-Special Use District - 2

A Post Construction Stormwater Management Plan and permit will be required to be submitted and approved for this project. The site is greater than 24% built upon and so is considered high density under the water quality provisions of The City of Winston-Salem’s Post Construction Stormwater Management ordinance and therefore must manage the first inch of runoff in an approved Stormwater management device. The site must also address the water quantity provisions of the ordinance which require the 2, 10 and 25 year post developed peak runoff rates to be attenuated to at or below the pre developed rates and also manage the increase in the 25 year volume. The developer must provide a non-refundable surety equal to 4% of the construction cost of the Stormwater management system as part of the permit process and also submit for approval an Operation and Maintenance Agreement that must be recorded at the Forsyth County Register of Deeds office.

### Utilities

#### General Issues

### 20. General Comments
Water and sewer interior to the site will be private. Site will be master metered. Water meters purchased through COWS. Backflow preventer required on all water connections. Be aware of the New System Development Fees that begin May 1, 2019.

15’ Side Setback/15’ Type II Bufferyard
USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Adult Day Care Home
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Church or Religious Institution, Community
Golf Course
Library, Public
Limited Campus Uses
Planned Residential Development
School, Private
School, Public
Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Bed and Breakfast
Child Day Care, Large Home
Habilitation Facility A
Manufactured Home, Class A
Park and Shuttle Lot
Urban Agriculture

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Parking, Off-Site, for Multifamily or Institutional Uses
Transmission Tower

\(^5\)SUP not required if requirements of Section B.2-5.2(A) are met
March 12, 2019

Dear Bryan and Gary,

As part of our rezoning effort for the property located at 4784 Essex Country Lane from RS-9 to RM-12 S (parcel ID 6804-26-1234.00 / rezoning application W-3405 Essex Place), we have done the following outreach to our neighbors and city commissioners:

- On February 18th and 19th we mailed a letter to property owners within 500’ of our parcel informing them of the proposed rezoning. Attached to this letter is a copy of the letter that was sent.
- On March 1st we were available onsite from 5-7 pm to meet with neighbors. Three neighbors came to visit, two from an adjacent property that is listed for sale. The third was the neighbor directly to the west of our site. The two neighbors from the site for sale were month to month renters of an older house on that property and expressed concern that we were developing our site. The homeowner to the west expressed concern, but she did not give an indication as to whether she supported the rezoning or not. Since we discussed her interest in selling her lot, I think that it is fair to say that her feelings are not yet known.
- For the past two weeks, Dan Besse and I have traded voice mails and spoken on the phone. We have a face to face meeting scheduled for March 25th. He is aware of our rezoning request and the nature of our plans.

I hope that you will find that this letter satisfies our requirement for Neighborhood Outreach regarding our rezoning petition. Please let me know if you need anything further from us. Thank you both for your assistance on this matter.

Very sincerely,

Linwood L. Davis, Jr.
February 18, 2019

Dear Neighbor,

I am working on the development of vacant land located at 3101 US 601. As a new neighbor, I would like to introduce myself. I am a native from Winston-Salem and have an independent real estate development company, Sylvan Road Partners. We focus on building high quality smaller multi-family developments throughout the state. Of note, we always serve as long term owners of our developments.

Our plan is to build four apartment buildings of 12 units each on this 10+ acre site. Ideally, we would begin construction in later 2020 with completion sometime in 2022. This effort falls within the Yadkinville’s long-term development plan.

To complete this project, we will work with the Town to rezone the property from its current zoning of RR to RH - Conditional. This allows us to move from a single-family usage to a multifamily usage, and this zoning change is limited to only to this use.

If you have any questions about this zoning change, please call me at (336) 409-0994 or email me at linwood@sylvanroadpartners.com. I am available to speak with you about this anytime. I also plan to be on the site February 28th from 5-7pm.

Very sincerely,

Linwood L. Davis, Jr.

Sylvan Road Partners, LLC
DOCKET #: W3406

PROPOSED ZONING:
CI

EXISTING ZONING:
CI-S

PETITIONER:
Forsyth County

SCALE: 1" represents 300'

STAFF: Beck

GMA: 1

ACRES: 3.35

NEAREST BLDG: 42' east

MAP(S): 6835.01

Property included in zoning request.

500' mail notification radius. Property not in zoning request.
East-Northeast Area Plan

Downtown Area Plan

South Central Area Plan

Southeast Area Plan

Proposed Land Use

General Residential

Mixed-Use (see text page 29)
PETITION INFORMATION

Docket #  W-3406
Staff  Donna Beck, CZO
Petitioner(s)  Forsyth County
Owner(s)  Same
Subject Property  PINs  6835-26-9125, 6835-36-0134, 6835-26-9049, 6835-25-9994, and 6835-35-0843
Address  121 N Church Street
Type of Request  General use rezoning from CI-S to CI

Proposal  The petitioner is requesting to amend the Official Zoning Maps for the subject property from CI-S (Central Industrial- Special Use) to CI (Central Industrial).

NOTE: General Use, Special Use Limited, and Special Use district zoning were discussed with the petitioner(s) who decided to pursue the rezoning as presented. With a General Use request, all uses in the district must be considered.

Zoning District Purpose Statement  The CI District is intended to accommodate biomedical, technological, scientific, and other public and private research uses within GMA 1. The district is also intended to accommodate a pedestrian oriented mixture of uses such as office, retail, residential and light manufacturing to support the primary research function of the district. The district encourages innovation by offering flexibility in design and layout requirements in an urban context. Development should incorporate pedestrian oriented design elements such as facade articulation, sidewalks, open space plazas, entrances facing the street, windows, awnings, and structured parking.

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)  (R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes. The site is surrounded by institutional, office, and research uses in Downtown Winston-Salem.

GENERAL SITE INFORMATION

Location  Northeast quadrant of the intersection of N Church Street and E First Street
Jurisdiction  City of Winston-Salem
Ward(s)  East
Site Acreage  ± 3.35 acres
Current Land Use  The subject property is completely developed with surface and structured parking.

Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CI-S</td>
<td>Correctional Institution</td>
</tr>
<tr>
<td>South</td>
<td>CB</td>
<td>Offices and structured parking</td>
</tr>
</tbody>
</table>
### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

Applicable classification/request compatible with uses permitted on other properties in the vicinity?

Yes. The proposed zoning district permits uses that are compatible with the mix of uses allowed in the adjacent CI, CI-S, and CB zoning districts.

### Physical Characteristics

The developed site is relatively flat and includes a parking deck, two surface parking lots, and mature trees and shrubs.

### Proximity to Water and Sewer

The site has access to public water and sewer.

### Stormwater/Drainage

No known issues.

### Watershed and Overlay Districts

The site is not located within a water supply watershed.

### Analysis of General Site Information

The site is developed with a parking deck that separates two surface parking lots. Mature landscaping exists on all street fronts.

### RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-1662</td>
<td>B-1 and I-1 to I-2-S</td>
<td>Approved 7/2/1990</td>
<td>Subject site</td>
<td>± 3.35 acres</td>
<td>Approval</td>
</tr>
<tr>
<td>W-1892</td>
<td>I-2-S to I-2-S Site Plan Amendment</td>
<td>Approved 5/2/1994</td>
<td>Subject site</td>
<td>± 3.35 acres</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Church Street</td>
<td>Minor Thoroughfare</td>
<td>488 feet</td>
<td>7,100</td>
<td>13,800</td>
</tr>
<tr>
<td>E First Street</td>
<td>Minor Thoroughfare</td>
<td>298.5 feet</td>
<td>5,100</td>
<td>13,800</td>
</tr>
<tr>
<td>E Second Street</td>
<td>Minor Thoroughfare</td>
<td>301 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Chestnut Street</td>
<td>Minor Thoroughfare</td>
<td>489 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Proposed access points are not known at this time because no site plan was required.

Planned road improvements are not known as this time.
| **Trip Generation - Existing/Proposed** | The ITE Trip Generation Manual does not provide trip generation calculations for parking uses, and the request does not include a proposed site plan. Trip generation for the site cannot be estimated. |
| **Sidewalks** | There are sidewalks on each street frontage. |
| **Transit** | The site is not located along a WSTA route. |
| **Connectivity** | The site is surrounded by public streets on every side. |
| **Transportation Impact Analysis (TIA)** | A TIA was not required due to the request being for general use rezoning. None was submitted in association with this request. |
| **Analysis of Site Access and Transportation Information** | The subject property has frontage along four minor thoroughfares and is located within 3,000 feet of two access ramps onto US 52 and within 600 feet of an access ramp onto Business 40 (Salem Parkway). The site is located within a pedestrian-oriented area along the eastern edge of downtown and is surrounded by sidewalks. Staff does not foresee any transportation issues related to this request. |

### CONFORMITY TO PLANS AND PLANNING ISSUES

| **Legacy 2030 Growth Management Area** | Growth Management Area 1 - City or Town Center |
| **Relevant Legacy 2030 Recommendations** | • Focus on quality development with good design (p. 32).  
• Promote design excellence (p. 35).  
• Promote deck parking over surface parking (p. 35).  
• Encourage both residential and nonresidential infill development/redevelopment versus greenfield development (p. 53).  
• Promote quality design so that infill does not negatively impact surrounding development (p. 54).  
• Make Downtown the dominant focus of economic and social life; a center of civic, entertainment and cultural activities; and a strong symbol of community pride and identity (p. 154).  
• Decked parking should be encouraged. Parking decks that contain multiple levels are more efficient than surface parking where land costs are high. Creative use of architecture and design elements can also improve the appearance of parking decks in urban settings (p. 166). |
| **Relevant Area Plan(s)** | Downtown Plan Update (2013) |
| **Area Plan Recommendations** | • The Downtown Skyline District is the major office area comprised of three distinct sub-areas: corporate, financial, and government. The government sub-area is very compact, so customers can access everything they need for conducting corporate and government business (p. 8).  
• The subject property is shown for mixed-use development as the proposed land use, like the majority of Downtown (p. 50). |
<table>
<thead>
<tr>
<th><strong>Site Located Along Growth Corridor?</strong></th>
<th>The site is not located along a growth corridor.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site Located within Activity Center?</strong></td>
<td>The site is not located within an activity center, but it is within the city center.</td>
</tr>
<tr>
<td><strong>Comprehensive Transportation Plan Information</strong></td>
<td>For the Church Street frontage, the CTP recommends a two-lane cross section with bike lanes on both sides and on-street parking on one side. For the E First Street frontage, the CTP recommends a three-lane cross section with a center turn lane, with sidewalks on both sides.</td>
</tr>
<tr>
<td><strong>Greenway Plan Information</strong></td>
<td>There is no existing or proposed greenway in proximity to the site.</td>
</tr>
<tr>
<td><strong>Other Applicable Plans and Planning Issues</strong></td>
<td>The site is across Church Street from City Hall, which is on the National Register of Historic Places and is also a Local Historic Landmark.</td>
</tr>
</tbody>
</table>
| **Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)** | (R)(3) - Have changing conditions substantially affected the area in the petition?  
No  
(R)(4) - Is the requested action in conformance with Legacy 2030?  
Yes |
| **Analysis of Conformity to Plans and Planning Issues** | The request to rezone a downtown city block from CI-S to CI promotes a dense, mixed-use and pedestrian-oriented urban form at a hub for government and private employment adjacent to other CI-zoned sites. Removing the Special Use designation provides the property owner(s) with greater flexibility in the uses permitted and the overall site layout, which provides more opportunities for the site’s design.  
Legacy and the CI zoning district encourage pedestrian-oriented and mixed-use development, also emphasizing the importance of both corporate and government office uses. Sidewalks are required in the CI district, which also encourages pedestrian access.  
Staff sees the request as being more consistent with Legacy and the Downtown Plan, since it would allow a greater mixture of uses and design options. |

### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th><strong>Positive Aspects of Proposal</strong></th>
<th><strong>Negative Aspects of Proposal</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rezoning to general use allows for greater development potential.</td>
<td>General use zoning has no design requirements.</td>
</tr>
<tr>
<td>Rezoning to general use allows for design flexibility.</td>
<td></td>
</tr>
</tbody>
</table>

W-3406 April 2019  4
STAFF RECOMMENDATION: Approval

NOTE: These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.
USES ALLOWED IN THE CI ZONING DISTRICT
City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

Academic Biomedical Research Facility
Academic Medical Center
Adult Day Care Center
Arts and Crafts Studio
Banking and Financial Services
Bed and Breakfast
Child Care, Drop-In
Child Care, Sick Children
Child Day Care Center
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Club or Lodge
College or University
Combined Use
Convenience Store
Food or Drug Store
Fuel Dealer
Furniture and Home Furnishings Store
Government Offices, Neighborhood Organization, or Post Office
Habilitation Facility A
Habilitation Facility B
Habilitation Facility C
Hospital or Health Center
Hotel or Motel
Library, Public
Manufacturing A
Manufacturing B
Micro-Brewery or Micro-Distillery
Motor Vehicle, Rental and Leasing
Museum or Art Gallery
Nursing Care Institution
Offices
Park and Shuttle Lot
Parking, Commercial
Police or Fire Station
Postal Processing Facility
Recreation Facility, Public
Recreation Services, Indoor
Recreation Services, Outdoor
Residential Building, Multifamily
Residential Building, Townhouse
Restaurant (without drive-through service)
Retail Store
School, Private
USES ALLOWED IN THE CI ZONING DISTRICT
City of Winston-Salem Jurisdiction Only

School, Public
School, Vocational or Professional Services A
Services B
Shopping Center
Shopping Center, Small
Signs, Off-Premises
Special Events Center
Stadium, Coliseum, or Exhibition Building
Swimming Pool, Private
Terminal, Bus or Taxi
Testing and Research Lab
Theater, Indoor
Transmission Tower
Utilities
Wholesale Trade A

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Heliport

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Helistop
Motorcycle Dealer

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Correctional Institution

\(^5\text{SUP not required if requirements of Section B.2.5.2(A) are met}\)
DOCKET #: W3407

PROPOSED ZONING:
GB-L

EXISTING ZONING:
GO and GI

PETITIONER:
WPDA, Inc.

SCALE: 1" represents 500'

STAFF: Corley

GMA: 2

ACRES: 19.88

NEAREST BLDG: 134' east

MAP(S): 6837.03
Proposed Land Use

- Single-Family Residential
- Low-Density Attached Residential
- Intermediate-Density Residential
- High-Density Residential
- Manufactured Housing Park
- Office
- Office / Low-Intensity Commercial
- Commercial
- Mixed-Use Development
- Industrial
- Institutional
- Park
- Open Space
- Commercial Recreation
- Utilities
- Activity Centers
- Special Land Use Condition Area
<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3407</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Desmond Corley</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>WPDA, Inc.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PINs 6837-10-3471 and 6837-10-9441, and a portion of PIN 6837-01-5045</td>
</tr>
<tr>
<td>Address</td>
<td>1001 Reynolds Boulevard</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Limited rezoning from GO and GI to GB-L</td>
</tr>
</tbody>
</table>

**Proposal**

The petitioner is requesting to amend the Official Zoning Maps for the subject property **from** GO (General Office) and GI (General Industrial) **to** GB-L (General Business – Limited Use) to allow the following uses:

- Academic Biomedical Research Facility; Academic Medical Center; Animal Shelter, Public; Arts and Crafts Studio; Banking and Financial Services; Bed and Breakfast; Boarding or Rooming House; Building Contractors, General; Building Materials Supply; Child Care, Drop-In; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Combined Use; Convenience Store; Food or Drug Store; Fraternity or Sorority; Fuel Dealer; Funeral Home; Furniture and Home Furnishings Store; Government Offices, Neighborhood Organization, or Post Office; Habilitation Facility A; Habilitation Facility B; Habilitation Facility C; Hospital or Health Center; Hotel or Motel; Institutional Vocational Training Facility; Library, Public; Manufacturing A; Micro-Brewery or Micro-Distillery; Motor Vehicle, Rental and Leasing; Museum or Art Gallery; Nursing Care Institution; Offices; Park and Shuttle Lot; Parking, Commercial; Police or Fire Station; Recreation Facility, Public; Recreation Services, Indoor; Recreation Services, Outdoor; Restaurant (with drive-through service); Restaurant (without drive-through service); Retail Store; School, Vocational or Professional; Services A; Services B; Shopping Center; Shopping Center Small; Special Events Center; Stadium, Coliseum, or Exhibition Building; Storage Services, Retail; Swimming Pool, Private; Terminal, Bus or Taxi; Testing and Research Lab; Theater, Indoor; Urban Agriculture; Utilities; Veterinary Services; Warehousing; Wholesale Trade A; Adult Day Care Center; Child Care Institution; Child Care, Sick Children; Family Group Home B; Family Group Home C; Group Care Facility A; Group Care Facility, B; Life Care Community; Residential Building, Multifamily; Residential Building, Townhouse; Residential Building, Twin Home; Residential Building, Duplex; School Private; School, Public; Access Easement, Private Off-Site; Entertainment Facility, Large
### Zoning District Purpose Statement

The GB District is primarily intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2, 3, and Metro Activity Centers.

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

#### (R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes. The subject property is at the intersection of two major thoroughfares, with existing development pulled up close to the street along Reynolds Boulevard. A preliminary subdivision approved in 2018 indicates that the subject property will be part of a larger, comprehensive development. The property is in GMA 2.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>North side of Reynolds Boulevard, west of Indiana Avenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>North</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 19.88 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Vacant industrial buildings</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Surrounding Property Zoning and Use</th>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>West</td>
<td>GI</td>
<td>Manufacturing and other industrial uses</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>GI and LI</td>
<td>Manufacturing and other industrial uses</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>LI</td>
<td>Hanes Hosiery Recreation Center and an unused industrial building</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>IP</td>
<td>Cemetery</td>
<td></td>
</tr>
</tbody>
</table>

#### (R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes. The subject property is part of Whitaker Park, a large, historically industrial development surrounded by a variety of uses ranging from detached residential to industrial.
### Physical Characteristics
The site’s natural topography has been altered over time to accommodate development throughout Whitaker Park. Currently, the highest point of the site is in the eastern portion, and the land gradually slopes downward to the west. All existing vegetation is along the adjacent roads and property boundary shared with the Southern Railroad.

### Proximity to Water and Sewer
Public water and sewer are available to the site.

### Stormwater/Drainage
There are no known stormwater or drainage issues associated with the site.

### Watershed and Overlay Districts
The site is not located within a protected watershed nor in any overlay districts.

### Historic, Natural Heritage and/or Farmland Inventories
The largest existing buildings on the subject property are listed in the National Register of Historic Places (R.J. Reynolds Tobacco Buildings 2-1 and 2-2). Also part of the National Register site are the smaller office building, the boiler and pump house, a granite retaining wall, and the Southern Railway Spur Line trestle.

### Analysis of General Site Information
The subject property is part of an industrial park that has mostly been developed. As a result, public utilities are fairly accessible. Aside from the procedural requirements for redeveloping historic properties, the site has no physical constraints for intensified development or redevelopment.

### RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-3063</td>
<td>GI to GO</td>
<td>Approved 6/7/2010</td>
<td>Includes a portion of subject property</td>
<td>± 3.2</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reynolds Boulevard</td>
<td>Major Thoroughfare</td>
<td>1,756 feet</td>
<td>4,900</td>
<td>27,500</td>
</tr>
<tr>
<td>Indiana Avenue</td>
<td>Major Thoroughfare</td>
<td>825 feet</td>
<td>3,200</td>
<td>13,800</td>
</tr>
</tbody>
</table>

### Proposed Access Point(s)
Because this is a Limited Use request with no site plan, staff cannot determine proposed access points.

### Planned Road Improvements
The applicant has not proposed any improvements with this request. Recommendations from the Comprehensive Transportation Plan are outlined below.

### Trip Generation - Existing/Proposed
Because there are no site plans associated with the existing or proposed uses(s), staff is unable to estimate either the existing or proposed trip generation for the site.
| Sidewalks | There are no sidewalks along Reynolds Boulevard nor Indiana Avenue in the vicinity of the subject property. Preliminary Subdivision #2018122, approved by the Planning Board in December 2018 and including the subject property, shows sidewalk along both sides of a proposed extension of Shorefair Drive. This extension would follow the northern zoning boundary. (See Attachment B) |
| Transit | WSTA Route 91 travels along Indiana Avenue. A stop for this route exists at the intersection with Reynolds Boulevard. |
| Connectivity | Staff is unable to determine the overall connectivity of the site, as no site plan was submitted with this request. However, the aforementioned preliminary subdivision, which includes this site, shows an extension of Shorefair Drive to align with Akron Drive to the east. |
| Transportation Impact Analysis (TIA) | No TIA was conducted in association with this request. |
| Analysis of Site Access and Transportation Information | It should be noted that the subject property does not have direct frontage along Indiana Avenue because right-of-way for the Southern Railroad intervenes. However, a public street has been approved as part of a preliminary subdivision plan showing an extension of Shorefair Drive to align with Akron Drive at its intersection with Indiana Avenue. The approval conditions for that subdivision require the dedication of additional right-of-way to connect the Shorefair Drive extension to the intersection. The site is at the intersection of two major thoroughfares, both planned for sidewalks, and one of which carries a transit route. Any future development would be well served by the proximity of these facilities and may benefit from the excess capacity on Reynolds Boulevard and Indiana Avenue. Internal and external access for future development(s) should be compatible with existing connections, as well as the proposed street layout approved with the associated preliminary subdivision plan. |

## CONFORMITY TO PLANS AND PLANNING ISSUES

| Legacy 2030 Growth Management Area | Grown Management Area 2 – Urban Neighborhoods |

### Relevant Legacy 2030 Recommendations

- Increase infill development within the Municipal Services Area (p. 6).
- Encourage convenient services at designated areas to support neighborhoods consistent with the Growth Management Plan (p. 54).
- Encourage reuse of vacant and underutilized commercial and industrial sites (p. 57).
- Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area (p.141).
- Recognize the scarcity of good industrial land and promote the wisest economic use of those limited resources to generate needed jobs and create wealth for our community (p. 93).
- Protect planned industrial areas by following the recommendations of the Planning Department’s industrial sites study, area plans, and other development guides (p. 93).

<table>
<thead>
<tr>
<th>Relevant Area Plan(s)</th>
<th>North Suburban Area Plan Update (2014)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Plan Recommendations</td>
<td>The area plan recommends industrial use of the site.</td>
</tr>
<tr>
<td>Site Located Along Growth Corridor?</td>
<td>No</td>
</tr>
<tr>
<td>Site Located within Activity Center?</td>
<td>No</td>
</tr>
<tr>
<td><strong>Comprehensive Transportation Plan Information</strong></td>
<td>The Comprehensive Transportation Plan recommends a three-lane section with curb and gutter, wide outside lanes, and sidewalks for this portion of Indiana Avenue. The plan also recommends a four-lane section with a landscaped median, wide outside lanes, and sidewalks for this portion of Reynolds Boulevard.</td>
</tr>
<tr>
<td>Greenway Plan Information</td>
<td>There are no planned greenways near the site.</td>
</tr>
<tr>
<td>Addressing</td>
<td>Addresses will be assigned at the time of permitting.</td>
</tr>
</tbody>
</table>

**Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)**

- (R)(3) - Have changing conditions substantially affected the area in the petition?
  - Whitaker Park has seen a decline in industrial activity over the past few years.
- (R)(4) - Is the requested action in conformance with Legacy 2030?
  - Yes

**Analysis of Conformity to Plans and Planning Issues**

The request to rezone an industrial property for commercial use allows the repurposing of existing buildings and redevelopment of underutilized land. Both Legacy and the North Suburban Area Plan call for the creation of new commercial opportunities and the redevelopment of existing underutilized sites.

The area plan also calls for the improvement of existing commercial areas that blend with existing development and do not infringe on nearby neighborhoods. It says that commercial areas should be compact with limited access to major thoroughfares and should not promote strip development. The reuse of vacant buildings and the redevelopment of existing undeveloped and underutilized sites is recommended, where possible. Staff believes the proposal would allow such development, particularly in light of the preliminary subdivision that has already been approved.
While the comprehensive plan also recommends that we protect industrial sites, Staff does not see this request as diminishing the potential of the industrial site as a whole. In addition to making up a small portion of the larger industrial park, some limited industrial uses would be permitted with this request.

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposal allows for the redevelopment of a prominent industrial site.</td>
<td>The North Suburban Area Plan recommends industrial use of the site, and Legacy recommends protecting industrial areas.</td>
</tr>
<tr>
<td>The proposal would encourage reuse of existing vacant buildings and historic resources.</td>
<td></td>
</tr>
<tr>
<td>The proposal would create new commercial opportunities that are compatible with existing areas.</td>
<td></td>
</tr>
<tr>
<td>The proposal would have limited access to major thoroughfares and is compact enough to discourage strip commercial development.</td>
<td></td>
</tr>
</tbody>
</table>

**SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL**

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **OTHER REQUIREMENTS:**
  a. Freestanding signage for a comprehensive development shall be limited to one monument sign that complies with the dimensional requirements for signs in the General Business (GB) zoning district. In addition, each individual parcel within such a development shall be allowed one monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.

**STAFF RECOMMENDATION:** Approval

**NOTE:** These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**
EXISTING GI ZONING:

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Academic Biomedical Research Facility
Adult Establishment
Animal Feeding Operation
Animal Shelter, Public
Arts and Crafts Studio
Banking and Financial Services
Building Contractors, General
Building Contractors, Heavy
Building Materials Supply
Bulk Storage of Petroleum Products
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Correctional Institution
Fish Hatchery
Fuel Dealer
Golf Course
Government Offices, Neighborhood Organization, or Post Office
Kennel, Indoor
Manufacturing A
Manufacturing B
Manufacturing C
Micro-Brewery or Micro-Distillery
Motor Vehicle, Body or Paint Shop
Motor Vehicle, Rental and Leasing
Motor Vehicle, Repair and Maintenance
Motor Vehicle, Storage Yard
Offices
Park and Shuttle Lot
Parking, Commercial
Police or Fire Station
Postal Processing Facility
Recreation Facility, Public
Recreation Services, Indoor
Recreation Services, Outdoor
Recycling Center
Recycling Plant
School, Vocational or Professional
Services A
Services B
Signs, Off-Premises
Solid Waste Transfer Station
USES ALLOWED IN THE EXISTING GI & GO ZONING DISTRICTS
City of Winston-Salem Jurisdiction Only

Storage and Salvage Yard
Storage Services, Retail
Storage Trailer
Terminal, Bus or Taxi
Terminal, Freight
Testing and Research Lab
Transmission Tower
Urban Agriculture
Utilities
Veterinary Services
Warehousing
Wholesale Trade A
Wholesale Trade B

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Airport, Private
Heliport
Landfill, Construction and Demolition
Landfill, Land Clearing/Inert Debris
Meat Packing Plant
Motor Vehicle Dismantling and Wrecking Yard

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Airport, Public
Borrow Site
Dirt Storage
Helistop

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
Asphalt and Concrete Plant
Hazardous Waste Management Facility
Landfill, Sanitary
Mining, Quarry, or Extractive Industry

SUP not required if requirements of Section B.2-5.2(A) are met
USES ALLOWED IN THE EXISTING GI & GO ZONING DISTRICTS
City of Winston-Salem Jurisdiction Only

EXISTING GO ZONING:

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Academic Medical Center
Arts and Crafts Studio
Banking and Financial Services
Child Care, Drop-In
Church or Religious Institution, Community
Church or Religious Institution, Neighborhood
Club or Lodge
College or University
Fraternity or Sorority
Funeral Home
Government Offices, Neighborhood Organization, or Post Office
Habilitation Facility A
Habilitation Facility B
Habilitation Facility C
Hospice and Palliative Care
Hospital or Health Center
Institutional Vocational Training Facility
Library, Public
Museum or Art Gallery
Nursing Care Institution
Offices
Park and Shuttle Lot
Police or Fire Station
Recreation Facility, Public
School, Vocational or Professional
Services A
Utilities
Transmission Tower

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care Institution
Child Care, Sick Children
Child Day Care Center
Landfill, Land Clearing/Inert Debris

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Helistop
USES ALLOWED IN THE EXISTING GI & GO ZONING DISTRICTS
City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site\(^5\)

\(^5\)SUP not required if requirements of Section B.2-5.2(A) are met
DOCKET #: W3408

PROPOSED ZONING:
GB-S

EXISTING ZONING:
MU-S and RS9

PETITIONER:
The Commons of Forsyth County, Inc.

SCALE: 1" represents 500'

STAFF: Roberts

GMA: 2

ACRES: 16.69

NEAREST BLDG: 22' southwest

MAP(S): 6846.04
Northeast Suburban Area Plan

East-Northeast Area Plan

East-Northeast Winston-Salem Area Plan, 2015

(Proposed land uses shown are generalized. See area plan for specific recommendations.)

Residential Opportunity Areas

- Moderate Density (up to 8 du/acre)
- High-Density Residential (over 18 DU/Acre)
- Intermediate-Density Residential (8.1-18 DU/Acre)
- Low-Density Attached Residential (0-8 DU/Acre)
- Single-Family Residential (0-8 Du/Acre)

Proposed Growth Corridor

- Urban/Suburban Form
  - Single-Family Residential
  - Commercial
  - Commercial/Office/Multifamily

Special Land Use Condition Areas

- Activity Center

Proposed Land Use

- Office
- Office/Low-Intensity Commercial
- Commercial
- Mixed-Use Development
- Industrial
- Institutional
- Park
- Open space
- Utilities

Feet

500 500

250 250

Plotted: 3/20/2019

Case W3408
**PETITION INFORMATION**

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Docket #</td>
<td>W-3408</td>
</tr>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr., AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>The Commons of Forsyth County Inc.</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property PINs</td>
<td>6846-82-9834, 6846-83-6045, and 6846-83-8183</td>
</tr>
<tr>
<td>Address</td>
<td>2357 Felicity Circle and 1430 and 1504 Felicity Lane</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use rezoning from MU-S and RS9 to GB-S</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from MU-S (Mixed Use – Special Use - Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Townhouse; Life Care Community; Hospice and Palliative Care; Offices; Services, A; School, Vocational or Professional; and Restaurant (without drive-through service) and RS9 (Residential, Single Family – 9,000 square foot minimum lot size) to GB-S (General Business – Special Use zoning). The petitioner is requesting the following use: • Group Care Facility C</td>
</tr>
<tr>
<td>Neighborhood Contact/Meeting</td>
<td>See Attachment B for a summary of the petitioner’s neighborhood outreach.</td>
</tr>
<tr>
<td>Zoning District Purpose Statement</td>
<td>The GB District is primarily intended to accommodate a wide range of retail, service, and office uses located along thoroughfares in areas which have developed with minimal front setbacks. However, the district is not intended to encourage or accommodate strip commercial development. The district would accommodate destination retail and service uses, characterized by either a larger single business use or the consolidation of numerous uses in a building or planned development, with consolidated access. This district is intended for application in GMAs 1, 2 and 3 and Metro Activity Centers.</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)? The site is located within GMA 2 (Urban Neighborhoods) at the intersection of a major and a minor thoroughfare. Considering the nature of the proposed use, staff does not view this request as encouraging strip commercial development in the general area.</td>
</tr>
</tbody>
</table>

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>West side of Old Greensboro Road at its intersection with US 158/Reidsville Road</td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>Northeast</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 16.69 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The two-story building located at the front of the site is currently occupied by United Health Center. Several of the existing apartments are also currently occupied. The remaining buildings are unoccupied and were most recently used by the Commons of Forsyth County.</td>
</tr>
</tbody>
</table>
### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS9 and NO-L</td>
<td>Undeveloped property and single-family homes</td>
</tr>
<tr>
<td>East</td>
<td>RS9</td>
<td>Intersection of Old Greensboro Road and US 158/Reidsville Road and single-family homes</td>
</tr>
<tr>
<td>South</td>
<td>LO-S and RS9</td>
<td>Unoccupied office/institutional building and Jay’s Convenience Store</td>
</tr>
<tr>
<td>West</td>
<td>RS9</td>
<td>Single-family homes and undeveloped lots</td>
</tr>
</tbody>
</table>

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

**(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?**

The subject property has been used for various institutionally related uses and is referenced in the *East Northeast Winston-Salem Update* as the Commons of Forsyth County. The Commons provides a variety of programs designed to help certain populations in need of assistance. The plan notes as the facility may grow, new expansions should occur towards the back of the site, possibly with an extension of Felicity Lane. The proposed site plan is consistent with this commentary.

Considering the mixture of uses which have historically taken place on this site along with the specific location of the proposed new buildings and screening along Harvest Drive, staff believes the proposed use of Group Care Facility C will be generally compatible with the uses permitted on the surrounding properties.

### Physical Characteristics

The northern section of the site is heavily wooded and includes some areas of steep topography which generally slope downward to the north.

### Proximity to Water and Sewer

Public water and sewer are available to the site.

### Stormwater/Drainage

Based upon the existing amount of impervious coverage on the site compared with the proposed amount of impervious coverage, along with the size of the subject property, no stormwater control devices are proposed at this time. However, a stormwater management study will be required at the time of permitting.

### Watershed and Overlay Districts

The site is not located within a water supply watershed.

### Analysis of General Site Information

The southern half of the site is currently developed with multiple buildings and parking and circulation areas. The northern section of the site is heavily wooded and traversed by an intermittent stream. This area also includes some challenging topography. The site does not contain any designated watershed or regulatory floodplain areas.

### RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-3245</td>
<td>RS9 to NO-L</td>
<td>Approved 1/20/2015</td>
<td>Directly northeast</td>
<td>1.25</td>
<td>Approval</td>
</tr>
<tr>
<td>W-3003</td>
<td>RS9 and MU-S to MU-S</td>
<td>Denied 1/5/2009</td>
<td>Subject property</td>
<td>16.69</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2915</td>
<td>MU-S to MU-S</td>
<td>Approved 4/2/2007</td>
<td>Included majority of subject property</td>
<td>16.5</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2699</td>
<td>Final Development Plan</td>
<td>Approved 8/11/2005</td>
<td>Included majority of subject property</td>
<td>16.5</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2699</td>
<td>GO-S and RS9 to MU-S (TWO PHASE)</td>
<td>Approved 6/7/2004</td>
<td>Included majority of subject property</td>
<td>16.5</td>
<td>Approval</td>
</tr>
</tbody>
</table>

**SITE ACCESS AND TRANSPORTATION INFORMATION**

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Old Greensboro Road</td>
<td>Minor Thoroughfare</td>
<td>715 feet</td>
<td>5,600</td>
<td>13,800</td>
</tr>
<tr>
<td>Harvest Drive</td>
<td>Collector Street</td>
<td>1,265 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Felicity Circle</td>
<td>Private Street (internal)</td>
<td>550 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Felicity Lane</td>
<td>Private Street (internal)</td>
<td>650 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Joy Way</td>
<td>Private Street (internal)</td>
<td>175 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**
The proposed site plan shows the continued use of three driveways onto Old Greensboro Road.

**Planned Road Improvements**
NCDOT Transportation Improvement Program (TIP) R-2577 proposes changes to the intersection of US 158/Reidsville Road and Old Greensboro Road in front of the subject property. Construction of this project is scheduled to begin in 2021. The preliminary design for this project shows that no additional right-of-way will be needed along the frontage of the site. Staff also notes that Harvest Drive is shown on the adopted Winston-Salem Urban Area Collector Street Plan to extend to Kittering Lane north of Frazier Creek.

**Trip Generation - Existing/Proposed**
Existing Zoning: MU-S and RS9
Due to the approved mixture of uses on the subject property, staff is unable to provide an accurate trip generation estimate for the current zoning.

Proposed Zoning: GB-S
250 units (residents) x 2.74 (Assisted Living Facility*) = 685 Trips per Day
* Assisted Living Facility is the closest use to the proposed use of Group Care Facility C as noted within the Institute for Transportation Engineers Trip Generation book.
<table>
<thead>
<tr>
<th>Sidewalks</th>
<th>Sidewalks are currently located along the site frontage on Old Greensboro Road and continue southwest to the intersection with East Fifth Street. The proposed site plan also shows a good internal network of sidewalks.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transit</td>
<td>WSTA Route 94 runs along Old Greensboro Road in front of the subject property.</td>
</tr>
<tr>
<td>Analysis of Site Access and Transportation Information</td>
<td>The site is served by transit and is located at the intersection of two thoroughfares. The developer has proposed to remove the existing secondary access onto Harvest Drive and record a negative access easement along this frontage. As noted, the closest trip generation multiplier to the proposed use of Group Care Facility C is Assisted Living Facility. Staff foresees no transportation related issues associated with this request.</td>
</tr>
</tbody>
</table>

### SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>45,307 existing + 52,683 proposed = 97,990 total</td>
<td>Generally located within the southern and western portions of the site</td>
</tr>
<tr>
<td>Parking</td>
<td>Required</td>
<td>Proposed</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td>79 spaces</td>
<td>79 spaces</td>
</tr>
<tr>
<td>Building Height</td>
<td>Maximum</td>
<td>Proposed</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td>60 feet</td>
<td>Two stories</td>
</tr>
<tr>
<td>Impervious Coverage</td>
<td>Maximum</td>
<td>Proposed</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>27.37 percent</td>
</tr>
</tbody>
</table>
| UDO Sections Relevant to Subject Request | • Chapter B, Article II, Section 2-1.3 (J) General Business District  
• Chapter B, Article II, Section 2-5.34.1 Group Care Facility C Use Conditions |
| Complies with Chapter B, Article VII, Section 7-5.3 | (A) *Legacy 2030 policies:* | Yes |
| | (B) *Environmental Ord.* | N/A |
| | (C) *Subdivision Regulations* | N/A |
| Analysis of Site Plan Compliance with UDO Requirements | The proposed site plan shows the reuse of an existing multi-building campus along with a substantial expansion in total new building square footage. The proposed tree save area is located in the northeastern portion of the site, partially along the stream buffer. Compliance with the use conditions for Group Care Facility C must be demonstrated at the time of permitting. |

**CONFORMITY TO PLANS AND PLANNING ISSUES**

**Legacy 2030 Growth Management Area**  
Growth Management Area 2 – Urban Neighborhoods
<table>
<thead>
<tr>
<th>Relevant Legacy 2030 Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Encourage redevelopment and reuse of existing sites and buildings that is compatible and complementary with the surrounding area (p. 141).</td>
</tr>
<tr>
<td>• Existing institutions should be permitted to grow and expand in a manner that is compatible with surrounding neighborhoods (p. 26).</td>
</tr>
<tr>
<td>• Ensure appropriate transitional land uses or physical buffering between residential and nonresidential uses to maintain the character and stability of neighborhoods (p. 175).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Relevant Area Plan(s)</th>
<th>East Northeast Winston-Salem Update (2015)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Plan Recommendations</td>
<td>The subject property is recommended for mixed-use development.</td>
</tr>
<tr>
<td>General Area Plan Recommendation:</td>
<td>• The reuse of vacant buildings and the redevelopment of existing undeveloped and underutilized sites is recommended, where possible. Commercial uses are also recommended in the Mixed-Use Opportunity Areas (p. 26).</td>
</tr>
<tr>
<td>Specific Recommendations for the subject property:</td>
<td>• The Commons of Forsyth County - The Commons of Forsyth County sits on a 16-acre campus located on Old Greensboro Road. The Commons is a collaborative effort between the North Carolina Housing Foundation, Goodwill Industries, Winston-Salem State University, State Employees’ Credit Union and several other service organizations. The Commons of Forsyth County provides homeless and rehabilitation services, through a variety of programs, facilities, and training opportunities. The existing campus currently has a variety of land uses including residential, office, warehouse, and medical services occupying a small portion of the entire site. As the services and number of residents on site grow, there may be a need to expand the campus.</td>
</tr>
<tr>
<td></td>
<td>• Expand new development towards the back of the site, possibly with the extension of Felicity Lane. Avoid adding new buildings/access to the section where Reidsville Road and Old Greensboro Road run together as a one-way street.</td>
</tr>
<tr>
<td></td>
<td>• Keep the existing entrance to the campus off of Old Greensboro Road. As additional traffic is brought to the site, explore swapping the current entrance and exit to give more room for a right turn onto the site. Restripe front parking accordingly when making this change.</td>
</tr>
<tr>
<td></td>
<td>• Design new parking to be visually unobtrusive and pedestrian-friendly. Locate parking behind/beside the building, screened from public view by buildings/landscaping (p. 36).</td>
</tr>
<tr>
<td>Site Located Along Growth Corridor?</td>
<td>The site is not located along a growth corridor.</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td>Site Located within Activity Center?</td>
<td>The site is not located within an activity center.</td>
</tr>
<tr>
<td>Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)</td>
<td>(R)(3) - Have changing conditions substantially affected the area in the petition? No</td>
</tr>
<tr>
<td>(R)(4) - Is the requested action in conformance with Legacy 2030?</td>
<td>Yes</td>
</tr>
<tr>
<td>Analysis of Conformity to Plans and Planning Issues</td>
<td>The request is to allow the use Group Care Facility C and accommodate additional building and parking areas associated with the use. The site has historically been used for a mixture of institutional-related uses within a campus setting. Group Care Facility C is a relatively new use added to the UDO in 2018 (UDO 287). The use is only allowed in GB-S zoning districts and comes with specific use conditions. The use is defined as “A transitional housing facility for two hundred and fifty (250) or fewer residents, licensed by the State of North Carolina and operated by a nonprofit corporation chartered pursuant to Chapter 55A, North Carolina General Statutes, which provides room and board, personal care and rehabilitation services while persons receive therapy and/or counseling primarily to assist them to recuperate from the effects of or refrain from the use of drugs or alcohol and/or to assist them to adjust to society as an alternative to incarceration but not including &quot;Emergency Shelters, Shelters for the Homeless or Temporary Shelters&quot; as defined in Section A.2. Such facilities may have accessory uses conducted on the premises, including but not limited to, schooling of residents, training programs in occupational fields, and production of goods and crafts to be sold off-premises.” The developer with this rezoning request is Triangle Residential Options for Substance Abusers, Inc. (TROSA). TROSA is a non-profit organization that operates a large long-term residential substance abuse facility in Durham, NC and is interested in opening a similar facility in Winston-Salem. TROSA was the petitioner for UDO 287 and the current request is consistent with this approved text amendment. Legacy 2030 recommends redevelopment and reuse of existing sites and buildings that is compatible and complementary with their surrounding areas. The East Northeast Winston-Salem Update recommends mixed-use development for the subject property, along with several site-specific design recommendations. These recommendations are intended to allow increased activity on the site, provided it occurs in a manner which is sensitive to the predominantly residential setting of the area. The site plan shows a northward extension of Felicity Lane running parallel to Harvest Drive along the western boundary of the site. Multiple one- and...</td>
</tr>
</tbody>
</table>
two-story buildings would be constructed along this private street. This is consistent with the area plan and minimizes potential negative impacts to the residential properties along Harvest Drive. The developer also proposes to maintain the existing building setback line and screening treatment along the Harvest Drive frontage. To that end, the developer will also remove the existing access onto Harvest Drive and record a negative access easement along the entire frontage. An enhanced bufferyard with supplemental evergreen plantings will be provided adjacent to an existing RS9-zoned lot further to the east. Staff notes because the GB district does not allow the use Residential Building, Single Family, the two existing single-family dwellings located along Joy Way would become nonconforming upon approval of the subject request. If the buildings became unoccupied for more than one year, the nonconforming status would be lost.

The site is not adjacent to other commercially zoned properties, nor does the area plan recommend commercial zoning on these lots. Therefore, the developer has agreed to a condition whereby the site would revert to its current zoning if the proposed use is not in operation on the site within one-year of City Council approval.

Staff sees the proposed reuse and intensification of the subject property as compatible with the surrounding development and consistent with the recommendations of both *Legacy 2030* and the area plan. The current zoning, the mixture of uses which have occurred simultaneously on the site, and the proposed site design elements support this conclusion.

**CONCLUSIONS TO ASSIST WITH RECOMMENDATION**

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The site has historically been used for a mixture of institutional-related uses in a campus setting.</td>
<td>The subject property is not adjacent to other commercially zoned properties and is relatively large compared to those properties in the vicinity.</td>
</tr>
<tr>
<td>The request does not include any standalone commercial uses.</td>
<td>The request would place a relatively intense use in close proximity to a residential neighborhood.</td>
</tr>
<tr>
<td>The site is located at the intersection of a major and minor thoroughfare and is served by transit.</td>
<td></td>
</tr>
<tr>
<td>The request includes a condition whereby the zoning would revert back to the current MU-S and RS9 if the proposed use is not in operation within one year of rezoning approval.</td>
<td></td>
</tr>
<tr>
<td>The request would address a growing community need by serving people who are suffering from the effects of substance abuse.</td>
<td></td>
</tr>
</tbody>
</table>
The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

**PRIOR TO THE ISSUANCE OF ANY PERMITS:**
- a. Developer shall obtain all necessary permits from the North Carolina Department of Environmental Quality (NCDEQ) and the Division of Energy, Mineral, and Land Resources (DEMLR).

**PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
- a. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.
- b. Developer shall obtain a driveway permit from the City of Winston-Salem and NCDOT; additional improvements may be required prior to issuance of driveway permit.
  Required improvements include:
  - Closing any unused driveways, including along Harvest Drive; and
  - Recording a negative access easement along Harvest Drive.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
- a. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on “Exhibit A” and as verified by Planning staff.

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
- a. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
- b. Developer shall complete all requirements of the driveway permit.

**OTHER REQUIREMENTS:**
- a. The properties indicated in the rezoning petition shall revert to their original MU-S and RS9 zoning if a Certificate of Occupancy for the use Group Care Facility C has not been issued within one year of the date of approval by the Winston-Salem City Council.

**STAFF RECOMMENDATION:** Approval

**NOTE:** These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**
The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Wednesday the week before (8 days prior to) the Planning Board meeting.

### Open Issues: 20

#### Engineering

<table>
<thead>
<tr>
<th>Text Box</th>
<th>B</th>
</tr>
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<tbody>
<tr>
<td><strong>City of Winston-Salem</strong></td>
<td>Albert Gaskill</td>
</tr>
<tr>
<td></td>
<td>336-747-6846</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:albertcg@cityofws.org">albertcg@cityofws.org</a></td>
</tr>
<tr>
<td>3/18/19 4:58 PM</td>
<td>01.03) Rezoning-Special Use District - 2</td>
</tr>
</tbody>
</table>

19. **City of Winston-Salem**
   
   City DW permit req’d with HD concrete apron, ADA ramps, SE’s, stop bar and stop sign. Close all unused drives

20. **City of Winston-Salem**
   
   Engineering to review/approve all private road design.
Erosion Control

General Issues

23. Erosion Control Plan Needed

If the proposed project creates more than 10,000 sq. feet of land disturbance, an Erosion Control/Grading Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval. Please submit the plan through the electronic plan review portal at the following link: https://winston-salem.idtplans.com/secure/

24. Plan Review to DEMLR

If there are any public funds involved in this project then Erosion Control Plan approval will need to be completed through NCDEQ, DEMLR. The contact for NCDEQ, DEMLR at the Winston-Salem Regional Office is Seth Titley (336-776-9800).

Fire/Life Safety

General Issues

14. Notes

As part of your construction plan submittal, include the calculated fire flow for this project and indicate the approved method used for that construction. Refer to Section 507 of the 2018 NC Fire Code and to https://www.isomitigation.com/siteassets/downloads/guide-determinerequiredfireflow.pdf for further information.

Emergency responder radio coverage shall meet the requirements of Section 510 of the 2018 NC Fire Code for this project. Consider how these requirements, including any systems necessary to bring radio coverage into compliance with this section, may impact your plans.
11. WS - Fire/Life Safety

Winston-Salem Fire Department
Michael Morton
336-747-6935
michaelcm@cityofwsfire.org
3/12/19 2:20 PM
01.03) Rezoning-Special
Use District - 2

Ensure gates provide at least 20' of clear width. An approved emergency means of gate operation must be provided.

12. WS - Fire/Life Safety

Winston-Salem Fire Department
Michael Morton
336-747-6935
michaelcm@cityofwsfire.org
3/12/19 2:20 PM
01.03) Rezoning-Special
Use District - 2

Ensure fire apparatus roads have a clear width of not less than 20'.

13. WS - Fire/Life Safety

Winston-Salem Fire Department
Michael Morton
336-747-6935
michaelcm@cityofwsfire.org
3/12/19 2:20 PM
01.03) Rezoning-Special
Use District - 2

FDCs may be no more than 100' from a fire hydrant.

IDTP

TROSA Triad SUD Site Plan 1st Submittal 2019-03-05.pdf [19 redlines] (Page 2)

8. Text Box

City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
3/6/19 10:12 AM
Pre-Submittal Workflow - 1

LABEL SURFACE TYPE

Coulter Jewell Thames PA
Andrew Porter
919-682-0368
andrew.porter@cjtpa.com
3/11/19 7:53 PM
Pre-Submittal Workflow - 1

Heavy duty concrete pavement label has been added to C200 plan sheet.
26. Zoning

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Elizabeth Colyer</th>
</tr>
</thead>
<tbody>
<tr>
<td>336-747-7427</td>
<td><a href="mailto:elizabethrc@cityofws.org">elizabethrc@cityofws.org</a></td>
</tr>
<tr>
<td>3/25/19 12:59 PM</td>
<td>01.03) Rezoning-Special Use District - 2</td>
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</tbody>
</table>

- Use Conditions per UDO-287 will apply for the use Group Care Facility C.

- Per text amendment UDO-286, an engineered lighting plan may be required to obtain an approved commercial permit application demonstrating no more than one-half footcandle light levels at residential property lines and public right-of-way.

- Please update parking calculations as 0.25 spaces per resident + 1 space per employee on the largest shift, bicycle parking is 1 space per 20,000sf GFA, 2 space minimum and 20 space maximum required per site is located in GMA 2.

- Please note that the single family residential dwellings will become nonconforming per the rezoning to GB-S. If the buildings are unoccupied for more than one year, the nonconforming status will be lost.

[Ver. 3] [Edited By Elizabeth Colyer]

MapForsyth Addressing Team

General Issues

15. Incorrect road name on plan

<table>
<thead>
<tr>
<th>Forsyth County Government</th>
<th>HSA Circle is a incorrect name for the road, the correct road name is Felicity Circle, please make correction on plan. If there are any questions you can email me at <a href="mailto:alfordgd@mapforsyth.org">alfordgd@mapforsyth.org</a>. Addresses will be issue prior to building permit being issue.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gloria Alford</td>
<td><a href="mailto:alfordgd@forsyth.cc">alfordgd@forsyth.cc</a></td>
</tr>
<tr>
<td>3/12/19 2:48 PM</td>
<td>01.03) Rezoning-Special Use District - 2</td>
</tr>
</tbody>
</table>

NCDOT

General Issues

27. NCDOT Comments

<table>
<thead>
<tr>
<th>NCDOT Division 9 Victoria Kildea</th>
<th>What is the intended use for Joy Way and the two adjacent houses?</th>
</tr>
</thead>
<tbody>
<tr>
<td>336-747-7900</td>
<td><a href="mailto:vrkildea@ncdot.gov">vrkildea@ncdot.gov</a></td>
</tr>
<tr>
<td>3/25/19 4:06 PM</td>
<td>01.03) Rezoning-Special Use District - 2</td>
</tr>
</tbody>
</table>

Planning

General Issues

9. CPAD
This site is recommended for mixed-use development in the East-Northeast Plan update. This plan acknowledges the current use of the site for homeless and rehabilitation services.

The plan recommends expanding new development towards the back of the site, possibly with an extension of Felicity Lane. It also recommends keeping the existing entrance to the campus off of Old Greensboro Road. New parking on-site should be visually unobtrusive and pedestrian-friendly. Parking should be located behind/to the side of buildings, and screened from public view by buildings or landscaping.

16. CAC/Greenway

City of Winston-Salem
Amy Crum
336-747-7051
amyc@cityofws.org
3/13/19 8:38 AM
01.03) Rezoning-Special Use District - 2

No comment.

28. Rezoning

City of Winston-Salem
Desmond Corley
336-727-8000
desmondc@cityofws.org
3/26/19 10:58 PM
01.03) Rezoning-Special Use District - 2

Any additional proposed access to the site should not be on Harvest Lane. The existing informal access should be closed and planted to provide the same type of vegetated buffer between the subject property and those on the opposite side of Harvest Lane. Staff recommends a Type III buffer of significant width, perhaps 40 or 50 feet. Is there a secondary access proposed on Joy Way?

The proposed site plan shows specific planting information for a portion of the bufferyard required adjacent to the residential zoning to the east. An enhanced buffer should extend around that entire zoning boundary.

Setbacks should be consistent for all buildings along the property frontage on Harvest Lane. You may be able to adjust the proposed parking (quantity or location) to shift the buildings to the north and provide the consistent setback. In a similar vein, the buffer along Harvest Lane should be the same width (except where existing development prevents a wider buffer).

The site should contain an internal network of pedestrian facilities (i.e., sidewalks).

Staff recommends a condition indicating that the property will revert back to its current zoning if it fails to change ownership and/or be developed according to the application after a certain period of time. We also recommend a condition limiting the size and type of any proposed signage. All UDO conditions associated with the use Group Care Facility C must be met.
Current monument sign is located to the north. Are you proposing to remove that sign and place one here? Only one freestading sign is allowed per use conditions.

[Ver. 2] [Edited By Bryan Wilson]

Stormwater

General Issues

10. A stormwater management permit will be required

A Stormwater management permit will be required for this development. However, there is not enough information shown on the current plan for me to be able to determine exactly what provisions of the ordinance will or may apply. For that to be determined I would need to know the project density, the existing built upon area (BUA) and the proposed BUA. Project density can be calculated in two ways: (1) It is calculated as the total built upon area divided by the total project area; (2) A project with existing development may use the calculation method in (1) or it has the option of calculating project density as the difference of total built upon area minus existing built upon area divided by the difference of total project area minus the existing built upon area. If the density comes out to be less than 24% built upon then when it comes to water quality only the low density water quality provisions of the ordinance apply and these do not require management of the 1st inch of runoff. High density projects (projects which are greater than 24% BUA) do require management of the 1st inch. Water quantity management applies if there is an increase of more than 20,000 sq.ft. in net new BUA. In that case the site development must manage the post developed peak runoff rate back to at or below the pre developed rate for the 2, 10 and 25 year storm events as well as manage the 25 year volume increase. In lieu of management for quantity the developer may submit a "no adverse impact downstream study" if that study can indeed prove a no adverse impact situation. Your plan is showing a Stormwater management device and so my guess is that you have already determined that management for either quality or quantity or both will be required. However, these comments may help you determine otherwise. Please also note that when a pre-existing development is redeveloped either in whole or in part, increased Stormwater controls shall only be required for the amount of impervious area being created that exceeds the amount of impervious area that existed before the redevelopment unless of course those areas cannot be bypassed around the management system...in which case the device must be sized appropriately to handle that. For any Stormwater device that is designed and permitted, a non-refundable surety equal to 4% of the construction cost of the Stormwater management system is required as part of the permitting process as well as having an Operation and Maintenance Agreement approved and recorded at the Forsyth County Register of Deeds office.
Any existing water and/or sewer connections will require evaluation for compliance with backflow preventer requirements, connection serviceability, and/or termination at the main. Water and sewer interior to the site will be private. All water connections will require a backflow preventer. Water meters purchased through COWS. Contact Bob Kitchens at 336-734-1332 for grease interceptor sizing if required.
USES ALLOWED IN THE EXISTING RS9 ZONING DISTRICT
City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)
Adult Day Care Home
Child Day Care, Small Home
Church or Religious Institution, Neighborhood
Family Group Home A
Police or Fire Station
Recreation Facility, Public
Residential Building, Single Family
Swimming Pool, Private

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Church or Religious Institution, Community
Golf Course
Library, Public
Limited Campus Uses
Planned Residential Development
School, Private
School, Public
Utilities

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Bed and Breakfast
Child Day Care, Large Home
Habilitation Facility A
Manufactured Home, Class A
Park and Shuttle Lot
Urban Agriculture

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site\(^5\)
Parking, Off-Site, for Multifamily or Institutional Uses
Transmission Tower

\(^5\)SUP not required if requirements of Section B.2-5.2(A) are met
TROSA Triad Community Outreach Summary

TROSA, in cooperation with the current owner of The Commons, have done a wide range of community outreach during the past three months. This has included:

- January 15 & 16: door-to-door outreach to neighbors with information about TROSA and invitation (outreach letter #1 attached) to several upcoming Community Information Sessions and tour of TROSA Durham

- January 18: Community Information Session #1 (attendee list attached)
  - 14 attendees
  - Representatives from:
    - Neighborhood
    - United Health Centers
    - Forsyth County Commissioners
    - Goodwill NWNC
    - United Way
    - Samaritan Ministries
    - Winston-Salem Rescue Mission
    - The Winston-Salem Foundation
  - Prominent Topics:
    - General overview provided (general overview attached)
    - Discussion around neighborhood and community involvement of TROSA Durham (neighborhood impact attached) (Current/previous Durham Mayor letters of endorsements attached)
    - Discussion around TROSA Durham’s history and relationship with neighboring schools (CPSC letter of endorsement attached)
  - Concerns:
    - A concern around The Commons property neighboring schools. The concern was addressed by providing examples of how TROSA Durham has operated for 25 years in Durham with properties that border schools and have had zero incidents or issues.

- Late January letter (outreach letter #2 attached) to over 150 residential neighbors (mailing list attached) inviting them to all Community Information Sessions #2, 3 & 4, and Tour of TROSA Durham

- February 5: Community Information Session #2 (evening) (attendee list attached)
  - 7 attendees
  - Representatives from:
    - Neighborhood
- Winston-Salem Rescue Mission
- I Can House

Prominent Topics:
- General overview provided (general overview attached)
- Discussion around neighborhood and community involvement of TROSA Durham (neighborhood impact attached) (Current/previous Durham Mayor letters of endorsements attached)

Concerns:
  - None

- February 8: Tour of TROSA Durham (transportation from Winston-Salem provided by The Commons) (itinerary attached in outreach letters)

- February 9: Community Information Session #3 (Saturday morning)
  - 3 attendees
  - Representatives from:
    - Neighborhood
  Prominent Topics:
  - General overview provided (general overview attached)
  - Discussion around neighborhood and community involvement of TROSA Durham (neighborhood impact attached) (Current/previous Durham Mayor letters of endorsements attached)

Concerns:
  - None

- February 28: Community Information Session #4 (evening) (attendee list attached)
  - 7 attendees
  - Representatives from:
    - Neighborhood
  Prominent Topics:
  - General overview provided (general overview attached)
  - Discussion around neighborhood and community involvement of TROSA Durham (neighborhood impact attached) (Current/previous Durham Mayor letters of endorsements attached)

Concerns:
  - None
Supporting Attachments:

1. Neighborhood Outreach Letter #1
2. Neighborhood Outreach Letter #2
3. Neighborhood Mailing List
4. Community Informational Attendees
5. TROSA General Overview
6. TROSA Neighborhood Impact
7. TROSA CPSC Letter of Endorsement
8. Durham Mayor Letters of Endorsement
<table>
<thead>
<tr>
<th>Neighbors</th>
<th>Status</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acosta Vicky J</td>
<td>Current Resident</td>
<td>4007 Granby St.</td>
</tr>
<tr>
<td>MENDOZA AMADO</td>
<td>CURRENT RESIDENT</td>
<td>4008 Granby St.</td>
</tr>
<tr>
<td>Donathan Daniel W</td>
<td>CURRENT RESIDENT</td>
<td>1022 W 1st St</td>
</tr>
<tr>
<td>Westmoreland Ricky Lew</td>
<td>CURRENT RESIDENT</td>
<td>114 Churchland Dr</td>
</tr>
<tr>
<td>Corral Jorge Manuel</td>
<td>CURRENT RESIDENT</td>
<td>116 Churchland Dr</td>
</tr>
<tr>
<td>Reeves Brian T</td>
<td>CURRENT RESIDENT</td>
<td>118 Churchland Dr</td>
</tr>
<tr>
<td>Sink Stephen M</td>
<td>CURRENT RESIDENT</td>
<td>120 Churchland Dr</td>
</tr>
<tr>
<td>Yarbrough Benjamin G</td>
<td>CURRENT RESIDENT</td>
<td>121 Churchland Dr</td>
</tr>
<tr>
<td>FIELDS DENNIS W</td>
<td>CURRENT RESIDENT</td>
<td>123 Churchland Dr</td>
</tr>
<tr>
<td>Epperly Margaret Jane</td>
<td>CURRENT RESIDENT</td>
<td>125 Churchland Dr</td>
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<tr>
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Join us for a presentation at The SECU Commons presented by TROSA

2393 Felicity Circle Winston-Salem, NC 27101

Please send your RSVP to Katie Ivester by Wednesday, January 16, 2019.
336-765-3906 ext. 105 or by email at kivester@nchsm.org

January 18, 2019

12:00pm: Lunch on site provided by TROSA and NCHF
1:00 pm: Satellite Office Presentation presented by TROSA

February 5, 2019

6:00pm: Refreshments on site provided by TROSA and NCHF
6:30pm: Satellite Office Presentation presented by TROSA

OTHER EVENTS

January 25, 2019
TROSA Tour: Durham Facility: Departing NCHSM Office at 10:45am
Meet for departure at 750 Bethesda Road Winston-Salem, NC 27103 – transportation provided
12:30 – Lunch at TROSA, Durham, NC
1:00 – Tour of TROSA Facility
3:30 – Estimated time of return to Winston-Salem

February 1, 2019
TROSA Tour: Durham Facility: Departing NCHSM Office at 10:45am
Same schedule as January 25

February 8, 2019
TROSA Tour: Durham Facility: Departing NCHSM Office at 10:45am
Same schedule as January 25
Re: Commons property located at 1430 Felicity Lane Winston-Salem, NC

On behalf of the North Carolina Housing Foundation, Inc. ("NCHF"), regarding our sponsorship of the Commons property located at 1430 Felicity Lane in Winston-Salem. The board of directors of the Commons recently voted to explore the possibility of transferring the property to TROSA, a 501(c)(3) nonprofit organization based in Durham. The purpose of this communication is to invite you to join us for a presentation at the Commons presented by TROSA.

This is an opportunity to learn more about TROSA’s endeavor to transform the Commons into a life-changing asset to our community. We encourage you to come out and ask questions and to consider joining us for a scheduled bus tour of the TROSA Facility in Durham, NC.

Included with this invitation, you will find a brochure which details information about TROSA and the programs in which they offer.

Join us for a presentation at the Commons presented by TROSA

2393 Felicity Circle Winston-Salem, NC 27101

Please send your RSVP to Katie Ivester
336-765-3906 ext. 105 or by email at kivester@nchsm.org

Tuesday, February 5, 2019
6:00 pm: Refreshments on site provided by TROSA and NCHF
6:30 pm: Presentation by TROSA

Saturday, February 9, 2019
9:00 am: Refreshments on site provided by TROSA and NCHF
9:30 am: Presentation by TROSA

Thursday, February 28, 2019
6:00 pm: Refreshments on site provided by TROSA and NCHF
6:30 pm: Presentation by TROSA

***Bus Tour of the TROSA Facility Durham, NC ***

10:45 am: Departure from NCHSM office 750 Bethesda Rd Winston-Salem, NC 27103
12:30 pm: Lunch provided by TROSA
1:00 pm: Tour of TROSA Facility
3:00 pm: Estimated time of return to Winston-Salem, NC
<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>Email</th>
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<tbody>
<tr>
<td>Rael Geiger</td>
<td>Goodwill NWNC</td>
<td>goodwillnwniec.org</td>
</tr>
<tr>
<td>JESSE BATTLE</td>
<td>TROSA</td>
<td><a href="mailto:JESSE_BATTLE@TROSA.COM">JESSE_BATTLE@TROSA.COM</a></td>
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<td>Jean Eastwood</td>
<td>United Way</td>
<td>Jean <a href="mailto:EASTWOOD@Unitedway.org">EASTWOOD@Unitedway.org</a></td>
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<td>Sonjia Kurosky</td>
<td>Samaritan Ministries</td>
<td><a href="mailto:Sonjia_Kurosky@Samaritan.org">Sonjia_Kurosky@Samaritan.org</a></td>
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<td>Shanta Fleming</td>
<td>Samaritan Ministries</td>
<td><a href="mailto:shanta_fleming@samaritans.org">shanta_fleming@samaritans.org</a></td>
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<tr>
<td>Antoine Charles</td>
<td>Winston-Salem Rescue Mission</td>
<td><a href="mailto:antoine_charles@winston-salem.com">antoine_charles@winston-salem.com</a></td>
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<tr>
<td>Anthony Burchette</td>
<td>WS Rescue Mission</td>
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<tr>
<td>Fleming El-Amin</td>
<td>Forsyth County Commission</td>
<td><a href="mailto:Fleming_El-Amin@Forsyth.org">Fleming_El-Amin@Forsyth.org</a></td>
</tr>
<tr>
<td>Dor Martin</td>
<td>Forsyth County Commissioner</td>
<td><a href="mailto:Dor.Martin@Forsyth.org">Dor.Martin@Forsyth.org</a></td>
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<tr>
<td>Thoneu D. McDonald</td>
<td>JFC Commissioner</td>
<td><a href="mailto:Thoneu.D.McDonald@JFC.org">Thoneu.D.McDonald@JFC.org</a></td>
</tr>
<tr>
<td>Mark Griffin</td>
<td><a href="mailto:greenheatfordhospital@gmail.com">greenheatfordhospital@gmail.com</a></td>
<td><a href="mailto:mark_griffin@greenheatfordhospital.com">mark_griffin@greenheatfordhospital.com</a></td>
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<td><a href="mailto:greenheatfordhospital@gmail.com">greenheatfordhospital@gmail.com</a></td>
<td><a href="mailto:jimburchett@gmail.com">jimburchett@gmail.com</a></td>
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<td>Layla Garcia</td>
<td>The WS Foundation</td>
<td>Layla <a href="mailto:Garcia@WesFoundation.com">Garcia@WesFoundation.com</a></td>
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<td>Lashan Hurley</td>
<td>United Health Centers</td>
<td><a href="mailto:Lashan_Hurley@uhealthcenters.org">Lashan_Hurley@uhealthcenters.org</a></td>
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<td>Name</td>
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</tr>
<tr>
<td>Tereakas Wood</td>
<td>750 Bethesda Rd 65</td>
<td>336-765-3996</td>
</tr>
<tr>
<td>Wendy Hutchins</td>
<td>750 Bethesda Rd 65</td>
<td>336-765-3906</td>
</tr>
<tr>
<td>John Nichols</td>
<td>750 Bethesda Rd 65</td>
<td>336-765-3906</td>
</tr>
<tr>
<td>Hilton Stone</td>
<td>1490 Harvest Dr</td>
<td>336-705-7229</td>
</tr>
<tr>
<td>Ellie Stone</td>
<td>w.s Rescue Mem.</td>
<td>336-723-1848</td>
</tr>
<tr>
<td>Dan Navaez</td>
<td>718 N.Trade St W. &amp; NC</td>
<td>336-723-1848</td>
</tr>
<tr>
<td>Kim Shufian</td>
<td>862 W. 445 St 27103</td>
<td>336-416-3802</td>
</tr>
</tbody>
</table>
GOOD NEIGHBORS  TROSA's Neighborhood Impact

TROSA has been a member of the Durham community for close to 25 years. During that time, we have made an effort to be a positive and contributing member to both the immediate surrounding neighborhoods and the City of Durham.

GIVING BACK
Community-mindedness comes naturally to TROSA. Our recovery program is based on a therapy model in which helping others is a core tenant.

In 2017-2018, TROSA residents volunteered more than 2,200 hours in the community.

WHERE HAS TROSA VOLUNTEERED?
- Opioid abuse awareness events
- Arts & culture festivals
- Civic group events
- Road races for charity
- Operation Air Drop for hurricane relief (pictured)

"It was truly a privilege and honor to work beside [the TROSA] team and I will cherish it for the rest of my life.”
- Operation Airdrop volunteer pilot Jeff Wardenaar

SAFETY
TROSA has been a stabilizing factor in the neighborhoods where we have a presence.

In 2013, we added two large dorm buildings to our campus in a residential neighborhood at 1820 James St. in Durham, moving 50 individuals on probation into these new spaces.

Comparing crime statistics in the neighborhood for the 5 years prior to this expansion with the 5 years since, we found:

Probationers added: 50
Crime dropped by 34%
Burglaries dropped by more than 50%

COMMUNITY AWARDS
TROSA has been honored with several awards by organizations in the Durham community:

2018  Indy Week Best of the Triangle:
2018  Best Nonprofit in Durham County,
2017  Best Charitable Group
2017  Best Local Nonprofit, Best Nonprofit
2016  in Durham County, Best Charitable
2016  Group
2016  Other:
2011  "Sammie" Award for Service to the
2008  Community, Duke University
2008  Non-Profit Excellence Award, Greater
2004  Durham Chamber of Commerce
2004  City of Durham Golden Leaf Award for
2004  Community Appearance

LETTERS OF SUPPORT
Three past mayors of Durham, representing more than 20 years of service, wrote letters endorsing TROSA as a good neighbor. Excerpts from these letters are copied here.

Steve Schewel (Mayor from 2017-present)

"Durham residents regard TROSA as one of our local treasures. It is an incredibly successful long-term treatment program for people in recovery."

"The neighbors in the immediate vicinity of TROSA’s main campus (1820 James St.)...are uniformly impressed with the safety of their neighborhood with TROSA there. Any initial fears that neighbors may have had with the arrival of TROSA have not materialized. In my many years on the city council and now as mayor, I have never heard a single complaint about TROSA from any of its neighbors."

"As a person who grew up in Winston-Salem, NC. and graduated from the public schools (Woodland Elementary; 14th Street School and Atkins High School), I was very glad to hear that TROSA is considering establishing a satellite campus in the Triad [...] the community would be well served by its presence."

"I have personally seen and met many of TROSA's graduates who continue to work and live in our community. They are making positive contributions to our community."

Bill Bell (Mayor from 2001-2017)

Nick Tennyson (Mayor from 1997-2001)

"[TROSA] created islands of calm and evidence of care that is too often missing in parts of the city that are in decline."

"TROSA is an incredible asset in a world starved for practical, self-supporting, responsible, comprehensive, effective and innovative approaches to substance abuse and its negative effects."

"TROSA has been a stabilizing factor in the neighborhoods where we have a presence."

"We are proud to have a satellite campus in the heart of Durham and to be a part of the community that has supported us for over 25 years."

"Durham residents regard TROSA as one of our local treasures. It is an incredibly successful long-term treatment program for people in recovery."

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Bill Bell (Mayor from 2001-2017)
February 14, 2019

To Whom it May Concern:

We are writing to offer our highest endorsement for TROSA as the neighbor of a North Carolina public school. TROSA has been Central Park School for Children's neighbor in downtown Durham for sixteen years. Along the way they have consistently done three things to improve our neighborhood community: Improved Safety and Community Accountability, Increased Community Services, and served as an Anchor for Community Redevelopment. Let me expand on how TROSA has achieved all three:

**Improved Safety:** TROSA has been a positive physical presence along the three acre Old North Durham Park, a city park that we share. This park that was once a popular place for drug use, dog fights and prostitution, has transformed in the two decades of TROSA involvement and upkeep of the park to become one of the safer City Parks. Their daily community presence and upkeep of their facilities has improved the safety of our neighborhood through their continual positive community presence.

**Increased Community Services:** TROSA has served many roles in our community that are vital for a sustainable neighborhood. They offer an affordable moving service that has moved us year after year for both internal and external moves. TROSA provides affordable cleaning and maintenance Services. For our first decade as a Public School they offered reliable, cost effective and excellent Custodial care for our 30,000 sq. ft. campus. Their professionalism and community spirit shows in the pride they take in all of their services. Additionally, they volunteer continually at our community-wide events — sometimes with teams of twenty TROSA residents providing logistical support and hours of work to make some of our big events possible.

**Anchor for Community Redevelopment:** TROSA has been a non-profit stabilizing force for a neighborhood community in transition. TROSA contributes to community health, design and provides multiple services to its community. Investing in a community's citizen growth and potential is at the heart of TROSA's work. They are a significant investor in our community's human capacity building and physical infrastructure.

On behalf of Central Park School for Children, we strongly endorse TROSA as a positive engine and committed neighbor for community health and growth.

Sincerely,

John Heffernan, Director

Robert L. Chapman, Chair, CPSC Foundation
November 6, 2018

Kristin Pearson
TROSA, Inc.

Dear Ms. Pearson,

It has come to my attention that TROSA will be expanding to the Triad area in 2019. Congratulations! Any community which is able to attract a new TROSA campus is fortunate indeed.

TROSA has been a tremendous asset to Durham in its many years in our community. The neighbors in the immediate vicinity of TROSA’s main campus and its satellite properties are uniformly impressed with the safety of their neighborhood with TROSA there. Any initial fears that neighbors may have had with the arrival of TROSA have not materialized. In my many years on the city council and now as mayor, I have never heard a single complaint about TROSA from any of its neighbors.

On the contrary, Durham residents regard TROSA as one of our local treasures. It is an incredibly successful long-term treatment program for people in recovery, and many of those people have taken their place as constructive residents of the Durham community after their graduation from TROSA. I have been to many events at TROSA including their graduations, and I am always struck by the amazing work that TROSA staff does and with the success of its program for so many people.

Finally, the various TROSA businesses are a real asset to Durham as well. Almost daily I hear that someone has used TROSA’s moving company or shopped at the TROSA store. The work ethic of TROSA’s residents is well known and highly respected. In short, I am thrilled to be able to recommend TROSA to any community in North Carolina. TROSA is a great neighbor and a wonderful community institution.

Best Wishes,

Steve Schewel
Mayor
October 13, 2018

TO Whom It May Concern:

I am pleased to write this letter of recommendation for TROSA, Inc. under the leadership of its Founder, President and CEO, Kevin R. McDonald. As a person who grew up in Winston-Salem, NC, and finished the public schools (Woodland Elementary; 14th Street School and Atkins High School), I was very glad to hear that TROSA is considering establishing a satellite campus in the TRIAD and specifically in Winston-Salem.


I was Chairman of the Durham Board of County Commissioners when TROSA was funded by the County Commissioners when they first came to Durham. The County Commissioners were proud to be among the first organizations to make a financial contribution to assist them in getting started in our community.

TROSA has been a great corporate citizen in our community in many ways and has successfully grown many cottage industries (i.e. Moving & Storage; Lawn Care; Thrift Store, Tree Lots and construction) employing their residential clients. The result has been to produce many successful recovering substance abusers, who have obtained vocational and educational training while at the same time obtain a level of health care. I have personally seen and met many of their graduates who continue to work and live in our community. They are making positive contributions to our community. Our company (UDI/CDC) is one of TROSA's longtime clients in lawn care and has been very pleased with their service.
I have been privileged to attend and speak at their graduation and to witness the ecstatic joy of achievement of the TROSA graduates and their family and friends who were in attendance.

In closing, in my opinion, if TROSA were to establish a satellite campus in the TRIAD, the community would be well served by its presence. More importantly their clients would be well rewarded as they matriculate through their recovery period as TROSA clients.

Feel free to contact me if there are answers to further questions that you think I may provide or be of assistance.

Sincerely,

William V. "Bill" Bell
Executive Vice-President/COO, UDI Community Development Corporation (dba: UDI/CDC)

919-864-7028 Direct Office
919-475-3368 Personal Cell Phone
919-943-3594 Personal IPhone
bill.bell@udicdc.org e-mail
November 8, 2018

Being involved when TROSA came to Durham was one of the greatest gifts I have ever received.

My initial involvement was in advocating for grant funding from the private sector for this major initiative to address drug related issues. Later, as mayor of Durham, I was able to observe the incredible impact of the visionary decision to bring a therapeutic community model to our city. Having started out working to get grant support and it has been my pleasure to have made personal donations every year since.

TROSA's transformation of an old elementary school into their first home and later rejuvenation of an abandoned industrial site are analogies to their work with residents. In every case, through hard work and an awareness of the need for structure, they transformed two properties into contributing features of their neighborhoods - and hundreds of lives from conditions of drug, alcohol and general health abuse to conditions of possibility that amaze their own families.

Among the benefits I never anticipated was the effect TROSA residents had on neighborhoods. Their acquisition and redevelopment of homes and apartments for program "post graduates" created islands of calm and evidence of care that is too often missing in parts of the city that are in decline. Support of those post graduates helps keep those folks moving forward and inhibits the potential threats to the success of graduates seeking to rejoin community life.

After I was elected Mayor, my first public meeting was a graduation of a few of TROSA's early graduates. These events were designed to recognize two or three men and women who were completing their two-year program and to celebrate with the mothers, fathers, siblings and children the return of their loved one to society - and to their family. Now the quarterly graduations are for many more men and women, but the message of a graduate that night in 1997 still rings clear in my mind.

"I have never finished anything before but a prison sentence," Jesse said. If there is any necessary return on investment in this program, I saw it in his mother's smile that night.

TROSA is an incredible asset in a world starved for practical, self-supporting, responsible, comprehensive, effective and innovative approaches to substance abuse and its negative effects.

Sincerely,

Nicholas J. Tennyson
Mayor, City of Durham, 1997-2001
What is TROSA?

- TROSA is an innovative, multi-year residential program that enables substance abusers to be productive, recovering individuals by providing comprehensive treatment, work-based vocational training, education, and continuing care.

- A 501(c)(3) charity founded in 1994 in Durham

- Licensed by the NC Department of Health and Human Services
What We Do

- Provided at **no cost** to the individual:
  
  ✓ Housing, Food, Clothing & Daily Needs
  
  ✓ Healthcare
  
  ✓ Mental Health Services
  
  ✓ Vocational Training
  
  ✓ Continuing Care for Graduates, including housing, transportation, counseling.
How TROSA is Unique

• Offers a long-term option for men and women

• Can accept those with co-occurring mental health disorders

• Emphasis on vocational training, education, and life skills

• Focus is not solely on sobriety; it’s about being healthy and productive
Our Impact: Graduate Outcomes (FY 17-18)

- 100% obtained full-time employment by graduation
- 90% of graduates maintained recovery one year after graduation
- 92% of graduates remained employed one year later
- Only 3% had a new criminal conviction within one year
GIVING BACK
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Indy Week Best of the Triangle:
Letters of Support

"As a person who grew up in Winston-Salem, NC, and [graduated from] the public schools (Woodland Elementary; 14th Street School and Atkins High School), I was very glad to hear that TROSA is considering establishing a satellite campus in the Triad [...] the community would be well served by its presence."

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Steve Schewel (Mayor from 2017-present)
North Carolina has been critically impacted

- NC recently had 4 cities in Top 20 **nationally** for reported opioid abuse related to prescriptions: Wilmington (#1), Hickory (#5), Jacksonville (#12) and Fayetteville (#18)

  (Source: The Opioid Crisis in America’s Workforce, Castlight Health, 2016)
Expansion to the Triad:

Future Plans

- Based on nearly 25 years of experience, we believe further growth of Durham TC is not sustainable.

- Using a satellite campus approach, we can keep operational and overhead costs down for the new campus, making it more sustainable long term.

Target size for new campus is 100-125 individuals in first few years, with future expansion to bring capacity to about 200.

Selected Triad for several reasons, including:

- Two of top five most served counties are Forsyth and Guilford.
- Proximity to Durham operations.
- Excellent potential for health care and higher education partners.
Preliminary Site Plan
Example of Residential Housing
Future Meetings

Meeting at SECU Commons
February 5, 2019
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6:30pm: Satellite Office Presentation presented by TROSA

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January 25, 2019
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February 8, 2019
TROSA Tour: Durham Facility: Departing NCHSM Office at 10:45am
Same schedule as January 25
DOCKET #: W3409

PROPOSED ZONING:
LB-S

EXISTING ZONING:
LI

PETITIONER:
Greater Tabernacle Worship Center

SCALE: 1" represents 300'

STAFF: Roberts

GMA: 3

ACRES: 1.49

NEAREST BLDG: 243’ south

MAP(S): 6847.01
Proposed land uses shown are generalized. See area plan for specific recommendations.

Northeast Suburban Area Plan Update, 2017

Proposed Land Use

- Single-Family Residential
- Low-Density Attached Residential (0-8 DU/Ac)
- Intermediate-Density Residential (8.1-18 DU/Ac)
- High-Density Residential (over 18 DU/Ac)
- Manufactured Housing Development
- Office
- Office / Low-Intensity Commercial
- Commercial
- Mixed-Use Development
- Industrial
- Institutional
- Park
- Commercial Recreation
- Utilities
- Activity Center
- Special Land-use Condition Area

Growth Corridor

- Rural Form - Large-Lot Residential
- Urban/Suburban Form - Single-Family Residential

Scale:

- 0 250 500 Feet
## PETITION INFORMATION

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<tr>
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<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Greater Tabernacle Worship Center</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
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<tr>
<td>Subject Property</td>
<td>Portion of PIN 6847-17-5864</td>
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<tr>
<td>Address</td>
<td>The new address will be 1771 Motor Road.</td>
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<tr>
<td>Type of Request</td>
<td>Special Use rezoning from LI to LB-S</td>
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<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from LI (Limited Industrial) to LB-S (Limited Business – Special Use). The petitioner is requesting the following use: • Retail Store</td>
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<tr>
<td>Neighborhood Contact/Meeting</td>
<td>See Attachment B for a summary of the petitioner’s neighborhood outreach.</td>
</tr>
<tr>
<td>Zoning District Purpose Statement</td>
<td>The LB District is primarily intended to accommodate moderately intense neighborhood shopping and service centers close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods, including smaller business locations up to ten (10) acres in size in rural areas. The district is typically located near the intersection of a collector street or thoroughfare in areas which are otherwise developed with residences. Standards are designed so that this district, in some instances, may serve as a transition between residential districts and other commercial districts. This district is intended for application in GMAs 2, 3, 4 and 5.</td>
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</table>

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes, the site is located at the intersection of a major and minor thoroughfare within GMA 3 (Suburban Neighborhoods). The request would also provide a business on a smaller site which would serve nearby neighborhoods.

## GENERAL SITE INFORMATION

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<th>Location</th>
<th>Northeast corner of Old Walkertown Road and Motor Road</th>
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<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
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<tr>
<td>Ward(s)</td>
<td>Northeast</td>
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<tr>
<td>Site Acreage</td>
<td>± 1.49 acres</td>
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<tr>
<td>Current Land Use</td>
<td>The site is currently undeveloped.</td>
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### Surrounding Property Zoning and Use

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<td>North</td>
<td>LI</td>
<td>Undeveloped property</td>
</tr>
<tr>
<td>East</td>
<td>LI</td>
<td>Undeveloped property and Mt. Pleasant United Methodist Church across Mount Pleasant Drive</td>
</tr>
<tr>
<td>South</td>
<td>RS9</td>
<td>Single-family homes across Old Walkertown Road and the Norfolk Southern Railroad</td>
</tr>
<tr>
<td>West</td>
<td>LI</td>
<td>Undeveloped property</td>
</tr>
</tbody>
</table>

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

<table>
<thead>
<tr>
<th>(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed use (Retail Store) is compatible with the uses permitted on the adjacent LI-zoned properties. Considering the modest scale of the proposed development and the width of the adjacent intersection and railroad, this use is also compatible with the uses allowed on the nearby RS9-zoned properties.</td>
</tr>
</tbody>
</table>

### Physical Characteristics

- The site has a moderate slope downward toward the northwest.

### Proximity to Water and Sewer

- The site has access to public water and sewer.

### Stormwater/Drainage

- A stormwater management device is proposed in the northern portion of the site, and a stormwater management study will be required.

### Watershed and Overlay Districts

- The site is not located within a water supply watershed.

### Analysis of General Site Information

- The undeveloped subject property is a corner lot positioned at a highly visible intersection. The site has no apparent development constraints and the request is compatible with the overall setting at this location.

### Relevant Zoning Histories

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-3329</td>
<td>RS9 to LB-L</td>
<td>Approved 6/5/2017</td>
<td>700 feet southeast</td>
<td>1.46</td>
<td>Denial Approval</td>
</tr>
</tbody>
</table>

### Site Access and Transportation Information

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>Average Daily Trip Count</th>
<th>Capacity at Level of Service D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Old Walkertown Road</td>
<td>Major Thoroughfare</td>
<td>308 feet</td>
<td>8,600</td>
<td>15,300</td>
</tr>
<tr>
<td>Motor Road</td>
<td>Minor Thoroughfare</td>
<td>None (See proposed Access Point(s))</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Proposed Access Point(s)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- The site plan proposes access onto Motor Road via easement across the adjacent property to the west.
### Planned Road Improvements

The *Comprehensive Transportation Plan* recommends a three-lane section for Old Walkertown Road with wide outside lanes, curb and gutter, and sidewalks.

### Trip Generation - Existing/Proposed

**Existing Zoning: LI**

Because there is no site plan associated with the existing general use zoning, staff cannot generate estimated traffic volumes.

**Proposed Zoning: LB-S**

9,183 square feet / 1,000 x 53.13 (Freestanding Discount Store Trip Rate) = 488 Trips per Day

### Sidewalks

A sidewalk is located along the east side of Motor Road, and sidewalk is proposed along the site’s Old Walkertown Road frontage.

### Transit

WSTA Route 96 serves the intersection of Carver School Road and Lansing Drive located 1,100 feet to the southeast.

### Connectivity

Per the recommendation of the *Northeast Suburban Area Plan Update* regarding connectivity, the proposed site plan includes a public cross-access easement to the undeveloped property directly to the northeast. The proposed site plan does not include an easement to the east, which was recommended by Planning staff.

### Analysis of Site Access and Transportation Information

The site is located at the signalized intersection of Old Walkertown Road and the recently extended Motor Road. Because the site does not directly abut Motor Road, access will occur through an easement acquired from the adjacent property owner (City of Winston-Salem). While both of these roadways appear to have ample capacity, staff has two concerns regarding access for the subject property.

Firstly, the proposed access from Motor Road would be located approximately 135 feet from the intersection with Old Walkertown Road. At this location, Motor Road is four lanes wide. Consequently, traffic turning left from the subject property would have to cross three lanes of traffic to reach the right turn lane at the intersection. While this driveway location meets the minimum separation requirements, staff recommends the access onto Motor Road be placed farther from the intersection. This recommendation is based upon the broader goals of the *Northeast Suburban Area Plan Update*, which identifies the subject property as part of a larger 115-acre area recommended for mixed-use development. If this area develops in a comprehensive manner with shared access points, staff believes having this driveway located farther from Old Walkertown Road would facilitate safer movements as future traffic volumes increase.

Secondly, both *Legacy 2030* and the area plan recommend connectivity to adjacent properties. To maximize the development potential of this larger area, a coordinated and connected network of access points and streets is key. While the site plan includes a public cross-access easement to the undeveloped property to the northwest, it shows no other connections. Staff recommends an easement to connect with the undeveloped property to the east. The developer is agreeable to this recommendation but has chosen not to provide the easement because the adjacent property owner does not desire this connection.
SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS

<table>
<thead>
<tr>
<th>Building Square Footage</th>
<th>Square Footage</th>
<th>Placement on Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fronting on Old Walkertown Road</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>9,183</td>
<td>31 spaces</td>
<td>31 spaces</td>
<td>90-degree head-in with some parallel spaces on two sides of the building</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 feet</td>
<td>One story</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>75 percent</td>
<td>45.3 percent</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Chapter B, Article II, Section 2-1.3 (G) Limited Business District</td>
</tr>
<tr>
<td>• Chapter B, Article II, Section 2-5.66 Retail Store Use Conditions</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with Chapter B, Article VII, Section 7-5.3</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Legacy 2030 policies: See comments below in the CONFORMITY TO PLANS AND PLANNING ISSUES section.</td>
</tr>
<tr>
<td>(B) Environmental Ord.</td>
</tr>
<tr>
<td>(C) Subdivision Regulations</td>
</tr>
</tbody>
</table>

Analysis of Site Plan Compliance with UDO Requirements

The site plan shows a one story, 9,183-square foot retail building with associated parking. Stormwater management will occur on the northern portion of the site. The site plan complies with the minimum landscaping, parking, and impervious coverage requirements of the UDO, and the building elevations comply with the recent text amendment regarding the Retail Store use.

CONFORMITY TO PLANS AND PLANNING ISSUES

Legacy 2030 Growth Management Area

Growth Management Area 3 - Suburban Neighborhoods

Relevant Legacy 2030 Recommendations

• Goods and services should be available near where people live and work (p. 25).
• Create incentives and tools to encourage mixed-use development at appropriate locations, including Downtown, activity centers, mixed-use opportunity areas and proposed future transit stops (p. 51).
• Promote a pedestrian-friendly orientation for new development and redevelopment and reduce the visual dominance of parking areas (p. 182).
• Promote land use compatibility through good design and create a healthy mix of land uses in proximity to one another. Move away from the separating and buffering of some land uses and toward transitioning and blending those uses (p. 48).
• Promote quality design so that infill does not negatively impact surrounding development (p. 54).
• Minimize the number of driveways along thoroughfares and arterials to reduce vehicular conflicts, increase pedestrian safety, and improve roadway capacity (p. 65).
• Encourage the combination of driveways and use of cross-access
easements through the development approval process (p. 65).

- Mixed-use developments need to be compatible with adjacent land uses, provide a diversity of housing types, contribute to the character of the neighborhood and larger community, and create vibrant, pedestrian-oriented places. Special attention needs to be given to producing an acceptable mix of land uses; designing parking areas for walkability; providing circulation patterns for vehicular, pedestrian, and bicycle access; and providing public amenities including plazas and open space (p. 183).

### Relevant Area Plan(s)

<table>
<thead>
<tr>
<th>Relevant Area Plan(s)</th>
<th>Northeast Suburban Area Plan Update (2017)</th>
</tr>
</thead>
</table>

### Area Plan Recommendations

The subject property is recommended for mixed-use development.

**General Area Plan Recommendations:**

- Commercial development should be concentrated in designated areas and not allowed to take the form of strip development along the major roads in the planning area (p. 25).
- Site design should incorporate pedestrian-oriented design elements such as street trees, buildings located close to the street, building façade articulation and variety, and transparent windows and doors (p. 25).

**Specific Recommendations for the subject property:**

- The subject property is shown as part of this mixed-use development opportunity area. This nearly 115-acre area is a prime location for new commercial and residential development, which is desired by many citizens in the planning area. More intense commercial development including retail, restaurants, and medical services is recommended to be located on the south end of the site closest to Old Walkertown Road. Comprehensive residential development is recommended for the northern portion of the area and may include single-family or low-density attached residential towards the east with higher density multifamily development located near Baux Mountain Road. Pedestrian-friendly design and connections to the surrounding area are important site design factors here. Topographic issues such as steep slopes and potential wetlands exist in the northeastern part of this area which may provide development challenges. These undevelopable areas may represent opportunities for a future park or open space (p. 28).

### Site Located Along Growth Corridor?

<table>
<thead>
<tr>
<th>Site Located Along Growth Corridor?</th>
<th>The site is not located along a growth corridor.</th>
</tr>
</thead>
</table>

### Site Located within Activity Center?

<table>
<thead>
<tr>
<th>Site Located within Activity Center?</th>
<th>The site is not located within an activity center.</th>
</tr>
</thead>
</table>
### Greenway Plan Information
A greenway connector is recommended in this area that would connect the proposed Five Mile Branch Greenway (approximately 1,100 feet north) to Forsyth Tech and the library at the intersection of Carver School Road and Lansing Drive. Because the existing sidewalk along Motor Road will serve as the connector, no further easements are required.

### Other Applicable Plans and Planning Issues
In 2007, the City Council authorized the sale of 33 acres (including the subject property) at the intersection of Old Walkertown Road and Motor Road. In 2013, after further discussions, 20 of the 33 acres were purchased, with deed restrictions that the site would be developed for public purposes. In 2017, the City Council extended the construction completion date for the new public facility to 2020. The same year the Council passed a resolution allowing the new owners to sell a 1.5-acre portion (subject property) of the 20-acre site to a for-profit entity (Spring Hill/Dollar General). The sale amount would be given to the City and the City would then return this amount in the form of a grant to the original purchasing party, as they comply with the agreed upon conditions to construct the public purpose facility. The Council also passed a resolution authorizing Dollar General to pay the City for an access easement to the subject property from Motor Road.

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

<table>
<thead>
<tr>
<th>(R)(3) - Have changing conditions substantially affected the area in the petition?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
</tr>
<tr>
<td>(R)(4) - Is the requested action in conformance with Legacy 2030?</td>
</tr>
<tr>
<td>See comments below.</td>
</tr>
</tbody>
</table>

### Analysis of Conformity to Plans and Planning Issues
The request is to rezone an undeveloped parcel located at the intersection of Old Walkertown Road and Motor Road from LI to LB-S to construct a retail store.

The *Northeast Suburban Area Plan Update* identifies the subject property as part of a 115-acre mixed-use development opportunity area. The plan states that this a prime location for new commercial and residential development and that pedestrian-oriented design elements such as street trees and buildings (with façade articulation) located close to the street should be incorporated. The plan also recommends connectivity with other properties within this area.

Staff supports much needed retail development at this location and envisions that, if designed well, it could spur additional development in the area. Staff has conveyed its concerns to the developer regarding the location of the access onto Motor Road and the lack of connectivity to the undeveloped property to the east. The proposed site plan does not address these concerns.

To minimize visibility of the front parking area, the developer has incorporated a brick knee-wall around its perimeter. Staff also recommends a monument signage condition.
CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>The request is consistent with the land use recommendation of the area plan.</td>
<td>Close proximity of the proposed driveway to the intersection of Old Walkertown Road and Motor Road, along with the lack of connectivity to the undeveloped property to the east, does not facilitate a comprehensive development pattern. This would maximize future development within the larger mixed-use opportunity area.</td>
</tr>
<tr>
<td>The request will provide needed convenience retail to the surrounding area and represents the first development within a larger area recommended for a mixture of uses.</td>
<td></td>
</tr>
<tr>
<td>Both Old Walkertown Road and Motor Road appear to have ample capacity.</td>
<td></td>
</tr>
<tr>
<td>The request may spur additional development in the general area.</td>
<td></td>
</tr>
</tbody>
</table>

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  a. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.
  b. Developer shall obtain a grading easement from the owners of the adjacent PIN 6847-17-0802.
  c. Developer shall obtain a driveway permit from the City of Winston-Salem; additional improvements may be required prior to issuance of driveway permit. Required improvements include:
     • Sidewalk along the frontage of Old Walkertown Road; and
     • A negative access easement along the frontage of Old Walkertown Road.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
  a. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on “Exhibit A” and as verified by Planning staff. All rooftop HVAC equipment shall be screened from view of the adjacent streets.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
  a. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
  b. Developer shall complete all requirements of the driveway permit.

- **OTHER REQUIREMENTS:**
  a. Freestanding signage shall be limited to one monument sign with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet.
STAFF RECOMMENDATION: Approval IF a revised site plan is submitted which includes the following: a northward relocation of the entrance onto Motor Road; and a public cross access easement extending from Motor Road to the property to the east.

NOTE: These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.
The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Wednesday the week before (8 days prior to) the Planning Board meeting.

Open Issues: 21

### Engineering

**Site Plan.pdf [11 redlines] (Page 1) [1] C100**

28. **Text Box** B

City of Winston-Salem
Albert Gaskill
336-747-6846
albertcg@cityofws.org
3/14/19 12:00 PM
01.03) Rezoning-Special Use District - 3

City DW permit req'd with HD (8") concrete apron to R/W line. ADA ramps, SE's, stop sign and stop bar req'd.

### Erosion Control

**General Issues**

30. **Erosion Control Plan Needed**
City of Winston-Salem
Matthew Osborne
336-747-7453
matthewo@cityofws.org
3/19/19 8:44 AM
01.03) Rezoning-Special Use District - 3

If the proposed project creates more than 10,000 sq. feet of land disturbance, an Erosion Control/Grading Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval. Please submit the plan through the electronic plan review portal at the following link: https://winston-salem.idtplans.com/secure/

Fire/Life Safety

General Issues

26. Notes

Winston-Salem Fire Department
Michael Morton
336-747-6935
michaelcm@cityofwsfire.org
3/12/19 2:36 PM
01.03) Rezoning-Special Use District - 3

As part of your construction plan submittal, include the calculated fire flow for this project and indicate the approved method used for that construction. Refer to Section 507 of the 2018 NC Fire Code and to https://www.isomitigation.com/siteassets/downloads/guide-determinerequiredfireflow.pdf for further information.

Emergency responder radio coverage shall meet the requirements of Section 510 of the 2018 NC Fire Code for this project. Consider how these requirements, including any systems necessary to bring radio coverage into compliance with this section, may impact your plans.

Utilities Plan.pdf [1 redline] (Page 1) [1] C400

24. WS - Fire/Life Safety  B

Winston-Salem Fire Department
Michael Morton
336-747-6935
michaelcm@cityofwsfire.org
3/12/19 2:35 PM
01.03) Rezoning-Special Use District - 3

[Ver. 2] [Edited By Michael Morton]

Indicate locations of existing/proposed fire hydrants to show compliance with fire code requirements and City development standards. A hydrant must be provided to within 500’ of all portions of the structure’s exterior (measured “as the hose would lay” along approved paths of fire apparatus travel).

IDTP

ZC100.pdf [31 redlines] (Page 1) [1] ZC100

19. COUNCIL MEMBER CONTACT  B

City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
2/6/19 10:11 AM
Pre-Submittal Workflow - 2

PLEASE ENSURE THAT YOU HAVE CONTACTED YOUR APPROPRIATE COUNCIL MEMBER PRIOR TO ARRANGING THE REQUIRED NEIGHBORHOOD MEETING THAT OCCURS BEFORE THE PLANNING BOARD PUBLIC HEARING.
I have held a meeting with Mayor Pro Tempore Burke and scheduling another community meeting regarding our rezoning.

### Inspections

#### General Issues

**32. Zoning Use**

- If rezoned to a Special Use Limited District or Special Use District rezoning, a separate fee will apply.
- The “Use” Retail store is not allowed in the LI zoning district.
- This building will need to comply with the building material requirements of UDO-284.
- A lighting plan will be required per UDO-286.
- Off street loading space dimensions are 12’ X 65’.
- Label height and type of screening for the dumpster area.
- Wheel stops are required where parking is adjacent to sidewalks that are less than 7’ in width.
- Bicycle parking is required per UDO standards. Add to the parking calculations.
- A grading permit is required to be issued prior to the issuance of the commercial permit. A grading plan with tree save area summary calculations table is required to be on the grading plan to indicate how the tree save requirement will be met.
- Landscaping: For the following, please provide the height, spacing, and type of vegetation:
  - Show how the requirement for MVSA trees will be met per UDO requirements.
  - Show how the streetyard requirements will be met per UDO standards.
  - Show how the bufferyard requirements will be met per UDO standards.

#### MapForsyth Addressing Team

**General Issues**

**25. Addressing & Street Naming**

- The assigned address is 1771 Motor Rd.

#### NCDOT

**General Issues**

**38. NCDOT Comments**
21. CPAD

City of Winston-Salem
Kirk Ericson
336-747-7045
kirke@cityofws.org
3/12/19 1:03 PM
01.03) Rezoning-Special Use District - 3

This site is part of a larger 115 acre area designated for mixed-use development in the Northeast Suburban Area Plan Update. More intense commercial development should be located closest to Old Walkertown Road. Pedestrian-friendly design and connections to the surrounding area are important site design factors here. The proposed site plan needs to incorporate vehicular connections to adjacent parcels to satisfy this recommendation. Special attention should also be paid to building design to make it attractive, as it will set the tone for this new area of development.

27. CAC/Greenway

City of Winston-Salem
Amy Crum
336-747-7051
amyc@cityofws.org
3/13/19 8:40 AM
01.03) Rezoning-Special Use District - 3

No comment.

37. Design

City of Winston-Salem
Gary Roberts
336-747-7069
garyr@cityofws.org
3/25/19 12:48 PM
01.03) Rezoning-Special Use District - 3

Please see my Sketch Plan comments from 10-19-2018:

Consider the attached concept which accommodates the subject retail store and addresses future, mixed use development at this intersection in a more comprehensive manner as per the area plan recommendations.
As has been mentioned, this property is part of a larger area designated for comprehensive mixed-use development. Vehicular and pedestrian connections to adjacent properties (east and north) are important to keeping in line with this recommendation. To that end, the proposed access point should be moved farther away from the intersection of Motor Road and Old Walkertown Road, especially because vehicles turning left out of the property would have to cross multiple lanes of traffic and may not be able to stack in the appropriate lane with congestion. The internal street network (or network of drive aisles), including the connections to other properties, should be dedicated to the public or under a public access easement.

Additionally, the proposed site design can be improved by intentionally addressing the intersection. Specifically, finding ways to engage pedestrians and provide a more aesthetically pleasing street frontage (e.g., use of a knee wall and enhanced streetyard landscaping), providing a pedestrian connection into the site from Motor Road, and making the setback for the parking area the same as that shown for the principal building can help improve the suitability of the proposed design. We would also recommend an approval condition to install only monument-type signs with limited heights. (As the site is recommended for comprehensive mixed use, you may want to consider alternate locations for the site-specific signage, as this would be a prominent gateway for all future development.)

The building material requirements for retail uses must be met; they do not apply only to street-facing facades, but rather to the entire building. Any proposed alternative compliance must demonstrate innovative design. Dumpster enclosures should be constructed of the same material(s) as the principal building.

The prominent location of this property necessitates a higher level of attention to development quality.
Please show owners across Old Walkertown Rd.

Please show owners across Motor Rd.

AN ADDITIONAL NEIGHBORHOOD MEETING WILL BE REQUIRED PRIOR TO HEARING. CONTACT GARY ROBERTS AT (336)747-7069 OR VIA EMAIL AT garyr@cityofws.org

Emailed Gary Roberts to coordinate additional Neighborhood Meeting

This site exceeds 24% built upon area (BUA) and also exceeds 20,000 sq.ft. of new impervious area created. Therefore, the high density water quality provisions of The City of Winston-Salem’s Stormwater Management ordinance will apply as will the water quantity provisions of the same ordinance. The high density water quality provisions require the first inch of runoff to be captured and treated in an approved Stormwater management device. The water quantity provisions require that the 2, 10 and 25 year storm event peak runoff rates in the post developed condition be attenuated back to or below the pre developed runoff rates and also that the 25 year volume increase is attenuated. For any Stormwater management system that is designed a non-refundable financial surety equal to 4% of the construction cost of the Stormwater management system must be provided as part of the permit process and also an Operation and Maintenance Agreement must be signed approved and recorded at the Forsyth County Register of Deeds office as part of the permitting process.
Stormwater Management

City of Winston-Salem
Joe Fogarty
336-747-6961
josephf@cityofws.org
3/12/19 2:12 PM
01.03) Rezoning-
Special Use District - 3

How are you going to capture and treat/attenuate the substantial area that comes down the driveway and bypasses the stormwater management system?

Utilities

General Issues

29. General Comments

City of Winston-Salem
Charles Jones
336-727-8000
charlesj@cityofws.org
3/18/19 10:10 AM
01.03) Rezoning-
Special Use District - 3

Place water meters just inside the right-of-way of Motor Road. Backflow preventers will be directly behind them on private property. A NCDOT Encroachment agreement will be required for sewer connection on Old Walkertown Road. Sewer connection will be cast iron soil pipe from main to clean out, including clean out. Place clean out behind sidewalk. Water meters purchased through COWS. Backflow preventer required on all water connections. Be aware of the New System Development Fees that begin May 1, 2019.

[Ver. 2] [Edited By Charles Jones]

WSDOT

Site Plan.pdf [11 redlines] (Page 1) [1] C100

31. Text Box B

City of Winston-Salem
Jeffrey Fansler
336-727-8000
jeffreygf@cityofws.org
3/20/19 5:03 PM
01.03) Rezoning-
Special Use District - 3

Show bike parking on the plan.
USES ALLOWED IN THE EXISTING LI ZONING DISTRICT
City of Winston-Salem Jurisdiction Only

USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)

- Academic Biomedical Research Facility
- Academic Medical Center
- Animal Shelter, Public
- Arts and Crafts Studio
- Banking and Financial Services
- Building Contractors, General
- Building Contractors, Heavy
- Building Materials Supply
- Child Care, Drop-In
- Church or Religious Institution, Community
- Church or Religious Institution, Neighborhood
- College or University
- Fish Hatchery
- Fuel Dealer
- Government Offices, Neighborhood Organization, or Post Office
- Hospital or Health Center
- Kennel, Indoor
- Manufacturing A
- Manufacturing B
- Micro-Brewery or Micro-Distillery
- Motor Vehicle, Body or Paint Shop
- Motor Vehicle, Rental and Leasing
- Motor Vehicle, Repair and Maintenance
- Motor Vehicle, Storage Yard
- Offices
- Park and Shuttle Lot
- Parking, Commercial
- Police or Fire Station
- Postal Processing Facility
- Recreation Facility, Public
- Recreation Services, Indoor
- Recycling Center
- School, Vocational or Professional
- Services A
- Services B
- Signs, Off-Premises
- Special Events Center
- Storage Services, Retail
- Terminal, Bus or Taxi
- Testing and Research Lab
- Transmission Tower
- Urban Agriculture
- Utilities
- Warehousing
USES ALLOWED IN THE EXISTING LI ZONING DISTRICT
City of Winston-Salem Jurisdiction Only

Wholesale Trade A
Wholesale Trade B

USES ALLOWED WITH REVIEW BY THE PLANNING BOARD (P)
Adult Day Care Center
Child Care, Sick Children
Child Day Care Center
Landfill, Construction and Demolition
Landfill, Land Clearing/Inert Debris

USES ALLOWED WITH SPECIAL USE PERMIT FROM ZONING BOARD OF ADJUSTMENT (A)
Borrow Site
Dirt Storage
Helistop
Solid Waste Transfer Station

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site\(^5\)
Shelter for Homeless

\(^5\)SUP not required if requirements of Section B.2-5.2(A) are met
EASEMENT PURCHASE AND SALE AGREEMENT

This Easement Purchase and Sale Agreement ("Agreement") is made and entered into this 28th day of November, 2018 (the "Effective Date"), by and between the CITY OF WINSTON-SALEM ("Seller") and SPRING HILL LAND TRUST, and/or its successors or assigns ("Buyer"). Seller and Buyer are sometimes collectively referred to herein as "Parties" and individually as "Party."

WITNESSETH:

WHEREAS, Seller is the owner of fee title interest in that certain real property being approximately 13.14 acres, more or less, located along Motor Road, Winston-Salem, Forsyth County, NC, known as Forsyth County Parcel ID 6847-17-0802.00 and shown as Tract B on that plat of survey recorded in Plat Book 61, Page 80, Forsyth County Register of Deed attached hereto as Exhibit "A" and incorporated herein by this reference (hereinafter the "City Property");

WHEREAS, Buyer and Greater Tabernacle Worship Center entered into an agreement dated December 11, 2017 for the purchase and sale of property of 1.50 acres, more or less, located adjacent to the City Property, being known as a portion of Forsyth County Tax Parcel ID 6847-17-5864.00 and being shown as 1.48 acres on the Buyer's recent survey attached hereto as Exhibit "B" and incorporated herein by this reference, for the Buyer's proposed development of the property to construct a Dollar General store (hereinafter the "DG Property");

WHEREAS, Buyer desires to acquire an irrevocable easement in perpetuity over, under, through, and across a portion of the City Property, and said easement area is shown as the hatched area labeled "0.195 Acre Access Easement to be Acquired from City of Winston-Salem" on Exhibit "B" (hereinafter the "Easement Area") for the purpose of establishing pedestrian and vehicular access, ingress and egress to and from the DG Property as well as installing and maintaining utility lines to serve the DG Property (hereinafter the "Easement");

WHEREAS, Seller desires to grant to Buyer such easement and appurtenant rights over, under, through, and across the Easement Area for the consideration and upon the terms and conditions hereinafter set forth, provided that Seller and its successors in interest shall retain the right to access the City Property from the Easement Area; and

WHEREAS, Buyer desires to accept said easement rights for the consideration and upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the aforesaid premises, the mutual covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

2. Sale of Easement. Seller agrees to sell and Buyer agrees to purchase, subject to the terms and conditions of this Agreement, the Easement and such other rights as may be specified in this Agreement.

3. Purchase Price. The purchase price ("Purchase Price") is $15,000.00 payable as follows:

   $1,000.00  Earnest money deposit ("Earnest Money") to be delivered to the Raleigh, North Carolina office of Chicago Title Insurance Company ("Escrow Agent") within
five (5) days of the execution of this Agreement by both parties. Escrow Agent may (but is not required to) deposit the Earnest Money in an interest-bearing account and, if so, interest earned will be credited to Buyer. The Earnest Money will be applied as part payment of the Purchase Price at Closing, subject to other provisions of this Agreement. If any dispute arises concerning the Earnest Money, the Escrow Agent may interplead the funds, be released from further responsibility, and will not be restricted from representing Buyer in connection with any matters relating to the Agreement.

Balance

The balance shall be delivered by Cash, cashier's/certified check, or wire transfer payable at Closing, as adjusted by prorations and closing costs described below.

4. **Inspection Period.** Buyer and Buyer’s agents and designees shall have an initial period of 120 days, subject to any Extensions, as defined below (the "**Inspection Period**") from the Effective Date of this Agreement (not to include date of signature) to enter the City Property and perform all such studies and inspections of the Easement Area as Buyer may require to determine, in its sole discretion, whether the Easement Area and the Easement are suitable for its proposed commercial development (including, without limitation, market studies, site plans, and architectural drawings) on the DG Property. Seller grants Buyer and Buyer’s representatives the right to go on the City Property including the Easement Area to conduct its site studies during this Inspection Period and up to and including the Closing Date. Buyer agrees to restore the City Property and Easement Area substantially to its original condition after completion of studies and inspections. Buyer agrees to hold Seller harmless from any damages to the City Property or liabilities arising from injuries or property damage caused by activities of Buyer or its agents permitted under this paragraph and further agrees that no liens shall be permitted to be attached to the Easement Area as a result of any such activities by Buyer or its agents.

In the event that Buyer shall determine, in Buyer’s sole and absolute judgment and discretion, that the Easement Area or the Easement is in any manner unsuitable or unsatisfactory to Buyer, then Buyer shall have the right, at Buyer’s option, to terminate this Agreement by giving written notice thereof to Seller on or before the expiration of the Inspection Period, in which event Ten and No/100 Dollars ($10.00) of the Earnest Money shall be delivered to Seller as consideration for Seller’s execution of and entry into this Agreement, the balance of the Earnest Money shall be refunded to Buyer immediately upon request, all rights and obligations of the parties under this Agreement shall expire, and this Agreement shall become null and void. If Buyer gives Escrow Agent notice of Buyer’s having elected to terminate this Agreement pursuant to this Section 4, then: (i) Escrow Agent shall be, and is hereby, absolutely, unconditionally, and irrevocably authorized, directed, and instructed to disburse the Earnest Money as set forth in this Section 4 immediately upon receipt of a copy of such notice, without any inquiry as to the propriety, effectiveness or timeliness of such termination and without the requirement of any further authorization, direction or instruction from either Seller or Buyer, and Seller covenants and agrees not to delay, hinder or impede in any manner whatsoever the disbursement of the Earnest Money as set forth herein.

Buyer may extend the Inspection Period for three (3) additional 45 day periods (each, an "**Extension**"), upon deposit of $1,000.00 for each Extension to the Escrow Agent; this deposit shall be held as Earnest Money applied toward the Purchase Price at Closing and shall be refundable to the Buyer according to the terms of this Agreement.

5. **Title Commitment and Survey.** Within the Inspection Period, Buyer, at its expense, shall order a title commitment from Chicago Title Insurance Company ("**Title Company**") and obtain a copy of all documents which constitute exceptions to the title commitment. Buyer shall give Seller written notice on or before the end of the Inspection Period of any condition of title (exceptions or requirements) that is not satisfactory, in Buyer’s sole discretion. Similarly, Buyer shall have until the end of the Inspection Period
within which to notify Seller of any unsatisfactory survey matters. If such notice is given, Seller shall diligently undertake, at its expense, to resolve such matters to Buyer’s satisfaction; provided, however, that at Closing mortgages, other liens, or matters subject to resolution from the sales proceeds may be resolved at or prior to Closing. If Seller is unable with the exercise of due diligence to resolve such matters during the Inspection Period after Buyer’s notice, then Buyer may, at its option, either (1) accept title subject to the objections raised by Buyer, without any adjustment in the Purchase Price, or (2) rescind this Agreement, whereupon the Earnest Money shall be returned to Buyer, or (3) work with Seller to satisfy unacceptable matters and postpone the Closing Date and extend the Inspection Period the same time period as it takes to satisfy these matters, serving to toll the Inspection Period the amount of time so as to satisfy these matters. The notice requirements in this section shall in no way alter or amend other rights set forth in this Agreement.

Within the Inspection Period, Buyer, at its expense, shall order a current survey of the Basement Area prepared by a duly licensed land surveyor. The survey shall be certified to the Buyer and the Title Company and contain a certification of the acreage contained within the Basement Area, as well as show all other easements and other matters which may be shown on a survey. In the event the survey (or any update prior to Closing) shows any encroachments relating to the Basement Area, or other matters which would, in Buyer’s opinion, interfere with Buyer’s intended use of the Basement Area or use, then such matter shall be treated in the same manner as an unsatisfactory survey matter under the procedure set forth above.

6. Closing. This Agreement shall be closed in the following manner.

A. Closing Date. If all conditions to closing herein are satisfied, the closing on the purchase and sale of the Basement pursuant to the terms hereof (the “Closing”) shall be a date selected by Buyer to be on or before 30 days after the end of the Inspection Period or any Extension thereof (the “Closing Date”). Notwithstanding the foregoing, if, for any reason, the Closing does not occur on or before Closing Date, then Buyer may elect to extend the Closing Date as provided in Section 9E below. The Closing shall be held at the offices of Longleaf Law Partners, PLLC, 2235 Gateway Access Point, Suite 201, Raleigh, NC 27607 (the “Closing Attorney”). Neither party shall be required to attend the Closing in person; rather, it is contemplated that the executed closing documents may be submitted to the Closing Attorney via mail to be held in trust by the Closing Attorney until Closing. Seller shall deliver occupancy and possession of the Basement Area to Buyer at the time of closing unless otherwise stated herein.

B. Seller’s Instruments. At or prior to the Closing Date, Seller shall deliver to the Closing Attorney the following items, duly executed and acknowledged where required:

1. Easement Agreement. A permanent Easement Agreement in a form satisfactory to Buyer and Dollar General Corporation granting an irrevocable easement to Buyer over, under, through, and across the Basement Area, said easement being appurtenant to and running with the land, with the Seller and its successors in interest retaining the right to access the City Property from the Basement Area.

2. Release Agreement. Execution and recordation of a release instrument releasing the DG Property from all of the restrictions set forth in the deed recorded in Book 3143, Page 386 in a form satisfactory to Buyer and Buyer’s Title Company.

3. Foreign Person Tax Withholding. Documentation or information required for compliance with Section 1445 of the Internal Revenue Code, if applicable.
(4) **Additional Documents.** Such additional documents as might be reasonably required by the Buyer, Buyer's Lender, or the Title Company to consummate the conveyance of the Easement to the Buyer.

C. **Costs.** Buyer shall pay all escrow fees, all costs of recording, the cost of obtaining the Title Commitment, the title insurance premium for any title insurance policy and endorsements requested or required by Buyer, the costs of any survey or survey update obtained by Buyer, and the costs of all lien searches and other due diligence expenses in connection with the issuance of a title insurance policy. Buyer shall pay document preparation fees for the preparation of documents related to the transaction and all recording fees. Attorneys' fees, consulting fees, and other due diligence expenses shall be borne by the party incurring such expense. The provisions of this Section shall survive the Closing.

D. **Tax Prorations.** Not applicable.

7. **Failure of Performance.** If Seller fails to perform as required under this Agreement, then either (1) Buyer may enforce specific performance of this Agreement and in such action shall have the right to recover damages suffered by Buyer by reason of delay in the acquisition of the Easement, or (2) Buyer may recover damages for breach of this Agreement, together with all other legal and equitable remedies, without acquiring the Easement. If Buyer fails to perform as required under this Agreement, then Seller shall receive as its sole remedy the Earnest Money as liquidated damages (specific damages being waived by Seller).

8. **Representations and Warranties of Seller.** Seller represents and warrants to Buyer the matters described below and shall promptly notify Buyer of any new information relevant to such matters through Closing:

A. **Seller's Title.** Seller holds good and marketable fee simple title to the Easement Area, free and clear of all liens, restrictions and encumbrances (other than what may be satisfied at Closing or are acceptable to Buyer under Paragraph 5 above). The person signing this Agreement on behalf of Seller has the proper power and authority to bind the Seller.

B. **Adverse Information.** There are no condemnation, zoning, or other land use regulations or proceedings, either instituted or planned to be instituted (except those which may be instituted by Buyer), which would affect the Easement Area or Easement, nor does Seller have any pending applications or petitions before any governmental or regulatory body relating to the Easement Area or Easement. Seller has received no notice of any special assessment proceedings. Seller has no information or knowledge of (1) any change contemplated in any applicable laws, ordinances, or regulations, (2) any judicial or administrative action, (3) any action by adjacent landowners.

C. **Closing Documents.** All the documents executed by the Seller which are to be delivered to Buyer at Closing are, or at closing will be, (1) duly authorized, executed and delivered by Seller, (2) legal, valid, and binding obligations of Seller, and (3) sufficient to convey a permanent easement; and such documents do not and at the Closing will not violate any provisions of any agreement to which Seller is a party or to which Seller is subject.

D. **Costs Paid.** At the Closing there will be no outstanding contracts made by Seller for any improvements to the Easement Area which have not been fully paid for and Seller shall cause to be discharged all mechanics' or materialmen's liens arising from any labor or materials furnished to the Easement Area prior to Closing.

E. **Parties in Possession.** As of Closing there shall be no one in possession or with any rights
of possession of the Basement other than Seller (an affidavit as to this shall also be executed at Closing).

F. **Environmental Concerns.** Seller has no knowledge that the Basement Area has in the past been used or is presently being used for the handling, storage, manufacturing, refining, transportation or disposal of "toxic material," "hazardous substances," or "hazardous waste." Furthermore, to Seller's knowledge there has not been and there is no leaking or drainage of waste materials or hazardous substances into the groundwater beneath or adjacent to the Basement Area; and there have not been and are no buried or semi-buried or otherwise placed tanks, storage vessels, drums, containers, or debris of any kind located in the Basement Area. The terms "hazardous waste," "hazardous substances," and "toxic material" include, without limitation, any flammable explosives, radioactive materials, hazardous materials, hazardous wastes, hazardous or toxic substances or related materials defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. §960 et seq.), the Hazardous Materials Transportation Act, as amended (42 U.S.C. §1801 et seq.), the Resource Conservation and Recovery Act, as amended (42 U.S.C. §9601 et seq.), the regulations adopted and publications promulgated pursuant to the foregoing and any other federal, state or local environmental law, ordinance, rule or regulation. Furthermore, Seller has not received a summons, citation, directive, letter, or other communication, written or oral, from any governmental authority as to any of the above environmental concerns. If "hazardous waste," "hazardous substances," or "hazardous material" are located on the Basement Area, then Buyer shall have the option to either close this transaction and require Seller, at Seller's expense, to deliver the Basement free from the condition, or Buyer may elect to terminate this Agreement and all Earnest Money shall be returned to Buyer.

G. **Covenants of Seller.** Seller covenants that, between the Effective Date and the Closing, Seller will not sell, assign, or convey any right, title, or interest whatsoever in or to the Basement Area or create any lien, encumbrance, or charge on the Basement Area, except with the written consent of Buyer. Seller will not make the Basement Area available to any other party during the pendency of this Agreement, but Seller and Buyer hereby agree that Seller retains the unilateral right to sell or otherwise transfer ownership of the City Property, including the Basement Area, at any time after the Closing.

9. **Conditions Precedent.** Buyer's obligation to close is subject to the satisfaction, as of the Closing Date, of each of the conditions described below (any of which may be waived in whole or in part in writing by Buyer at or prior to the Closing Date). Buyer shall diligently and in good faith pursue the satisfaction of these conditions, and Seller shall promptly cooperate whenever required by Buyer. In the event the conditions below have not been satisfied to the Buyer's satisfaction, the Buyer shall have the right to terminate this Agreement by so notifying Seller in writing. In such event, the Escrow Agent shall return all Earnest Money to Buyer.

A. **Correctness of Representations and Warranties.** The representations and warranties of Seller shall be true on and as of the Closing Date.

B. **Compliance by Seller.** Seller shall have performed, observed, and complied with all of its covenants, agreements and conditions as required by this Agreement.

C. **Eminent Domain and Condemnation.** If in any event after the execution of this Agreement and prior to Closing, Seller receives notice of the commencement or potential commencement of eminent domain or Condemnation action to any part of the Basement Area, Seller shall immediately notify Buyer. In such an event of the commencement or potential commencement of an eminent domain or condemnation action, Buyer shall have the option to either proceed with the Closing or to terminate the Agreement, which in such event of Buyer electing to terminate the Agreement, the Earnest Money shall be refunded to the Buyer.
D. **DG Property.** The obligation of Buyer to consummate the Closing hereunder is subject to the closing of the DG Property simultaneously with the Closing contemplated by this Agreement. Seller and Buyer agree to cooperate with each other to facilitate such a simultaneous closing. In the event the purchase and sale of any portion of the DG Property is not consummated in accordance with the terms and conditions of the contract covering the same simultaneously with the Closing hereunder for any reason, then (i) Buyer may extend the Closing Date for a reasonable period of time by giving written notice of any such extension to Seller on or before the then current Closing Date, or (ii) in the event that the Closing Date is not extended as provided in the immediately preceding subsection (i) Buyer shall have the right, at Buyer’s option and election, to terminate this Agreement, whereupon the Earnest Money shall be promptly refunded to Buyer, this Agreement shall become null and void and the parties shall be relieved of and released from any and all further rights, obligations and liabilities hereunder, unless as designated otherwise herein. In the event that the Closing Date is extended as provided above and any portion of the DG Property is not consummated in accordance with the terms and conditions of the contract covering the same simultaneously with the Closing hereunder at the time of such extended Closing Date, Buyer shall have the right, at Buyer’s option and election, to terminate this Agreement whereupon the Earnest Money shall be promptly refunded to Buyer, this Agreement shall become null and void, and the parties shall be relieved and released from any and all further rights, duties, obligations and liabilities hereunder, unless as designated otherwise herein.

10. **Cooperation.** Seller shall cooperate with Buyer as to all consent requirements relating to governmental approvals.

11. **Miscellaneous.** It is further agreed as follows:

**A. Notice.** All notices will be in writing and served by postage prepaid certified mail, by next day delivery (such as Federal Express), or by electronic message transmission (email) to the addresses shown below, until notification of a change of such addresses. All such notices shall be deemed delivered on the date initiated.

To Seller: CITY OF WINSTON-SALEM
Attn: Kirk Bjorling, Real Estate Administrator
P.O. Box 2511
Winston-Salem, NC 27102
Telephone: (336) 734-1291
Email: KirkB@cityofws.org

With a copy to: City Attorney
P.O. Box 2511
Winston-Salem, NC 27102

To Purchaser: SPRING HILL LAND TRUST
Post Office Box 7114
Thomasville, GA 31758
Email: springhilltrust@gmail.com

With a copy to: LONGLEAF LAW PARTNERS, PLLC
Attn: Holly S. Mills
2235 Gateway Access Point, Ste 201
Raleigh, NC 27607
Telephone: (919) 645-4300
Email: hmills@longleaflaw.com

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B. **Survival.** All representations and warranties in this Agreement shall survive the Closing, as shall any covenants for performance after closing.

C. **No Waiver.** Failure of either party to exercise any rights under this Agreement shall not constitute a waiver of any right, nor excuse the other party's full performance. No express waiver of any matter shall affect any other matter under this Agreement. Express waivers are only effective if in writing provided to the other party according the notice provision of this Agreement.

D. **Brokerage Commissions.** The parties agree that there are no real estate brokers involved in this Agreement and should anyone ever claim a commission is due from this Agreement, then the party through whom the commission is claimed shall indemnify and hold harmless the other party, including providing a defense to such a claim (or paying the other party’s costs and expenses, including attorney’s fees, if a defense is not promptly provided).

E. **Entire Agreement.** This document constitutes the entire agreement between the parties, incorporating all prior agreements, and may only be amended in writing executed by both parties.

F. **Binding Effect.** This Agreement will inure to the benefit of and bind the respective successors and assigns of the parties. Spring Hill may assign this Agreement to any individual, corporation, syndicate, or other business entity, which shall agree to assume each of Spring Hill’s obligations hereunder, and, upon assumption, Spring Hill shall be released from all obligations hereunder. Spring Hill may direct that title to the Spring Hill Tract or any portion thereof be conveyed to Spring Hill or its nominee.

G. **Attorney's Fees.** If either party prevails against the other in a legal action concerning any part of this Agreement, the successful party shall be entitled to its reasonable attorney’s fees and costs connected with such action, through appellate and bankruptcy proceedings, in addition to all other recovery or relief. Costs shall include all deposition costs and expert fees, even if not used at trial.

H. **Construction of Terms.** Descriptive headings are for convenience only and shall not control or affect the meaning or construction of any provision. Any ambiguities of this Agreement shall be construed fairly and equitably regardless of the participation of either party in drafting this Agreement. The reference in terms to gender and number shall be modified as may be appropriate.

I. **Severability.** In case any of the provisions of this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, the remaining provisions shall remain in effect and the Agreement be performed in a fair and equitable manner as to any uncertainties arising from the unenforceable provisions.

J. **Relationship of Parties.** The parties are not partners or business associates in any form, as they are solely dealing at arms-length as Seller and Buyer with respect to the Easement Area.

K. **Dates.** If any date provided for in this Agreement falls on a Saturday, Sunday, or holiday, the date shall be the next business day.

L. **Rights of others.**

   (i) No other person, firm, or entity has any right in or right to acquire the Easement Area or any part thereof, and there is no contract (including any service contract) or
agreement of any kind or nature affecting the Easement Area or the operation thereof which will survive the Closing.

(ii) Seller is in open, notorious, and undisputed possession of the Easement Area and there are no other parties in possession of or holding any right to use or possess any portion of the Easement Area.

M. Law or other violations. Seller has no knowledge of any uncured violations of any statute, regulation or other law affecting any portion of the Easement Area, and Seller shall give to Buyer prompt notice of and cure at its sole expense, any such violation prior to Closing, including without limitation, any environmental or land use statute, regulation or other law applicable to the Easement Area. Seller has received no notice of any proposed or pending public improvements or any pending or contemplated condemnation proceedings affecting the City Property or Easement Area.

N. Bankruptcy or Judgment. Seller has not filed for bankruptcy or reorganization or made a general assignment for the benefit of creditors, and Seller is not insolvent or otherwise unable to pay its debts as they become due and no party has any unsatisfied judgment against Seller.

O. Lawsuits or Actions. There are not any lawsuits or administrative actions pending or threatened against the City Property or Easement Area or to the business conducted thereon nor against Seller which, if decided adversely to Seller, would have any effect upon the Easement Area. Should any lawsuit arise having any effect on the Easement Area or the Easement, the Seller shall indemnify Buyer from any act occurring at or before the occurrence of the conveyance of the Easement from Seller to Buyer.

P. Representations and Disclosures. To the best of Seller’s knowledge, (i) all information regarding the Easement Area furnished by Seller to Buyer is true and correct in all material respects, (ii) Seller has not failed to furnish to Buyer any information which would be material to the ownership, operation by Buyer of the Easement Area or the Easement as it exists presently or on the Closing date, or which would be material or an impediment to the use of the Easement Area or the Easement, and (iii) Seller has disclosed to Buyer in writing all material adverse information of which Seller is aware, if any, concerning the physical condition of the Easement Area.

Q. Signatures. The parties have signed this Agreement as of the Effective Date. This Agreement may be signed in several counterparts and, together, shall constitute one document. Facsimile copies of signatures or digitally scanned signatures are acceptable to evidence complete agreement.

[remainder of page left blank intentionally, separate signature pages follow]
IN WITNESS WHEREOF, Seller and Buyer have each caused this Agreement to be executed by authorized parties.

"Seller"

CITY OF WINSTON-SALEM

BY: __________________________ (SEAL)
Printed Name: Lee Garrity
Title: City Manager

ATTEST:

BY: __________________________ (SEAL)
Printed Name: Melanie Johnson- Meredith Martin
Title: City Secretary

STATE OF NORTH CAROLINA    )
COUNTY OF FORSYTH   )

I, Robin M. Watson, a Notary Public of Forsyth County, North Carolina, do hereby certify that Melanie Johnson personally came before me this day and acknowledged that she is City Secretary of the City of Winston-Salem, a municipal corporation of North Carolina, and that, by authority duly given, and as the act of said corporation, the foregoing instrument was signed in its name by its City Manager, sealed with its corporate seal, and attested by herself as its City Secretary.

Witness my hand and notarial seal or stamp, this the 28th day of November, 2018.

Robin M. Watson

My commission expires: 12-7-2018

This instrument has been pre-audited in the manner required by the Local Government and Fiscal Control Act.

This the ___ day of ______________, 20___.

Lisa Saunders, Chief Financial Officer

Approved as to form by:

This the __7th__ day of __December__, 20__.

Angela Cannon, City Attorney
SEPARATE SIGNATURE PAGE TO EASEMENT PURCHASE AND SALE AGREEMENT

IN WITNESS WHEREOF, Seller and Buyer have each caused this Agreement to be executed by authorized parties.

"Purchaser"

SPRING HILL LAND TRUST

By: 

Zach Crumley, Trustee

STATE OF )
COUNTY OF )

I, __________________________, a Notary Public of the County and State aforesaid, do hereby certify that ________________, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal or stamp, this the __________ day of ______________, 2018.

________________________
Notary Public

My commission expires: ________________________ (Notarial Seal)
City Council – Action Request Form

Date: December 11, 2017
To: The City Manager
From: S. Kirk Bjorling, Real Estate Administrator

Council Action Requested:
Consideration of a Resolution Releasing the Deed Restrictions on a 1.5 Acre Portion of the 20 Acre Parcel of Land Sold to Greater Tabernacle Worship Center on March 25, 2013, the Authorizing of a Grant to Greater Tabernacle to Carry out Certain Public Purpose Programs, and the Granting of an Access Easement on City-owned Property to Spring Hill Land Trust (Northeast Ward)

Strategic Focus Area: Economic Vitality and Diversity
Strategic Objective: Promote Commercial Development in Economically Disadvantaged Areas
Strategic Plan Action Item: No
Key Work Item: No

Summary of Information:
On August 20, 2007, the City Council authorized the sale of 33.14 acres of vacant land on Old Walkertown Road to Tabernacle of Faith Church of the United Evangelical Outreach Ministries, Inc. (Tabernacle Church) based on N.C.G.S. 160A-269, an upset bid procedure. The agreed upon sale price was $594,000. The church planned to use the property for a multi-purpose arena, training center, retirement housing, and new sanctuary. On July 19, 2010, the City Council authorized an amendment to the original sale agreement. Tabernacle Church requested that their name be removed from the sales contract and replaced with the name Tabernacle Community Development Corporation (Tabernacle CDC). In addition, Tabernacle CDC requested an 18 month extension to the original contract which would allow them time to obtain financing to purchase the 33.14 acre tract of land. On March 26, 2012, the City Council authorized allowing Tabernacle CDC an additional six months extension until September 26, 2012 to obtain financing for the previously approved purchase of 33.14 acres of land. On August 20, 2012, Tabernacle CDC requested, and City Council approved, a modification of the previously approved sale conditions. This modification decreased the amount of land sold from 33.14 acres to 20 acres and the sale price decreased from $594,000 to $360,000. The per acre sale price

Committee Action:

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<th>Committee</th>
<th>Action</th>
<th>Remarks</th>
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<tr>
<td>Finance 12/11/17</td>
<td>Approval</td>
<td>Unanimous</td>
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remained the same at $18,000 per acre. As part of the sale modification, Tabernacle CDC also requested a three month extension, until December 26, 2012, to obtain financing.

On March 25, 2013, the City Council reduced the sale price to $200,000 or $10,000 per acre and determined that the sale would be based on N.C.G.S. 160A-279, a sale to an entity carrying out a public purpose. The entity's name was changed from Tabernacle CDC to Greater Tabernacle Worship Center (Greater Tabernacle). Since the sale was authorized to an entity carrying out a public purpose, a number of restrictive covenants or conditions were placed on the sale to ensure that the property would be put to a public purpose use by Greater Tabernacle. Upon completion of a facility to be built on the site, Greater Tabernacle committed to providing a public purpose the programming listed in attached Exhibit A.

The purchase of the 20 acre site was closed on August 27, 2013. One of the conditions of the sale was that Greater Tabernacle would have construction of the new facility completed, a Certificate of Occupancy acquired, and the programs for the benefit of the public implemented, to the satisfaction of the City, within 36 months of the deed filing, or by August 27, 2016. The required conditions were not met, but on August 21, 2017, Greater Tabernacle requested and received from the City Council an additional three year extension of time to complete the construction of the facility as provided in the deed of purchase.

Greater Tabernacle has negotiated a contract with Spring Hill Land Trust (Spring Hill) to sell for $300,000 a 1.5 acre portion of the 20 acres purchased from the City in 2013. The site would be used by Spring Hill for the construction of a Dollar General Store. When the City sold the 20 acre parcel to Greater Tabernacle for $200,000, or $10,000 per acre, it was based on a sale to a non-profit entity carrying out a public purpose and; thus, the sale did not go through the upset bid process. Deed restrictions were placed in the deed which restricted the use of the land to certain public purposes. In order for Greater Tabernacle to re-sell a portion of the land now for a profit, it is necessary that the restrictive covenants on the 1.5 acre parcel be released by the City in order to accommodate the sale. The original restrictive covenants will endure on the remaining 18.5 acres. Since the original sale was to a non-profit entity carrying out a public purpose, and the sale did not go through the upset bid process, Greater Tabernacle has offered to pay the City the difference in the current appraised fair market value of $295,000 and pro-rated purchase price of the 1.5 acres at the time of purchase of $15,000, or a total of $280,000.

In recognition of the reimbursement to the City of the increase in fair market value, Greater Tabernacle is requesting a grant from the City in the amount of $280,000 to carry out the original public purpose programming summarized in the attached Exhibit A. A copy of the letter from Greater Tabernacle requesting the grant is attached as part of Exhibit A as well. A condition of the purchase contract between Greater Tabernacle and Spring Hill requires the City of Winston-Salem to provide access to the project from Motor Road by way of an access easement of approximately 8,350 sq. ft. on the City's adjoining property identified as Tax PIN 6847-17-0802 and Spring Hill has offered the sum of $15,000 for the access easement.

The attached resolution authorizes the release of the deed restrictions on a 1.5 acre portion of a 20 acre tract, the authorization of a grant to Greater Tabernacle for $280,000 to carry out certain public purpose programs, and the granting of an access easement for $15,000 on the City's
adjoining property which would assist in the construction of a Dollar General Store as specified herein.
RESOLVED
RESOLUTION RELEASING THE DEED RESTRICTIONS ON A 1.5 ACRE PORTION OF THE 20 ACRE PARCEL OF LAND SOLD TO GREATER TABERNACLE WORSHIP CENTER, AWARDING A GRANT TO THE CENTER AND AUTHORIZING THE CONVEYANCE OF AN EASEMENT

WHEREAS, on August 27, 2013, Greater Tabernacle Worship Center ("Greater Tabernacle") purchased 20 acres of land on Old Walkertown Road from the City of Winston-Salem; and

WHEREAS, the property is further identified as Tax PIN 6847-17-5864; and

WHEREAS, when the City sold the 20 acre parcel to Greater Tabernacle for $200,000, or $10,000 per acre, it was based on N.C.G.S. 160A-279, a sale to a non-profit entity carrying out a public purpose and; thus, the sale did not go through the upset bid process; and

WHEREAS, deed restrictions were placed in the deed which restricted the use of the land to certain public purposes; and

WHEREAS, Greater Tabernacle has negotiated a contract with Spring Hill Land Trust (Spring Hill) to sell for $300,000 a 1.5 acre portion of the 20 acres purchased from the City in 2013; and

WHEREAS, in order for Greater Tabernacle to re-sell a portion of the land now for a profit, it is necessary that the restrictive covenants on the 1.5 acre parcel be released by the City in order to accommodate the sale; and

WHEREAS, since the original sale was to a non-profit entity carrying out a public purpose, and the sale did not go through the upset bid process, Greater Tabernacle has offered to pay the City the difference in the current appraised fair market value of $295,000 and pro-rated purchase price of the 1.5 acres at the time of purchase of $15,000, or a total of $280,000; and
WHEREAS, in recognition of the reimbursement to the City of the increase in fair market value, Greater Tabernacle is requesting a grant from the City in the amount of $280,000 to carry out the original public purpose programming listed in attached Exhibit A; and

WHEREAS, a condition of the purchase contract between Greater Tabernacle and Spring Hill requires the City of Winston-Salem to provide access to the project from Motor Road by way of an access easement on the City’s adjoining property and Spring Hill has offered $15,000 for the access easement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Winston-Salem upon recommendation of the Finance Committee, that the City Council hereby authorizes the release of deed restrictions which prevent the sale of 1.5 acres of land from Greater Tabernacle to Spring Hill for the sum of $280,000 paid to the City for the difference in the current appraised fair market value and the pro-rated purchase price of the 1.5 acres at the time of the purchase.

BE IT FURTHER RESOLVED, that the Mayor and City Council of the City of Winston-Salem hereby authorize the sum of $280,000 ("Grant Funds") to be awarded in the form of a grant to Greater Tabernacle to construct the Facility specified in the August 27, 2013 deed from the City of Winston-Salem to Greater Tabernacle ("Deed") to carry out the original public purpose programming listed in Exhibit A, contingent upon the Grant Funds being held: (i) in escrow pursuant to an escrow agreement with an escrow agent, both of which must be approved by City Manager in consultation with the City Attorney, with the disbursement of the Grant Funds to occur: (a) upon the commencement of construction of the Facility specified in the Deed (as determined by the City Manager), and (b) based upon a disbursement schedule and formula determined by the City Manager, or (ii) by the City of Winston-Salem in an account separate from other city funds with the disbursement of said Grant Funds to occur: (a) upon the
commencement of construction of the Facility specified in the Deed (as determined by the City Manager), and (b) based upon a disbursement schedule and formula determined by the City Manager.

BE IT FURTHER RESOLVED, that the Grant Funds shall be held by the escrow agent or the City of Winston-Salem, as specified herein, for a period not to exceed 3 years commencing with the execution of a Grant Agreement. Said time period may be extended by the Winston-Salem City Council. Consistent herewith, the City Manager is hereby authorized to make the final decision regarding the placement of the Grant Funds in either escrow or a separate city account as specified herein. Consistent herewith, the terms of the Grant Agreement shall be determined by the City Manager in consultation with the City Attorney.

BE IT FURTHER RESOLVED, the conveyance of an access easement of approximately 8,350 sq. ft. is hereby authorized, which is subject to survey, on or across Tax PIN 6847-17-0802 to Spring Hill Land Trust for the sum of $15,000.
EXHIBIT A

1. The Grantee shall construct upon the Property a Grantor approved facility capable of accommodating programs for the benefit of the public, specifically, programs for senior citizens, youth and adult recreation programs, and various community development activities.

2. The Programs provided by the Grantee at the Facility shall include, but is not limited to:
   a. Educational, recreational, cultural, health, and lifelong learning opportunities for youth and adults.
   b. Educational advancement opportunities for adults and seniors.
   c. Regular weekly recreational and cultural activities to youth from grade school to high school ages.
   d. Adult recreational and cultural programs.
   e. Health education and services for children and adults.
   f. Adult educational support services including English as a Second Language (ESL), General Educational Development (G.E.D.) courses, and life skills classes for financial, health, home, and community survival skills.
   g. A low-cost and emergency food program for families in need.
   h. Hands-on elective coursework designed to reinforce academic foundations, build critical thinking skills, and expose learners to cultural, career, arts, and athletic experiences aligned with the North Carolina Common Core Standards Curriculum.
Memorandum
To: Planning Staff
From: Daniel R. Almazan
Date: April 2, 2019
Subject: Community Meeting for Proposed Development / Old Walkertown Rd & Motor Rd

On April 11, 2018 Teramore Development generated a list of the seventy-four owners living within fifteen-hundred feet of our site proposed for rezoning. These owners were mailed invitations to our community meeting held on April 23, 2018 at the Mount Pleasant Church located across the street from the site. After receiving three calls with regrets they would not be able to attend, we had forty-five people show up to our 6:30pm meeting which included Mayor Pro Tempore Vivian Burke. We presented our proposed project and asked for feedback on several façade designs for the site. There were several questions about the time-frame, traffic, jobs, and proposed plans for the remainder of the property. All questions were answered to the best of our ability and we were fortunate to have an overwhelming support for this project. One attendee voiced they were not supportive of our project, but the remaining attendees had consensus on the façade that was most appealing to their community which is being submitted with this package.

As a follow up per staff recommendations, a subsequent Community meeting is being held on April 10th at 6:30pm in the Greater Tabernacle Worship Center. Letters were sent out to the original seventy-four community members from the original meeting and Mayor Pro Tempore Vivian Burke is also planning to attend.
A Unified Development Ordinances (UDO) Text Amendment (UDO-290) proposed by the City Attorney’s Office creating new location, height and design requirements for fences located on residential building single-family, duplex, twin home, triplex, quadraplex and townhouse properties.

BACKGROUND AND ANALYSIS

The Unified Development Ordinances (UDO) currently have no regulations pertaining to fences and fencing in residential zoning districts and/or for residential uses. The City Attorney’s Office, acting on a request from the Community Development, Housing and General Government Committee, began preparing a fence ordinance aimed at addressing height, opacity and materials of fences between the front building wall and the street for residential single-family, duplex, twin home, triplex, quadraplex and townhouse properties. The proposed ordinance standards have been discussed extensively at both the staff level and with the Community Development, Housing and General Government Committee over the last 12-18 months.

The proposed ordinance exempts any and all masonry walls from the provisions of the ordinance if (1) entirely masonry or (2) any fence located on a Historic (H) or Historic Overlay (HO) zoned property or any property designated a Local Historic Landmark. For fences not entirely masonry, the proposed ordinance limits fences with an opacity level greater than 50% to no taller than four (4) feet in height on the street side of the front building wall (between the front building wall and the front property line). This standard applies to any portion of a fence in the front yard (parallel with the street/front façade and the portions of fences located along side property lines between the front building wall and the street). (see graphic below)
The proposed ordinance further clarifies that fences cannot be located within utility easements, block natural drainage flow or interfere with sight distance at intersections/driveways. Next, the proposed ordinance clarifies that barbed, razor, and concertina wire, as well as electric fences, cinder block walls and walls made of junk, debris, trash, etc. are prohibited. The proposed ordinance also specifies that the finished side of any fence must face the street or side property lines (the unfinished side shall face into the property). Finally, the proposed ordinance has an amortization period whereby any fence or wall made nonconforming must come into compliance or be removed within six (6) months of adoption.

As part of the process of drafting the proposed ordinance, the City Attorney’s Office analyzed fence regulations from other jurisdictions in North Carolina. The Table below summarizes the regulations from our peer cities.

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Height Standard</th>
<th>Permitted Materials</th>
<th>Prohibited Materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gastonia</td>
<td>Front – 4’ Side – 8’</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>High Point</td>
<td>4’ if within 15’ of street</td>
<td>Masonry, stone, iron, aluminum, wood, composite, chain link</td>
<td>Barbed/razor wire, electric fence, fences made of junk, debris, plywood, etc.</td>
</tr>
<tr>
<td>Burlington</td>
<td>4’ between street and front building wall</td>
<td>None specified</td>
<td>No electric fence or barbed wire fence</td>
</tr>
<tr>
<td>Durham</td>
<td>Front – 4’ unless SUP from ZBOA Side/rear – 8’</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Greensboro</td>
<td>4’ if within 15’ of street</td>
<td>Masonry, stone, ornamental metal, chain-link, plastic or vinyl wood or similar material</td>
<td>Barbed/razor wire, electric fence, fences made paper, cloth or canvas</td>
</tr>
<tr>
<td>Raleigh</td>
<td>Front – 6.5’ Side/rear – 7’</td>
<td>Stucco, wood, wrought iron, decorative blocks, metal, brick, stone, cast stone</td>
<td>Barbed wire, no chain-link in front or street side yard</td>
</tr>
<tr>
<td>Charlotte</td>
<td>Front – 5’ Side/rear – 8’</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Winston-Salem (PROPOSED)</td>
<td>Front – 4’ if greater than 50% opacity – masonry walls exempted</td>
<td>None specified</td>
<td>Barbed/razor/concertina wire, electric fences, cinder block, fences made of junk, debris, plywood, sheet metal, rolled plastic, etc.</td>
</tr>
</tbody>
</table>

The proposed regulations appear to keep the City of Winston-Salem in line with our peer jurisdictions across the state. Although the proposed regulations appear to be in line with other jurisdictions, staff does have several concerns with the ordinance as proposed. First, enforcement will be challenging on several fronts. There has been no exhaustive survey of all existing fences within the City of Winston-Salem. As a result, there is no “base-line” to determine how many fences this ordinance will impact. In the scattered windshield surveys conducted across the eight (8) wards, staff has found numerous examples of fences that would be rendered nonconforming if the proposed ordinance is adopted (please see the images at the end of the staff report). Also, with respect to enforcement, there is no requirement to obtain a permit for fences (current and proposed, unless the fence is taller than 6’ and thus needs engineered footings and wind load calculations). As a result, there is no mechanism whereby property owners can be warned/stopped from creating a costly mistake.
Beyond the enforcement issues, it is staff’s position that the proposed ordinance will impact a significant number of properties/fences to address very few “problem” fences. The proposed regulation may work in removing some unwanted fences but the associated peripheral impacts may lead to a significant level of unintended consequences. All of the fences in the images on pages 4 through 10 of this staff report would likely be rendered illegal by the proposed ordinance. Finally, the proposed ordinance provides an exemption for fences and walls constructed entirely of brick, stone and stucco, regardless of the height. Staff does note that the same exemption does not apply to fences and walls made of other materials such as cinder blocks.

As staff has reviewed zoning-related complaints logged over the past 10+ years, there have been no complaints related to residential fencing. Staff has concerns about enacting an ordinance with such far-reaching impacts without adequate data to support such regulation. As such, staff cannot support this ordinance as currently drafted but could be supportive of an ordinance that provides some degree of regulation without the potential associated negative impacts.

**RECOMMENDATION**

Denial of UDO-290 as currently drafted.
Be it ordained by the City Council of the City of Winston-Salem that the Unified Development Ordinances are hereby amended as follows:

Section 1. Chapter B, Article III, Section 3-11 OTHER STANDARDS is amended as follows:

3-11.3 RESERVED FENCES AND WALLS

(A) **Purpose and Intent.** The purpose and intent of this section is to ensure the safety, security, and privacy of land, by regulating the location, height, and appearance of fences and walls located within any portion of the front yard lying between the street frontage of the lot and the principal structure, and protecting adjacent properties from the indiscriminate placement of fences and walls.

(B) **Applicability.** The provisions of this section shall apply to the construction, installation, repair, maintenance and replacement of residential fences and walls in front yards on property with a residential building that is a single family home, duplex, twin home, triplex, quadraplex, or townhouse, unless exempted in accordance with Chapter B, Section 3-11.3(H) Exemptions. A residential fence or wall may be erected only in accordance with the provisions of this section.

(C) **Location Requirements.**

1. **General.**

   a. Fences and walls shall not be located within the public right-of-way.
   b. Fences and walls shall not block alleys in violation of Sections 74-92 or 74-99 of the City’s Code of Ordinances.

2. **Public Utility Easements.** Fences and walls located within utility easements shall receive written authorization from the easement holder. The City shall not be responsible for damage to, or the repair or replacement of fences and walls that must be removed to access such easements.

3. **Blocking Natural Drainage Flow.** A fence or wall shall not be installed so as to block or divert a natural drainage flow onto or off of any other land.

Note: Items to be deleted are indicated with a **strikethrough**. Items to be added as indicated with an **underline**.
4. **Obstructions at Intersections.** No fence or wall shall be erected, installed, repaired or maintained in a manner that obstructs visibility for motorists at any street intersection. All fences or walls with an opacity of greater than 50%, erected or installed at any street intersection, shall comply with the sight triangle easement (10’ x 70’) standards set forth in Chapter D of the Unified Development Ordinances.

5. **Application Within a Historic District, Historic Overlay District, or Local Historic Landmark.** The provisions of this ordinance shall not apply to a fence or wall constructed within a Historic District, Historic Overlay District, or Local Historic Landmark property if the Historic Resources Staff determines that the non-compliant fence or wall is as a historic component of the parcel. Such determination shall be documented in a letter to the Chief Building Official from Historic Resources staff.

(D) **Height Standards.**

1. **Opacity and Height.** No fence or wall with an opacity of greater than 50%, located within any portion of the front yard lying between the street frontage of the lot and the principal structure, shall be built to a height greater than four (4) feet above grade, subject to the line of sight provision in Chapter B, Section 3-11.3(C)(4).

2. **Measurement.** Fence and wall height shall be measured at the highest point above grade (not including columns or fence posts) on the portion of the fence or wall nearest an abutting or adjacent lot or street right-of-way. Safety railings required by the State Building Code shall not be included in fence or wall height measurements.

(E) **Prohibited Materials.**

1. Fences and walls with barbed wire, razor wire, concertina wire, or similar materials are prohibited.

2. Fences and walls that carry an electrical current are prohibited except for the purpose of enclosing livestock or as required by a federal, state or local government agency. Nothing shall prohibit below-ground electrical fences intended for keeping pets.

3. Fences and walls made of debris, junk, rolled plastic, sheet metal, untreated or unpainted plywood, or waste materials are prohibited, unless the materials have been recycled and reprocessed, for marketing to the general public, as fencing or wall materials designed to resemble fencing or wall materials (e.g. picket fencing made from recycled plastic and fiber).

Note: Items to be deleted are indicated with a *strikethrough*. Items to be added as indicated with an *underline*. 2
4. Boundary fences and walls made of concrete masonry units (also known as cinder blocks) are prohibited, with the exception of decorative concrete masonry units, including, but not limited to, split-face block.

(F) **Finished Side.** When a fence or wall is located within any portion of the front yard lying between the street frontage of the lot and the principal structure, it shall be configured so that the finished side of the fence or wall faces the street. For purposes of this section, the finished side shall not include supporting members or bracing.

(G) **Maintenance.** Fences and walls shall be constructed, installed, and maintained in a safe manner plumb (vertical) to the ground. Fences and walls not constructed, installed, and maintained in a safe manner through neglect, lack of repair, manner of construction, method of placement or otherwise shall be repaired, replaced or demolished.

(H) **Exemptions.** The following are exempted from the standards in this section:

1. Temporary fences for construction sites, including but not limited to: fencing necessary for soil erosion and sedimentation control and tree protection.

2. Any and all masonry boundary walls, built entirely of masonry, that are also in compliance with all of the provisions of Chapter B, Section 3-11.3(E).

(I) **Nonconforming Fences and Walls.** All non-conforming fences and walls shall be removed within six months from the effective date of this ordinance.

Section 2. This ordinance shall be effective upon adoption.
<table>
<thead>
<tr>
<th>Address</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>100 Tall Pines Court - SE Ward</td>
<td></td>
</tr>
<tr>
<td>204 Creeksedge Circle – NE Ward</td>
<td></td>
</tr>
<tr>
<td>230 E Clemmonsville Road – SE Ward</td>
<td></td>
</tr>
<tr>
<td>430 Keating Drive – West Ward</td>
<td></td>
</tr>
<tr>
<td>710 Michigan Street – South Ward</td>
<td></td>
</tr>
</tbody>
</table>
1852 East Fourth Street – East Ward

105 Martindale Road – East Ward

1712 East Third Street – East Ward

206 Friendship Circle – North Ward

620 Polo Road – North Ward
PROPOSED ZONING:
Special Use Permit for a LCID in AG zoning district

EXISTING ZONING:
AG

PETITIONER:
Sara Caskey and Sara Shippee

DOCKET #: F1584

SCALE: 1" represents 600'

STAFF: Roberts

GMA: 5

ACRES: 41.61

NEAREST BLDG: 103’ north

MAP(S): 6930.01

Property included in zoning request.

500’ mail notification radius. Property not in zoning request.
Rural Hall Area Plan Update, 2016

(Proposed land uses shown are generalized. See area plan for specific recommendations.)

Proposed Land Use

- Large-Lot Residential (over 5 ac)
- Single-Family Residential
- Low-Density Attached Residential (0-8 DU/Ac)
- Intermediate-Density Residential (8.1-18 DU/Ac)
- Manufactured Housing Development
- Office
- Office / Low-Intensity Commercial
- Commercial
- Mixed-Use Development
- Industrial
- Institutional
- Park
- Commercial Recreation
- Utilities
- Activity Center
- Special Land-use Condition Area
- Growth Corridor: Urban/Suburban Form - Residential

Plotted: 3/20/2019

Note: Proposed land uses shown are generalized. See area plan for specific recommendations.
1) SITE PLAN TITLE AND NUMBER: Stewart Grading LCID (F-1584)

2) TYPE OF DEVELOPMENT: Special Use Permit request for a Landfill, Land Clearing/Inert Debris, greater than 2 acres in a AG zoning district.

3) ACREAGE: 41.61

4) ZONING: Existing: AG

5) # UNITS/LOTS: 1

6) SITE PLAN PREPARER: Allied Design, Inc.
   4720 Kester Mill Road
   Winston-Salem, NC 27103
   PHONE: 336-765-2377
   E-MAIL: scausey@allied-ensurv.com

7) OWNER AND/OR AGENT: Sara Caskey and Sara Shippee
   3920 Homestead Club Drive, Apt. 5202
   Winston-Salem, NC 27103

8) CONDITIONS: (These conditions are additional requirements for development. All other city or county code regulations still apply.)

   - PRIOR TO ISSUANCE OF ANY PERMITS:
     a. No permits for land clearing and inert debris landfills shall be approved until all plans, including plans for rehabilitation of sites, have been reviewed and approved by the North Carolina Department of Environmental Quality (NCDEQ).
     b. Developer shall record a final plat and rehabilitation/reuse plan in the office of the Register of Deeds.

   - PRIOR TO ISSUANCE OF GRADING PERMITS:
     a. Developer shall obtain a driveway permit from the North Carolina Department of Transportation.
     b. Developer shall retain and maintain as undisturbed the existing vegetation within the 200 foot perimeter bufferyard as shown on the approved site plan.

   - PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
     a. All required improvements of NCDOT driveway permit shall be completed.
     b. All bufferyards, security fencing, and security entry gate(s) shall be installed in substantial conformance with the approved site plan.

   - OTHER REQUIREMENTS:
     a. The hours of operation shall be limited to between the hours of 7:00 am and 7:00 pm.
The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Wednesday the week before (8 days prior to) the Planning Board meeting.

Open Issues: 15

**Erosion Control**

**General Issues**

11. Erosion Control Plan Needed

City of Winston-Salem  
Matthew Osborne  
336-747-7453  
matthewo@cityofws.org  
3/19/19 8:49 AM  
01.04) Special Use Permit - 2

If the proposed project creates more than 10,000 sq. feet of land disturbance, an Erosion Control/Grading Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval. Please submit the plan through the electronic plan review portal at the following link:  
https://winston-salem.idtplans.com/secure/

**Fire/Life Safety**

2019-03-05 Issued for Presubmittal Review.pdf [15 redlines] (Page 1)

8. Cloud+ B
Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

Inspections

13. Zoning Use

City of Winston-Salem
Jeff Hunter
336-727-2626
jeffph@cityofws.org
3/21/19 8:42 AM
01.04) Special Use Permit - 2

- Access to the LCID requires security fencing or other barrier such as a gate for vehicular access.
- Prior to the issuance of the permit for the LCID, the plans must be reviewed and approved from NC DENR.
- Prior to the issuance of the zoning permit, the area used for fill material must be recorded in the Office of the Register of Deeds. Developer must also file in the Office of the Register of Deeds a rehabilitation/reuse plan including an attached survey map for the site. (Plan must also be implemented within 6 months of discontinuance of the LCID operation or expiration of the permit).
- The siting criteria for land clearing and inert debris landfills, found in Solid Waste Management Rules, 15 A NCAC 13B, Section .0564, shall be followed.
- The ZBOA may issue an accessory use permit for the separation, treatment, recycling, processing, and wholesale/retail sale of materials produced/recovered as part of the LCID operation provided that this meets the conditions of the Section 2-5.41 (N) of the UDO.

Map Forsyth Addressing Team

6. Addressing & Street Naming

Forsyth County Government
Gloria Alford
3367032178
alfordgd@forsyth.cc
3/12/19 3:13 PM
01.04) Special Use Permit - 2

The assigned address is 6380 Germanton RD.
14. NCDOT Comments

NCDOT Division 9
Victoria Kildea
336-747-7900
vrkildea@ncdot.gov
3/25/19 3:37 PM
01.04) Special Use Permit - 2

- NCDOT Driveway permit required
- Ensure 600 ft sight distance is met

Planning

5. CPAD

City of Winston-Salem
Kirk Ericson
336-747-7045
kirke@cityofws.org
3/12/19 1:17 PM
01.04) Special Use Permit - 2

The Rural Hall area plan update recommends this site for large lot residential development.

7. CAC/Greenway

City of Winston-Salem
Amy Crum
336-747-7051
amyc@cityofws.org
3/13/19 9:04 AM
01.04) Special Use Permit - 2

No comment.

15. Design

City of Winston-Salem
Desmond Corley
336-727-8000
desmondc@cityofws.org
3/27/19 9:32 AM
01.04) Special Use Permit - 2

Are there any alternatives to the proposed alignment for the access drive? Staff recommends providing as much insulation against the proposed use for the neighboring property owner as possible.

Staff will recommend the 200-foot buffer adjacent to the residential properties be undisturbed.

[Ver. 2] [Edited By Desmond Corley]

2019-03-05 Issued for Presubmittal Review.pdf [13 redlines] (Page 1)

1. title: register of deeds B

City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
3/6/19 11:33 AM
Pre-Submittal Workflow - 1

Use requirement in UDO for BoA approval states accessory use "is clearly separated from the fill portion of the LCID by a minimum distance of twenty-five feet". Verify this requirement with Desmond Corley (desmondc@cityofws.org).

[Ver. 3] [Edited By Bryan Wilson]
2. title: register of deeds  B
City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
3/5/19 4:47 PM
Pre-Submittal Workflow
- 1

Areas clearly labeled in "Accessory Use Area" chart.

3. title: register of deeds  B
City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
3/6/19 11:33 AM
Pre-Submittal Workflow
- 1

Please add Fill area and accessory use area calcs to ensure you meet UDO requirements.

4. title: register of deeds  B
City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
3/6/19 11:33 AM
Pre-Submittal Workflow
- 1

Areas clearly labeled in "Accessory Use Area" chart.
### Utilities

#### General Issues

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>New private fire protection line will require a backflow preventer. This line must be a separate tap from the domestic tap. NCDOT Encroachment Agreement will be required for any Utility Ties in the R/W.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charles Jones</td>
<td>336-727-8000</td>
</tr>
<tr>
<td><a href="mailto:charlesj@cityofws.org">charlesj@cityofws.org</a></td>
<td>3/18/19 10:30 AM</td>
</tr>
</tbody>
</table>

### WSDOT

**2019-03-11 Issued for Planning Board Review.pdf [2 redlines]** (Page 1)

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>wheels stops?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeffrey Fansler</td>
<td>336-727-8000</td>
</tr>
<tr>
<td><a href="mailto:jeffreygf@cityofws.org">jeffreygf@cityofws.org</a></td>
<td>3/20/19 4:54 PM</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>wheels stops?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeffrey Fansler</td>
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</tr>
<tr>
<td><a href="mailto:jeffreygf@cityofws.org">jeffreygf@cityofws.org</a></td>
<td>3/20/19 4:54 PM</td>
</tr>
</tbody>
</table>
MAJOR SUBDIVISION APPROVAL

CASE: 2019023

PIN: 6806-54-4996.00, 6806-54-8860.00, 6806-55-5323.00, 6806-55-5433.00, 6806-55-5525.00, 6806-55-6831.00, 6806-55-8602.00, 6806-55-9337.00, 6806-55-9807.00 and 6806-65-0040.00

SCALE: 1" represents 500'

STAFF: Reed

GMA: 3

ACRES: 14.48

MAP(S): 6806.02, 6806.04
THE REQUIRED TREE SAVE AREA (IN SQUARE FEET): TOTAL SITE SIZE OR TOTAL LIMITS OF LAND DISTURBANCE - TOTAL SITE AREA EXCLUDED FROM TSA - SQUARE FEET OF PROPOSED R.O.Ws 61,624 + SQUARE FEET OF EXISTING UTILITY TO SATISFY MINIMUM TSA: 19,500

SPECIES MIX:

TOTAL SQUARE FOOTAGE OF NEW TREES PLANTED

DETAILED TREE STAND INFORMATION:

MINIMUM TREE SAVE AREA REQUIRED: X 10% 12%

26 x 7.50 SF = 19,500 SAVED: 11,300 SF AND 16,500 SF = 27,800 SF

SQUARE FEET OF EXISTING WATER BODIES AND STORMWATER PONDS: 3,800

TOTAL PROVIDED TSA (IN SQUARE FEET): 47,300

THAN 2 UNITS PER ACRE THUS FALLS UNDER THE LOW DENSITY

GENERAL NOTES:

1. EXISTING SITE BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM FORSYTH COUNTY RECORDS.
2. ALL DIMENSIONS ARE TO EDGE OF PAVEMENT, BACK OF CURB AND FACE OF BUILDING.
3. PUBLIC WATER AND SEWER SHALL BE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE STORMWATER ORDINANCE.

THIS PROJECT WILL BE DEVELOPED UNDER THE LOW DENSITY RESIDENTIAL BUILDING, SINGLE-FAMILY TYPE REQUIRED:

REVIEW INFORMATION

400 SF

BUA in R1W (Including Sidewalk) 1,225 SF

Proposed Number of Lots: 26

Max Allowable BUA: 3,330 SF

10'-0" E. EXISTING UTILITY EASEMENT

PLAN (PREVIOUS PLANNING BOARD REVIEW 2018043).

BUA on LOT 3,150 SF

NOT TO SCALE

NOT RELEASED FOR DRAWING IDENTIFICATION

26,380 SF

PROPOSED ZONING: NO CHANGE

SITE COVERAGES:

TOTAL: 0.64

OPEN SPACE: 23,500 SF

TOTAL: 81,900 SF

WAY:

TOTAL: 0.81

LKS: 4,000 SF

2,700 SF

1,880 SF

0.54 AC

1.88 AC

20'-0" SETBACK

3'-MINIMUM DEPTH

12'-0" Min. SETBACK

10'-0" Min. Width

"I

NOTES:

1.5'-0" MINIMUM 00 RECEIPT

1.5'-0" MINIMUM 00 RECEIPT

STREET TREES

1.5'-0" MINIMUM E.R

1.5'-0" MINIMUM E.R

Sanitary Sewer

Water

PUBLIC PRIVATE

52 SPACES

REQUIRED PARKING: 2 SPACES PER RESIDENCE

REQUIRED PARKING: 52 SPACES

3' MINIMUM COVER

3' MINIMUM CURB AND GUTTER DETAIL

3'-MINIMUM E.R

3'-MINIMUM E.R

3'-MINIMUM E.R

TYPICAL STREET INDEX CALCULATION

NUMBER OF SEGMENTS: 3

NUMBER OF NODES: 0

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1) SITE PLAN TITLE AND NUMBER: Cottage Hill #2019023

2) TYPE OF DEVELOPMENT: 26 lot single-family subdivision

3) ACREAGE: 14.48

4) ZONING: Existing: RS9

5) # UNITS/LOTS: 26  DENSITY: 1.8 units per acre

6) SITE PLAN PREPARER: Allied Design, Inc.
   4720 Kester Mill Road
   Winston-Salem, NC 27103
   PHONE: 336-765-2377
   E-MAIL: scausey@allied-ensurv.com

7) OWNER AND/OR AGENT: Arden Group, LLC
   P.O. Box 5323
   Winston-Salem, NC 27113
   PHONE: 336-659-9503
   E-MAIL: justin@theardengroup.com

8) CONDITIONS: (These conditions are additional requirements for development. All other city or county code regulations still apply.)

   • PRIOR TO ISSUANCE OF ANY PERMITS:
     a. Complete the formal process of closing Gibb Street.

   • PRIOR TO ISSUANCE OF GRADING PERMITS:
     a. Developer shall obtain driveway permits from NCDOT and the City of Winston-Salem Public Works Department; additional improvements may be required prior to issuance of driveway permit.
     b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Such plan may include the establishment of a homeowners association and a funded escrow account for maintenance and repair of stormwater controls. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.

   • PRIOR TO THE SIGNING OF FINAL PLATS:
     a. Developer must build or bond public streets to City of Winston-Salem public street standards.
     b. Developer shall complete all requirements of the driveway permit.
     c. All documents, including covenants, restrictions, and homeowners’ association
agreements, shall be recorded in the office of the Register of Deeds. Covenants relating to stormwater must be approved by the City of Winston-Salem Stormwater Division.

- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Wednesday the week before (8 days prior to) the Planning Board meeting.

Open Issues: 21

<table>
<thead>
<tr>
<th>Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019-03-05 Issued for Presubmittal Review.pdf  [35 redlines]  (Page 1)</td>
</tr>
<tr>
<td>11. Text Box  B</td>
</tr>
<tr>
<td>City of Winston-Salem  Cul-de-sac roads are limited to 800’ and 15 lots</td>
</tr>
<tr>
<td>Albert Gaskill  336-747-6846  <a href="mailto:albertcg@cityofws.org">albertcg@cityofws.org</a>  3/12/19 5:04 PM</td>
</tr>
<tr>
<td>01.07) Application for Preliminary Subdivision Approval - 2</td>
</tr>
<tr>
<td>12. Text Box  B</td>
</tr>
<tr>
<td><strong>City of Winston-Salem</strong></td>
</tr>
<tr>
<td>--------------------------</td>
</tr>
<tr>
<td>Albert Gaskill</td>
</tr>
<tr>
<td><a href="mailto:albertcg@cityofws.org">albertcg@cityofws.org</a></td>
</tr>
<tr>
<td>01.07) Application for</td>
</tr>
<tr>
<td>Approval - 2</td>
</tr>
</tbody>
</table>

### 14. Text Box B

<table>
<thead>
<tr>
<th><strong>City of Winston-Salem</strong></th>
<th>NCDOT DW permit req’d plus possible turn lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert Gaskill</td>
<td>336-747-6846</td>
</tr>
<tr>
<td><a href="mailto:albertcg@cityofws.org">albertcg@cityofws.org</a></td>
<td>3/12/19 5:04 PM</td>
</tr>
<tr>
<td>01.07) Application for</td>
<td>Preliminary Subdivision</td>
</tr>
<tr>
<td>Approval - 2</td>
<td></td>
</tr>
</tbody>
</table>

### 15. Text Box B

<table>
<thead>
<tr>
<th><strong>City of Winston-Salem</strong></th>
<th>Min combined SS and SD easement is 30'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert Gaskill</td>
<td>336-747-6846</td>
</tr>
<tr>
<td><a href="mailto:albertcg@cityofws.org">albertcg@cityofws.org</a></td>
<td>3/12/19 5:04 PM</td>
</tr>
<tr>
<td>01.07) Application for</td>
<td>Preliminary Subdivision</td>
</tr>
<tr>
<td>Approval - 2</td>
<td></td>
</tr>
</tbody>
</table>

### 16. Text Box B

<table>
<thead>
<tr>
<th><strong>City of Winston-Salem</strong></th>
<th>Street design requires max 5% slope for first 100'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert Gaskill</td>
<td>336-747-6846</td>
</tr>
<tr>
<td><a href="mailto:albertcg@cityofws.org">albertcg@cityofws.org</a></td>
<td>3/12/19 5:04 PM</td>
</tr>
<tr>
<td>01.07) Application for</td>
<td>Preliminary Subdivision</td>
</tr>
<tr>
<td>Approval - 2</td>
<td></td>
</tr>
</tbody>
</table>

### 17. Text Box B

<table>
<thead>
<tr>
<th><strong>City of Winston-Salem</strong></th>
<th>Show 10X70 sight easements, stop sign and stop bar (no signs allowed in sight easements)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert Gaskill</td>
<td>336-747-6846</td>
</tr>
<tr>
<td><a href="mailto:albertcg@cityofws.org">albertcg@cityofws.org</a></td>
<td>3/12/19 5:04 PM</td>
</tr>
<tr>
<td>01.07) Application for</td>
<td>Preliminary Subdivision</td>
</tr>
<tr>
<td>Approval - 2</td>
<td></td>
</tr>
</tbody>
</table>
If the proposed project creates more than 10,000 sq. feet of land disturbance, an Erosion Control/Grading Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion and Sedimentation Control Plan along with an original signed/notarized Financial Responsibility/Ownership (FRO) form for review and approval. Please submit the plan through the electronic plan review portal at the following link: https://winston-salem.idtplans.com/secure/

Installation of any gate obstructing fire apparatus access will require prior approval by the Winston-Salem Fire Department.

- A grading plan is required with a tree save area summary calculations table located on the plan indicating how the tree save requirement will be met. Show all tree stand areas and where new trees will be installed.
- Lot 5 doesn’t meet the minimum lot width requirement.

Addressing will be issue when subdivision is approved, please label road name Gibb ST on plans.
**Planning**

### General Issues

#### 7. CPAD

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Kirk Ericson</th>
<th>336-747-7045</th>
<th><a href="mailto:kirke@cityofws.org">kirke@cityofws.org</a></th>
<th>3/12/19 1:50 PM</th>
<th>01.07) Application for Preliminary Subdivision Approval - 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>the proposed subdivision meets the recommendations of the West Suburban plan update for this site - the plan calls for single family residential here.</td>
</tr>
</tbody>
</table>

#### 18. CAC/Greenway

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Amy Crum</th>
<th>336-747-7051</th>
<th><a href="mailto:amyc@cityofws.org">amyc@cityofws.org</a></th>
<th>3/13/19 9:48 AM</th>
<th>01.07) Application for Preliminary Subdivision Approval - 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>No comment.</td>
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</tbody>
</table>

#### 20. Design

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Gary Roberts</th>
<th>336-747-7069</th>
<th><a href="mailto:gary@cityofws.org">gary@cityofws.org</a></th>
<th>3/14/19 9:54 AM</th>
<th>01.07) Application for Preliminary Subdivision Approval - 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>See previously approved Pheasant Ridge Subdivision which had connectivity and did not exceed the maximum cul de sac length.</td>
</tr>
</tbody>
</table>

#### 29. Subdivision Review

- Show proposed 110’ right-of-way as per CPT
- NCDOT Encroachment agreement required for any utility ties within right-of-way
- NCDOT Driveway Permit required
<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>This proposal creates a problematic flag lot in the southeastern portion of the site. What is the rationale for this?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Desmond Corley</td>
<td>Consider dedicating right-of-way adjacent to the properties in the northwest portion of the site proposed to obtain access from the new street alignment. That is, the right-of-way for the new street should go up to the shared property boundary for those three properties.</td>
</tr>
<tr>
<td><a href="mailto:desmondc@cityofws.org">desmondc@cityofws.org</a></td>
<td>This proposal contains an extended cul-de-sac with no street stubs to adjacent properties to meet the connectivity index requirement.</td>
</tr>
</tbody>
</table>

**2019-03-11 Issued for Planning Board Review.pdf [14 redlines]**

**25. planning callout B**

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>NEED PROPOSED COMMON AREA TOTAL AND PERCENTAGE CALCS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bryan Wilson</td>
<td>[Ver. 2] [Edited By Bryan Wilson]</td>
</tr>
<tr>
<td><a href="mailto:bryandw@cityofws.org">bryandw@cityofws.org</a></td>
<td></td>
</tr>
</tbody>
</table>

**26. planning callout B**

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>LABEL DRIVES AS PROPOSED 25' ACCESS EASEMENTS.</th>
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<tbody>
<tr>
<td>Bryan Wilson</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:bryandw@cityofws.org">bryandw@cityofws.org</a></td>
<td></td>
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</tbody>
</table>

**Stormwater**

**General Issues**

**9. Stormwater Management Permit will be required**
If the site remains as low density (less than 24% built upon area or less than 2 units per acre) then only the low density water quality provisions of the City of Winston-Salem’s Post Construction Stormwater Management ordinance will apply and these do not require management of the 1st inch of runoff as would be required for high density projects. If the site creates more than 20,000 sq.ft. of net new impervious area, which it appears to do, then the water quantity provisions of the ordinance apply. These provisions require management of the 2, 10 and 25 year storm events post developed peak runoff rates to at or below the pre developed runoff rates and also management of the 25 year volume increase. In lieu of management for quantity the developer may submit a “no adverse impact downstream study” if the design engineer can in fact prove a no adverse impact situation. If management for quantity is to be provided which appears to be the case based on the dry detention basin area shown on the plan then the developer as part of the permitting process set up an HOA and establish an escrow account which is to be funded up front with 15% of the construction cost of the Stormwater management system. This escrow account will act as a financial surety tool and the HOA will have to add further funds to this in the future years as the ordinance requires. The developer will also have to have approved and record at the Forsyth County Register of Deeds a 3 party (developer/HOA/City) Operation and Maintenance Agreement as part of the permit process. Please note that if the engineer chooses a no adverse impact study route (should that be able to be proven) and management is no longer deemed necessary then this surety and O&M Agreement parts will not longer be required.

How are these lots on the south part of the site going to be conveyed to the stormwater management device as grade wise they are downstream of it? Also have concerns with how runoff from lots 19-26 will be conveyed as well.

Submit water/sewer extension plans to Utilities Plan Review for permitting/approval. Water meters purchased through COWS. Be aware of the System Development fees that will occur beginning May 1, 2019.
Coordinate with NCDOT for road improvements. WSDOT recommends turn lanes. Dedicate R/W 55' from center.
PLANNING BOARD REVIEW

43-lot Planned Residential Development in RS9 Zoning

CASE: PBR 2019-02
PIN: 6827-51-9976

SCALE: 1” represents 500'
STAFF: Reed
GMA: 3
ACRES: 9.88
MAP(S): 6827.04
1) SITE PLAN TITLE AND NUMBER: Charlton Farm (Formerly Deacon Woods)  
PBR 2019-02

2) TYPE OF DEVELOPMENT: 43 lot Planned Residential Development (PRD)

3) ACREAGE: 9.88

4) ZONING: Existing: RS9

5) # UNITS/LOTS: 43  DENSITY: 4.35 units per acre

6) SITE PLAN PREPARER: MLA Group  
120 Club Oaks Court Suite 100  
Winston-Salem, NC 27104  
PHONE: 336-765-1923  
E-MAIL: www.millerla.com

7) OWNER AND/OR AGENT: Robert Wooten  
4001 G Country Club Road  
Winston-Salem, NC 27104  
PHONE: 336-399-5629  
E-MAIL: acecarwash@cloud.com

8) CONDITIONS: (These conditions are additional requirements for development. All other city or county code regulations still apply.)

• PRIOR TO THE ISSUANCE OF GRADING PERMITS:
  a. Developer shall obtain a driveway permit from the City of Winston-Salem Public Works Department; additional improvements may be required prior to issuance of driveway permit.
  b. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Such plan may include the establishment of a homeowners association and a funded escrow account for maintenance and repair of stormwater controls. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.

• PRIOR TO THE SIGNING FINAL PLATS:
  a. All documents, including covenants, restrictions, and homeowners association agreements, shall be recorded in the office of the Register of Deeds. Final plats must show common open space declarations. Covenants relating to stormwater must be approved by the City of Winston-Salem Stormwater Division.
  b. Developer shall build streets to City of Winston-Salem street standards.
  c. Final plat shall show lots, common areas, streets, and utilities.
d. All required improvements of the driveway permit shall be completed.

e. Final plat shall include the following note at the stub street: Stub street connection has been designated as a “through street”

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS:
The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Wednesday the week before (8 days prior to) the Planning Board meeting.

**Open Issues: 20**

**Engineering**

<table>
<thead>
<tr>
<th>14. Text Box B</th>
<th>18160 CLUB HOUSE REVISION-Model.pdf [28 redlines] (Page 1)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>City of Winston-Salem</strong></td>
<td>All roadway design to be reviewed/approved by Engineering</td>
</tr>
<tr>
<td>Albert Gaskill</td>
<td>336-747-6846</td>
</tr>
<tr>
<td><a href="mailto:albertcg@cityofws.org">albertcg@cityofws.org</a></td>
<td></td>
</tr>
<tr>
<td>3/14/19 11:51 AM</td>
<td>01.06) Planning Board Review - 2</td>
</tr>
</tbody>
</table>

Created with idtPlans Review 3/27/19
17. Text Box
City of Winston-Salem
Albert Gaskill
336-747-6846
albertcg@cityofws.org
3/14/19 11:51 AM
01.06) Planning Board
Review - 2

Will mail kiosk be at the clubhouse area?

18. Text Box
City of Winston-Salem
Albert Gaskill
336-747-6846
albertcg@cityofws.org
3/14/19 11:51 AM
01.06) Planning Board
Review - 2

Show connection to Polo Rd.

19. Text Box
City of Winston-Salem
Albert Gaskill
336-747-6846
albertcg@cityofws.org
3/14/19 11:51 AM
01.06) Planning Board
Review - 2

Show connection to existing driveway

Erosion Control

General Issues

21. Existing Grading Permit
City of Winston-Salem
Matthew Osborne
336-747-7453
matthewo@cityofws.org
3/19/19 9:03 AM
01.06) Planning Board
Review - 2

There is an existing Grading/Erosion Control Permit for Deacon Woods Subdivision (AP #307202). It would be preferable to continue operating under the existing permit. To do this, a revised plan and updated Financial Responsibility/Ownership form will need to be submitted and approved before work begins on this new design.

IDTP

18160 CLUB HOUSE REVISION-Model.pdf [13 redlines] (Page 1)

6. title: register of deeds
PLEASE SEND DAVID REED (davidr@cityofws.org) OR DESMOND CORLEY (desmondc@cityofws.org) AN OFFICIAL REQUEST FOR PRIOR SUBDIVISION APPROVAL WITHDRAWAL.

MLA Design Group, Inc
Drusella Boone
336-765-1923
dru@millerla.com
3/11/19 3:06 PM
Pre-Submittal Workflow
- 1

Robert Wooten is bring down letter

Robert Wooten is bring down letter

City of Winston-Salem
Elizabeth Colyer
336-747-7427
elizabethrc@cityofws.org
2/28/19 8:20 AM
Pre-Submittal Workflow
- 1

-A standard Site Plan legend with applicable information, such as parking calculations, use, etc. required on the submitted scaled Site Plan

-Tree Save Area legend with calculations and TSA landscape plan will be required with an erosion control permit application:
http://www.cityofws.org/portals/0/pdf/planning/ddr/forms/Tree_Save_Legend_20091008.pdf

-When the Erosion Control permit or Landscape plan is submitted, the required Bufferyard should be called out with plant type, caliper, height and spacing requirements per UDO 280 and UDO Ch. B Art III 3-5 Bufferyard Standards

[Ver. 3] [Edited By Elizabeth Colyer]

MLA Design Group, Inc
Drusella Boone
336-765-1923
dru@millerla.com
3/11/19 3:07 PM
Pre-Submittal Workflow
- 1

Will be took care of at appropriate time

City of Winston-Salem
Jeff Hunter
336-727-2626
jeffph@cityofws.org
01.06) Planning Board Review - 2

-A grading plan is required with the tree save area summary calculations table located on the plan indicating how the tree save requirements will be met.
<table>
<thead>
<tr>
<th>Forsyth County Government</th>
<th>Addressing will be modified accordingly based on subdivision revision.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gloria Alford</td>
<td>3367032178</td>
</tr>
<tr>
<td><a href="mailto:alfordgd@forsyth.cc">alfordgd@forsyth.cc</a></td>
<td>3/13/19 3:02 PM</td>
</tr>
<tr>
<td>01.06) Planning Board</td>
<td>Review - 2</td>
</tr>
</tbody>
</table>

### General Issues

#### 1. Design

**City of Winston-Salem**

Gary Roberts  
336-747-7069  
garyr@cityofws.org  
2/26/19 10:51 AM  
Pre-Submittal Workflow  
- 1

I would not recommend private streets because of the potential loss of connectivity should the owner decide to install a gate. In case of an incident along Polo Road (traffic accident, utility work, etc) where traffic must be temporarily rerouted and/or for daily service delivery vehicles etc. connectivity between Marlow Avenue and Fares Lane is important and required by the Subdivision Ordinance.

**MLA Design Group, Inc**

Drusella Boone  
336-765-1923  
dru@millerla.com  
3/11/19 3:07 PM  
Pre-Submittal Workflow  
- 1

Community wants private

#### 9. CPAD

**City of Winston-Salem**

Kirk Ericson  
336-747-7045  
kirke@cityofws.org  
3/12/19 1:31 PM  
01.06) Planning Board  
Review - 2

The north suburban area plan update recommends single family residential for this property - the proposed request meets this recommendation.

#### 11. CAC/Greenway

**City of Winston-Salem**

Amy Crum  
336-747-7051  
amyc@cityofws.org  
3/13/19 9:25 AM  
01.06) Planning Board  
Review - 2

No comment.

#### 13. Design

No comment.
<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Please see my 2-26-19 Presubmittal comments.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gary Roberts</td>
<td>336-747-7069</td>
</tr>
<tr>
<td><a href="mailto:garyr@cityofws.org">garyr@cityofws.org</a></td>
<td>3/14/19 9:40 AM</td>
</tr>
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<td>01.06) Planning Board</td>
<td>Review - 2</td>
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### 29. PRD Review

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Staff does not support bridging a public street network and a thoroughfare with a private street. This jeopardizes a seamless street network with interconnectivity between sites.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Desmond Corley</td>
<td>336-727-8000</td>
</tr>
<tr>
<td><a href="mailto:desmondc@cityofws.org">desmondc@cityofws.org</a></td>
<td>3/26/19 8:40 PM</td>
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<td>Review - 2</td>
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### 18160.pdf [10 redlines] (Page 1)

<table>
<thead>
<tr>
<th>24. planning callout</th>
<th>B</th>
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</thead>
</table>

### Sanitation

### General Issues

#### 28. Private Street(s)
My comments are in red. Otherwise, the language is municode.

Sec. 26-4. - General collection practices.

The following collection practices shall apply throughout the city:

(1) All streets which must be traveled in order to get to the point of collection for solid waste must meet the following standards:

a. Minimum width shall be 18 feet. *(Looks good. JJ Chrysson)*

b. Any incline shall not exceed a grade of 12 percent.

c. A dead-end street or cul-de-sac shall have an area or radius sufficient in size to provide for the collection vehicle to be able to turn around without difficulty. *(On street parking would make ingress/egress an issue for backout drives. JJ Chrysson)*

d. If the street is a private street, it must be maintained in a manner acceptable to the city by the owners thereof, who, in agreeing to the collection of their solid waste, further agree not to hold the city liable for normal wear and tear to such private street. *(The city would need a written document, nothing verbal. The attorney’s office would need to approve the document. JJ Chrysson)*

(2) Except for single-family detached residences participating in the exemption policy, the point of collection shall be curbside.

(3) For those participating in the exemption policy, the route between the point of collection and the collection vehicle shall not be obstructed by stairs, steps, landscaping or vegetation.

(4) For small businesses outside the central business district, the point of collection shall be determined by the assistant city manager/public works or his designee.

A Stormwater management permit will be required for this development. Previously a Stormwater management permit was issued for this site in its former guise but this current proposal is looking to make the site more dense and add impervious area etc. Therefore the prior permit would become null and void and a new Stormwater management plan would have to be submitted and approved and permitted. Part of the permitting process will involve ensuring what the new non-refundable financial surety will be (the one previously provided may need to be added to or amended if the developer wishes for example now to create a HOA etc.) and also the O&M Agreement approved and recorded under the old permit may need to be amended or completely resubmitted etc. depending on how this current proposal plays out.
Any existing water and/or sewer connections will require evaluation for compliance with backflow preventer requirements, connection serviceability, and/or termination at the main. New connections will have to be added and any unused connections will need to be terminated at the main. The sewer will need to be re-videoed after the sewer cleanouts are installed. This subdivision will need to be platted again. New As-Built drawings will need to be submitted to Engineering Records and approved. Water meters purchased through COWS. Be aware of the Utilities System Development Fees that take affect 05-01-2019. You will not receive a streets final till all these requirements are met.

### WSDOT

#### General Issues

<table>
<thead>
<tr>
<th>22. General Comments</th>
</tr>
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<tbody>
<tr>
<td>City of Winston-Salem</td>
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<table>
<thead>
<tr>
<th>23. Callout B</th>
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</thead>
<tbody>
<tr>
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</tbody>
</table>

Planning Board Members:

Arnold G. King, Chairman
Chris Leak, Vice Chair
George Bryan
Melynda Dunigan
Jason T. Grubbs
Tommy Hicks
Clarence Lambe, Jr.
Johnny Sigers
Brenda Smith

The mission of the City-County Planning Board of Forsyth County and Winston-Salem is to assert visionary leadership in the comprehensive, creative planning for our urban and rural community and responsible stewardship of the natural environment.

We value a beautiful, livable, harmonious, and economically successful community.