Dear Petitioner:

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

Sincerely,

Aaron King
Director of Planning and Development Services

pc: City Clerk’s Office, P.O. Box 2511, Winston-Salem, NC 27102
<table>
<thead>
<tr>
<th>ACTION REQUEST FORM</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE: May 26, 2021</td>
</tr>
<tr>
<td>TO: The Honorable Mayor and City Council</td>
</tr>
<tr>
<td>FROM: Aaron King, Director of Planning and Development Services</td>
</tr>
<tr>
<td><strong>COUNCIL ACTION REQUEST:</strong></td>
</tr>
<tr>
<td>Request for Public Hearing on Zoning Petition of Beroth Oil Company</td>
</tr>
<tr>
<td><strong>SUMMARY OF INFORMATION:</strong></td>
</tr>
<tr>
<td>Public hearing and consideration of zoning petition of Beroth Oil Company from HB-S to RM12-S (Adult Day Care Home; Bed and Breakfast; Boarding or Rooming House; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Family Group Home A; Habilitation Facility A; Habilitation Facility B; Library, Public; Nursing Care Institution; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Swimming Pool, Private; Transmission Tower; Child Day Care, Large Home; Church or Religious Institution, Community; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Limited Campus Uses; Planned Residential Development; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Utilities; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Habilitation Facility C; Park and Shuttle Lot; Urban Agriculture; Access Easement, Private Off-Site; and Parking, Off-Site for Multifamily or Institutional Uses): property is located on the south side of Polo Road, between North Cherry Street and Dalton Street (Zoning Docket W-3469)</td>
</tr>
<tr>
<td><strong>PLANNING BOARD ACTION:</strong></td>
</tr>
<tr>
<td><strong>MOTION ON PETITION:</strong> APPROVAL</td>
</tr>
<tr>
<td><strong>FOR:</strong> UNANIMOUS</td>
</tr>
<tr>
<td><strong>AGAINST:</strong> NONE</td>
</tr>
</tbody>
</table>
BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from HB-S to RM12-S (Adult Day Care Home; Bed and Breakfast; Boarding or Rooming House; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Family Group Home A; Habilitation Facility A; Habilitation Facility B; Library, Public; Nursing Care Institution; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Swimming Pool, Private; Transmission Tower; Child Day Care, Large Home; Church or Religious Institution, Community; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Limited Campus Uses; Planned Residential Development; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Utilities; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Habilitation Facility C; Park and Shuttle Lot; Urban Agriculture; Access Easement, Private Off-Site; and Parking, Off-Site for Multifamily or Institutional Uses) the zoning classification of the following described property:

PIN 6827-72-3724

Section 2. This Ordinance is adopted after approval of the site plan entitled 450 Polo Road and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20___ to Beroth Oil Company.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the Unified Development Ordinances for a development to
be known as 450 Polo Road. Said Special Use District Permit and site plan with associated documents are attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.
The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Beroth Oil Company, (Zoning Docket W-3469). The site shall be developed in accordance with the plan approved by the Board and bearing the inscription: "Attachment A, Special Use District Permit for RM12-S (Adult Day Care Home; Bed and Breakfast; Boarding or Rooming House; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Family Group Home A; Habilitation Facility A; Habilitation Facility B; Library, Public; Nursing Care Institution; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Swimming Pool, Private; Transmission Tower; Child Day Care, Large Home; Church or Religious Institution, Community; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Limited Campus Uses; Planned Residential Development; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Utilities; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Habilitation Facility C; Park and Shuttle Lot; Urban Agriculture; Access Easement, Private Off-Site; and Parking, Off-Site for Multifamily or Institutional Uses), approved by the Winston-Salem City Council the _____ day of ______________________, 20____ " and signed, provided the property is developed in accordance with requirements of the RM12-S zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
  a. Developer shall have a stormwater study submitted for review by the City of Winston-Salem that provides for managing both quality and quantity of runoff. In addition to meeting all the post-construction stormwater management ordinance design standards for quality and quantity, the developer must also manage the 50-year peak storm event.
Relocation or installation of any stormwater management device into any buffers or existing vegetated areas designated to remain, or in 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(s). Required improvements include:
   • Widening McCanless Street (with curb and gutter and sidewalk) along the entire frontage;
   • Dedicating required right-of-way along the entire Polo Road frontage; and
   • Construction of sidewalk along the entire Polo Road frontage.

**PRIOR TO ISSUANCE OF BUILDING PERMITS:**

a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.

**PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:**

a. Developer shall complete all requirements of the driveway permit(s).

b. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
## CITY-COUNTY PLANNING BOARD
### STAFF REPORT

### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket</th>
<th>W-3469</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Bryan D. Wilson</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Beroth Oil Company</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN 6827-72-3724</td>
</tr>
<tr>
<td>Address</td>
<td>450 Polo Road</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use rezoning from HB-S to RM12-S</td>
</tr>
</tbody>
</table>

### Proposal
The petitioner is requesting to amend the Official Zoning Map for the subject property from HB-S (Highway Business – Special Use) to RM12-S (Residential, Multifamily – 12 units per acre maximum density – Special Use). The petitioner is requesting the following uses:

- Adult Day Care Home; Bed and Breakfast; Boarding or Rooming House; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Family Group Home A; Habilitation Facility A; Habilitation Facility B; Library, Public; Nursing Care Institution; Police or Fire Station; Recreation Facility, Public; Residential Building, Duplex; Residential Building, Single Family; Residential Building, Twin Home; Swimming Pool, Private; Transmission Tower; Child Day Care, Large Home; Church or Religious Institution, Community; Family Group Home B; Family Group Home C; Fraternity or Sorority; Life Care Community; Limited Campus Uses; Planned Residential Development; Residential Building, Multifamily; Residential Building, Townhouse; School, Private; School, Public; Utilities; Adult Day Care Center; Child Care, Sick Children; Child Day Care Center; Group Care Facility A; Habilitation Facility C; Park and Shuttle Lot; Urban Agriculture; Access Easement, Private Off-Site; and Parking, Off-Site, for Multifamily or Institutional Uses.

### Neighborhood Contact/Meeting
A summary of the petitioner’s neighborhood outreach is attached.

### Zoning District Purpose Statement
The RM12 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.
**Rezoning Consideration from Section 3.2.15 A 13**

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

Yes. The request proposes a multifamily residential density of less than twelve (12) units per acre, and the site is located within GMA 2 along a minor thoroughfare.

**GENERAL SITE INFORMATION**

<table>
<thead>
<tr>
<th>Location</th>
<th>South side of Polo Road, between North Cherry Street and Dalton Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>North</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 3.95 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>The site is largely undeveloped, with an un-maintained parking area along the Polo Road frontage.</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>LI-S</td>
<td>NCDOT Traffic Services</td>
</tr>
<tr>
<td>East</td>
<td>RS9</td>
<td>Church and a single-family home</td>
</tr>
<tr>
<td>South</td>
<td>RS9</td>
<td>Single-family homes</td>
</tr>
<tr>
<td>West</td>
<td>RS9 and HB</td>
<td>Undeveloped commercial property</td>
</tr>
</tbody>
</table>

**Rezoning Consideration from Section 3.2.15 A 13**

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

Yes. The proposed multifamily use is a more compatible transitional use against the adjacent single-family homes than the approved commercial zoning.

**Physical Characteristics**

The primarily wooded site slopes downward to the southwest. An un-maintained parking area runs along the frontage of Polo Road in the northern portion of the site.

**Proximity to Water and Sewer**

Public water and sewer are available in the rights-of-way for Polo Road and McCanless Street. Per the proposed site plan, water and sewer will be accessed from McCanless Street.

**Stormwater/Drainage**

Underground stormwater control measures are proposed in the southern portion of the site. 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 largely undeveloped site has generally favorable topography for development. The site does not contain any flood zones or known perennial or intermittent streams.

**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-1762</td>
<td>I-2 and R4 (LI and RS9) to B-3-S (HB-S) Two-Phase</td>
<td>Approved 5/4/1992</td>
<td>Includes current site</td>
<td>3.92</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>Polo Road</td>
<td>Minor Thoroughfare</td>
<td>478 feet</td>
<td>7,000</td>
<td>15,800</td>
</tr>
<tr>
<td>McCanless Street</td>
<td>Local Street</td>
<td>360 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**
The proposed development will have two access points – one centered along the frontage with Polo Road, and the other aligned with May Street along the McCanless Street frontage.

**Planned Road Improvements**
The 2012 *Comprehensive Transportation Plan* recommends sidewalks along both sides of Polo Road.

**Trip Generation - Existing/Proposed**

- **Existing Zoning:**
  
  \[
  (18,900 \text{ SF office}/1000 \times 11.01 = 208 \text{ trips per day}) + 
  (6,300 \text{ SF warehouse}/1000 \times 3.56 = 22 \text{ trips per day}) 
  = 230 \text{ total trips per day}
  \]

- **Proposed Zoning:** RM12-S
  
  43 units x 6.65 (apartment trip rate) = 286 trips per day

**Sidewalks**
Sidewalk is located on the opposite side of Polo Road and will be required along the frontage of the subject property.

**Transit**
WSTA Route 89 has a stop location approximately 300 feet west, at the intersection of Polo Road and North Cherry Street.

**Connectivity**
The proposed site plan depicts two private entrance drives that will be accessed from Polo Road and McCanless Street.

**Transportation Impact Analysis (TIA)**
A TIA is not required.

**Analysis of Site Access and Transportation Information**
Primary access to the site is proposed from Polo Road, which has ample capacity. The developer will be required to install sidewalk along the Polo Road and McCanless Street frontages. The site is within a quarter-mile walk to a bus stop.

### 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>24,829 SF total (18 buildings)</td>
<td>Along Polo Road and internal to the site</td>
</tr>
</tbody>
</table>

| Units (by type) and Density | 43 townhome units on 3.86 acres = 11.14 units per acre |

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>98 spaces</td>
<td>156 spaces</td>
<td>90-degree head-in</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>45 feet</td>
<td>Three stories</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>80 percent</td>
<td>60 percent</td>
<td></td>
</tr>
</tbody>
</table>
**UDO Sections Relevant to Subject Request**

- Section 4.5.13: RM12 Residential, Multifamily District
- Section 5.2.71: Residential Building, Multifamily; Townhouse; or Twin Home (use-specific standards)

**Complies with Section 3.2.11**

<table>
<thead>
<tr>
<th>Legacy 2030 policies:</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Ordinance</td>
<td>N/A</td>
</tr>
<tr>
<td>Subdivision Regulations</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Analysis of Site Plan Compliance with UDO Requirements**

The proposed site plan depicts 13 buildings consisting of three-story townhome flats along Polo Road and internal to the site. Four two-story townhomes are shown closer to McCanless Street. The proposed site plan also shows a pool and clubhouse with an enhanced bufferyard along McCanless Street. This area meets the minimum common recreation area requirement for the use.

The site is also located within Growth Management Area (GMA) 2. Additional GMA requirements include orienting building entrances towards the street with parking internal to the site. The proposed plan addresses the intent of these requirements, while also maintaining appropriate building scale and activity separation from the single-family neighborhood to the south.

**CONFORMITY TO PLANS AND PLANNING ISSUES**

**Legacy 2030 Growth Management Area**

Growth Management Area 2 - Urban Neighborhoods

**Relevant Legacy 2030 Recommendations**

- Encourage reuse of vacant and underutilized commercial and industrial sites.
- Ensure appropriate transitional land uses or physical buffering between residential and nonresidential uses to maintain the character and stability of neighborhoods.

**Relevant Area Plan(s)**

*North Suburban Area Plan Update (2014)*

**Area Plan Recommendations**

The area plan recommends commercial use of the site.

**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.

**Comprehensive Transportation Plan Information**

The CTP recommends additional widening and sidewalk along Polo Road and McCanless Street.

**Other Applicable Plans and Planning Issues**

The *Polo Road/North Cherry Street Community Enhancement Workshop Report (2014)* described in the area plan recommends townhouse development in the general vicinity of the subject property.
Rezoning Consideration from Section 3.2.15 A 13

<table>
<thead>
<tr>
<th>Have changing conditions substantially affected the area in the petition?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. The site remains largely undeveloped.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is the requested action in conformance with Legacy 2030?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes.</td>
</tr>
</tbody>
</table>

### Analysis of Conformity to Plans and Planning Issues

The request is to rezone a 3.95-acre tract from HB-S to RM12-S to accommodate 43 townhomes. The proposed density would be 11.14 dwelling units per acre.

The *North Suburban Area Plan Update* recommends commercial land use at this location, which is reflective of the earlier rezoning approval that established commercial zoning on the site in 1992. The *Polo Road/North Cherry Street Community Enhancement Workshop Report (2014)* designated this site as an opportunity area for redevelopment that includes multifamily units.

The site has good access to multimodal transportation, and the proposed building locations and massing are sensitive to the single-family homes to the south. The developer has also proposed additional plantings along the McCanless street frontage. The proposed buildings along Polo Road provide a pedestrian-friendly streetscape with parking located internal to the site.

*Legacy 2030* encourages the reuse of vacant and underutilized commercial and industrial sites. *Legacy 2030* also recommends the appropriate location of transitional land uses to maintain the character and stability of neighborhoods. This request provides a needed variety of housing types that is generally compatible with the area.

### 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 would provide needed “missing middle” housing in an appropriate location.</td>
<td>The proposed use would have slightly more traffic generation than the current zoning.</td>
</tr>
<tr>
<td>The proposal would redevelop a vacant commercial site.</td>
<td></td>
</tr>
<tr>
<td>The site is located near a transit stop and will have access to sidewalks and dedicated bicycle lanes. The site is ideally situated near major employment and education centers.</td>
<td></td>
</tr>
</tbody>
</table>
### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following conditions are proposed from interdepartmental review comments to meet established standards or to reduce negative off-site impacts:

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
  a. Developer shall submit a stormwater study that shall consist of providing stormwater control measures to treat both quality and quantity of runoff. In addition to meeting all of the post-construction stormwater management ordinance design standards for quality and quantity, the developer must also manage the 50-year peak storm event. The outlet(s) of the stormwater control measures shall incorporate a 30-foot-long level spreader and 30-foot-long by 30-foot-wide engineered vegetated filter strip to provide diffuse flow and to further protect downstream properties against any adverse impacts. No portion of the engineered vegetated filter strip shall be allowed to encroach into an adjacent bufferyard.
  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(s). Required improvements include:
     - Widening McCanless Street (with curb and gutter and sidewalk) along the entire frontage;
     - Dedicating required right-of-way along the entire Polo Road frontage; and
     - Construction of sidewalk along the entire Polo Road frontage.

- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
  a. The proposed building plans shall be in substantial conformance with the submitted elevations as verified by Planning staff.

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

### STAFF RECOMMENDATION: Approval

**NOTE:** These are staff comments only; the City-County Planning Board makes final recommendations, and final action is taken by the appropriate Elected Body, which may approve, deny, continue or request modification to any request. **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.**
Desmond Corley presented the staff report.

George Bryan made the observation that this was like mixed-use development, with an institution on one side and commercial on the other. Aaron King added that we will likely see more rezoning cases similar to this, where commercial districts are converting to residential.

Melynda Dunigan indicated that she appreciated the design of this proposal, which shows less intrusive development on the neighborhood side.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Clarence Lambe recommended approval of the zoning petition with revised stormwater conditions.

SECOND: Jason Grubbs

VOTE:

FOR: George Bryan, Melynda Dunigan, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None
Aaron King
Director of Planning and Development Services
DOCKET #: W3469

PROPOSED ZONING:
RM12-S

EXISTING ZONING:
HB-S

PETITIONER:
Beroth Oil Company (450 Polo Road)

SCALE: 1" represents 300'
STAFF: Wilson
GMA: 2
ACRES: 3.95
NEAREST BLDG: 0' east
MAP(S): 6827.04
Proposed land uses shown are generalized. See area plan for specific recommendations.

### 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
- Industrial
- Institutional
- Commercial Recreation
- Open Space
- Activity Centers

### North Suburban Area Plan Update, 2014

North Central Area Plan
North Suburban Area Plan Update, 2014

*Proposed land uses shown are generalized. See area plan for specific recommendations.*
Townhome Rendering (2 Story Units)
450 Polo Road
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 Thursday two weeks before (14 days prior to) the Planning Board meeting.

### Open Issues: 20

#### Addressing

- **2021.04.06 Polo Road Submittal (20-309).pdf [9 redlines]**
  - **Page 1**
  - [1] 20-309 REZN-Rezoning Plan

  **25. Text Box B**

  - **Forsyth County Government**
    - Gloria Alford
    - 3367032337
    - alfordgd@forsyth.cc
    - 4/19/21 10:42 AM
    - 01.03) Rezoning-Special Use District - 2
  
  MAY ST is extend and Minter Way is approved to use.

  [Ver. 2] [Edited By Gloria Alford]

---

**Created with idtPlans Review**

4/21/21
19. Driveway Permit required

City of Winston-Salem
Ryan Newcomb
3367278063
ryancn@cityofws.org
4/14/21 2:48 PM
01.03) Rezoning-Special Use District - 2

A City driveway permit will be required for the proposed access points onto Polo Road and McCanless Street. The accesses will need to be heavy duty concrete aprons to support dumpster pickup traffic (8” 4,000 psi concrete over 6” compacted ABC). The concrete aprons shall extend from the edge of pavement on both streets to the right-of-way line. The driveway permit must be issued prior to issuance of a grading permit (if required).

20. Street and drainage design

City of Winston-Salem
Ryan Newcomb
3367278063
ryancn@cityofws.org
4/14/21 2:52 PM
01.03) Rezoning-Special Use District - 2

Street and drainage design for the widening of McCanless Street must be reviewed and approved by the City's Engineering department. Design must be approved prior to the issuance of the grading permit (if required). Realign the access to McCanless Street to align directly with May Street. Sidewalk is required along the McCanless Street frontage. Dedicate ROW 25 LF from center.

Erosion Control

12. Erosion Control Plan Needed

City of Winston-Salem
Matthew Osborne
336-747-7453
matthewo@cityofws.org
4/12/21 8:49 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/

13. Erosion Control Plan Review to NCDEQ - DEMLR

City of Winston-Salem
Matthew Osborne
336-747-7453
matthewo@cityofws.org
4/12/21 8:49 AM
01.03) Rezoning-Special Use District - 2

If this project will use any public funds 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 Tamera Eplin (336-776-9800).

Fire/Life Safety

17. Notes

Created with idtPlans Review
4/21/21
W-3469 450 Polo Road (Special Use Rezoning)
Indicate locations of fire hydrants (existing and proposed) to demonstrate compliance with fire code requirements and City development standards.

For those buildings on this site that are equipped with sprinkler or standpipe systems, indicate the location of each FDC, ensuring no FDC is more than 100 feet from a fire hydrant.

Ensure fire apparatus access roads are provided, designed, built and maintained in compliance with fire code requirements. These requirements include but are not limited to the following items:

- Design, construction and maintenance of fire apparatus access roads to carry an imposed load of not less than 75,000 pounds;
- Clear width requirements of not less than 20 feet for two-way traffic;
- Clear height requirements of not less than 13 feet, 6 inches;
- Design, construction and maintenance of approved turnaround designs for fire apparatus access roads when the dead-end length of the required access road is more than 150 feet.
- Gates may not obstruct fire apparatus access roads unless approved by the Winston-Salem Fire Department; approval requires compliance with all applicable fire code requirements.

As part of your construction plan submittal for elements of this project that are not governed by the North Carolina Residential Code, include the calculations for needed fire flow for this project and indicate the approved method of calculation in use. Buildings that are equipped with sprinkler systems throughout are exempt from this requirement. Refer to Section 507 of the 2018 NC Fire Code for further information. Approved calculation methods include the following options:

- Appendix B of the 2018 NC Fire Code; or

Emergency responder radio coverage shall meet the requirements of Section 510 of the 2018 NC Fire Code for those buildings which are not covered by the North Carolina Residential Code. Consider how these requirements, including any systems necessary to bring radio coverage into compliance with this section, may impact your plans.
Where shown on the proposed site plan fronting Polo Road, the fronts of the proposed buildings must face that road.

Additionally, additional treatment between the pool area and clubhouse and the adjacent neighborhood on the other side of McCanless street is strongly recommended. Either swapping the locations of the proposed buildings and the pool or adding landscaping between the area and the street would suffice.

### 30. Design

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Designate on plan that the proposed front elevations will be facing Polo Rd.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bryan Wilson</td>
<td>336-747-7042</td>
</tr>
<tr>
<td><a href="mailto:bryandw@cityofws.org">bryandw@cityofws.org</a></td>
<td>4/21/21 2:46 PM</td>
</tr>
<tr>
<td>Pre-Submittal Workflow</td>
<td>- 1</td>
</tr>
</tbody>
</table>

### 8. COUNCIL MEMBER CONTACT  B

<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>336-747-7042</td>
</tr>
<tr>
<td><a href="mailto:bryandw@cityofws.org">bryandw@cityofws.org</a></td>
<td>3/30/21 1:29 PM</td>
</tr>
<tr>
<td>Pre-Submittal Workflow</td>
<td>- 1</td>
</tr>
</tbody>
</table>

### 22. Callout  B

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Dedicate R/W 25' from center on Mccanless</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>4/14/21 2:55 PM</td>
</tr>
<tr>
<td></td>
<td>01.03) Rezoning-Special Use District - 2</td>
</tr>
</tbody>
</table>
No issues with the proposed dumpster enclosure.

**Stormwater**

**General Issues**

**10. Stormwater Management Permit Required**

City of Winston-Salem  
Joe Fogarty  
336-747-6961  
josephf@cityofws.org  
4/8/21 10:17 AM  
01.03) Rezoning-Special Use District - 2

This development will be required to apply for and be issued with a Post Construction Stormwater Management Permit that shows compliance with The City of Winston-Salem's Post Construction Stormwater Management ordinance provisions.

The plan states the proposed impervious percentage shall be 59.59%. This is greater than 24% and also means more than 20,000 sq.ft. of new impervious area will be created. The development therefore will be subject to the high density water quality provisions of the ordinance since 24% built upon area (BUA) is exceeded and also subject to the water quantity provisions of the ordinance since 20,000 sq.ft of new BUA is proposed to be created.

The high density water quality provisions require that the first inch of runoff from the proposed development be managed in an approved Stormwater management system. They also require stream buffers to be provided off of all intermittent and perennial surface waters. The ordinance states that such surface waters are assumed to exist on a property if they show up on a USGS map or on a soil survey map. There appears to be one such conveyance that is on your property that does indeed show up on the soil survey mapping. Therefore, a 30’ buffer will be required to surround that conveyance on both sides as measured from the top of bank. The buffer is not permitted to have any built upon (impervious) area within it. The inner half of the buffer must remain undisturbed at all times. The outer half may be graded for construction purposes. Currently your plan is not addressing this item as in showing the conveyance or the buffer. If you wish to dispute the existence of this conveyance you will need to have a NCDWQ certified professional carry out a field investigation and determination as to whether this conveyance can be classed as a surface water or not and documentation of their findings provided to me at the time of applying for the Stormwater management permit.

The water quantity provisions of the ordinance require that any development that creates more than 20,000 sq.ft. of net new impervious area manage in an approved Stormwater management system the post developed peak runoff rates from the 2, 10 and 25 year storm events of minimum 6 hour duration, to at, or below, the pre developed rates. The increase in the pre versus post developed 25 year volume is also required to be stored in the Stormwater management system and this volume released over a 2 to 5 day period.

I am very concerned with the ultimate discharge of the runoff from this property even with management. The discharge has to go through an existing residential neighborhood to the south and in some cases the conveyances on those properties come very close to residential structures. Even with management there will be more volume ultimately discharging through this area and cases like these always lead to the Stormwater staff having to field very angry citizen/property owner questions after construction as they...
experience problems with runoff and changes in the general hydrology that they hadn't seen before. I realize that I have no authority to make you implement anything downstream but I would urge you to be conscious of impacts even with Stormwater management to these downstream properties. Taking this into account I am therefore also going to require a Planning Board condition to be applied to this plan for management of the 50 year peak and volume to be added on top of the standard ordinance design requirements so as to try and get more events managed in consideration of these downstream concerns. I would also like to point out that the GIS information available to me appears to show a conveyance system that takes a certain amount of drainage from this current site to the north (across Polo Road). I would be looking for you to replicate existing drainage patterns in the post developed stage so as to not increase in area (even with management) the drainage basin to the south, again with concerns in mind about those downstream properties and changes in hydrology to them etc. I had pointed this out in the sketch plan review of a number of weeks ago but it does not appear to have been taken into account as I don't see a Stormwater management device located in this northern area of the development. I just see one in the south area which leads me to think that you are neglecting to replicate existing drainage areas and flow patterns as I had previously requested in that sketch plan meeting.

For any Stormwater management system that is proposed to be designed and that the developer will be the entity responsible for the long term operation and maintenance of the system (which I assume will be the case here as I assume these are going to be rental units) then it will be required to provide to the City a non-refundable financial surety as part of the permit process. The surety shall equal 4% of the estimated construction cost of the Stormwater management system. If for some reason I'm mistaken in my assumption on these being rental units and they will be owned individually and should the developer in that case wish to establish a Home Owners Association (HOA) as the entity responsible for the long term operation and maintenance of the system then the surety shall be the following: the developer shall establish an escrow account and deposit 15% of the estimated construction cost (which will be non-refundable) of the Stormwater management system into that account. The HOA will be required to add further funds into that account in later years per the ordinance requirements, There will be an escrow agreement that is required to be approved by the City and upon approval recorded at The Forsyth County Register of Deeds office.

The permit will also require that the developer submit to the City for approval and signature an Operation and Maintenance Agreement. In the case where the developer will be the entity responsible for the long term operation and maintenance of the system this will be a 2 party agreement between the developer and the city. In the case where there will be a HOA involved it will be a 3 party agreement between the developer, the HOA and the city. The agreement whether it be a 2 party or 3 party agreement, once its approved, will have to be recorded at The Forsyth County Register of Deeds office.
Water/Sewer interior to the site will be considered private, an approved backflow preventer assembly (matching water meter size) will be required to be installed. Any existing water/sewer connections not intended for reuse must be terminated at the main, all required water meters must be purchased from C.O.W.S be aware of accompanying System Development Fees due at time of water meter purchase.

**WSDOT**

**General Issues**

11. General Comments

City of Winston-Salem

David Avalos
336-727-8000
davida@cityofws.org
4/21/21 8:55 AM
01.03) Rezoning-Special Use District - 2

Previous Comments (still apply if not already addressed)

- Sidewalk is required along entire polo rd frontage.
- Dedicate right of way 37.5’ from center along entire polo rd frontage.
- Show bike parking
- Widen Mccanless St 13.5’ from center to back of curb with curb and gutter and sidewalk along entire frontage.

[Ver. 2] [Edited By David Avalos]


21. Callout  B

City of Winston-Salem

Jeffrey Fansler
336-727-8000
jeffreygf@cityofws.org
4/14/21 2:55 PM
01.03) Rezoning-Special Use District - 2

Line up Driveway with May Street

23. Callout  B

City of Winston-Salem

Jeffrey Fansler
336-727-8000
jeffreygf@cityofws.org
4/14/21 2:55 PM
01.03) Rezoning-Special Use District - 2

s/w on mccanless

Zoning

**General Issues**

28. Zoning
Please ensure that applicable Use-Specific Standards for Residential Building, Multifamily; Townhouse; or Twin Home (Section 5.2.71) are met.

Please show the location on the site plan of the proposed bicycle parking/racks.

Please label all driveway, drive aisle, and sidewalk widths. Ensure that parking spaces adjacent to any sidewalks meet the standards of Table 6.1.3 G.

Please show directional arrows on the site plan to indicate internal traffic circulation.

Is it feasible to connect the southwestern building sidewalk with a crosswalk to the sidewalk for the southeastern building for better pedestrian movement? Please see the site plan redlines.

Any proposed exterior lighting must meet the requirements of UDO 6.6.

Proposed dumpster screening is required per UDO Section 6.2.1 F.

Any proposed Utility Service Areas must be screened per the requirements of UDO ClearCode Section 6.2.1.G.

There may be proposed MVSA within 100’ of the public right-of-way for Polo Road that would necessitate a Streetyard. Please see the site plan redlines.

Please delineate the 10’ Streetyard on McCanless Street.

Please ensure that all parking spaces are within 75’ of a large variety tree. Please provide MVSA calculations.
Neighborhood Outreach Summary
W-3469 450 Polo Road (Special Use Rezoning)

Due to COVID-19 restrictions, we were unable to hold an in-person meeting. To inform neighbors, Stimmel Associates mailed out information packets on April 1st to all neighbors within 500’ of the subject property. In addition, the invitation scope was expanded to also include several residences beyond the buffer. The total number of property owners was 153. After review, it also became apparent that many of these appeared to be rental properties. An additional 105 packets were mailed out to these renters as well. In total, 258 information packets were mailed out.

The information packets included a description of the rezoning request, contact information for additional questions, and an illustrative site plan of the proposed development.

Stimmel Associates received a total of 3 calls from neighbors regarding the rezoning. The calls consisted of requests for further information and clarifications of the process. Stimmel provided these clarifications and outlined the zoning process. One neighbor was under the impression that this process meant they would be required to relocate, but we were able to bring clarification that the zoning procedures only applied to the subject property and would not require them to move. One of the owners mentioned a concern with the narrowness of McCanless Road and potential for increased traffic. We advised that the main access will be located on Polo Road and that additional improvements and widening along McCanless frontage are included in this project. The neighbor also mentioned the current pooling of water on McCanless during storms. We explained that stormwater controls are part of this project and that code regulates that discharge from the site cannot increase above existing conditions. The neighbors were generally supportive of the project and indicated satisfaction that they had received answers to their questions.

Respectfully submitted,

Stephen Owen
Stimmel Associates, P.A.
Neighborhood Rezoning Notice

Dear Neighbor,

You are receiving this notice for the proposed development of townhomes located at 450 Polo Road, Winston-Salem, NC 27105. For the development to take place, the property has to be rezoned to allow for Residential, Multifamily uses. The proposed rezoning district is RM12-S (Residential, Multifamily) from the current zoning district HB-S (Highway Business).

Attached is an Illustrative Site Plan of the proposed redevelopment. Please note that as the plan is reviewed by the City of Winston-Salem, changes to the site plan may occur.

Normally, the petitioner would hold a neighborhood drop-in meeting. However, due to the COVID-19 restrictions, holding a meeting is not feasible at this time or in the foreseeable future. If you have any questions or concerns regarding the proposed rezoning, please contact the petitioner’s representative, Stephen Owen with Stimmel Associates.

Stephen can be reached at (336) 723-1067.
Property Data
Pin #: 6827-72-3724.000
Jurisdiction: Winston-Salem, NC
Existing Zoning: HB-S
Proposed Zoning: RM-12
Site Acreage: 3.95 Acres +/- (based on digital GIS data)

Project Details
Proposed Townhome/Flats: 39 Units +/-
Proposed Townhomes: 4 Units +/-
Total Units: 43 Units +/-

*This is a preliminary site plan and is subject to change throughout the rezoning process based on city staff comments and neighborhood feedback.