**ACTION REQUEST FORM**

**DATE:** January 25, 2023  
**TO:** The Honorable Mayor and City Council  
**FROM:** Chris Murphy, AICP/CZO, Director of Planning and Development Services

### COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning petition of James Howard, Kerry Howard, and Margo Cooper

### SUMMARY OF INFORMATION:

Public hearing and consideration of zoning petition of James Howard, Kerry Howard, and Margo Cooper from RS9 and RM12-S to RM12-S (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Multifamily; Residential Building, Twin Home; and Planned Residential Development); property is located on the east side of Stafford Place Boulevard, south of Stafford Place Circle (Zoning Docket W-3554)

### PLANNING BOARD ACTION:

- **MOTION ON PETITION:** APPROVAL  
  - **FOR:** UNANIMOUS  
  - **AGAINST:** NONE  
  - **SITE PLAN ACTION:** CONFORMS TO THE REQUIREMENTS OF THE UDO
AN ORDINANCE AMENDING THE WINSTON-SALEM CITY ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF WINSTON-SALEM, N.C.

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

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RS9 and RM12-S to RM12-S (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Multifamily; Residential Building, Twin Home; and Planned Residential Development) the zoning classification of the following described property:

PINs 6823-51-3070 and 6823-51-8174

Section 2. This Ordinance is adopted after approval of the site plan entitled Brighton Pointe Apartments and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, 20___ to James Howard, Kerry Howard, and Margo Cooper.

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 Brighton Pointe Apartments. 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 James Howard, Kerry Howard, and Margo Cooper, (Zoning Docket W-3554). 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 (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Multifamily; Residential Building, Twin Home; and Planned Residential Development), 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. The developer shall have a stormwater management study submitted for review by the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved. 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. The developer shall cordon off all areas shown on the site plan as stream buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.
  c. The 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 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 CERTIFICATE(S) OF OCCUPANCY:**
  a. The developer shall complete all requirements of the driveway permit.
  b. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
  c. The developer shall install a six-foot high opaque fence along the rear of the southern common recreation area as depicted on the site plan.

• **OTHER REQUIREMENTS:**
  a. Dedication of public access easement from the southern stub of Sides Brook Court to the intersection of Stafford Place Court and Stafford Forest Drive, should a street be made with Cedar Post Road.
CITY-COUNTY PLANNING BOARD  
STAFF REPORT

PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket</th>
<th>W-3554</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Marc Allred</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>James Howard, Kerry Howard, and Margo Cooper</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PINs 6823-51-3070 and 6823-51-8174</td>
</tr>
<tr>
<td>Address</td>
<td>This vacant site is not currently addressed.</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use rezoning</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential Single Family – 9,000 square feet minimum lot size) and RM12-S (Residential, Multifamily – 12 units per acre) to RM12-S (Residential, Multifamily – 12 units per acre). The petitioner is requesting the following uses: Residential Building, Multifamily; Residential Building, Single Family; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Twin Home; and Planned Residential Development</td>
</tr>
</tbody>
</table>

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 3.2.19 A 16

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

Yes. The site is in GMA 3 and has adequate access to public infrastructure.

GENERAL SITE INFORMATION

Location

East side of Stafford Place Boulevard, south of Stafford Place Circle.

Jurisdiction

City of Winston-Salem

Ward(s)

South Ward

Ward(s) July 2023

South Ward

Site Acreage

± 18.91 acres

Current Land Use

Undeveloped Land

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>RM12-S</td>
<td>Apartments</td>
</tr>
<tr>
<td>East</td>
<td>MRB-S</td>
<td>Retail Stores</td>
</tr>
<tr>
<td>South</td>
<td>RS9</td>
<td>Single-family homes</td>
</tr>
<tr>
<td>West</td>
<td>RM18-S</td>
<td>Apartments</td>
</tr>
</tbody>
</table>
Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes, the proposed uses are compatible with the proposed RM12-S zoning district and the adjacent properties.

Physical Characteristics

The site is undeveloped and wooded. There is an intermittent stream that runs through the middle of the proposed development. PIN 6823-51-3070 slopes to the east and PIN 6823-51-8174 slopes to the west with varying degrees of elevation change.

Proximity to Water and Sewer

Public water and sewer are available to this site.

Stormwater/Drainage

The proposed plan depicts two stormwater control devices to manage each portion of the development. Stafford Forest Drive will cross the stream running through the site with a culvert connecting each side of the development.

Watershed and Overlay Districts

The site is not located in a water supply watershed.

Analysis of General Site Information

The subject property is currently undeveloped and slopes towards an intermittent stream. The site has adequate access to public utilities and is not located within a water supply watershed.

### 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-3438</td>
<td>RS9 to RM12-S</td>
<td>Approved; 7/6/2020</td>
<td>Current Site</td>
<td>9.81</td>
<td>Approval</td>
</tr>
<tr>
<td>W-3366</td>
<td>MU-S to RM12-S</td>
<td>Approved; 5/7/18</td>
<td>North</td>
<td>11.10</td>
<td>Approval</td>
</tr>
<tr>
<td>W-3215</td>
<td>RS9 to RM18-S</td>
<td>Approved; 5/5/14</td>
<td>West</td>
<td>9.83</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2757</td>
<td>RS9 to MRB-S</td>
<td>Approved; 5/2/2005</td>
<td>East</td>
<td>29.44</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>Stafford Place Boulevard</td>
<td>Local Street</td>
<td>184 feet</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 will be accessed at the terminus of the public street right-of-way of Stafford Place Boulevard. The developer is also proposing a private street stub towards the existing Cedar Post Road street stub. However, a seven foot strip of land in separate ownership exists between the public right-of-way and the subject property which prevents a connection being made at this time.

Proposed Road Improvements

No off-site road improvements are proposed.
<table>
<thead>
<tr>
<th>Trip Generation - Existing/Proposed</th>
<th>Existing Zoning: RS9 9.2 acres = 44 homes x 9.57 (single-family trip rate) = 421 trips per day</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Existing Zoning: R12-S</strong> 72 units x 6.65 (apartment trip rate) = 478 trips per day</td>
</tr>
<tr>
<td></td>
<td><strong>Existing total trip generation = 899 trips per day.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Proposed Zoning: RM12-S</strong> 192 units x 6.65 (apartment trip rate) = 1,277 trips per day</td>
</tr>
<tr>
<td>Sidewalks</td>
<td>Sidewalks currently exist along both sides of Stafford Place Boulevard and on the south side of Stafford Village Boulevard between Town Square Drive and Peters Creek Parkway. Internal pedestrian pathways are shown along the parking areas in front of the proposed buildings and along the main access leading to Stafford Place Boulevard. Due to topography issues, a pedestrian connection accessing the Walmart shopping center to the east is not feasible.</td>
</tr>
<tr>
<td>Transit</td>
<td>WSTA routes 83 and 101 have stops at the Walmart shopping center at the corner of Peters Creek Parkway and Stafford Village Boulevard. It is a 0.7 mile walk from the bus stop to the proposed development access point on Stafford Place Boulevard.</td>
</tr>
<tr>
<td>Connectivity</td>
<td>The site connects to the neighboring multifamily development at the southern terminus of the publicly maintained portion of Stafford Place Boulevard. A private stub street is shown that would allow for a future connection to Cedar Post Road to the south; An intervening strip of land currently prevents the connection from being made.</td>
</tr>
<tr>
<td>Transportation Impact Analysis (TIA)</td>
<td>TIA is not required for this development.</td>
</tr>
<tr>
<td>Analysis of Site Access and Transportation Information</td>
<td>The site will have one access point from Stafford Place Boulevard. The site plan depicts three streets within the development. Transit is available at the Walmart shopping center at the corner of Stafford Village Boulevard and Peters Creek Parkway. Sidewalks exist along Stafford Place Boulevard and Stafford Village Boulevard to allow for safe pedestrian access to the shopping center and to public transit.</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>• Building 100, 400, and 500 – 25,668 Square Feet each</td>
<td></td>
<td>• Building 100, 400, and 500 will be located on the southside of Stafford Forest Drive.</td>
</tr>
<tr>
<td>• Building 200, 300, 600, and 700 – 25,141 Square Feet each</td>
<td></td>
<td>• Building 200 and 300 will be located on the southwest part of property.</td>
</tr>
<tr>
<td>• Building 800 – 26,208 Square Feet</td>
<td></td>
<td>• Building 600 and 700 will be located on the southeast part of property.</td>
</tr>
<tr>
<td>• Community Center – 2,292 Square Feet</td>
<td></td>
<td>• Building 800 and Community Center will be located on north side of Stafford Forest Drive.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Units (by type) and Density</th>
<th>One bedroom – 30 units</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Two bedroom – 80 units</td>
</tr>
<tr>
<td></td>
<td>Three bedroom – 82 units</td>
</tr>
<tr>
<td>Total units = 192 units</td>
<td></td>
</tr>
</tbody>
</table>

192 units/18.91 acres = 10.15 units per acre

<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bicycle – 20</td>
<td>Bicycle – 20</td>
<td>Bicycle – five racks with four spaces each</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>45’</td>
<td>40’</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>75%</td>
<td>33%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
<th>Section 4.5.13: RM12; Residential Multifamily District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Section 5.2.71: Residential Building, Multifamily; Residential Building, Townhouse; or Residential Building, Twin Home (W) (use-specific standards)</td>
</tr>
<tr>
<td></td>
<td>Table 6.1.2: Motor Vehicle and Bicycle Parking Space Requirements</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies with Section 3.2.11</th>
<th>(A) Legacy 2030 policies: Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>(B) Environmental Ord.</td>
<td>N/A</td>
</tr>
<tr>
<td>(C) Subdivision Regulations</td>
<td>N/A</td>
</tr>
</tbody>
</table>

| Analysis of Site Plan Compliance with UDO Requirements | The proposed site plan depicts eight multifamily apartment buildings and one community center. The community center is located near the proposed access point at Stafford Place Boulevard. Common recreation areas are proposed in the southeastern and northeastern portion of the site. The site plan shows a required 40’ Type II Bufferyard adjacent to the adjoining RS9-zoned properties to the south. The developer is proposing a six-foot opaque fence in addition to the bufferyard to screen |

W-3554 Staff Report 4 January 2023
the southern common recreation area from the adjacent single-family homes.

<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** | • Concentrate development within the serviceable land area of Forsyth County, with the highest intensities at activity centers.  
• Encourage the inclusion of housing at higher residential densities in activity centers.  
• Facilitate land use patterns that offer convenient access to shopping. |
| **Relevant Area Plan(s)** | *South Suburban Area Plan Update* (2018) |
| **Area Plan Recommendations** | • Intermediate-density residential land use is recommended for sites greater than two acres that are appropriately developed with multifamily or townhouse structures.  
• The proposed land use map recommends intermediate density residential land use for the western parcel (8.1-18 units per acre) and low-density attached residential (0-8 units per acre) for the eastern parcel. |
| **Site Located Along Growth Corridor?** | The site is not located along a growth corridor. |
| **Site Located within Activity Center?** | The site is within the Peters Creek Activity Center. |
| **Comprehensive Transportation Plan Information** | No improvements are recommended for Stafford Place Boulevard. |
| **Rezoning Consideration from Section 3.2.19 A 16** | **Have changing conditions substantially affected the area in the petition?**  
No |
| **Is the requested action in conformance with Legacy 2030?** | Yes. The site is within a designated activity center and proposes multifamily units that are in proximity to services and employment centers. |
| **Analysis of Conformity to Plans and Planning Issues** | The request is to rezone an approximately 18.91-acre site from RS9 and RM12-S to RM12-S to construct 192 apartment units.  
The proposal meets the recommendation of the *South Suburban Area Plan Update* for multifamily development at this location. The proposed development density of 10.15 units per acre is appropriate here. |
Furthermore, the site is directly adjacent to existing multifamily development and lies within the Peters Creek Activity Center.

The proposal is supported by the recommendations of Legacy, which recommends that development be concentrated within the serviceable land area and encourages the inclusion of higher density residential development within activity centers.

### 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 meets the recommendations of the <em>South Suburban Area Plan Update</em> and <em>Legacy 2030</em>.</td>
<td>The site has limited vehicular connectivity, with only one primary access point.</td>
</tr>
<tr>
<td>The proposed development would provide additional needed housing units at an appropriate location within the serviceable land area.</td>
<td>The development does not include a direct pedestrian connection to the adjacent shopping center to the east.</td>
</tr>
<tr>
<td>The site is located within a designated activity center and has access to multimodal transit.</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. The developer shall have a stormwater management study submitted for review by the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved. 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. The developer shall cordon off all areas shown on the site plan as stream buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.
  c. The 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 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 CERTIFICATE(S) OF OCCUPANCY:**
  a. The developer shall complete all requirements of the driveway permit.
  b. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
  c. The developer shall install a six-foot high opaque fence along the rear of the southern common recreation area as depicted on the site plan.
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.
Marc Allred presented the staff report.

George Bryan asked if staff had any concerns about the location of proposed common recreation areas and whether they would be easily accessible to all residents. Marc Allred responded that staff did not.

Brenda Smith asked if the proposed opaque fence would exist in the conjunction with the vegetative buffer. Marc responded yes, the vegetative buffer would be on the outside of the fence and extend along the entire south side of the site, adjacent to the single-family residential neighborhood.

George asked whether staff considering this site walkable to Wal-Mart. Chris Murphy stated there are existing sidewalks along Stafford Village Boulevard that will allow residents to access the commercial areas at the intersection with Peters Creek Parkway.

PUBLIC HEARING

FOR:

Davis Ray, 5614 Riverdale Drive, Jamestown, NC 27282
  • Mr. Ray gave a brief overview of the project

AGAINST:

Angela Caudle, 1705 Cedarberry Court, Winston-Salem, NC 27127
  • I have been a landowner here for 35 years. This site used to be a tobacco farm.
  • I understand the need for housing. I am fine with development but am concerned that I will be looking out from my patio into somebody’s home.
  • I am not sure how this development adds value to my home.
  • As a native American, the creek and wildlife drew me to this area. I am afraid that this will be going away now.

Debra Kelker, 1617 Kesteven Road, Winston-Salem, NC 27127
  • I have three concerns.
I know the Board had concerns when they approved the adjacent 72-unit development with a single access point. This project will add 192 more units on top of the existing 72. We have concerns regarding the stub street where this development could connect with our subdivision.

I have a very high concern for my property value. The property between this development and our subdivision went from a value of $33,300 on January 7, 2020 to a value of $4,600 on September 1, 2020.

Will the stub street be closed off as part of the proposed bufferyard?

Many residents of our subdivision regularly walk to Wal-Mart and Lowes. If built, residents of this project will be able to walk through our neighborhood to access Wal-Mart.

If you take down the trees on this site, you leave our tall trees in a very precarious position. They may fall without support.

**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, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño, Brenda Smith, Jack Steelman
- AGAINST: None
- EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.

SECOND: Jason Grubbs

VOTE:
- FOR: George Bryan, Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Mo McRae, Salvador Patiño, Brenda Smith, Jack Steelman
- AGAINST: None
- EXCUSED: None

____________________________________
Chris Murphy, AICP/CZO
Director of Planning and Development Services
Property included in zoning request.
500' mail notification radius. Property not in zoning request.

MAP(S): 6823.04
DOCKET #: W-3554
(continued from 12/8/22)

PROPOSED ZONING:
RM-12-S

EXISTING ZONING:
RM-12-S; RS9

PETITIONER:
James Howard, Kerry Howard, and Margo Cooper (Brighton Pointe)

SCALE: 1" represents 400'
STAFF: Allred
GMA: 3
ACRES: 18.91
NEAREST BLDG: 84' east
MAP(S): 6823.04
South Suburban Area Plan Update, 2018

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

Rezoning
Activity Center
Special Land Use Condition Areas

Proposed Land Use
Single-Family Residential (0-8 Du/Ac)
Low-Density Attached Residential (0-8 DU/Ac)
Intermediate-Density Residential (8.1-18 DU/Ac)
Commercial
Institutional
Commercial Recreation

Proposed Growth Corridor
Urban/Suburban Form - Single-Family Residential
Suburban Form - Commercial/Office/Multifamily
USES ALLOWED IN THE 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
- Cottage Court
- 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 standards of Section 5.2.2A are met
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: 18**

<table>
<thead>
<tr>
<th>Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Issues</td>
</tr>
<tr>
<td>15. General comments</td>
</tr>
</tbody>
</table>

Wednesday, November 16, 2022
The following item is required before the driveway permit may be reviewed:

1. A City driveway permit will be required for the permanent connections to Stafford Place Boulevard and Cedar Post Road (if Cedar Post Road will be extended). Please complete and sign a driveway permit application and return it, along with a copy of the site plan, to the Engineering Division for review. A review fee of $200 is also required. All items may be submitted through IDT Plans.

The following items are required as part of the detailed plan review:

2. As part of the driveway permit review, please include all storm drainage systems on the final plan. Calculations, storm drainage details, and construction details are required for all storm drainage elements. Also, include a design for the large culvert pipe that will be needed for the crossing of Sides Branch between the eastern and western developments. This culvert may not be designed "by others" and must be included on this plan for approval. Design calculations for all culverts may be provided in tabular form on the plan.

3. Please include construction details for sidewalks, wheelchair ramps, road cross sections, etc. Where possible, please use construction details from the City IDS Manual. In particular, please include construction detail V-13 for the permanent driveway connection.

4. Please include a construction detail for the proposed dumpster pads. Dumpster pads must be constructed using a 4,000 psi concrete mix and have a minimum thickness of 8". The concrete must be placed over 6" of compacted ABC stone. Additionally, the concrete driveway aprons must also be constructed using a 4,000 psi concrete mix.

5. Please provide elevations for all proposed retaining walls. Retaining walls greater than 10' in height must be approved by the Assistant City Manager.

Erosion Control

General Issues

11. Grading/Erosion Control Permit and Erosion Control Plan needed

City of Winston-Salem
Matthew Osborne
336-747-7453
matthewo@cityofws.org
11/2/22 12:19 PM
01.03) Rezoning-Special Use District - 2

If the proposed project creates more than 10,000 sq. ft. of land disturbance (20,000 sq. ft. of land disturbance for Single-Family Dwelling construction), a Grading/Erosion Control Permit will be required prior to the start of work. In order to obtain this permit you must submit a professionally designed Erosion 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 as application type 04.02 Grading/Erosion Control Permit at the following link: https://winston-salem.idtplans.com/secure/

12. Erosion Control Plan Review to NCDEQ - DEMLR

City of Winston-Salem
Matthew Osborne
336-747-7453
matthewo@cityofws.org
11/2/22 12:20 PM
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).
19. Sketch Plans and Site Plans

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, 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 this project. Consider how these requirements, including any systems necessary to bring radio coverage into compliance with this section, may impact your plans.

22. Addressing & Street Naming

Road names are approved.

[Ver. 2] [Edited By Gloria Alford]
Complete sidewalk connection

Need top and bottom elevations for all retaining walls.

Please ensure that you have contacted the appropriate Council Member and/or the Community Assistance Liaison for their office prior to the Planning Board Hearing. Be advised that Council Members may want to participate in any community outreach efforts. Information for each Council Member can be found on their website here: https://www.cityofws.org/564/City-Council

Mr. Larson was contacted on 10/28/2022 via email with a copy of our proposed site plan to allow review and potential discussion.

No comments

The stream name is Sides Branch, no greenway easement is requested, per the Greenway Plan Update (2012) and the Parks and Open Space Plan Update (2019).
<table>
<thead>
<tr>
<th>25. CAC</th>
<th>No comment.</th>
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<tbody>
<tr>
<td>City of Winston-Salem</td>
<td>Amy Crum</td>
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<tr>
<td></td>
<td>336-747-7051</td>
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<td><a href="mailto:amyc@cityofws.org">amyc@cityofws.org</a></td>
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<thead>
<tr>
<th>28. Elevations</th>
<th>Building elevations will be required prior to filing deadline.</th>
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<tbody>
<tr>
<td>City of Winston-Salem</td>
<td>Marc Allred</td>
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<tr>
<td></td>
<td>336-727-8000</td>
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<thead>
<tr>
<th>29. Extra Buffer</th>
<th>Provide extra buffer between the Common Recreational Area and the Twin Cedars Subdivision.</th>
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<td>Marc Allred</td>
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**Stormwater**

**General Issues**

13. Stormwater Management Permit Required
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 development will be considered a high density development in terms of the water quality provisions of the ordinance since it exceeds 24% impervious area and exceeds 2 units per acre. The plan has two calls outs for the impervious percentage - it states 24% in one note and 33% in another note so there is a discrepancy (see my comment on the actual plan about that). The units per acre will be 10.19. Regardless of which percentage is correct they both are equal to, or exceed 24% and so this will be a high density development no matter which of these impervious percentages is correct. The high density provisions require that the first inch of runoff from the development is captured and treated in an approved Stormwater management system. The water quality provisions also require that stream buffers be provided off of all perennial and intermittent streams located on the property and there are a number of these on the property. The buffer width will be required to be 50' as measured from the top of bank on both sides of the conveyance. No built upon area is permitted in this 50' unless it is a right of way crossing, or a utility crossing, or a greenway. All other impervious area located within a buffer would have to apply for and be granted with a variance. The first 25' of this buffer zone closest to the bank must remain undisturbed at all times while the outer 25' may be disturbed during construction. You do appear to have the correct buffers and their widths labeled on this plan.

The water quantity provisions of the ordinance will apply since more than 20,000 sq.ft. of new impervious area is proposed to be created which will be the case here. These provisions require that the post developed peak runoff rates for the 2, 10 and 25 year storm events of minimum 6 hour duration be managed to at or below the pre developed rates in an approved Stormwater management system. In addition the increase in the pre versus post 25 year volume must be stored in the system and released over a 2 to 5 day period.

Your plan is currently showing two "Stormwater Controls" and so I assume these will be adequate to capture and treat/attenuate the runoff from all of the proposed impervious surfaces. The types of controls are not stated and it may be something that the Planning Board want to know as part of their approval process. I do not need to know this myself at this point in time as I will ensure whatever controls are designed are adequate to meet our standards at the time of the permit review, but again, the Planning Board and public may want to know exactly what is intended in terms of types of Stormwater controls so just letting you know that this may be something they require you to do.

The Stormwater management permit process will require that a non-refundable financial surety be established. I'm assuming since these are apartments that the units will be rental units and therefore the developer will be the entity responsible for the long term Operation and Maintenance of the Stormwater management system rather than a Home Owners Association. If this assumption is correct then the surety shall consist of the developer providing the city with that surety which equals 4% of the estimated construction cost of the Stormwater management system.

The permit process will also require that an Operation and Maintenance Agreement for the Stormwater management system be approved by the City and once approved recorded at The Forsyth County Register of Deeds office.

[Ver. 2] [Edited By Joe Fogarty]
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<tr>
<td><strong>General Issues</strong></td>
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<td><strong>17. General Comments</strong></td>
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<td><strong>18. Zoning</strong></td>
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<td>11/16/22 9:44 AM</td>
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<td>01.03) Rezoning-Special Use District - 2</td>
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Mr. Allred:

Attached is the letter we sent to the adjacent property owners for our proposed rezoning. At this time none of the recipients have responded to our outreach. Additionally, prior to the letters being sent out, we received a call from one of the neighbors on Cedar Post Road concerned with our site plan and extended/connecting to the existing road. I explained to the neighbor that we did not anticipate connecting at this time due to the parcel (6823-50-9747.00) separating her parcel and ours creating a barrier to connect. I also made her aware that this was not an intent on our end but rather a requirement of the city during our site plan review process. Her concern was opening the ‘flood gates’ from our proposed property to the single-family neighborhood as an outlet onto Peters Creek Parkway.

If we can be of any further assistance or provide any additional information, please let me know.

Best regards,

Davis Ray
336.625.7641
davis@wynnefieldforward.com
From: Davis Ray - WynnefieldForward <davis@wynnefieldforward.com>
Sent: Wednesday, December 21, 2022 10:01 AM
To: Marc Allred <marca@cityofws.org>
Subject: [EXTERNAL] RE: W-3554 Community Outreach Deadline

*** CAUTION! EXTERNAL SENDER *** STOP. EVALUATE. VERIFY. Were you expecting this email? Does the content make sense? Can you verify the sender? If the email is suspicious: Do not click links or open attachments. Click the Report Message button in Outlook to notify Information Systems.

We will have everything submitted on or before January 4th.

From: Marc Allred <marca@cityofws.org>
Sent: Wednesday, December 21, 2022 8:19 AM
To: Davis Ray - WynnefieldForward <davis@wynnefieldforward.com>
Subject: W-3554 Community Outreach Deadline

Just a friendly reminder that the W-3554 Community Outreach Summary is due on January 4th.

Marc Allred
Winston-Salem/Forsyth County Planning & Development Services
100 E First St, Winston-Salem, NC, 27101
336-747-7069

City of Winston-Salem
ONE TEAM
Committed to Excellence

All e-mails including attachments sent to and from this address are subject to being released to the media and the public in accordance with the North Carolina Public Records Law.
December 18, 2022

Re: Property located on Jay Avenue, Winston-Salem, NC

Dear Neighbor:

Wynnefield Forward, LLC is a local real estate development firm dedicated to developing and managing quality housing throughout the state of North Carolina. Realizing there is a strong need in the Winston-Salem area for this type housing, our group is considering the purchase, development and ongoing management of a 19.13 +/- acre site located at 0 Jay Avenue, Winston-Salem, NC. Our proposed design will be based on previous developed properties that have been very successful and well received by their communities. These properties are available for review.

This proposed 192 unit family property will be attractive, well designed and constructed to very high standards and the landscaping details will be extensive. Our Property Management firm with 30 years experience, will provide for the continued assurance of a well maintained community asset.

We would like to know how you, as a local area resident, feel regarding our proposed facility being located in your area. This letter is to serve as notification of our request to rezone this property to accommodate our proposed development.

We are available by telephone (336) 822-0765 and will be happy to personally meet with you should you choose to consider this matter or you may contact the Winston-Salem/Forsyth County Planning & Development Services Department at (336) 727-2087.

Sincerely,

C. Craig Stone

PO Box 395 | 5614 Riverdale Drive
Jamestown, NC 27282

P: 336.454.6134
Wal-Mart Real Estate Bus Trust
PO BOX 8050 MS 0555
Bentonville, AR 72716

SALE LAND AND TIMBER LLC
2078 Edgewood Rd
Wilkesboro NC 28697

Aspen Pointe, LLC
6749 Lake Dale Way
Clemmons, NC 27012

Stafford Place Llc
1813 Pembroke RD, STE F
GREENSBORO NC 27408

Dominion Building L L C .
4092 Foxwood DR, STE 201
Virginia Beach VA 23462
Zoning Case No.: W-3554

Property Address: 0 Stafford Place Boulevard

Parcel Identification Number(s): 6823-51-3070 and 6823-51-8174

Hereinafter referred to as the "Property"

WRITTEN CONSENT TO CONDITIONS PURSUANT TO 160D-703

1. I hereby certify that authority has been given to me, by all owners of the Property, to consent to the conditions of the special use district approval.

2. I hereby consent to the following conditions, as required by North Carolina General Statute 160D-703:

- **PRIOR TO ISSUANCE OF GRADING PERMITS:**
  a. The developer shall have a stormwater management study submitted for review by the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved. 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. The developer shall cordon off all areas shown on the site plan as stream buffer areas or undisturbed areas. These areas shall be retained and not disturbed. Vegetation in all these areas shall be protected from grading encroachment in accordance with UDO requirements.
  c. The 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 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 CERTIFICATE(S) OF OCCUPANCY:**
  a. The developer shall complete all requirements of the driveway permit.
  b. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
  c. The developer shall install a six-foot high opaque fence along the rear of the southern common recreation area as depicted on the site plan.
  d. Dedication of public access easement from the southern stub of Sides Brook Court to the intersection of Stafford Place Court and Stafford Forest Drive should a through street is connected with Cedar Post Road.
• OTHER REQUIREMENTS:
  a. Dedication of public access easement from the southern stub of Sides Brook Court to the intersection of Stafford Place Court and Stafford Forest Drive, should a street be made with Cedar Post Road.

3. I acknowledge that this written consent is a condition precedent to placement of the Property into a special use district.

This the [LTH] day of January, 2025.

By: [Signature]

Name: C. CRAIG STONE

Title: MANAGER, WINNEFIELD FORWARD, LLC

Date: 1.16.2023

STATE OF NORTH CAROLINA
COUNTY OF Guilford

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: C. CRAIG STONE.

Notary Public: [Signature]

Printed Name: [Signature]

Commission Expires: 1.13.2023