ACTION REQUEST FORM

DATE: July 26, 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 Grand Silo Investments, LLC

SUMMARY OF INFORMATION:

Public hearing and consideration of zoning petition of Grand Silo Investments, LLC from RM12-S to RM18-S (Residential Building, Multifamily and Residential Building, Townhouse); property is located on the east side of Grand Silo Way, north of Southpark Boulevard (Zoning Docket W-3584)

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: CONFORMS TO THE REQUIREMENTS OF THE UDO
CITY ORDINANCE - SPECIAL USE

Zoning Petition of Grand Silo Investments, LLC, Docket W-3584

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 RM12-S to RM18-S (Residential Building, Multifamily and Residential Building, Townhouse) the zoning classification of the following described property:

PIN 6823-58-9063

Section 2. This Ordinance is adopted after approval of the site plan entitled Grand Silo Apartments and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _______ day of __________________, 20___ to Grand Silo Investments, LLC.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit pursuant to the Zoning Ordinance of the Unified Development Ordinances for a development to be known as Grand Silo 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.
CITY - SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Grand Silo Investments, LLC, (Zoning Docket W-3584). 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 RM18-S (Residential Building, Multifamily and Residential Building, Townhouse), approved by the Winston-Salem City Council the _____ day of _____________________, 20____" and signed, provided the property is developed in accordance with requirements of the RM18-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 submit a stormwater management study 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 management device into any buffer areas or existing vegetated areas designated to remain, or in close proximity to adjacent property with residential zoning, shall require a Staff Change approval at minimum and may require a Site Plan Amendment.

- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
  a. The developer shall record a final plat in the office of the Register of Deeds. The final plat shall show tentative building locations and all access and utility easements with reference to any cross-access agreements. As a part of final plat recording, the developer shall record a negative access easement along the frontage of Southpark Boulevard.
  b. 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. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
  b. An enhanced 15’ Minimum Type II Bufferyard with Leyland Cypress plantings and a six-foot high opaque wood fence shall be installed adjacent to single-family residential zoning.
PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket</th>
<th>W-3584</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Marc Allred</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Grand Silo Investments, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN 6823-58-9063</td>
</tr>
<tr>
<td>Address</td>
<td>1651 Grand Silo Way</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Rezoning</td>
</tr>
</tbody>
</table>

 Proposal

The petitioner is requesting to amend the Official Zoning Map for the subject property from RM12-S (Residential, Multifamily – 12 units per acre) to RM18-S (Residential, Multifamily – 18 units per acre). The petitioner is requesting the following uses:

- Residential Building, Multifamily and Residential Building, Townhouse

NOTE: General, Special Use Limited, and Special Use 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.

Neighborhood Contact/Meeting

A summary of the petitioner’s neighborhood outreach 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 Growth Management Areas 1 and 2 and may be suitable for Growth Management Area 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.

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 within GMA 3, has adequate access to public utilities, and has access to an expressway and a minor thoroughfare via a collector street (Southpark Boulevard).

GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>East side of Grand Silo Way, north of Southpark Boulevard.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>South</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 8.83 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Vacant land</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS9 and HB-S</td>
<td>Single-family home and outdoor display, retail</td>
</tr>
</tbody>
</table>
East | HB-S | Outdoor display, retail, convenience store, and commercial parking
South | RM12-S and RM18 | Condominiums and apartments
West | RM12-S | Condominiums and townhomes

**Rezoning Consideration from Section 3.2.19 A 16**

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

Yes, the residential building, multifamily use is allowed on the properties south and west of the subject property. This request is a revision of the previously approved RM12-S rezoning that occurred in 2003.

**Physical Characteristics**

The partially wooded site slopes downward to the east with a significant drop in elevation to an unnamed creek bed running from south to north on the eastern portion of the property. The remaining eastern portion of the site slopes steeply towards the same creek. No development is proposed on the eastern portion of the site.

**Proximity to Water and Sewer**

Public water is accessed from Grand Silo Way and public sewer is available on the eastern portion of the property.

**Stormwater/Drainage**

Stormwater and runoff drainage will be managed by one underground stormwater management device on the southern portion of the site. The device will ultimately drain to the unnamed creek.

**Watershed and Overlay Districts**

The site is not located within a water supply watershed.

**Analysis of General Site Information**

The site is mostly undeveloped with open area to the west and wooded area to the east. The site contains sloping topography to an intermittent stream bed. 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><strong>Staff</strong></td>
<td><strong>CCPB</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W-3198</td>
<td>RS9 and RM18-S to HB-S</td>
<td>Approved 10/7/2013</td>
<td>East</td>
<td>0.27</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2968</td>
<td>RM12-S Site Plan Amendment</td>
<td>Approved 2/4/2008</td>
<td>Current request is part of rezoning</td>
<td>11.72</td>
<td>Approval</td>
</tr>
<tr>
<td>W-2810</td>
<td>RS9 and RM18-S to HB-S</td>
<td>Approved 2/6/2006</td>
<td>East</td>
<td>4.38</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>Southpark Boulevard</td>
<td>Collector Street</td>
<td>556 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Grand Silo Way</td>
<td>Private Road</td>
<td>276 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Heritage Pointe Drive</td>
<td>Private Road</td>
<td>290 feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Proposed Access Point(s)

The proposed site plan shows two access points; one connecting to Grand Silo Way and the other a proposed emergency-access-only drive that connects to Heritage Pointe Drive.

Proposed Road Improvements

No road improvements are being proposed as a part of this request.

Trip Generation - Existing/Proposed

Existing Zoning: RM12-S
148 units x 6.65 (apartment trip rate) = 985 trips per day

Proposed Zoning: RM18-S
120 units x 6.65 (apartment trip rate) = 798 trips per day

Sidewalks

Sidewalks already exist along Southpark Boulevard and Grand Silo Way. The developer is proposing internal sidewalks connecting to Grand Silo Way and Heritage Pointe Drive.

Transit

WSTA Route 83 is located at the intersection of Peters Creek Parkway and Southpark Boulevard. This is approximately .35 miles from the site and is connected by sidewalks.

Connectivity

The site plan proposes a single public access point at the intersection of Harvest Moon Lane and Grand Silo Way. An additional emergency vehicular access point is proposed at Heritage Pointe Drive.

Two pedestrian connections will be established through internal sidewalks that will connect with the existing sidewalks at the intersections of Harvest Moon Lane and Grand Silo Way, and Heritage Pointe Drive and Grand Silo Way. There will not be any direct pedestrian connection to Southpark Boulevard as the existing sidewalks are positioned on the south side of that boulevard.

Transportation Impact Analysis (TIA)

A TIA was not required for this proposal. The petitioner is requesting 28 fewer units than the originally approved site plan showed and therefore any change in traffic generation would be less that what was previously approved.

Analysis of Site Access and

The proposed development is a continuation of the Heritage Park and Morgan Ridge Phase II development originally approved in 2003.
### Transportation Information
(W-2968). The two proposed site access points are in locations similar to those that were previously approved. The site plan depicts one new public access point (Harvest Moon Lane) at the traffic circle on Grand Silo Way and an emergency access point on Heritage Pointe Drive. The site plan shows two internal private streets that will interconnect all proposed building and parking areas. The site plan shows two internal pedestrian connections to Grand Silo Way, but no direct connection to Southpark Boulevard, as existing sidewalks are located on the south side of the right-of-way with a designated pedestrian crossing to the north.

### 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>204,550</td>
<td>West of the unnamed creek.</td>
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</table>

<table>
<thead>
<tr>
<th>Units (by type) and Density</th>
<th>Required</th>
<th>Proposed</th>
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</thead>
<tbody>
<tr>
<td>One two-story apartment building- 16 units</td>
<td>214</td>
<td>214</td>
</tr>
<tr>
<td>Two three-story apartment buildings- 48 units</td>
<td>90-degree parking</td>
<td></td>
</tr>
<tr>
<td>Two three/four-story split apartment buildings- 56 units</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>214</td>
<td>214</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 feet</td>
<td>49 feet, 4 inches</td>
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</table>

<table>
<thead>
<tr>
<th>Impervious Coverage</th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>80%</td>
<td>42.70%</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>UDO Sections Relevant to Subject Request</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 4.5.14: RM18; Residential Multifamily District</td>
<td></td>
</tr>
<tr>
<td>Section 5.2.71: Residential Building, Multifamily, Townhouse or Twin Home Use-Specific Standards</td>
<td></td>
</tr>
<tr>
<td>Table 6.1.2: Motor Vehicle and Bicycle Parking Space Requirements</td>
<td></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>Yes</td>
</tr>
</tbody>
</table>

| Analysis of Site Plan Compliance with UDO Requirements | The proposed site plan illustrates five multifamily apartment buildings with a proposed clubhouse on the western portion of the site. The plan proposes one public entrance to the development and shows all required internal sidewalk connections. Additionally, the site plan shows an enhanced 15-foot Type II Bufferyard with Leyland cypress screening and a six-foot high opaque fence along the property line to the northwest. A required ten-foot streetyard is shown between the southern parking area and Southpark Boulevard. Stormwater on site is proposed to be managed with an underground stormwater device located beneath the southern parking area. |

### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy 2030 Growth Management Area</th>
<th>GMA 3 – Suburban Neighborhoods</th>
</tr>
</thead>
</table>
**Relevant Legacy 2030 Recommendations**

- Encourage the reuse of existing sites that is compatible and complementary with the surrounding area.
- Encourage a mixture of residential densities and housing types through land use recommendations.

**Relevant Area Plan(s)**  
*South Suburban Area Plan Update (2017)*

**Area Plan Recommendations**

- The proposed land use map recommends intermediate-density attached residential development (8.1 – 18 dwelling units / acre) for this 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**

No improvements are recommended by the CTP in relation to this request.

**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.

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

The request is to rezone an approximately 8.83-acre site from RM12-S to RM18-S, to allow for 120 apartment units.

The proposed density of 13.6 units per acre is similar to the currently approved RM12-S zoning, which allowed 148 units on the same property (case W-2968) at a density of 16.76 du/ac. Although the entire site plan for case W-2968 had an overall density of 10.37 du/ac, the subject parcel was cut out of the larger development and sold to a separate entity. The purpose of this request is to allow for this parcel to operate independently under a zoning district that will accommodate the proposed densities and additional height for two of the split-level apartment buildings. Both density and building height limits prevent the site from being developed under existing RM12-S zoning.

The *South Suburban Area Plan* recommends intermediate residential density land use at this location. *Legacy* encourages the reuse of existing sites with developments that are compatible with the surrounding area. As this is effectively a reduction in the total number of originally proposed units on site, there are no anticipated traffic or land use impacts associated 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 request is generally consistent with the recommendations of both <em>Legacy 2030</em> and the <em>South Suburban Area Plan</em>.</td>
<td>The request has limited vehicular interconnectivity opportunities given the developed nature of the surrounding area.</td>
</tr>
<tr>
<td>The request proposes additional screening to further buffer the development against the single-family homes to the northwest of the site.</td>
<td></td>
</tr>
<tr>
<td>The request would result in a lower net density for the development which would further limit any offsite impacts to neighbors.</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 submit a stormwater management study 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 management device into any buffer areas or existing vegetated areas designated to remain, or in close proximity to adjacent property with residential zoning, shall require a Staff Change approval at minimum and may require a Site Plan Amendment.

- **PRIOR TO ISSUANCE OF BUILDING PERMITS:**
  a. The developer shall record a final plat in the office of the Register of Deeds. The final plat shall show tentative building locations and all access and utility easements with reference to any cross-access agreements. As a part of final plat recording, the developer shall record a negative access easement along the frontage of Southpark Boulevard.
  b. 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. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.
  b. An enhanced 15’ Minimum Type II Bufferyard with Leyland Cypress plantings and a six-foot high opaque wood fence shall be installed adjacent to single-family residential zoning.

**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.

PUBLIC HEARING

FOR:
Luke Dickey with Stimmel PA, representative for the petitioner.

- Mr. Dickey spoke on behalf of the petitioner and provided a general overview of the proposal.

Brenda Smith asked about how height requirements would accommodate the proposed buildings, to which Mr. Dickey responded. Chris Leak asked what concerns were expressed at the community meeting. Luke discussed these concerns and noted that street maintenance agreements have been worked out between the petitioner and the three neighboring HOAs.

AGAINST:
Rick Epperson

- Mr. Epperson stated that he is not opposed to the development, but has concerns with the change in the site plan from what was first proposed. He discussed the parking area connection for emergency services and noted that the dumpster moved to a different location. Mr. Epperson noted that traffic will increase in the area, and he did not see a designated area for dogs on the plan. Jason Grubbs noted that there was a fenced dog station shown on the site plan, which alleviated Mr. Epperson’s concerns regarding that issue.

WORK SESSION

Clarence Lambe asked the petitioner to provide further explanation on the cost sharing arrangement for maintaining the roads throughout the development. Arthur Revis, the property owner and developer, stated that he would likely be responsible for 60% of the maintenance costs. Luke noted that no change is being proposed to the dumpster location. Brenda Smith noted that any major changes to the site plan would require Planning Board approval.
MOTION: Clarence Lambe recommended that the Planning Board find that the request is consistent with the comprehensive plan.
SECOND: Jason Grubbs
VOTE:
   FOR: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Lindsey Schwab, Brenda Smith
   AGAINST: None
   EXCUSED: None

MOTION: Clarence Lambe recommended approval of the ordinance amendment.
SECOND: Jason Grubbs
VOTE:
   FOR: Walter Farabee, Jason Grubbs, Clarence Lambe, Chris Leak, Lindsey Schwab, Brenda Smith
   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.

DOCKET #: W-3584

PROPOSED ZONING:
RM18-S

EXISTING ZONING:
RM12-S

PETITIONER:
Grand Silo Investments, LLC
(Grand Silo Apartments)

SCALE: 1" represents 300'

STAFF: Allred

GMA: 3

ACRES: 8.83

NEAREST BLDG: 10' north

MAP(S): 6823.02
South Suburban Area Plan Update, 2018

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

**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)
- High-Density Residential (over 18 DU/Ac)
- Office
- Office/Low-Intensity Commercial
- Commercial
- Institutional
- Park
- Utilities

**Proposed Growth Corridor**

- Suburban Form - Commercial/Office/Multifamily

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**Case W-3584**

West Clemmonsville Road/Old Salisbury Road

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**Map Legend**

- Rezoning
- Activity Center
- Special Land Use Condition Areas
- Proposed Land Use
- Proposed Growth Corridor

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**Map Details**

- SOUTHPARK BV
- ETHELD RD
- ARDMORE RD
- POPE RD
- MORGAN CR
- W-3584
- Area Plan Recommendations

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**Map Scale**

- 500 Feet

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**Map Coordinates**

- 0 0 500 500

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**Map Notes**

- (g)I
- 150
- Case W-3584
- West Clemmonsville Road/Old Salisbury Road

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**Map Key**

- Suburban Form - Commercial/Office/Multifamily
1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes.

2. Contractor is to notify architect immediately of conditions or items varying from depicted information.

4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.

5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.

6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.

Heritage Park Phase 3 - Grand Silo
Winston-Salem, NC

Building Type 4 & 5 - Front Elevation
Scale: 1/8" = 1'-0"

Building Type 4 & 5 - Side Elevation (Left Shown)
Scale: 1/8" = 1'-0"
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: 14**

**Engineering**

**General Issues**

**15. General comments**
1. No city driveway permit is required for this development since access is off of an existing private street.

### Erosion Control

#### General Issues

**12. Grading/Erosion Control Permit and Erosion Control Plan needed**

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Matthew Osborne</th>
<th>336-747-7453</th>
<th><a href="mailto:matthewo@cityofws.org">matthewo@cityofws.org</a></th>
<th>6/6/23 4:22 PM</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Matthew Gantt</td>
<td>336-727-8000</td>
<td><a href="mailto:matthewg@cityofws.org">matthewg@cityofws.org</a></td>
<td>6/7/23 7:36 AM</td>
</tr>
<tr>
<td></td>
<td>01.03) Rezoning-</td>
<td></td>
<td>Special Use District - 2</td>
<td></td>
</tr>
</tbody>
</table>

If the proposed project creates more than 10,000 sq. ft. of land disturbance, 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/Owne rsip (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/](https://winston-salem.idtplans.com/secure/)

**13. Erosion Control Plan Review to NCDEQ - DEMLR**

<table>
<thead>
<tr>
<th>City of Winston-Salem</th>
<th>Matthew Osborne</th>
<th>336-747-7453</th>
<th><a href="mailto:matthewo@cityofws.org">matthewo@cityofws.org</a></th>
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<td></td>
<td>Matthew Gantt</td>
<td>336-727-8000</td>
<td><a href="mailto:matthewg@cityofws.org">matthewg@cityofws.org</a></td>
<td>6/7/23 7:36 AM</td>
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<td>01.03) Rezoning-</td>
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If this project will use any public funds for financing and/or be constructed on public owned property, 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

#### General Issues

**17. Sketch Plans and Site Plans**
Future construction plans shall 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.

Road names Gibbous Ct and Harvest Moon Ln are approved. Please send me the floor plans for the apartments.
21. Planning Comments

City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
6/14/23 9:45 AM
01.03) Rezoning-
Special Use District - 2

Residential Building, Townhouse

22. Historic Resources

City of Winston-Salem
Heather Bratland
336-727-8000
heatherb@cityofws.org
6/7/23 11:54 AM
01.03) Rezoning-
Special Use District - 2

No comments

23. Conditions

City of Winston-Salem
Marc Allred
336-727-8000
marca@cityofws.org
6/21/23 10:09 AM
01.03) Rezoning-
Special Use District - 2

- Enhanced 15' Minimum Type II Bufferyard with Leyland Cypress screen along adjacent residential single family zoned districts.
- Six-foot height opaque wood fence along adjacent residential single family zoned districts.
- Signed plat showing an easement connecting your southwestern connection (Hertiage Pointe Drive) to Grand Silo Way prior to issuance of building permits.
- Negative access easement along entire South Park Boulevard frontage prior to issuance of grading permits.
- Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff prior to issuance of certificate of occupancy.
- The developer shall submit a stormwater management study 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 management device into any buffer areas or existing vegetated areas designated to remain, or in close proximity to adjacent property with residential zoning, shall require a Staff Change approval at minimum and may require a Site Plan Amendment.
[ Ver. 4 ] [Edited By Marc Allred]

24. CAC
City of Winston-Salem
Amy Crum
336-747-7051
amyc@cityofws.org
6/20/23 4:46 PM
01.03) Rezoning-
Special Use District - 2

No comment.

26. Resubmittal

City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
6/21/23 10:25 AM
01.03) Rezoning-
Special Use District - 2

Resubmittal deadline for changes to the plan is next Wednesday.

27. Community Outreach Deadline

City of Winston-Salem
Bryan Wilson
336-747-7042
bryandw@cityofws.org
6/21/23 10:30 AM
01.03) Rezoning-
Special Use District - 2

Please ensure that you have submitted the required neighborhood outreach summary by the deadline as required in UDO ClearCode and referenced in the Planning Board Calendar of Significant Dates located here: https://www.cityofws.org/1564/Monthly-Planning-Board-Items.

Stormwater

General Issues

14. Stormwater Management Permit Required

City of Winston-Salem
Joe Fogarty
336-747-6961
josephf@cityofws.org
6/6/23 4:26 PM
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 all of the applicable provisions of The City of Winston-Salem's Post Construction Stormwater Management ordinance.

The plan states that the impervious area will be 42.7% of the site. Developments that exceed 24% impervious area are considered to be a high density development under the water quality provisions of the ordinance. High density developments have to manage and treat the first inch of runoff from the development in an approved stormwater management system. The high density water quality provisions also require stream buffers to be provided off of all intermittent and perennial streams that may be located on a property. There is one such stream on your property and you are showing a 30' buffer, which is the correct width, as measured from the top of bank on each side of the conveyance. There is no impervious area allowed within the buffer zone and the inner half of the buffer zone must remain undisturbed at all times. However, the outer half of the buffer zone may be disturbed for the purposes of grading operations during construction. Looking at your plan, I'm concerned with what appears to be proposed grades extending into the inner half of the buffer in the north eastern side of the site area. The plan appears to show proposed grades in that area all the way to the creek itself. This will not be permitted. Please verify and check that. I'm also questioning the shape of the buffer - it looks very "archy" or "curvy" and doesn't appear to be a true offset of the top of bank of the creek. Please show a buffer that matches the creek line so I can verify that the buffer zones are indeed accurate and that there are no other encroachments into the buffer zone that are not
permitted.

The water quantity provisions of the ordinance will apply since you are proposing to create more than 20,000 sq.ft. of new impervious area. This will require that the post developed peak runoff rates for the 2, 10 and 25 year storm events of minimum 6 hour duration, be managed in an approved stormwater management system to at, or below, the pre developed rates and also that the increase in the pre versus post developed 25 year volume be stored in the system and this volume be released within a 2 to 5 day time period.

You are showing one "Proposed Underground Stormwater Management Device" on your plan. Will one such device be enough to capture and attenuate all of the site impervious areas? I'm thinking for example of such areas like the most easterly buildings - will the runoff from those areas be able to be conveyed back to the system you are currently showing? Also, I'm not sure if the "General Note 3" will be acceptable to Planning staff for a plan that is going before the Planning Board for approval. Check with Planning staff on that because if there are changes made as in adding more systems than what is shown or significantly changing the location and type of system shown then you may be required to come back before the Planning Board. Again, that will be a Planning staff call. I'm o.k. with whatever decision they advise upon.

For any stormwater management system that is designed the developer will have to provide a non refundable financial surety to the City of Winston-Salem as part of the permitting process. This surety shall equal 4% of the estimated construction cost of the stormwater management system.

Finally, an Operation and Maintenance (O&M) Agreement will be required to be approved by the City as part of the permit process and once approved then recorded at The Forsyth County Register of Deeds office.

Utilities

General Issues

19. General Comments

City of Winston-Salem
Chris Jones
336-747-7499
charlesj@cityofws.org
6/14/23 5:36 AM
01.03) Rezoning-Special Use District - 2

Any existing connections not intended for reuse must be terminated at the main. Water/sewer interior to the site will be private. Site will be master metered with a reduced pressure assembly backflow preventer matching the meter size. Water meters purchased through the COWS. System development fees due at the time of meter purchase.
W-3584 Grand Silo Apartments
Neighborhood Outreach Report

On June 16, 2023, 114 outreach letters were sent to property owners and neighbors within 500 feet of the subject site. These letters provided a summary of the proposed rezoning request to RM18-S from RM-12-S, as well as an illustrative site plan of the proposed development. Thirty-Four (34) neighbors responded to the invitation with two (2) neighbors not able to attend and requested information. An online Microsoft Teams meeting was held on June 28, 2023 from 5:30 pm to 6:30 pm.

Correspondence Prior to Meeting:

1) One neighbor had responded by email to state that she was unable to attend the meeting and requested a summary of the project request.
   a) Stimmel followed up with a summary of the request and responded to additional questions.

2) One neighbor responded by email to state that she was unable to attend but reviewed the plans and had questions regarding gated entrance, dumpster locations, and size of clubhouse and pool.
   a) Stimmel followed up with responses to questions.

3) Representatives of the management company for the Haylofts HOA reached out requesting additional information and to discuss access to the proposed development.
   a) Stimmel provided site plan information and contact information for developer’s attorney to discuss approved/recorded access easements and agreements.

Online Meeting:

1) Thirty-four (34) neighbors attended the online meeting. Twenty-three (23) joined online and eleven (11) joined by phone. An overview of the zoning request was provided discussing the site’s zoning history, the updated site plan and zoning request due to building height, buffers, access, stormwater, the overall zoning process, and Planning Board and potential City Council meeting dates. Please refer to attached plans.

   Representatives included: Luke Dickey (Stimmel), Arthur Rebisz (Developer), Britton Lewis (Developer Attorney – Carruthers & Roth)

After the plan and zoning overview, the floor was opened for questions.

1) Haylofts Condo residents had concerns regarding the proposed access to their parking lot and the traffic impacts to them.
   a) Response - The access would be gated and accessible to emergency vehicles only if the main entry was blocked.
2) One resident of the Haylofts and former HOA president stated that he would like the emergency connection made to the northern drive and not the southern drive. He did not recall that being approved.
   a) Response – the connection was made to the south as the dumpster for the Haylofts was at the northern connection and developer was told that the Haylofts did not want to relocate. The recorded access agreements would be reviewed. (Note: the recorded access agreements show a connection to the southern drive and dumpster remaining.)

3) The current Haylofts HOA president questioned when agreed upon payments would be made for the easements.
   a) Response – the payments would be made based on the agreement within 10 days of the commencement of grading on the site.

4) The HOA President from the HP3 board was concerned that they were not part of the discussions for road access and easements.
   a) Response – the primary boards engaged were the ones that had ownership of the easements. The HP3 board should have had representatives on the combined overall board whom discussions regarding the easements were held. The HOA President stated that they were not involved and did not know what was taking place. Since the meeting they have reached out and the attorney for the developer has provided the recorded access/easement agreements.

5) Multiple comments were made concerning additional traffic and the impacts to Grand Silo Way
   a) Response – the access for the development will be made to Grand Silo Way as has been shown on approved zoning site plans since 2003. The access/easement agreements have provisions for cost share for the maintenance of the roads.

6) Multiple neighbors mentioned the concern that they were not notified of this pending apartment development when they had purchased their home in the area. (Purchased in 2018/2019) They were told that it would be private smaller scale residential development.
   a) Response – the site has been proposed for multi-family apartments since 2003. It was unfortunate that the realtors had not disclosed the approved use for the undeveloped portion of the project.

7) Multiple neighbors had concerns regarding people currently walking dogs and not cleaning-up after them and that this apartment project would only increase the issue. They questioned whether a dog park was planned.
   a) Response – understand their concerns and would look at adding a dog park to the proposed plan. A fenced dog park behind the pool area on the site plan has been added to the resubmitted plan.

8) General concerns were mentioned regarding safety for neighbors and older family members in the community. Expressed the view that renters do not take care of property versus those that own and the additional traffic.

9) Some neighbors questioned what can be done to express their concerns and any how to address any future issues.
   a) Response – for the zoning we encouraged them to attend the Planning Board meeting and the City Council meeting. They can reach out to their Councilmember, John Larson, and his contact information is listed on the City website.
10) A neighbor questioned what would happen if the zoning was not approved.
   a) Response – the site is already zoned RM-12 and approved for 140 units. By right, the developer could modify the building height of the two buildings that exceed the RM-12 height limitations and move forward with an apartment development.

Additional follow-up has taken place with the HP3 Homeowners Association president to provide zoning plans and approved access easement agreements.

Please refer to attached letter and plans/exhibits from the meeting.

Respectfully submitted,

[Signature]

Luke Dickey, PLA
Vice President
Stimmel Associates, P.A.
A meeting to review the proposed rezoning plan for the previously approved multifamily apartment development as part of the final phase of the Heritage Park Development. The revised plan reflects minor changes to the previously approved zoning plan to accommodate the new proposed building footprints. The approved plan had a total of 140 units and the new plan proposes 120 units. The request for the zoning change from RM-12-S to RM-18-S is to allow for additional building height for two of the buildings outlined on the attached site plan. These two buildings are three stories facing the parking lot and four stories facing the creek. RM-12 zoning permits a maximum building height of 45-feet. The proposed average height of the two buildings is approximately 50-feet. Thus, the need to rezone to RM-18 which permits a maximum height of 60-feet. All other proposed buildings will not exceed 45-feet in height.

The proposed rezoning and site plan will be reviewed by the Planning Board who provides a recommendation for approval or denial. The City Council is the final approval authority.

Please note that the attached site plan may change as it goes through the review process to address comments by the city or neighbors.

If you would like to join the online meeting, please email Stimmel Associates (Agent of Petitioner) at outreach@stimmelpa.com before 12pm Tuesday, June 27, 2023. Please include Grand Silo in the subject line so Stimmel staff will know which project the email is regarding. Staff will respond with a link which will allow you to attend the meeting.

If you have any questions or are unable to attend the meeting and would like to discuss the proposed rezoning, please reach out to the email above, or you can call Luke Dickey with Stimmel Associates at (336) 723-1067.

Date: Wednesday, June 28, 2023
Time: 5:30pm to 6:30pm
Location: Online Via Microsoft Teams
This is a preliminary site plan and is subject to change throughout the rezoning process based on city staff comments and neighborhood feedback.
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This site plan is for illustrative purposes to show the proposed design intent. The plan is subject to change based on actual site conditions, local jurisdiction review, code requirements, and final architectural and engineering documents.
2008 APPROVED ZONING PLAN

Highlights:

- 173 Units Approved
- 33 Units Constructed
- leaving 140 permitted units
2023 PROPOSED ZONING PLAN W-3584

Highlights:

- 120 Units Proposed
- Zoning Request is based on request for building height increase for 2 buildings that average 50-feet
- RM-12 limited to 45-feet building height
1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes.

2. Contractor is to notify architect immediately of conditions or items varying from depicted information.

3. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.

4. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted.

5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.

6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.

Exterior Material Legend:
- EXTERIOR LIGHTS PER BUILDER/ELECTRICAL DRAWINGS
- IN HEIGHT. ADDRESS NUMBERS SHALL BE PLACED ON ADJACENT MATERIAL FROM THE STREET OR ROAD FRONTING THE PROPERTY AND THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE PLACED ON ALL WALL/ROOF PENETRATIONS TO MATCH COLOR OF ADJACENT MATERIAL.

Rowlock/Soldier Course:
- = 3/4" Projected Brick
- = Stone Veneer
- = Brick Veneer
- = Fiber Cement Panel BD W/ 3 1/2" Battens Spaced Per Elevation
- = Standing Seam Metal Roof
- = Asphalt Shingle Roof

Building Type 1
- Elevations

A R C H I T E C T U R E

www.planworx.com

Permit Review Set

R E V I E W S H E E T 
N O T F O R C O N S T R U C T I O N
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6. IN HEIGHT. ADDRESS NUMBERS SHALL BE PLACED ON EACH SIDE AS WELL AS APARTMENT NUMBERS ON PROPERTY. THESE NUMBERS SHALL CONTRAST WITH POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE PENETRATIONS ADDRESSING THE FRONT OF EACH BREEZEWAY. ALL WALL/ROOF PENETRATIONS TO MATCH COLOR OF ADDRESS NUMBERS, BUILDING NUMBERS OR ADDRESS IDENTIFICATION SHALL HAVE APPROVED – RAKE TRIM TO BE 4" TYPICAL – WINDOW TRIM TO BE 6" FIBER CEMENT TRIM AND – BAND BOARD ABOVE BRICK ROWLOCK & STONE – HORIZ. BAND BOARDS & FRIEZE BOARDS TO BE 4" SILL AND JAMB TRIM, TYPICAL

ELEVATION GENERAL NOTES

1. Roof Truss Bearing

2. Elevations

3. Roofs

4. Grounds

5. Infill

EXTERIOR MATERIAL LEGEND

- Asphalt Shingles Roof
- Standing Seam Metal Roof
- Horizontal Panel Gable Siding
- Fiber Cement SIDING
- Brick Veneer
- Stone Sided

BUILDER/ELECTRICAL DRAWINGS

- Exterior Lights Per

PLANWORX ARCHITECTURE, P.A.

Building Type 2

Heritage Park Phase 3 - Grand Silo

Winston-Salem, NC

Permit Review Set

Sheet Title: Building Type 2 Elevation

Sheet Number: A201

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1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes.

2. Contractor is to notify architect immediately of conditions or items varying from depicted information.

3. Building Type 3 - Front Elevation
   Scale: 1/8" = 1'-0"

4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.

5. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.

6. IN HEIGHT. ADDRESS NUMBERS SHALL BE PLACED ON PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ADJACENT MATERIAL ALL WALL/ROOF PENETRATIONS TO MATCH COLOR OF ADDRESS NUMBERS, BUILDING NUMBERS OR ADDRESS IDENTIFICATION SHALL HAVE APPROVED - RAKE TRIM TO BE 4" TYPICAL - WINDOW TRIM TO BE 6" FIBER CEMENT TRIM AND BAND BOARD ABOVE BRICK ROWLOCK & STONE - WINDOW TRIM TO BE 6" FIBER CEMENT Board - HORIZ. BAND BOARDS & FRIEZE BOARDS TO BE - CORNER BOARDS TO BE 4" FIBER CEMENT TRIM TO BE 4" SILL AND JAMB TRIM, TYPICAL - ROWLOCK/SOLDIER COURSE. = 3/4" PROJECTED BRICK = STONE VENEER = BATTENS SPACED PER ELEVATION = HORIZONTAL FIBER CEMENT SIDING = STANDING SEAM METAL ROOF
1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes.

2. Contractor is to notify architect immediately of conditions or items varying from depicted information.

3. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.

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5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.

6. Planworx Architecture, P.A. is not responsible for constructing variations from the information depicted.

ELEVATION GENERAL NOTES

- Addressing
  - Address numbers, building numbers or address identification shall have approved finish.
  - Address numbers shall be adjacent to adjacent materials.
  - Address numbers shall be in black or white.
  - Address numbers shall be in upper case.
  - Address numbers shall be at least 6" in height.
  - Address numbers shall be placed in a position that is plainly legible and visible.
  - Address numbers shall be placed to the left of the building.

- Exterior Material General Notes
  - Exterior material legend
  - Exterior material descriptions


- ARCP BUILDER/ELECTRICAL DRAWINGS
  - Exterior lights per approved finish.

- Addressing
  - Address numbers shall be placed to the left of the building.
  - Address numbers shall be in black or white.
  - Address numbers shall be in upper case.
  - Address numbers shall be at least 6" in height.
  - Address numbers shall be placed in a position that is plainly legible and visible.

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1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes.

2. Contractor is to notify architect immediately of conditions or items varying from depicted information.

3. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.

5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.

6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.

ELEVATION GENERAL NOTES

ADVERTISING

ADDRESS NUMBERS, BUILDING NUMBERS OR ADDRESS IDENTIFICATION SHALL HAVE APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS 6" MIN. APPROVED BUILDING IDENTIFICATION PLACED IN A LOCATION UNLESS PLACED IN A LOCATION WHERE THEY MAY BE蔬NTRABLE OR OBSTRUCTED TO THE PUBLIC.

PERMIT REVIEW SET

Heritage Park Phase 3 - Grand Silo

Grand Silo Investments LLC

Winston-Salem, NC

Permit Review Set

Building Type 4 & 5

Elevations
Good Morning Marc,

I am emailing you concerning the proposed addition to the apartment complex on Grand Silo Way. I live in the area and I am familiar with the traffic flow around this area. The traffic flow is terrible at certain times of the day to the point that traffic is backed up from Peters Creek Pkwy. to the traffic circle at Old Salisbury Rd. I feel like the added traffic would be a bad idea and create an inconvenience for the neighborhood. I don't know if you are aware that Old Salisbury Rd. has been closed for 2 Years and projected to be closed for another 2 years. There is no other outlet to Peters Creek for anyone living from South Park to the old Moose Lodge. The addition of over 100 apartments would just add to the problem. Thank You for your time.

Thanks again,
Aaron