May 24, 2019

Gateway Management Services, Ltd
190 Charlois Boulevard
Winston-Salem, NC 27103

Re: Special Use Rezoning and Special Use Permit W-3413

Dear Petitioner:

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

Sincerely,

Aaron King
Director of Planning and Development Services

pc: City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC 27102
## ACTION REQUEST FORM

**DATE:** May 24, 2019  
**TO:** The Honorable Mayor and City Council  
**FROM:** Aaron King, Director of Planning and Development Services

### BOARD ACTION REQUEST:

Request for Public Hearing on special use permit of Gateway Management Services, Ltd

### SUMMARY OF INFORMATION:

A. Public hearing on special use permit of Gateway Management Services, Ltd from RS9 to RM5-S (Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development) and a Special Use Permit for access: property is located on the east side of Germanton Road, north of Hanes Mill Road (Zoning Docket W-3413)

B. Ordinance amending the *Unified Development Ordinances* of Winston-Salem/Forsyth County and the Official Zoning Map

C. Approval of Special Use Permit

D. Approval of Site Plan

### 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 Gateway Management Services, Ltd, Docket W-3413

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 to RM5-S (Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development) the zoning classification of the following described property:

Lying, situate in Forsyth County, Winston-Salem, NC; and Being a portion of Tax PIN: 6828-89-5726.00 and a portion of Tax PIN: 6828-98-3508.00. Commencing at an existing 3/4” pipe having NC Grid Coordinates (NAD 83/2011) of Northing: 889,302.97 feet, Easting: 1,628,172.64 feet and being a common corner of Gateway Management Services, LTD (Deed Book 3147, Page 82 – Tax PIN: 6828-89-5726.00) and Gateway Management Services, LTD (Deed Book 3167, Page 209 – Tax PIN: 6828-98-3508.00) and being in the Eastern right-of-way of North Carolina Highway #8 (Germanton Road) and said pipe being the Point of Beginning: THENCE with the Eastern right-of-way of North Carolina Highway #8 (Germanton Road) the following three calls: (1) with a curve to the right having an Arc Length of 161.29 feet and Radius of 884.49 feet and a chord bearing and distance of N 25°00'32" E, 161.07 feet to a 5/8” rebar: (2) N 30°13'59" E, 879.33 feet to a 3/4” pipe being a common corner with Gateway Management Services, LTD (Deed Book 3147, Page 82 – Tax PIN: 6828-89-5726.00) and Gateway Management Services, LTD (Deed Book 3167, Page 209 – Tax PIN: 6828-98-3508.00); (3) N 30°13'59" E, 116.80 feet to an iron rebar set (5/8”); THENCE leaving said right-of-way with a new property line the following four calls: (1) S 59°22'59" E, 122.11 feet to an iron rebar set (5/8”); (2) S 16°26'51" W, 176.11 feet to an iron rebar set (5/8”); (3) S 30°13'59" W, 246.18 feet to an iron rebar set (5/8”); (4) S 25°32'00" W, 310.67 feet to an iron rebar set (5/8”) in the common line of Gateway Management Services, LTD (Deed Book 3147, Page 82 – Tax PIN: 6828-89-5726.00) and Gateway Management Services, LTD (Deed Book 3167, Page 209 – Tax PIN: 6828-98-3508.00); THENCE with said line the following two (2) calls: (1) S 25°32'00" W, 288.07 feet to an iron rebar set (5/8”); (2) S 84°41'31" W, 243.89 feet to the POINT OF BEGINNING, HAVING AN AREA OF 192,819 SQUARE FEET or 4.426 ACRES MORE OR LESS.
Section 2. This Ordinance is adopted after approval of the site plan entitled Maple Chase Residential and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _______ day of __________________, 20___ to Gateway Management Services, Ltd.

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 Maple Chase Residential. 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 Gateway Management Services, Ltd, (Zoning Docket W-3413). 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 RM5-S (Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Multifamily; 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 RM5-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 THE ISSUANCE OF GRADING PERMITS:**

a. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.

b. Developer shall obtain a driveway permit from the City of Winston-Salem and NCDOT; additional improvements may be required prior to issuance of the driveway permit. Required improvements include:
   - Forty (40) feet of right-of-way from the centerline of Germanton Road;
   - Install sidewalk along Germanton Road;
   - A negative access easement along Germanton Road; and
   - Access easement through the adjacent property to Germanton Road (contingent upon approval by the Winston-Salem City Council).

**PRIOR TO THE 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 THE ISSUANCE OF OCCUPANCY PERMITS:

a. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.

b. Developer shall complete all requirements of the driveway permit.
The City Council of the City of Winston-Salem hereby makes an affirmative finding as follows, based upon the material and competent evidence presented at the public hearing:

1. That the use will not material endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved;
2. That the use meets all required conditions and specifications;
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
4. That the location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with Legacy.

Accordingly, the City Council of the City of Winston-Salem hereby issues this special use permit for an access easement, private off-site in accordance with Section 6-1.5 of the Zoning Ordinance of the Unified Development Ordinances to Gateway Management Services, Ltd to be established on the following described property:

Lying, situate in Forsyth County, Winston-Salem, NC; and Being a portion of Tax PIN: 6828-89-5726.00 and a portion of Tax PIN: 6828-98-3508.00. Commencing at an existing 3/4" pipe having NC Grid Coordinates (NAD 83/2011) of Northing: 889,302.97 feet, Easting: 1,628,172.64 feet and being a common corner of Gateway Management Services, LTD (Deed Book 3147, Page 82 – Tax PIN: 6828-89-5726.00) and Gateway Management Services, LTD (Deed Book 3167, Page 209 – Tax PIN: 6828-98-3508.00) and being in the Eastern right-of-way of North Carolina Highway #8 (Germanton Road) N 84° 41' 31" E, 65.98 feet to a point being the Northwest corner of a Proposed “Private” Access Easement and said point being the Point of Beginning: THENCE with the common line of Gateway Management Services, LTD (Deed Book 3147, Page 82 – Tax PIN: 6828-89-5726.00) and Gateway Management Services, LTD (Deed Book 3167, Page 209 – Tax PIN: 6828-98-3508.00) N 84° 41' 31" E, 26.78 feet to a point; THENCE along the Proposed “Private” Access Easement the following nine (9) calls: (1) with a curve to the left having an Arc Length of 48.09 feet and Radius of 187.00 feet and a chord bearing and distance of S 02°10'28" W, 47.96 feet to a point; (2) S 05°11'36" E, 163.28 feet to a point; (3) with a curve in to the right having an Arc Length of 102.71 feet and Radius of 63.00 feet and a chord bearing and distance of S 41°30'43" W, 91.71 feet to a point; (4) S 88°24'31" W, 94.84 feet
to a point in the Eastern right-of-way of North Carolina Highway #8 (Germanton Road); (5) with the said right-of-way N 02°00'50" E, 32.06 feet to a point in Eastern right-of-way of North Carolina Highway #8 (Germanton Road); (6) thence leaving the Highway N 88°24'31" E, 99.69 feet to a point; (7) with a curve to the left having an Arc Length of 49.01 feet and Radius of 30.00 feet and a chord bearing and distance of N 41°36'28" E, 43.74 feet to a point; (8) N 05°11'36" W, 164.72 feet to a point; (9) with a curve to the right having an Arc Length of 47.91 feet and Radius of 213.00 feet and a chord bearing and distance of N 01°15'04" E, 47.81 feet to the POINT OF BEGINNING, HAVING AN AREA OF 10,732 SQUARE FEET MORE OR LESS.

This special use permit is further issued pursuant to approval of the site plan entitled Maple Chase Residential and identified as Attachment “A”, attached hereto and incorporated herein.

The site shall be developed in accordance with Attachment “A”, provided the property is developed in accordance with requirements of the Zoning Ordinance of the Unified Development Ordinances, and other applicable laws, and the following additional conditions be met:

• PRIOR TO THE ISSUANCE OF GRADING PERMITS:
  a. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.
  b. Developer shall obtain a driveway permit from the City of Winston-Salem and NCDOT; additional improvements may be required prior to issuance of the driveway permit. Required improvements include:
    • Forty (40) feet of right-of-way from the centerline of Germanton Road;
    • Install sidewalk along Germanton Road;
    • A negative access easement along Germanton Road; and
    • Access easement through the adjacent property to Germanton Road (contingent upon approval by the Winston-Salem City Council).

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

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3413</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr., AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Gateway Management Services, Ltd</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN 6828-89-5726 and a portion of PIN 6828-98-3508</td>
</tr>
<tr>
<td>Address</td>
<td>The undeveloped site does not currently have an address assignment.</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use rezoning from RS9 to RM5-S and Elected Body Special Use Permit request to access RM5-S zoned property across RS9 zoned property.</td>
</tr>
</tbody>
</table>
| Proposal      | The petitioner is requesting to amend the Official Zoning Map for the subject property from RS9 (Residential, Single Family – 9,000 sf minimum lot size) to RM5-S (Residential, Multifamily – 5 units per acre maximum density – Special Use). The petitioner is requesting the following uses:  
• Residential Building, Single Family; Residential Building, Twin Home; Residential Building, Duplex; Residential Building, Townhouse; Residential Building, Multifamily; and Planned Residential Development |
| Neighborhood Contact/Meeting | A summary of the petitioner’s neighborhood outreach efforts for the rezoning portion of the request is attached. |
| Zoning District Purpose Statement | The RM5 District is primarily intended to accommodate low density, pedestrian-oriented sites and communities containing duplexes, twin homes, multifamily and townhouse residential buildings with three or four units, and similar residential uses at a maximum overall density of five units per acre. This district is intended for GMAs 2 and 3 and may be suitable for GMA 4 and Metro Activity Centers where public facilities, including public water and sewer, public roads, parks, and other governmental support services, are available. |
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | (R)(I) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)? |
| Location      | East side of Germanton Road, north of Hanes Mill Road |
| Jurisdiction  | City of Winston-Salem |
| Ward(s)       | Northeast |
| Site Acreage  | ± 4.43 acres |
| Current Land Use | The proposed rezoning site is currently undeveloped. |
### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS9</td>
<td>Undeveloped property</td>
</tr>
<tr>
<td>East</td>
<td>RS9</td>
<td>Maple Chase Golf and Country Club and single family homes</td>
</tr>
<tr>
<td>South</td>
<td>RS9</td>
<td>Maple Chase clubhouse</td>
</tr>
<tr>
<td>West</td>
<td>RS9</td>
<td>Single family homes across Germanton Road</td>
</tr>
</tbody>
</table>

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

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

Yes, the proposed twin homes are compatible with the residential uses permitted on the adjacent properties.

### Physical Characteristics

The undeveloped site has a gentle slope downward toward the southeast. There are a few mature trees located along Germanton Road; otherwise, the site is grassed.

### Proximity to Water and Sewer

The site is served with public water and sewer.

### Stormwater/Drainage

A stormwater management device is proposed in the southeastern corner of the site, and a stormwater study will be required.

### Watershed and Overlay Districts

The site is not located within a water supply watershed.

### Analysis of General Site Information

The site does not appear to have physical development constraints resulting from regulated water supply watersheds, designated floodplains, or steep topography.

### Relevant Zoning Histories

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-2729</td>
<td>RS9 &amp; GI to CPO</td>
<td>Approval 11/1/2004</td>
<td>400 feet west</td>
<td>109</td>
<td>Approval</td>
</tr>
<tr>
<td>W-1813</td>
<td>R5 to I3-S (GI-S)</td>
<td>Approved 4/5/1993</td>
<td>300 feet west</td>
<td>6.14</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>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germanton Road</td>
<td>Major Thoroughfare</td>
<td>1,150 feet</td>
<td>12,000</td>
<td>13,800</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

Access to the site from Germanton Road is proposed through the adjacent parking lot for Maple Chase Golf and Country Club requiring an access easement. Approval of this access easement must be granted by Elected Body Special Use Permit.

**Planned Road Improvements**

The *Comprehensive Transportation Plan* recommends a three-lane section for Germanton Road with curb and gutter, wide outside lanes, and sidewalks.
| Trip Generation - Existing/Proposed | Existing Zoning: RS9  
4.43 acres / 9,000 = 21 units x 9.57 (SFR trip rate) = 201 Trips per Day |
|-------------------------------------|------------------------------------------------------------------|
| Proposed Zoning: RM5-S  
20 units x 6.59 (Low-Rise Apartment trip rate) = 132 Trips per Day |
| Sidewalks | There are no sidewalks located in the general area. Sidewalk is required along Germanton Road. |
| Transit | WSTA Route 87 stops at the K&W Cafeteria located approximately one half-mile west on Hanes Mill Road. |
| Analysis of Site Access and Transportation Information | The subject property has extensive frontage along a major thoroughfare. However, NCDOT will not approve an access point along this section of Germanton Road, as the site adjoins property which has signalized access (opposite Hanes Mill Road) and is in the same ownership as the subject property. Because the adjacent property is not included in the rezoning portion of the request (and would remain zoned RS9), the petitioner is requesting an Elected Body Special Use Permit to cross RS9-zoned property to access RM5-S zoned property (see Other Applicable Plans and Planning Issues section). |
| | Staff notes that the proposed street exceeds the maximum cul-de-sac length of eight hundred (800) feet as specified in the UDO. However, staff recommends approval of an exception because, as noted, a secondary access along this section of Germanton Road will not be approved, and the adjacent development (golf course) does not lend itself to a stub street. |
| SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS |  |
| Units (by type) and Density | 20 twin home units on 4.43 acres = 4.51 dwelling units per acre |
| Parking | Required | Proposed | Layout |
| | 40 spaces | 40 spaces | Front yard driveways |
| Building Height | Maximum | Proposed |
| | 40 feet | Two-story |
| Impervious Coverage | Maximum | Proposed |
| | N/A | 46.8 percent |
| UDO Sections Relevant to Subject Request |  |
| | • Chapter B, Article II, Section 2-1.2 (K) RM5 Residential Multifamily District |
| | • Chapter B, Article II, Section 2-5.2 Access Easement, Private Off-Site Use Conditions |
| Complies with Chapter B, Article VII, Section 7-5.3 | (A) Legacy policies: | Yes |
| | (B) Environmental Ord. | N/A |
| | (C) Subdivision Regulations | N/A |
| Analysis of Site Plan Compliance with UDO Requirements | The site plan depicts ten twin home residential units located along one side of a new private street. These homes would back up to an existing golf course. A ten-foot streetyard with a white split rail fence and additional tree save plantings will be provided between the new street and... |
Germanton Road. The proposed RM5-S zoning triggers the requirement for a Type II bufferyard along the eastern edge of the site abutting RS9 zoning. However, because the homes would be directly adjacent to the Maple Chase golf course, the developer is seeking approval of an alternative solution through the Alternative Compliance provision of the UDO [Chapter B, Article III, Section 2-5.2 (C)]. Considering the adjacent land use, staff is supportive of this request.

### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th><strong>Legacy 2030 GMA</strong></th>
<th>Growth Management Area 3 – Suburban Neighborhoods</th>
</tr>
</thead>
</table>
| **Relevant Legacy Recommendations** | • Facilitate land use patterns that offer a variety of housing choices.  
• Promote the use of moderate-density residential and office as transitional uses between intense business and residential uses.  
• Promote standards requiring high-quality design for infill development that is compatible with the surrounding neighborhood. |
| **Relevant Area Plan(s)** | Northeast Suburban Area Plan Update (2017) |
| **Area Plan Recommendations** | • Area plan recommends commercial recreation for this site.  
• Develop a variety of housing types for different income levels, family sizes, and personal preferences.  
• Low-density attached residential land use is recommended for sites greater than two acres that are most appropriately developed with duplex, triplex, quadruple, multifamily, and townhouse uses. |
| **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. |
| **Other Applicable Plans and Planning Issues** | The Elected Body shall issue a Special Use Permit only when the Elected Body makes an affirmative finding on four findings of fact. However, the role of the Planning Board is to verify the site plan meets UDO requirements. |
| **Addressing** | Addresses for the subject property will be assigned once a subdivision plat is filed. The existing address for the Maple Chase Golf and Country Club will be changed from a Germanton Road address to a Maple Chase Lane address. |
| **Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)** | (R)(3) - Have changing conditions substantially affected the area in the petition?  
No  
(R)(4) - Is the requested action in conformance with Legacy 2030?  
Yes |
| **Analysis of Conformity to Plans and Planning Issues** | The request would allow for the construction of 20 dwelling units along a new private street. The proposed density is slightly below the 4.84 units per acre currently permitted. |
The Northeast Suburban Area Plan Update recommends commercial recreation for this site based upon its adjacency to – and common ownership with – the Maple Chase Golf Course. The plan also recommends low-density attached residential land use for appropriate sites which are larger than two acres. The scale and massing of the proposed dwellings are not out of character with the single family homes across Germanton Road.

Both the area plan and Legacy recommend a variety of housing types, which the request would allow. Because of its location between Germanton Road/NC 8 and the golf course, staff sees this site as a good location for attached residential development at the proposed density.

### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
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<tbody>
<tr>
<td>The estimated trip generation for the proposed rezoning is lower than what would be expected with the current RS9 zoning.</td>
<td>The proposed cul-de-sac exceeds the maximum length specified in the UDO.</td>
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<td>The site fronts a major thoroughfare with ample capacity.</td>
<td></td>
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<tr>
<td>The rezoning request is consistent with the recommendations of Legacy and the area plan in that it would facilitate a variety of housing choices.</td>
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</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

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

- **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**
  a. Developer shall have a stormwater management study submitted for review by the Public Works Department of the City of Winston-Salem. If required, an engineered stormwater management plan shall be submitted and approved by the Public Works Department. Relocation or installation of any stormwater treatment device into any buffer areas, vegetation designated to remain, or close proximity to adjacent residentially zoned land shall require a Staff Change approval at minimum, and may require a Site Plan Amendment.
  b. Developer shall obtain a driveway permit from the City of Winston-Salem and NCDOT; additional improvements may be required prior to issuance of the driveway permit. Required improvements include:
     - Forty (40) feet of right-of-way from the centerline of Germanton Road;
     - Install sidewalk along Germanton Road;
     - A negative access easement along Germanton Road; and
     - Access easement through the adjacent property to Germanton Road (contingent upon approval by the Winston-Salem City Council).
• **PRIOR TO THE 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 THE ISSUANCE OF OCCUPANCY PERMITS:**  
  a. Buildings shall be constructed in substantial conformance with the approved building elevations as verified by Planning staff.  
  b. Developer shall complete all requirements of the driveway permit.

**STAFF RECOMMENDATION FOR REZONING: Approval**  

**NOTE:** These are staff comments only; a certification of compliance of the site plan with UDO requirements is made by the City-County Planning Board; with final decisions on the special use permit being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**
Desmond Corley presented the staff report.

PUBLIC HEARING

FOR:  None

AGAINST:  None

WORK SESSION

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

SECOND:  Jason Grubbs

VOTE:

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

AGAINST:  None

EXCUSED:  None

____________________________
Aaron King
Director of Planning and Development Services
DOCKET #: W3413

PROPOSED ZONING:
Tract 1 - RM5-S
Tract 2 - Special Use Permit for Access Easement

EXISTING ZONING:
Tract 1 - RS9
Tract 2 - RS9

PETITIONER:
Gateway Management Services Ltd

SCALE: 1" represents 500'

STAFF: Roberts

GMA: 3

ACRES: 4.43

NEAREST BLDG: 25' east

MAP(S): 6828.02, 6829.04
Wednesday, April 24, 2019

The comments listed below reflect remaining issues that must be addressed before your request can proceed to the Planning Board. All outstanding issues included in this list must be satisfactorily addressed on the revised site plan and re-submitted back to Planning staff no later than 5:00pm on the Wednesday the week before (8 days prior to) the Planning Board meeting.

### Open Issues: 16

<table>
<thead>
<tr>
<th>Engineering</th>
<th>General Issues</th>
<th>24. ROW Dedication</th>
<th>City of Winston-Salem</th>
<th>Dedicate ROW on Germantown Road (NC 8) 40 LF from center.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ryan Newcomb</td>
<td>336-727-8000</td>
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<td><a href="mailto:ryancn@cityofws.org">ryancn@cityofws.org</a></td>
<td>4/17/19 4:09 PM</td>
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<td></td>
<td></td>
<td></td>
<td>01.03) Rezoning-</td>
<td>Special Use District - 2</td>
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<thead>
<tr>
<th>Erosion Control</th>
<th>General Issues</th>
<th>22. Erosion Control Plan Needed</th>
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<tbody>
<tr>
<td><strong>Fire/Life Safety</strong></td>
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</tr>
<tr>
<td><strong>General Issues</strong></td>
<td><strong>18. Notes</strong></td>
<td></td>
</tr>
<tr>
<td><strong>City of Winston-Salem (Fire)</strong></td>
<td>As part of your construction plan submittal, include the calculated fire flow for this project and indicate the approved method used for that construction. Refer to Section 507 of the 2018 NC Fire Code and to <a href="https://www.isomitigation.com/siteassets/downloads/guide-determinerequiredfireflow.pdf">https://www.isomitigation.com/siteassets/downloads/guide-determinerequiredfireflow.pdf</a> for further information.</td>
<td></td>
</tr>
<tr>
<td>Douglas Coble</td>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>(336) 734-1290</td>
<td></td>
<td></td>
</tr>
<tr>
<td><a href="mailto:douglasc@cityofwsfire.org">douglasc@cityofwsfire.org</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4/11/19 7:22 AM</td>
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</tr>
<tr>
<td>01.03) Rezoning-Special Use District - 2</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Inspections</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Issues</strong></td>
<td><strong>27. Zoning Use</strong></td>
</tr>
<tr>
<td><strong>City of Winston-Salem</strong></td>
<td>Grading plan with tree save area summary calculations table is required.</td>
</tr>
<tr>
<td>Jeff Hunter</td>
<td>-It appears that some of the building footprints may be in the required 15' Type II bufferyard and may not meet the rear setbacks?</td>
</tr>
<tr>
<td>336-727-2626</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:jeffph@cityofws.org">jeffph@cityofws.org</a></td>
<td></td>
</tr>
<tr>
<td>4/22/19 10:35 AM</td>
<td></td>
</tr>
<tr>
<td>01.03) Rezoning-Special Use District - 2</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>MapForsyth Addressing Team</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Issues</strong></td>
<td><strong>20. Addressing &amp; Street Naming</strong></td>
</tr>
<tr>
<td><strong>Forsyth County Government</strong></td>
<td>Addresses will assigned once subdivision is approved.</td>
</tr>
<tr>
<td>Gloria Alford</td>
<td></td>
</tr>
<tr>
<td>3367032178</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:alfordgd@forsyth.cc">alfordgd@forsyth.cc</a></td>
<td></td>
</tr>
<tr>
<td>4/11/19 3:56 PM</td>
<td></td>
</tr>
<tr>
<td>01.03) Rezoning-Special Use District - 2</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>NCDOT</strong></th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>General Issues</strong></td>
<td><strong>28. NCDOT Comments</strong></td>
</tr>
</tbody>
</table>

*Created with idtPlans Review*
## Planning

### General Issues

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>13. CPAD</strong></td>
<td>The Northeast Suburban Area Plan update recommends this site for commercial recreation.</td>
</tr>
<tr>
<td><strong>14. CAC/Greenway</strong></td>
<td>No comment.</td>
</tr>
<tr>
<td><strong>19. Historic Resources</strong></td>
<td>Parcel 6828-98-3508.00 includes the Cox/Zimmerman Family Cemetery and is the site of the no longer extant Barrow-Cox House (FY0678). The Cox/Zimmerman family resided on this land beginning ca. 1787. Burials date from the late nineteenth century.</td>
</tr>
<tr>
<td><strong>23. Design</strong></td>
<td>Put the same calls listed on the approved partial lot description around the subject property. Put your email address on site plan. Define &quot;Hardscape Planted Screen&quot;. Which Family Group Home is being requested? A? Can the row of White Pine trees along Germanton Road be saved?</td>
</tr>
</tbody>
</table>

### Stormwater

<table>
<thead>
<tr>
<th>General Issues</th>
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</thead>
<tbody>
<tr>
<td><strong>17. Stormwater Permit Required</strong></td>
</tr>
</tbody>
</table>

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*Created with idtPlans Review 4/24/19*
This development will require a Post Construction Stormwater Management permit to be applied for and obtained. The site is high density per the water quality provisions of the ordinance as there is greater than 24% built upon area proposed and also more than 2 units/acre. Therefore the first inch of runoff must be treated in an approved Stormwater management device. You are currently showing a bio-retention cell on the plan so I would assume this is provided to meet that particular need. The site will also create more than 20,000 sq. ft. of net new impervious area and thus the water quantity provisions of the ordinance will also apply. This requires that the Stormwater management system is designed to attenuate the post developed runoff rates for the 2, 10 and 25 year storm events of minimum 6 hour duration, to at or below the pre development runoff rates for those same events. It also requires management of the increase in volume for the 25 year storm event. I would assume the underground system shown on the plan is provided to meet this particular need.

For any Stormwater management system designed and approved, as part of the permitting process the developer needs to provide a non-refundable financial surety. If there is a HOA involved then the developer needs to establish the HOA and create an escrow account that is satisfactory to the City. The developer needs to front load this account with an amount equal to 15% of the construction cost of the Stormwater management system. The HOA will then have to contribute additional funds in future years per the ordinance requirements. If the developer does not intend to have a HOA operate and maintain this system in perpetuity and intends to take charge of that long term responsibility then they just need to provide a non-refundable surety equal to 4% of the construction cost of the Stormwater management system into a city maintained replacement account. Also, as part of the permitting process the developer will need to have approved before recording a satisfactory Operation and Maintenance Agreement. If there is going to be a HOA involved the agreement will be a 3 party agreement between the City, developer and HOA. If there is not going to be an HOA the agreement will be between the City and the developer.

As currently shown, based on the grades, a good portion of this site is bypassing the stormwater management devices? All of the site development area must be conveyed to the stormwater management system.

What is this box? It looks like a pretreatment chamber but it's at the downstream end of the detention system?
26. General Comments

City of Winston-Salem
Charles Jones
336-727-8000
charlesj@cityofws.org
4/22/19 9:18 AM
01.03) Rezoning-Special Use District - 2
Submit water/sewer extension plans to Utilities Plan Review for permitting/approval.
Water meters purchased through COWS. Be aware of the New System Development Fees that begin May 1, 2019. NCDOT Encroachment Agreement required for the utility ties in the R/W.
We will need a public utility easement for the waterline.

[Ver. 2] [Edited By Charles Jones]

WSDOT

General Issues

25. General Comments

City of Winston-Salem
Jeffrey Fansler
336-727-8000
jeffreygf@cityofws.org
4/17/19 4:10 PM
01.03) Rezoning-Special Use District - 2
Dedicate R/W 40’ from center. NAE along Germanton Rd. Turn around and interior street must be built to current IDS standards.

Zoning

MC Rezoning Site Plan 04-08-19.pdf [14 redlines]

30. Buffer Conflicts, Streetscapes, and TCEs

City of Winston-Salem
Desmond Corley
336-727-8000
desmondc@cityofws.org
4/24/19 12:57 PM
01.03) Rezoning-Special Use District - 2
Utility easements cannot be placed within a required bufferyard. Please relocate the buffer so that it is outside the easement. You have the option to locate all or a portion of the bufferyard on adjacent property within a permanent easement dedicated to such purpose. You may also be eligible for approval of a plan for alternative compliance.

Please be more specific about the screening along Germanton Road. A 10-foot streetyard is required between the proposed private street and the right-of-way for Germanton Road. You may supplement the streetyard with hardscape, but more information will be necessary.

Please show temporary construction easements for work proposed on portions of the site under separate ownership.

[Ver. 2] [Edited By Desmond Corley]
USES ALLOWED IN THE EXISTING RS9 ZONING DISTRICT
City of Winston-Salem Jurisdiction Only

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

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

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

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)
Access Easement, Private Off-Site
P0ing, Off-Site, for Multifamily or Institutional Uses
Transmission Tower

5SUP not required if requirements of Section 8.2.5.2(A) are met
Community Outreach Summary

Project: W-3413 Maple Chase Residential – NC Hwy 8 (Germanton Rd)

Notice & Invitation: Letters were sent to approximately 25 of the surrounding residential neighbors and to Mayor Pro Tem Vivian Burke advising of the April 24 question and answer meeting to be held at the County Club at 5:00 pm.

Location: Maple Chase Golf & Country Club
5475 Germanton Rd
Winston-Salem, NC 27105

Date/Time: April 24, 2019 / 5:00 pm

Attendees: Residential Neighbors
See attached scan
Owners Representatives
Jim Dobbins, Sharp Interiors
Phil Searcy, Craige Jenkins Liipfert & Walker, LLP
John Lipka, LPK Consulting

Items of Discussion:

Traffic
Project estimated to add 40 vehicles (2 per unit). Site accessed from the existing signalized intersection at entrance to the County Club through existing parking lot. No outlets/driveways from site to Germanton Road or to Pine Lake Drive. General feedback as to current traffic volumes and noise issues. Traffic volumes anticipated to be reduced when future north beltway implemented.

Trees/Landscaping
Existing mature white pines along Germanton Road R/W to be removed to accommodate additional R/W and public sidewalk. Planted buffer at Germanton Road with white vinyl rail fence described and pointed out on site plan. General support to remove mature white pines and provide softened landscape buffer along road frontage.

Public Utilities
Layout of proposed domestic water and sanitary sewer pointed out on site plan. Residence across Germanton Road expressed wishes for public sanitary sewer service to their properties.

Stormwater
Layout and function of proposed stormwater management systems described and pointed out on site plan. No feedback as to current stormwater issues or proposed improvements.

Summary
Color building elevation renderings provided for review. Positive consensus on appearance and added value to surrounding properties. General support to the proposed development.
4/24/19 Attendees

Chris and Sheri Malcom - 10600 Pine Lake Dr
Amanda Redmon - 1035 Pine Lake Dr. - 336-407-6173
Robert and Kathy Cebel - 1030 Pine Lake Dr
Beth McLeod for Joe Shelton 5522 Vermont Dr
Bruce and Kathleen Sawicki 5557 Germantown Dr
Chris and Shae Ondreji 1035 Pine Lake Dr 219-405-1235