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,

Chris Murphy, AICP
Acting Director of Planning and Development Services
## ACTION REQUEST FORM

**DATE:** August 22, 2018  
**TO:** The Honorable Mayor and City Council  
**FROM:** Chris Murphy, AICP, Acting Director of Planning and Development Services  

### COUNCIL ACTION REQUEST:

Request for Public Hearing on zoning petition of City of Winston-Salem

### SUMMARY OF INFORMATION:

A. Public hearing on zoning petition of City of Winston-Salem from County MU-S to City MU-S and County RS9 to City RS9 (Zoning Docket W-3378)

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

### PLANNING BOARD ACTION:

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE
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 County MU-S to City MU-S and County RS9 to City RS9 as shown on the location map for W-3378 and described as follows:

BEGINNING at an existing 7/8" iron (having North Carolina Grid Coordinates of North 865,177.83, East 1,596,364.70 in the southern right-of-way of Meadowlark Drive, said iron being an easternmost corner of PIN 5896-55-6034, JCS Properties, North LLC, as recorded in Deed Book 2833, Page 1451 and Plat Book 43, Page 16, and a northern most corner of PIN 5896-64-3628, Meadowlark Developers, LLC, as recorded in Deed Book 3340, Page 375; thence with the right-of-way of said Meadowlark Drive the five (5) following courses and distances: 1) S. 51°34'27" E. 364.81' to an existing 7/8" iron; thence 2) S. 50°08'09" E. 185.06' to a 7/8" iron placed; thence 3) on a curve to the right (having a radius of 3220') a chord bearing and distance of S. 44°07'55" E. 36.25' to a 7/8" iron placed; thence 4) on a curve to the right (having a radius of 3220') a chord bearing and distance of S. 42°34'37" E. 138.53' to a 7/8" iron placed; thence 5) on a curve to the right (having a radius of 3220') a chord bearing and distance of S. 40°12'19" E. 72.36' to point; thence S. 30°18'37" W 103.72' to a point; thence S. 21°57'38" E 109.51' to a point in the northern line of Brookberry Farm Phase IV, Map V Revised as recorded in Plat Book 64, Page 94; thence with the lines of Meadowlark Developers, LLC the two (2) following courses and distances S. 89°57'58" W. 227.79' to an existing 7/8" iron; thence S. 33°18'10" W. 545.02' to a point (crossing an existing 7/8" iron at 515.05') in the north line of Lot 364 Brookberry Farm Phase IV, Map IV as recorded in Plat Book 64, Page 24 and a southeast corner of the said Meadowlark Developers, LLC; thence with the southern line of said Meadowlark Developers, LLC the three (3) following courses and distances: 1) N. 89°27'17" W. 674.54' to an existing ½" rebar; thence 2) N. 01°38'24" W. 15.90' to an existing ½" rebar; thence 3) N. 82°04'38" W. 198.99' to an existing 1/2" rebar in the eastern line of Lot 354, Brookberry Farm Phase IV, Map III as recorded in Plat Book 63, Page 147; thence continuing with the western line of said Meadowlark Developers, LLC the two (2) following courses and distances: 1) N. 29°55'44"W. 394.06' to an existing ½" rebar; thence 2) N. 00°51'26" E. 79.08' to an existing ¾" iron, the northwest corner of said Meadowlark Developers, LLC and the southwest corner of said JCS Properties; thence with the northern line of said Meadowlark Developers the two (2) following courses and distances: 1) S. 85°07'44" E. 399.85' to an existing 7/8" iron;
thence 2) N. 39°43'07" E. 960.80' to the point and place of BEGINNING, and being PIN 5896-64-3628.00 and part of PIN 5896-64-9573.00, and containing 22.80 acres.

Section 2. This Ordinance shall be effective from and after its adoption.
**CITY-COUNTY PLANNING BOARD**  
**STAFF REPORT**

### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3378</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Bryan D. Wilson</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Meadowlark Developers, LLC</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Entire portion of The Arbors at Meadowlark as shown in plat book 68 page 1 that is not already inside the City limits. Also known as PIN #s 5896-64-3628, and a portion of 5896-64-9573 that is not already inside the City limits as shown on the Forsyth County Tax Maps.</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Zoning jurisdiction conversion</td>
</tr>
<tr>
<td>Proposal</td>
<td>The petitioner is requesting to amend the Official Zoning Maps for the subject property from County RS9 (Residential Single Family; 9,000sf lot size) and County MU-S (Mixed Use – Special use zoning) to City RS9 (Residential Single Family; 9,000sf lot size) and City MU-S (Mixed Use – Special use zoning).</td>
</tr>
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### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>Southwest side of Meadowlark Drive, south of Robinhood Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward(s)</td>
<td>Closest to West ward</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 22.8 acres</td>
</tr>
<tr>
<td>Analysis of General Site Information</td>
<td>The review for this case focuses on the zoning conversion from County zoning jurisdiction to Winston-Salem zoning jurisdiction triggered by the pending annexation of the subject property. The Planning Board’s role in reviewing this petition pertains only to the zoning jurisdiction. The decision to annex the property is pending approval by the Winston-Salem City Council with agreement by the property owners. The subject property contains the Arbors at Meadowlark subdivision which was approved by the Planning Board on February 9, 2017. As a condition of approval, the developer was required to annex the subdivision into the city limits of Winston-Salem prior to final plats being signed. Annexation was required because the proposed subdivision streets were designated as public. When Meadowlark Drive was transferred from NCDOT to the City of Winston-Salem, the only option for public maintenance of the proposed public streets was via annexation. This proposal will not change the zoning districts of the subject property, but will reclassify the pending incorporated property from its Forsyth County zoning classification to the equivalent City of Winston-Salem zoning classification. To further clarify, this request would convert County RS9 to City RS9 and County MU-S to City MU-S.</td>
</tr>
</tbody>
</table>
STAFF RECOMMENDATION: Approval

NOTE: These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.
CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR W-3378
AUGUST 9, 2018

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning petition.

SECOND: Chris Leak

VOTE:

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

____________________________
Chris Murphy, AICP
Acting Director of Planning and Development Services
DOCKET #: W3378

PROPOSED ZONING:
City MU-S and RS9

EXISTING ZONING:
County MU-S and RS9

PETITIONER:
City of Winston-Salem for Meadowlark Developers, LLC

SCALE: 1" represents 400'

STAFF: Wilson

GMA: 3

ACRES: 22.80

NEAREST
BLDG: 61' west

MAP(S): 5896.02, 5896.04
West Suburban Area Plan Update, 2018

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

Proposed Land Use

- Low-Density Residential
- Urban Residential
- Low-Density Attached Residential (0-8 DU/Ac)
- Intermediate-Density Residential (8.1-18 DU/Ac)
- High-Density Residential (over 18 DU/Ac)
- Manufactured Housing Park
- Office
- Office / Low-Intensity Commercial
- Commercial
- Mixed-Use Development
- Intermediate-Density Residential / Industrial
- Industrial
- Institutional
- Park
- Commercial Recreation
- Utilities
- Rivers, Lakes
- Activity Center
- Special Land Use Condition Areas

Proposed Growth Corridor

- Urban/Suburban Form - Single-Family Residential
- Urban Form - Commercial/Office/Multifamily
- Suburban Form - Commercial/Office/Multifamily
USES ALLOWED IN THE RS9 ZONING DISTRICT

(F) = Forsyth County Jurisdiction Only
(W) = City of Winston-Salem Jurisdiction Only

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

- Adult Day Care Home
- Agricultural Production, Crops (F)
- Agricultural Production, Livestock (F)
- 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
- Transmission Tower (see UDO) (F)

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
- Transmission Tower (F)
- Urban Agriculture (W)

USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)

- Access Easement, Private Off-Site\(^5\)
- Parking, Off-Site, for Multifamily or Institutional Uses
- Transmission Tower (W)

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