March 25, 2015

City of Winston-Salem
c/o Lee Garrity
P. O. Box 2511
Winston-Salem, NC  27102

Re: Zoning Petition W-3257

Dear Mr. Garrity:

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,

A. Paul Norby, FAICP
Director of Planning and Development Services

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

| DATE:            | March 25, 2015 |
| TO:              | The Honorable Mayor and City Council |
| FROM:            | A. Paul Norby, FAICP, Director of Planning and Development Services |

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning petition of the City of Winston-Salem for property owned by others

**SUMMARY OF INFORMATION:**

Zoning petition of the City of Winston-Salem for property owned by others from County RS9 and MU-S to City RS9 and MU-S: property is located on the north and south sides of Heron Ridge Road, west of Meadowlark Drive (Zoning Docket W-3257).

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL

**FOR:** UNANIMOUS

**AGAINST:** NONE

**SITE PLAN ACTION:** THERE ARE NO CHANGES TO THE APPROVED SITE PLAN
CITY ORDINANCE - SPECIAL USE AND GENERAL USE

Zoning Petition of the City of Winston-Salem for property owned by others, Docket W-3257

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 County MU-S and RS9 to City MU-S and RS9 the zoning classification of the following described property:

BEGINNING at an Iron Pin Set in the western right-of-way line of Meadowlark Drive (a 60-foot public right-of-way, as shown in Plat Book 18, Page 36, Forsyth County Registry), also being the northeastern corner of PIN 5896-73-0130, the Faye Booth Stout property, as shown in Deed Book 3029, Page 2011, Forsyth County Registry, and being on the existing City of Winston-Salem City Limits Line, the point and place of BEGINNING; thence, following the existing City of Winston-Salem City Limits Line South 88°32'30" West 243.07 feet to an Iron Pin Set; thence following the existing City of Winston-Salem City Limits Line South 08°55'21" West 154.50 feet to an iron; thence leaving the existing City of Winston-Salem City Limits Line South 08°55'21" West 201.33 feet to an Iron Pin Set, said point being the northeastern corner of PIN 5896-62-7711, the James E. and Claudia G. Banner property, as shown in Deed Book 3208, Page 1372, Forsyth County Registry, said point also intersecting the existing City of Winston-Salem City Limits Line; thence following the existing City of Winston-Salem City Limits Line North 89°28'16" West 157.32 feet to an Iron Pin Set; thence South 40°00'54" West 171.58 feet to an Iron Pin Set; thence South 86°14'36" West 233.06 feet to an Iron Pin Set in the eastern right-of-way line of Osprey Ridge Road, also being the northwestern corner of PIN 5896-62-4646, the Sean M. and Mary E. Sheehan property, as shown in Deed Book 2788, Page 2290, Forsyth County Registry; thence with the eastern right-of-way of Osprey Ridge Road on a continuous, counterclockwise curve to the left, a chord and bearing distance of North 55°17'35" West 410.79 feet, said curve having a radius of 287.00 feet and an arc length of 457.81 feet, to an Iron Pin Set in the northern right-of-way line of Osprey Ridge Road; thence South 79°00'32" West 171.44 feet to an Iron Pin Set in the northern right-of-way line of Osprey Ridge Road; thence with the northern right-of-way of Osprey Ridge Road on a continuous, counterclockwise curve to the left, a chord and bearing distance of South 72°21'01" West 110.16 feet, said curve having a radius of 475.00 feet and an arc length of 110.40 feet, to an Iron Pin Set in the northern right-of-way line of Osprey Ridge Road; thence South 65°41'30" West 100.26 feet to an Iron Pin Set in the northern right-of-way line of Osprey Ridge Road; thence with the northern right-of-way of Osprey Ridge Road on a continuous, clockwise curve to the right, a chord and bearing distance of South 76°30'01" West 144.40 feet, said curve
having a radius of 385.00 feet and an arc length of 145.26 feet, to an Iron Pin Set in the northern right-of-way line of Osprey Ridge Road; thence South 87°18'32" West 114.07 feet to an Iron Pin Set in the northern right-of-way line of Osprey Ridge Road; thence with the eastern right-of-way of Heron Ridge Road on a continuous, clockwise curve to the right, a chord and bearing distance of North 49°21'22" West 18.53 feet, said curve having a radius of 13.50 feet and an arc length of 20.42 feet, to an Iron Pin Set in the eastern right-of-way line of Heron Ridge Road; thence North 06°56'09" West 46.21 feet to an Iron Pin Set in the eastern right-of-way of Heron Ridge Road; thence with the eastern right-of-way of Heron Ridge Road on a continuous, clockwise curve to the right, a chord and bearing distance of North 02°27'43" West 58.50 feet, said curve having a radius of 375.00 feet and an arc length of 58.56 feet, to an iron set on the western boundary of PIN 5896-52-4824, the Rishi Pawa and Rachana Sharma property as shown in Deed Book 3159, Page 3136, Forsyth County Registry; thence North 07°35'13" West 733.30 feet to an Iron Pin Set in the southeastern corner of PIN 5896-53-1611, the Simon Wen Wei Chao and Jennifer Jenkins Chao property as shown in Deed Book 3004, Page 807, Forsyth County Registry; thence North 24°02'24" West 450.68 feet to an Iron Pin Set in the common corner of PIN 5896-43-9879, the David M. and Jamie S. Shelburne property as shown in Deed Book 3063, Page 2587, Forsyth County Registry, and PIN 5896-43-9918, the Charles D. and Lisa S. Garner property as shown in Deed Book 2883, Page 4455, Forsyth County Registry; thence North 49°48'20" West 214.95 feet to an Iron Pin Set in the common corner of PIN 5896-44-8055, the John R. and Anne E. Bandle property as shown in Deed Book 2941, Page 803, Forsyth County Registry, and PIN 5896-44-7193, the James F. and Laura C. Lovato property as shown in Deed Book 2954, Page 812, Forsyth County Registry; thence North 25°08'52" West 798.77 feet to an Iron Pin Set in the northwestern corner of PIN 5896-53-5820, the Brookberry Farm, LLC property as shown in Deed Book 3098, Page 659, Forsyth County Registry; thence leaving the existing City of Winston-Salem City Limits Line South 88°00'48" East 779.53 feet to an Iron Pin Set in a common corner of PIN 5896-53-5820, the Brookberry Farm, LLC property as shown in Deed Book 3098, Page 659, Forsyth County Registry, and PIN 5896-55-6034, the JCS Properties North, LLC property as shown in Deed Book 2833, Page 1451, Forsyth County Registry; thence South 00°55'15" West 454.62 feet to an Iron Pin Set in the line of PIN 5896-53-5820, the Brookberry Farm, LLC property as shown in Deed Book 3098, Page 659, Forsyth County Registry, and the northern corner of PIN 5896-544115, the Brookberry Farm, LLC property as shown in Deed Book 3098, Page 656, Forsyth County Registry, said corner being a common corner with PIN 5896-64-3628, the Lyons Gray Realty, LLC property as shown in Deed Book 2805, Page 3965, Forsyth County Registry; thence South 29°53'33" East 394.06 feet to an Iron Pin Set in the common corner of PIN 5896-54-4115 and PIN 5896-64-3628; thence in the South line of PIN 5896-64-3828 the following three calls and distances: 1) South 82°08'47" East 198.85 feet to an Iron Pin Set; thence 2) South 02°14'23" East 16.17 feet to an Iron Pin Set; thence 3) South 89°25'24" East 674.46 feet to an Iron Pin Set in the Southwest corner of PIN 5896-64-6233; thence North 33°20'14" East 545.03 feet to an Iron Pin Set in the Northwest corner PIN 5896-64-6233; thence North 90°00'00" East 227.73 feet to an Iron Pin Set in the southern line of PIN 5866-64-9573, Lyons Gray Realty, LLC property as shown in Deed Book 3098, Page 659, Forsyth County Registry, said point also intersecting the existing City of Winston-Salem City Limits Line; thence following the existing City of Winston-Salem City Limits Line South 21°55'36" East 242.36 feet to an Iron Pin Set, said point being North 61°20'48" West 117,390.02 feet from HIP T High Point Corrs ARP (N: 807940.403; E: 1700057.094); thence North 88°05'21" West 209.87 feet to an Iron Pin Set; thence South 13°48'51" East 425.63 feet to an Iron Pin Set; thence North 83°43'48" East 215.52 feet to an Iron Pin Set in the western right-of-way line of Meadowlark Drive (a 60-foot public right-of-way as shown in Plat Book 18, Page 36,
Forsyth County Registry); thence with the western right-of-way line of Meadowlark Drive South 00°19'46" West 377.51 feet to an Iron Pin Set in the western right-of-way line of Meadowlark Drive; thence continuing with the western right-of-way line of Meadowlark Drive South 00°07'11" West 298.09 feet to an Iron Pin Set in the western right-of-way of Meadowlark Drive, the point and place of BEGINNING.

**Section 2.** This Ordinance is adopted with the certification that the previous MU-S site plan(s) and conditions are not changed by this zoning jurisdiction change and remain in effect.

**Section 3.** The City Council hereby directs the issuance of a Special Use District Permit identical to the permit issued by Forsyth County Board of Commissioners pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for the MU-S zoned portion of the site. 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 the City of Winston-Salem for property owned by others, (Zoning Docket W-3257). 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 City MU-S, approved by the Winston-Salem City Council the _____ day of ___________________ , 20____ and signed, provided the property is developed in accordance with requirements of the MU-S zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, and other applicable laws. Conditions from the County MU-S zoning will apply to the City MU-S zoning.
# CITY-COUNTY PLANNING BOARD
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**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-3257
MARCH 12, 2015

PUBLIC HEARING
FOR: None
AGAINST: None

WORK SESSION
MOTION: Clarence Lambe moved approval of the zoning petition.
SECOND: Paul Mullican
VOTE:
    FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Arnold King, Clarence Lambe,
         Darryl Little, Paul Mullican, Brenda Smith
    AGAINST: None
    EXCUSED: None

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A. Paul Norby, FAICP
Director of Planning and Development Services
USES ALLOWED IN THE RS9 ZONING DISTRICT

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
Landfill, Land Clearing/Inert Debris
Manufactured Home, Class A
Park and Shuttle Lot

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

Uses Allowed in RS9
Revised 4/28/2014