DOCKET #: W3132 / F1528
(continued from 1/12/12)

PROPOSED ZONING:
Site Plan Amendment

EXISTING ZONING:
MU-S

PETITIONER:
Brookberry Farm, LLC
for property owned by Same

SCALE: 1" represents 700'
STAFF: King
GMA: 3
ACRES: 68.3
NEAREST BLDG: 45' south
MAP(S): 594862
February 22, 2012

Brookberry Farm, LLC

c/o Wayne McChesney

110 Oakwood Drive, Suite 110

Winston-Salem, NC 27103

Re: Site Plan Amendment W-3132

Dear Mr. McChesney:

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

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

DATE: February 22, 2012
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:
Request for Public Hearing on Site Plan Amendment of Brookberry Farm, LLC

SUMMARY OF INFORMATION:
Site plan amendment of Brookberry Farm, LLC for a MU-S zoned site [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building Multifamily; Boarding or Rooming House; Planned Residential Development; Convenience Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Arts and Crafts Studio; Food or Drug Store; Building Materials Supply; Fuel Dealer; Furniture and Home Furnishings Store; Outdoor Display, Retail; Restaurant (with drive-through service); Shopping Center; Wholesale Trade A; Wholesale Trade B; Banking and Financial Services; Offices; Services A; Services B; Bed and Breakfast; Car Wash; Testing and Research Lab; Veterinary Services; Hotel or Motel; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Golf Course; Golf Driving Range; Recreation Services; Indoor; Recreation Services; Outdoor; Swimming Pool, Private; Theater, Indoor; Recreation Facility, Public; Child Daycare Center; Library, Public; Museum or Art Gallery; Adult Daycare Home; Child Daycare, Large Home; Child Daycare, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Police or Fire Station; School, Private; School, Public; and Stadium, Coliseum, or Exhibition Building- TWO-PHASE]: property is located on the west side of Meadowlark Drive, south of Robinhood Road (Zoning Docket W-3132).

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

Site Plan Amendment of Brookberry Farm, LLC,
Docket W-3132

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 granting a Site Plan Amendment for property zoned MU-S (Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building Multifamily; Boarding or Rooming House; Planned Residential Development; Convenience Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Arts and Crafts Studio; Food or Drug Store; Building Materials Supply; Fuel Dealer; Furniture and Home Furnishings Store; Outdoor Display, Retail; Restaurant (with drive-through service); Shopping Center; Wholesale Trade A; Wholesale Trade B; Banking and Financial Services; Offices; Services A; Services B; Bed and Breakfast; Car Wash; Testing and Research Lab; Veterinary Services; Hotel or Motel; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Golf Course; Golf Driving Range; Recreation Services; Indoor; Recreation Services; Outdoor; Swimming Pool, Private; Theater, Indoor; Recreation Facility, Public; Child Daycare Center; Library, Public; Museum or Art Gallery; Adult Daycare Home; Child Daycare, Large Home; Child Daycare, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Police or Fire Station; School, Private; School, Public;
and Stadium, Coliseum, or Exhibition Building- TWO-PHASE - Site Plan Amendment] and described as follows:

PIN #s 5896-53-7089 and 5896-53-6739

Section 2. This Ordinance is adopted after approval of the site plan entitled Brookberry Farm, LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the ______ day of __________________, to Brookberry Farm, 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 Brookberry Farm, LLC. 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 Brookberry Farm, LLC. (Zoning Docket W-3132). 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 MU-S [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building Multifamily; Boarding or Rooming House; Planned Residential Development; Convenience Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Arts and Crafts Studio; Food or Drug Store; Building Materials Supply; Fuel Dealer; Furniture and Home Furnishings Store; Outdoor Display, Retail; Restaurant (with drive-through service); Shopping Center; Wholesale Trade A; Wholesale Trade B; Banking and Financial Services; Offices; Services A; Services B; Bed and Breakfast; Car Wash; Testing and Research Lab; Veterinary Services; Hotel or Motel; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Golf Course; Golf Driving Range; Recreation Services; Indoor; Recreation Services; Outdoor; Swimming Pool, Private; Theater, Indoor; Recreation Facility, Public; Child Daycare Center; Library, Public; Museum or Art Gallery; Adult Daycare Home; Child Daycare, Large Home; Child Daycare, Small Home; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Police or Fire Station; School, Private; School, Public; and Stadium, Coliseum, or
Exhibition Building- TWO-PHASE], 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, and the following additional conditions be met:

- **PRIOR TO ISSUANCE OF ANY PERMITS:**
  a. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.
  b. Existing trees to remain shall be cordoned off as shown on the site plan.
  c. No trees shall be cut prior to erosion control devices being installed and approved. Limits of covek disturbance shall not exceed 150 linear feet. If disturbance exceeds 150 linear feet, a state water quality permit will be required.
  d. Provide professional quality 35mm black and white photographs (8”x10”) and color slides of the site, including the 2-story cacre 1910 Conrad House, 3 small bungalow cottages, barns and associated farm outbuildings, the Gray House, all outbuildings associated with the Gray House, and landscape elements (including the graveyard). Photographs of all exterior building/structure elevations, exterior and interior architectural details, and landscape vistas shall be provided. Provide professional archival quality video of the overall site, including built and landscape elements. Planning staff will be available to determine specific elements of the site to be documented and will certify compliance with this condition to the Inspections Division. All documentation shall become part of the archival files of the Forsyth County Historic Resources Commission. Note: With regard to the graveyard on the property, the petitioner shall follow the North Carolina General Statutes (NCGS 14-148 and 14-149; NCGS 65-13).
  e. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit. Improvements include, but are not limited to:
    - Right and left turn lanes
    - Negative access easement along Meadowlark Drive
  f. Development shall be subject to the site plan approved by both elected bodies and the “Brookberry Farm Phase IV Regulating Plan” submitted by the developer.

- **PRIOR TO SIGNING THE FINAL PLAT(S):**
  a. All documents including covenants, restrictions, and homeowners association agreements shall be recorded in the office of the Register of Deeds prior to signing final plats. Final plats must show a total common open space dedication in accordance with PRD open space standards.
b. Roads shall be built to City of Winston-Salem Public Works construction standards.

• PRIOR TO ISSUANCE OF BUILDING PERMITS:
  a. On site fire hydrant locations shall be approved by the County Fire Department in writing to the Inspections Division.
  b. Developer shall record a final plat in the Office of the Register of Deeds. Final Plat shall show lots, common areas, private access easements and public utilities.
  c. Buildings within the commercial center (more clearly identified as the Type III Mixed Use area on the supplemental Regulating Plan) shall be constructed in substantial conformance with the building elevations provided on sheet four (4) of the site plan as verified by Planning Staff.
  d. Townhouse units shall be constructed in substantial conformance with the elevations included in the Supplemental Regulating Plan as verified by Planning Staff.

• PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:
  a. All required fire hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.
  b. All required improvements of the NCDOT driveway permit shall be completed.
  c. Developer shall dedicate right-of-way along the site's frontage on Meadowlark Drive forty (40) feet from the centerline.
  d. Developer shall construct sidewalk along the site's frontage on Meadowlark Drive within the city limits of Winston-Salem to the specifications of the City of Winston-Salem Public Works Department.
  e. The sixty-five (65) foot wide landscaped area located along the rear of the commercial parking area and adjacent to Meadowlark Drive shall contain berms and landscaped material that adequately blocks the view of said parking area. The landscape plan for this area shall be approved by Planning Staff.

• OTHER REQUIREMENTS:
  a. Land Bays I, II, III, IV, and VII will be allowed one freestanding entrance monument sign at each main entrance. These signs will be subject to Forsyth County/Winston Salem Unified Development Ordinance section 3.2 regulations for residential development with a maximum height of eight (8) feet. Within Land Bays I, II, III, IV, and VII neighborhood identification signage, directional signage, amenity area identification signage and any other necessary signage will be allowed with a maximum height of six (6) feet.
  b. Street and sidewalk standards within the proposed development are subject to any potential revisions of the Winston-Salem Street Standards Policy.
  c. Commercial/office square footage within the subject property (68.3 acres) shall not exceed 12,000 square feet and shall be located in substantial conformance with the location indicated on the site plan.
  d. Areas A & B (as identified on the supplemental Regulating Plan) shall have the flexibility to be developed as single family homes or townhouse units. No non-residential buildings shall be allowed in this area.
The following volunteered conditions are required prior to Occupancy Permits:

- **VOLUNTEERED CONDITIONS**

  **LAND BAY I**

  1. Minor modifications to the lot layout, total number of lots, design of the lots, and design and uses within the Village Center may be approved by Planning Staff.
  2. The Village Center will contain any mixture of the uses shown on sheet 2 (Village Center Plan). The intent of the Village Center is to provide services for the residents of the Brookberry community only. The Village Center will contain community recreation areas and centers for the residents of the community. The majority of the services and recreation opportunities in the Village Center will be contained within the existing barn complex located on the site. Any additional buildings constructed in this area will maintain the character of the existing buildings with building elevations and materials approved by Planning Staff prior to Building Permits. Parking in the Village Center will be provided to meet all provisions of Forsyth County/Winston Salem Unified Development Ordinance, as final uses are determined.
  3. Shared parking and cross access easements are permitted.
  4. Maximum number of single-family and twin home units will not exceed 365 units.
  5. A maximum of 10% of the residential units shall have garages which open toward the front yard street. No more than half of those may protrude in front of the front façade of the unit.
  6. A minimum of two (2) interconnecting public street connections will be made to Meadowlark Drive pending Department of Transportation review.
  7. A minimum of one (1) interconnecting public street will be provided to each of the adjoining Land Bays within the subject property. A connecting stub street will be provided to parcel 2 in the Northeast.
  8. Land Bay I will contain a mixture of lot sizes. The lot sizes will be mixed throughout the Land Bay.
  9. All streets will be interconnected unless site conditions require the use of a cul-de-sac. The use of cul-de-sacs will be limited and only used where topography or other site conditions dictate.
  10. Sidewalks and/or pedestrian trails, with a minimum width of 5 feet, will be provided at a one-foot of roadway to one-half foot of sidewalk ratio throughout Land Bay I. The pedestrian system will be designed in such a manner as to promote pedestrian travel throughout the community and link all public areas together with a series of walking and jogging connections.
  11. Street trees will be provided along both sides of the street at a maximum of 60 feet on center along the major loop road through Land Bay I, as indicated on the Master Plan. Any areas where tree save is within 15 feet of the roadway or site conditions prevent, street tree planting may be suspended to allow for existing trees to remain.
  12. Outdoor lighting shall be shielded and oriented as to cast no direct light onto adjacent property. Light fixtures will also have cut-offs to direct light downward and limit light above the horizontal plane.
  13. Buffers to adjoining properties shall be provided per the Winston-Salem Zoning Ordinance.
LAND BAY IV - TWO PHASE

1. The Final Development Plan shall be consistent with the following conditions:
2. Maximum number of single-family, twin home, duplex, and multi-family units will not exceed 385 units or a density of 12.0 units per acre. However should the proposed Robinhood Road area MAC, as identified in Legacy, be relocated the maximum density of Land Bay IV shall be four (4) units per acre.
3. A minimum of one (1) interconnecting public street will be provided to each of the adjoining Land Bays within the subject property. A connecting street stub will be provided for Parcel (1) on the Northern portion of the property and to Lyndale Drive to the West.
4. Land Bay IV will contain a mixture of lot sizes and/or product types. The lot sizes will be mixed throughout the Land Bay.
5. A maximum of 10% of the residential units shall have garages which open toward the front yard street. No more than half of those may protrude in front of the front façade of the unit.
6. All streets will be interconnected unless site conditions require the use of a cul-de-sac. The use of cul-de-sacs will be limited and only used where topography or other site conditions dictate.
7. Sidewalks and/or pedestrian trails, with a minimum width of 5 feet, will be provided at a one-foot of roadway to one-half foot of sidewalk ratio throughout Land Bay IV. The pedestrian system will be designed in such a manner as to promote pedestrian travel throughout the community and link all public areas together with a series of walking and jogging connections.
8. Outdoor lighting shall be shielded and oriented as to cast no direct light onto adjacent property. Light fixtures will also have cut-offs to direct light downward and limit light above the horizontal plane.
9. Buffers to adjoining properties shall be provided per the Winston-Salem Zoning Ordinance.
CITY-COUNTY PLANNING BOARD
STAFF REPORT

<table>
<thead>
<tr>
<th>PETITION INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Docket #</strong></td>
</tr>
<tr>
<td><strong>Staff</strong></td>
</tr>
<tr>
<td><strong>Petitioner(s)</strong></td>
</tr>
<tr>
<td><strong>Owner(s)</strong></td>
</tr>
<tr>
<td><strong>Subject Property</strong></td>
</tr>
<tr>
<td><strong>Type of Request</strong></td>
</tr>
<tr>
<td><strong>Proposal</strong></td>
</tr>
<tr>
<td><strong>Continuance History</strong></td>
</tr>
<tr>
<td><strong>Neighborhood Contact/Meeting</strong></td>
</tr>
</tbody>
</table>
### Zoning District Purpose Statement
The MU-S District is intended to accommodate a comprehensively planned, pedestrian oriented mix of three (3) or more distinct land uses. This district has applications in a broad range of urban to suburban locations. The size and intensity of MU-S developments may vary based on their physical context and location. The MU-S District provides greater development flexibility in exchange for certain planning and design considerations.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>West side of Meadowlark Drive, south of Robinhood Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Forsyth County (63.6 acres) and City of Winston-Salem (4.7 acres)</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>West</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± 68.3 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Undeveloped land</td>
</tr>
</tbody>
</table>

#### 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 land</td>
</tr>
<tr>
<td>East</td>
<td>RS9</td>
<td>Century Oaks and Villas at Robinhood neighborhoods</td>
</tr>
<tr>
<td>South</td>
<td>RS9 &amp; MU-S</td>
<td>Brookberry Farm and scattered single family homes</td>
</tr>
<tr>
<td>West</td>
<td>MU-S</td>
<td>Brookberry Farm</td>
</tr>
</tbody>
</table>

#### Physical Characteristics
The site has a varied, rolling topography with two streams that traverse the site running east/west. A stream also runs along the western boundary of the site.

#### Proximity to Water and Sewer
The site will be served by public water and sewer.

#### Stormwater/Drainage
A stormwater study was required as part of the original rezoning approval in 2003.

#### Watershed and Overlay Districts
The site is not located within a water supply watershed.

#### Analysis of General Site Information
The subject property is 68.3 acres in size and is currently undeveloped. The site appears to be suitable for the proposed improvements.

### 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>Meadowlark Road</td>
<td>Minor Thoroughfare</td>
<td>1498'</td>
<td>12,000</td>
<td>11,100</td>
</tr>
</tbody>
</table>

#### Proposed Access Point(s)
The proposed site plan includes one primary access point onto Meadowlark Drive that would be aligned with the entrance to the Century Oaks. The site plan also indicates that the road network from Brookberry Farm would continue into this phase at the intersection of Heron Ridge Road and Osprey Ridge Road.
| Trip Generation - Existing/Proposed | **Existing Trip Generation**  
+/- 72 SF homes shown on site plan in Land Bay I x 9.57 (SFR Trip Rate)  
= 1,052 Trips per Day  
+/- 110 SF homes allowed in Land Bay IV (max. overall density of 4 du/ac per original condition of approval) x 9.57 (SFR Trip Rate) = 746 Trips per Day  
Total Trips per Day = +/- 1,798  
**Proposed Trip Generation**  
+/- 159 SF homes indicated on Regulating Plan (+ 6 live/work units) x 9.57 (SFR Trip Rate) = 1,579 Trips per Day  
+/- 36 townhouse/multifamily units x 6.59 (Multifamily Trip Rate) = 237 Trips per Day  
+/- 12,000 sf of commercial/office space:  
+/- 6,000 sf office/1,000 x 11.01 (General Office Trip Rate) = 66 Trips per Day  
+/- 3,000 sf restaurant/1,000 x 89.95 (Quality Restaurant Trip Rate) = 269 Trips per Day  
+/- 3,000 sf pharmacy/1,000 x 90.06 (Pharmacy w/o Drive-Through Trip Rate) = 270 Trips per Day  
Total Trips per Day = +/- 2,421  

*Note: The estimated proposed trip generation numbers are based on potential land use breakdown. Given the flexibility of the site plan, staff cannot fully determine an accurate measure of proposed trips per day.* |

| Sidewalks | Sidewalks are required for all new streets within the development. Sidewalks are also required within the City’s jurisdiction along Meadowlark Drive. |
| Transit | Transit is not available in this area. |
| Connectivity | The proposed site plan does a good job of providing internal connectivity. As per previously approved conditions, stub street connections are required into Parcels 1 & 2 as identified on the original master plan. |
| Traffic Impact Study (TIS) | A TIS was submitted with the original rezoning approval in 2003. |
| Analysis of Site Access and Transportation Information | The proposed site plan revises the street network that was approved on the original site plan. The subject request exhibits elements of a mixed-use, neo-traditional neighborhood and the proposed street network is reflective of that concept. Staff applauds the boulevard entrance, on-street parallel parking, and alleys that would work to serve rear-loaded residential garages. All of these elements work together to provide a pedestrian friendly environment. Staff has consistently supported having neighborhood scale services located within close proximity to residential as it promotes walkability. |
The estimated trip generation shown above represents a +/-623 trip per day increase over what is currently approved. It’s important to note that estimated trip generation is: (1) based on a speculative commercial tenant mixture; (2) does not account for trips on Meadowlark that would be captured by this development; and (3) does not account for pedestrian trips. While the 623 trip/day estimate appears to be a substantial increase over the existing estimate, the “actual” net number is likely substantially lower.

### CONFORMITY TO PLANS AND PLANNING ISSUES

| Relevant Legacy Recommendations | Legacy recommendations related to residential development include: encourage a mixture of housing types in neighborhoods; encourage infill development; and allow higher density infill development at appropriate locations. |
| Relevant Area Plan(s) | West Suburban Area Plan (Adopted by City Council in 2011, pending approval by the County Commissioners in January 2012) |
| Area Plan Recommendations | The Area Plan recognizes the Brookberry Farm development as mixed use. |
| Addressing | Street names are pending E911 approval. Addressing staff recommends that carrying the name Century Oaks Lane across Meadowlark Drive into the proposed development would be more consistent with the pending addressing guidelines currently being developed; however, those guidelines have not yet been adopted. |

| 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? | Yes |

| Analysis of Conformity to Plans and Planning Issues |
| In 2003, the County Commissioners approved the 795 acre Brookberry Farm project as a mixed use development. The overall site was broken down further into various Land Bays. The original approval included a list of conditions that placed limits on the amount of development that was allowed in each Land Bay. The subject property included in this request represents portions of Land Bay I and IV. Land Bays I and IV were shown on the approved site plan for single family residential; however, the conditions of approval (and MU-S zoning) allow for a mixture of uses. This site plan amendment request proposes a mixture of uses including: single family, townhouses, live/work units, small scale commercial/office, and park/open space. Given that no commercial buildings were shown on the approved site plan in this area, a site plan amendment is needed. |
The vast majority of the 68 acres included in this request still remains single family residential, but contains a variety of lot sizes/widths. Townhouse and potential live/work units are proposed within the eastern 1/3 of the site which functions like a small village square. The commercial component is also located in this area, with a building orientation that overlooks the village square park. Staff commends the petitioner for the excellent building placement, streetscape, and well placed common greens.

### 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>
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<tbody>
<tr>
<td>F-1458</td>
<td>MU-S Site Plan Amendment</td>
<td>Approved 4/24/06</td>
<td>Portion of Brookberry Farm</td>
<td>18.93</td>
<td>Approval</td>
</tr>
<tr>
<td>F-1392</td>
<td>RS-9 &amp; RS9-S to MU-S</td>
<td>Approved 11/10/03</td>
<td>Included subject property</td>
<td>795</td>
<td>Approval</td>
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### 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></td>
<td>Commercial/office square footage: 12,000 max.</td>
<td>Located at the intersection of Village Square Way and Autumn Park Lane</td>
</tr>
<tr>
<td>Units (by type) and Density</td>
<td>+/- 159 single family homes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+/- 20 townhouse units</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+/- 6 live/work units</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+/- 185 total units</td>
<td></td>
</tr>
<tr>
<td>Total density = 2.70 dwelling units per acre</td>
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<td></td>
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<table>
<thead>
<tr>
<th>Parking</th>
<th>Required</th>
<th>Proposed</th>
<th>Layout</th>
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</thead>
<tbody>
<tr>
<td>28 spaces for commercial area</td>
<td>28 spaces</td>
<td>90° head-in</td>
<td></td>
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</table>

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

- **UDO Sections Relevant to Subject Request**
  - Section 2-1.5(C) MU-S District

- **Complies with Chapter B, Article VII, Section 7-5.3**
  - (A) Legacy policies: Yes
  - (B) Environmental Ord.: Yes
  - (C) Subdivision Regulations: Yes

- **Analysis of Site Plan Compliance with UDO Requirements**
  - The site plan submitted with this request meets UDO requirements. Building elevations were included with the site plan which have been volunteered as a condition of approval.
### 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>Request provides for a mixture of uses within a neighborhood setting.</td>
<td>The request appears to generate an increase in traffic.</td>
</tr>
<tr>
<td>The mixture of uses within a village-type setting promotes walk-ability.</td>
<td>The site plan does propose a commercial building and associated parking in an area not previously shown on the site plan.</td>
</tr>
<tr>
<td>The proposed site plan depicts many features of neo-traditional neighborhood design.</td>
<td></td>
</tr>
<tr>
<td>The site is already zoned MU-S and allows for a mixture of uses.</td>
<td></td>
</tr>
<tr>
<td>The overall density is comparable with what is currently allowed.</td>
<td></td>
</tr>
<tr>
<td>The request is consistent with the recommendations of Legacy and the West Suburban Area Plan.</td>
<td></td>
</tr>
</tbody>
</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.

The conditions shown in *italics* below indicate previously approved conditions that are being carried forward to this case. Conditions shown in **bold** font indicate new conditions of approval.

- **PRIOR TO ISSUANCE OF ANY PERMITS:**
  
a. A storm water management study shall be submitted to the Public Works Department of the City of Winston-Salem for review. If required, an engineered storm water management plan shall be submitted and approved by the Public Works Department of the City of Winston-Salem.

b. Existing trees to remain shall be cordoned off as shown on the site plan.

c. No trees shall be cut prior to erosion control devices being installed and approved. Limits of creek disturbance shall not exceed 150 linear feet. If disturbance exceeds 150 linear feet, a state water quality permit will be required.

d. Provide professional quality 35mm black and white photographs (8" x 10") and color slides of the site, including the 2-story cacre 1910 Conrad House, 3 small bungalow cottages, barns and associated farm outbuildings, the Gray House, all outbuildings associated with the Gray House, and landscape elements (including the graveyard). Photographs of all exterior building/structure elevations, exterior and interior architectural details, and landscape vistas shall be provided. Provide professional archival quality video of the overall site, including built and landscape elements. Planning staff will be available to determine specific elements of the site to be documented and will certify compliance with this condition to the Inspections Division. All documentation shall become part of the archival files of the Forsyth County Historic Resources Commission. Note: With regard to the graveyard on the property, the petitioner shall follow the North Carolina General Statutes (NCGS 14-148 and 14-149; NCGS 65-13).
e. Developer shall obtain a driveway permit from NCDOT; additional improvements may be required prior to issuance of driveway permit. Improvements include, but are not limited to:
   - Right and left turn lanes
   - Negative access easement along Meadowlark Drive

f. Development shall be subject to the site plan approved by both elected bodies and the “Brookberry Farm Phase IV Regulating Plan” submitted by the developer.

• PRIOR TO SIGNING THE FINAL PLAT(S):
  a. All documents including covenants, restrictions, and homeowners association agreements shall be recorded in the office of the Register of Deeds prior to signing final plats. Final plats must show a total common open space dedication in accordance with PRD open space standards.
  b. Roads shall be built to City of Winston-Salem Public Works construction standards.

• PRIOR TO ISSUANCE OF BUILDING PERMITS:
  a. On site fire hydrant locations shall be approved by the County Fire Department in writing to the Inspections Division.
  b. Developer shall record a final plat in the Office of the Register of Deeds. Final Plat shall show lots, common areas, private access easements and public utilities.
  c. Buildings within the commercial center (more clearly identified as the Type III Mixed Use area on the supplemental Regulating Plan) shall be constructed in substantial conformance with the building elevations provided on sheet four (4) of the site plan as verified by Planning Staff.
  d. Townhouse units shall be constructed in substantial conformance with the elevations included in the Supplemental Regulating Plan as verified by Planning Staff.

• PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:
  a. All required fire hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.
  b. All required improvements of the NCDOT driveway permit shall be completed.
  c. Developer shall dedicate right-of-way along the site’s frontage on Meadowlark Drive forty (40) feet from the centerline.
  d. Developer shall construct sidewalk along the site’s frontage on Meadowlark Drive within the city limits of Winston-Salem to the specifications of the City of Winston-Salem Public Works Department.
  e. The sixty-five (65) foot wide landscaped area located along the rear of the commercial parking area and adjacent to Meadowlark Drive shall contain berms and landscaped material that adequately blocks the view of said parking area. The landscape plan for this area shall be approved by Planning Staff.
• OTHER REQUIREMENTS:
  a. Land Bays I, II, III, IV, and VII will be allowed one freestanding entrance monument sign at each main entrance. These signs will be subject to Forsyth County/Winston Salem Unified Development Ordinance section 3.2 regulations for residential development with a maximum height of eight (8) feet. Within Land Bays I, II, III, IV, and VII neighborhood identification signage, directional signage, amenity area identification signage and any other necessary signage will be allowed, with a maximum height of six (6) feet.
  b. Street and sidewalk standards within the proposed development are subject to any potential revisions of the Winston-Salem Street Standards Policy.
  c. Commercial/office square footage within the subject property (68.3 acres) shall not exceed 12,000 square feet and shall be located in substantial conformance with the location indicated on the site plan.
  d. Areas A & B (as identified on the supplemental Regulating Plan) shall have the flexibility to be developed as single family homes or townhouse units. No non-residential buildings shall be allowed in this area.

The following volunteered conditions are required prior to Occupancy Permits:

• VOLUNTEERED CONDITIONS
  LAND BAY I –
  1. Minor modifications to the lot layout, total number of lots, design of the lots, and design and uses within the Village Center may be approved by Planning Staff.
  2. The Village Center will contain any mixture of the uses shown on sheet 2 (Village Center Plan). The intent of the Village Center is to provide services for the residents of the Brookberry community only. The Village Center will contain community recreation areas and centers for the residents of the community. The majority of the services and recreation opportunities in the Village Center will be contained within the existing barn complex located on the site. Any additional buildings constructed in this area will maintain the character of the existing buildings with building elevations and materials approved by Planning Staff prior to Building Permits. Parking in the Village Center will be provided to meet all provisions of Forsyth County/Winston Salem Unified Development Ordinance, as final uses are determined.
  3. Shared parking and cross access easements are permitted.
  4. Maximum number of single-family and twin home units will not exceed 365 units.
  5. A maximum of 10% of the residential units shall have garages which open toward the front yard street. No more than half of those may protrude in front of the front façade of the unit.
  6. A minimum of two (2) interconnecting public street connections will be made to Meadowlark Drive pending Department of Transportation review.
  7. A minimum of one (1) interconnecting public street will be provided to each of the adjoining Land Bays within the subject property. A connecting stub street will be provided to parcel 2 in the Northeast.
  8. Land Bay I will contain a mixture of lot sizes. The lot sizes will be mixed throughout the Land Bay.
9. All streets will be interconnected unless site conditions require the use of a cul-de-sac. The use of cul-de-sacs will be limited and only used where topography or other site conditions dictate.

10. Sidewalks and/or pedestrian trails, with a minimum width of 5 feet, will be provided at a one-foot of roadway to one-half foot of sidewalk ratio throughout Land Bay I. The pedestrian system will be designed in such a manner as to promote pedestrian travel throughout the community and link all public areas together with a series of walking and jogging connections.

11. Street trees will be provided along both sides of the street at a maximum of 60 feet on center along the major loop road through Land Bay I, as indicated on the Master Plan. Any areas where tree save is within 15 feet of the roadway or site conditions prevent, street tree planting may be suspended to allow for existing trees to remain.

12. Outdoor lighting shall be shielded and oriented as to cast no direct light onto adjacent property. Light fixtures will also have cut-offs to direct light downward and limit light above the horizontal plane.

13. Buffers to adjoining properties shall be provided per the Winston-Salem Zoning Ordinance.

LAND BAY IV - TWO PHASE

1. The Final Development Plan shall be consistent with the following conditions:

2. Maximum number of single-family, twin home, duplex, and multi-family units will not exceed 385 units or a density of 12.0 units per acre. However should the proposed Robinhood Road area MAC, as identified in Legacy, be relocated the maximum density of Land Bay IV shall be four (4) units per acre.

3. A minimum of one (1) interconnecting public street will be provided to each of the adjoining Land Bays within the subject property. A connecting street stub will be provided for Parcel (1) on the Northern portion of the property and to Lyndale Drive to the West.

4. Land Bay IV will contain a mixture of lot sizes and/or product types. The lot sizes will be mixed throughout the Land Bay.

5. A maximum of 10% of the residential units shall have garages which open toward the front yard street. No more than half of those may protrude in front of the front façade of the unit.

6. All streets will be interconnected unless site conditions require the use of a cul-de-sac. The use of cul-de-sacs will be limited and only used where topography or other site conditions dictate.

7. Sidewalks and/or pedestrian trails, with a minimum width of 5 feet, will be provided at a one-foot of roadway to one-half foot of sidewalk ratio throughout Land Bay IV. The pedestrian system will be designed in such a manner as to promote pedestrian travel throughout the community and link all public areas together with a series of walking and jogging connections.

8. Outdoor lighting shall be shielded and oriented as to cast no direct light onto adjacent property. Light fixtures will also have cut-offs to direct light downward and limit light above the horizontal plane.

9. Buffers to adjoining properties shall be provided per the Winston-Salem Zoning Ordinance.
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.
PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the site plan amendment and recommends staff conditions.
SECONĐ: Wesley Curtis
VOTE:
   FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Brenda Smith, Allan Younger
   AGAINST: None
   EXCUSED: None

A. Paul Norby, FAICP
Director of Planning
DOCKET #: W3132 / F1528

PROPOSED ZONING:
Site Plan Amendment

EXISTING ZONING:
MU-S

PETITIONER:
Brookberry Farm, LLC
for property owned by Same

- Portion of the subject property located within Forsyth County's zoning jurisdiction
- Portion of the subject property located within the City of Winston-Salem's zoning jurisdiction

SCALE: 1" represents 700'
STAFF: King
GMA: 3
ACRES: 68.3
NEAREST BLDG: 45' south
MAP(S): 594862

Printed: 12/14/2011
# Preliminary Comments and/or Recommended Conditions

Note: City-County Planning staff is responsible for coordinating the Interdepartmental Review of Special Use Rezoning Requests; please contact the appropriate Department at the phone # indicated below if you have any questions about the comments or recommendations lists. Further, please note that additional information may be forthcoming from Departments that indicate "See Emailed Comments" or other similar phrase. A list of recommended conditions from this Interdepartmental Review will be sent to you via e-mail generally by the end of the business day on Friday the week prior to the Planning Board Public Hearing.

## Project Case Number: W-3132/F-1528  Project Title: Brookberry Farm

**Date:** December 28, 2011

### Project Description:
West side of Meadowlark Drive, south of Robinhood Road

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**NCDOT**

Phone #: 336.703.6600  Email: jphynec@ncdot.gov

"Left and Right Turn Lanes. Work out conflict points at entrance. Negative Access Easement along frontage”

(Per email from Steve Jones)

**Signature**

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**WSDOT**

Phone #: 336.747.6872  Email: conniec@cityofws.org

"Improvements to Meadowlark Drive per the driveway permit. Negative access easement along Meadowlark Drive. How will parcel D and the market be accessed? The future cross section is a 3B lane with sidewalk and bicycle accommodation - complete streets cross section calls for 80ft of ROW. Dedicate 40’ from center. Winston-Salem UDO requires sidewalk per Pedestrian Facilities Plan with city limits. Provide sidewalk to connection between lot C and market.”

(Per email from Connie Curtis)

**Signature**

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**City Engineer**

Phone #: 336.747.6846  Email: alberteg@cityofws.org

“Road plans req’d for review and approval (both public and private roads and alleys). NCDOT driveway permit req’d for intersection at Meadowlark Dr.”

(Per email from Al Gaskill)

**Signature**

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**City Streets Division**

Phone #: 336.734.1550  Email: robbys@cityofws.org

“Build streets to city standards. Island and park areas are to be maintained by the HOA. These areas should probably appear as a separate parcel.”

(Per email from Robby Stone)

**Signature**

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**Inspections (Zoning)**

Phone #: 336.727.2626  Email: jeffv@cityofws.org

“Include “Standard Legend” on the plan. Where is off-street parking?”

(Per email from Jeff Vaughn)

**Signature**

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**Inspections (Erosion Control)**

Phone #: 336.727.2388  Email: josephp@cityofws.org

“Land disturbing permit required.”

(Per email from Joe Fogarty)

**Signature**
INTERDEPARTMENTAL SITE PLAN REVIEW COMMITTEE
Project Case Number: W-3132/F-1528

Stormwater Division- Phone # - 336.747.6961 Email: josephf@cityofws.org

Signatures

Fire (City)- Phone # - 336.747.7359 Email: jonc@cityofwsfire.org
Fire (County)- Phone # - 336.703-2550 Email: smithbh@forsyth.cc
"Fire Hydrant required within 500 feet of most remote corner of building as measured by the manner in which the hose will come off the firetruck as it lays in from the hydrant. Mixed / Residential occupancy requires fire sprinkler system. FDC must be within 100 feet of public hydrant. Fire department access road must extend to within 150 feet of all parts of the first floor of each structure. If any buildings will exceed 30 feet in height, all fire department access roads must be a minimum of 26 feet in width."
(per email from Jon Canupp)

"Need to show the location of the fire hydrants. They should not be spaced more then 700ft apart."
(per email from Brock Smith)

Utilities- Phone # - 336.747.7499 Email: courtneyd@cityofws.org
"Subject to Utilities plan review for permits and/or authorization to construct"
(per email from Courtney Driver)

Sanitation- Phone # - 336.748.3080 Email: christe@cityofws.org

Signatures

Planning- Phone # - 336.747.7043/747.7068 Email: aaronk@cityofws.org
"Include City limits line on plans; seal and sign plans; acreage from Tax Office is 68.3, site plan shows 67? Update uses on plan using current UDO terminology; All buildings shall meet NC State Building code; how are the garages for the Type II units accessed- if alley is going to be used, show on plan with detail; provide detail for Type III area- (i.e. square footage, off-street parking area, etc); what is the commercial square footage proposed? What will the view be from Meadowlark- how will landscaping/buffering be addressed? Building elevations for commercial area? Clarify how lot D and the market area will be used? All existing conditions will be carried forward."
(per email from Aaron King)

Street Names/Addresses - 336.747.7048 Email: benfs@cityofws.org
"Street names are pending E911 approval. Per the street naming policy, Century Oaks Lane is required to extend across Meadowlark Dr into this development."
(per email from Ben Stamey)

Signatures
The proposed site plan amendment to convert a portion of the previously approved site plan from single family residential to a mixture of uses for a MU-S Two Phase zoned property with its added (new) conditions is consistent with the Legacy Comprehensive Plan, and the West Suburban Area Plan (WSAP) and is reasonable and in the public interest because:

a. The request provides for a mixture of uses within a neighborhood setting;

b. The mixture of uses within a village-type setting promotes walk-ability;

c. The proposed site plan depicts many features of neo-traditional neighborhood design;

d. The site is already zoned MU-S and allows for a mixture of uses;

e. The overall density is comparable with what is currently allowed; and

f. The proposed site plan does a good job of providing internal connectivity.
DENIAL
STATEMENT OF CONSISTENCY WITH COMPREHENSIVE PLAN
W-3132
(BROOKBERRY FARM)

Although the proposed site plan amendment to convert a portion of the previously approved site plan from single family residential to a mixture of uses for a MU-S Two Phase zoned property with its added (new) conditions is consistent with the Legacy Comprehensive Plan, and the West Suburban Area Plan, approval of the request is not reasonable and in the public interest because the request will generate an increase in traffic and the site plan does propose a commercial building and associated parking in an area not previously shown on the site plan.