



**DOCKET #:** W3034

**PROPOSED ZONING:**  
City RM8-S and RS9

**EXISTING ZONING:**  
County RM8-S and RS9

**PETITIONER:**  
City of Winston-Salem  
for property owned  
by Shuggart Management Inc.

**SCALE:** 1" represents 300'

**STAFF:** Roberts

**GMA:** 3

**ACRES:** 8.5

**NEAREST  
BLDG:** 70' north

**MAP(S):** 636822



May 20, 2009

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

RE: ZONING MAP AMENDMENT W-3034

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

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102  
Shugart Management, Inc., 221 Jonestown Road, Winston-Salem, NC 27104

**ACTION REQUEST FORM**

**DATE:** May 20, 2009  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning map amendment of the City of Winston-Salem for property owned by Shugart Management, Inc.

**SUMMARY OF INFORMATION:**

Zoning map amendment of the City of Winston-Salem for property owned by Shugart Management, Inc. from County RM-8-S (Residential Building, Townhouse; Residential Building, Single Family; and Planned Residential Development) and RS-9 to City RM-8-S (Residential Building, Townhouse; Residential Building, Single Family; and Planned Residential Development) and RS-9: property is located on the southeast corner of Jones Road and South Main Street (Zoning Docket W-3034).

**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 - GENERAL USE

Zoning Petition of the City of Winston-Salem for  
property owned by Shugart Management, Inc.,  
Docket W-3034

AN ORDINANCE AMENDING THE WINSTON-SALEM  
CITY ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF THE CITY OF  
WINSTON-SALEM, N.C.

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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 RS-9 to City RS-9 the zoning classification of the public right-of-way within the RS-9 zoning within the attached annexation description.

Section 2. This ordinance shall become effective upon adoption.

CITY ORDINANCE - SPECIAL USE

Zoning Petition of City of Winston-Salem for property owned by Shugart Management, Inc., Docket W-3034

AN ORDINANCE AMENDING THE  
WINSTON-SALEM CITY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE CITY OF WINSTON-SALEM, N.C.

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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 RM-8-S (Residential Building, Townhouse; Residential Building, Single Family; and Planned Residential Development) to City RM-8-S (Residential Building, Townhouse; Residential Building, Single Family; and Planned Residential Development) the zoning classification of the following described property:

Tax Lots 34-36, 157-165, 167-191, 00K, 00M, and 00L, Tax Block 2712C

Section 2. This Ordinance is adopted with the certification that the previous site plan 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*. 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 City of Winston-Salem for property owned by Shugart Management, Inc., (Zoning Docket W-3034). 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 RM-8-S (Residential Building, Townhouse; Residential Building, Single Family; 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 RM-8-S zoning districts of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met: Conditions from the County RM-8-S zoning will apply to the City RM-8-S.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3034
<b>Staff</b>	<a href="#">Gary Roberts, Jr. AICP</a>
<b>Petitioner(s)</b>	City of Winston-Salem
<b>Owner(s)</b>	Shugart Management, Inc.
<b>Subject Property</b>	Tax Lots 34-36, 157-165, 167-191, 00K, 00M, and 00L, Tax Block 2712C
<b>Address</b>	5137 Mount Hope Drive and surrounding properties
<b>Type of Request</b>	Zoning Jurisdiction Conversion
<b>Proposal</b>	The petitioner is requesting to amend the Official Zoning Maps for the subject property <b>from</b> County RM-8-S (Residential, Multifamily District; maximum 8 dwelling units per acre) and County RS-9 (Residential, Single Family; 9,000 sf minimum lot size) <b>to</b> City RM-8-S (Residential Multifamily) and City RS-9 (Residential, Single Family District).
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	Southeast corner of Jones Road and South Main Street
<b>Jurisdiction</b>	City of Winston-Salem
<b>Ward(s)</b>	Closest to Southeast
<b>Site Acreage</b>	Approximately ± 8.5 acres
<b>Analysis of General Site Information</b>	<p>The review for this case focuses on the zoning conversion from County zoning jurisdiction to Winston-Salem zoning jurisdiction triggered by the recent annexation of the subject property on April 20, 2009. The Planning Board’s role in reviewing this petition pertains only to the zoning jurisdiction. The decision to annex the property was made by the Winston-Salem City Council with agreement by the property owners.</p> <p>This proposal will not change the permitted uses of the subject property, but will reclassify the newly incorporated property from its Forsyth County zoning classification to the equivalent City of Winston-Salem zoning classification. The two zoning classifications are equivalent and there are no changes in development rights or constraints.</p>

**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: Paul Mullican moved approval of the zoning map amendment and certified that the previous site plan remains in effect.

SECOND: Lynne Mitchell

VOTE:

FOR: Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe,  
Lynne Mitchell, Paul Mullican, Brenda Smith

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning