



**DOCKET #:** W2986

**PROPOSED ZONING:**  
MU-S

**EXISTING ZONING:**  
RS-9 and MU-S

**PETITIONER:**  
Tetra Investment Group  
22 LLC for property  
owned by Same

**SCALE:** 1" represents 1000'

**STAFF:** Reed

**GMA:** 3

**ACRES:** 36.09

**NEAREST  
BLDG:** 7' west

**MAP(S):** 624830, 618830

**F**

June 25, 2008

Tetra Investments Group 22, LLC  
315 East Chatham Street  
Cary, NC 27511

RE: ZONING MAP AMENDMENT W-2986

Dear Mr. Bednar:

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:** June 25, 2008  
**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 Tetra Investments Group 22, LLC

**SUMMARY OF INFORMATION:**

Zoning map amendment of Tetra Investments Group 22, LLC from RS-9 and MU-S [Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Wholesale Trade B; Building Contractor, Heavy; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Recreation Services, Indoor; Child Care Institution; Child Day Care Center; Government Offices; School, Private; School, Vocational or Professional; Manufacturing A; Testing and Research Lab; and Veterinary Services] to MU-S [Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Wholesale Trade B; Building Contractor, Heavy; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Recreation Services, Indoor; Child Care Institution; Child Day Care Center; Government Offices; School, Private; School, Vocational or Professional; Manufacturing A; Testing and Research Lab; and Veterinary Services]: property is located on the south side of Stafford Village Boulevard, west of Peters Creek Parkway (Zoning Docket W-2986).

**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 Tetra Investments Group 22, LLC,  
Docket W-2986

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 RS-9 and MU-S [Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Wholesale Trade B; Building Contractor, Heavy; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Recreation Services, Indoor; Child Care Institution; Child Day Care Center; Government Offices; School, Private; School, Vocational or Professional; Manufacturing A; Testing and Research Lab; and Veterinary Services] to MU-S [Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Wholesale Trade B; Building Contractor, Heavy; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Recreation Services, Indoor; Child Care Institution; Child Day Care Center; Government Offices; School,

Private; School, Vocational or Professional; Manufacturing A; Testing and Research Lab; and Veterinary Services] the zoning classification of the following described property:

Tax Lots 4A, 4E, and 6D Tax Block 3864

Section 2. This Ordinance is adopted after approval of the site plan entitled Tetra Investments Group 22, LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ to Tetra Investments Group 22, 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 Tetra Investments Group 22, 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 Tetra Investments Group 22, LLC, (Zoning Docket W-2986). 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 RS-9 and MU-S [Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Wholesale Trade B; Building Contractor, Heavy; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Recreation Services, Indoor; Child Care Institution; Child Day Care Center; Government Offices; School, Private; School, Vocational or Professional; Manufacturing A; Testing and Research Lab; and Veterinary Services] to MU-S [Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Wholesale Trade B; Building Contractor, Heavy; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Recreation Services, Indoor; Child Care Institution; Child Day Care Center; Government Offices; School, Private; School, Vocational or Professional; Manufacturing A; Testing and Research Lab; and Veterinary Services], 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 THE ISSUANCE OF ANY PERMITS**
  - a. Developer shall obtain all necessary permits from the NC Division of the Environment and Natural Resources (DENR) and the USA Corps of Engineers.
  
- **PRIOR TO THE ISSUANCE OF GRADING PERMITS**
  - a. Developer shall obtain driveway permits from City of Winston-Salem Public Works Department; prior to the issuance of the driveway permit developer shall make payment for approved left turn lanes within the median of Stafford Village Boulevard; specific improvements shall include those noted within condition “a” and “f” under Prior to the Issuance of Occupancy Permits.
  - b. Developer shall have an engineered storm water management plan submitted to and approved by the Public Works Department of the City of Winston-Salem. The plan shall address water quality as well as water quantity issues.
  - c. Developer shall submit sealed plans for the retaining walls and obtain approval from the Inspections Division.
  
- **PRIOR TO THE SIGNING OF PLATS**
  - a. All documents including covenants, restrictions, and homeowner’s association agreements shall be recorded in the office of the Register of Deeds.
  - b. All required fire hydrants shall be installed or bonded in accordance with the Winston-Salem Fire Department.
  - c. A private access and cross parcel access easement agreement from Ward Cabin Lane to the western property line (Either Tax Lots 7C or 7A of Block 3862) shall be recorded.
  - d. A pedestrian access easement shall be recorded to connect with Tax Lot 5C of Block 3864.
  
- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. Developer shall record a plat showing utility and access easements in the office of the Register of Deeds.
  - b. The developer shall submit a photometric plan prepared by a qualified professional showing that the proposed lights shall not produce more than ½ foot candle of light at the property line.
  - c. The final building elevations shall be in substantial conformity with the elevations as shown in Exhibits A, B, C, and D, as approved by Planning staff.
  - d. Prior to issuance of a building permit for any lot on the eastern tract the developer shall construct a vehicular and pedestrian connection, as shown on site plan, from said eastern tract to the central tract.

- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**

- a. Developer shall install all the on- site improvements recommended in the Traffic Impact Study (TIS) and by the requirements specified in the driveway permits to the specifications of the Public Works Department of the City of Winston-Salem. Said improvements shall include: payment for all costs associated with traffic signal at Stafford Place Boulevard; construction of a 12' thru lane, curb and gutter and sidewalk across said property on the southern side of Stafford Village Boulevard pending); right turn lanes at Stafford Place Boulevard and Chatham Place Drive.
- b. All required fire hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.
- c. Certification from a qualified professional must be submitted certifying that the lighting was installed in accordance with the approved plan and the above noted condition.
- d. Developer shall install a concrete band to the specifications of the City of Winston-Salem Public Works Department to indicate the line between public/private streets.
- e. Developer shall install or financially guarantee large variety street trees as defined in UDO Section 3-4.10, within street yards, bufferyards and motor vehicle parking areas.
- f. Developer shall contact the Winston-Salem Transit Authority (WSTA) to coordinate with WSTA for a transit pull out. Any required transit stop or shelter recommended by WSTA along Stafford Village Boulevard shall be installed or completed by the developer prior to the issuance of occupancy permits.
- g. Developer shall plant the equivalent of a Type I Bufferyard excluding the trees within the northern five feet of the waterline easement where the easement runs along the southern property line of the site.

- **OTHER REQUIREMENTS**

- a. Development shall be permitted: one (1) freestanding, six (6) foot high monument sign with a thirty-six (36) square foot sign area at the eastern most entrance; Each parcel within the eastern most section shall be permitted one (1) freestanding, six (6) foot high monument sign with a thirty-six (36) square foot sign area; (1) freestanding, fifteen (15) foot high monument sign with a seventy-five (75) square foot sign area at the Stafford Place Drive and Town Square Drive entrance; and (1) freestanding, six (6) foot high monument sign with a thirty-six (36) square foot sign area at the western most entrance. If the developer wishes to have two signs at the Stafford Place Drive and Town Square Drive entrances then said signs shall have a maximum height of eight (8) feet and a maximum area of seventy-five (75) feet. Attached signage shall be limited to 15% of the associated wall space.
- b. Developer shall ensure that all utilities are installed underground.



## ZONING STAFF REPORT

**DOCKET #** W-2986

**STAFF:** [David Reed](#)

Petitioner(s): Tetra Investment Group 22, LLC

Ownership: Same

### **REQUEST**

From: MU-S [Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Wholesale Trade B; Building Contractor, Heavy; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Recreation Services, Indoor; Child Care Institution; Child Day Care Center; Government Offices; School, Private; School, Vocational or Professional; Manufacturing A; Testing and Research Lab; and Veterinary Services] and RS-9

To: MU-S [Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; General Merchandise Store; Restaurant (without drive-through service); Restaurant (with drive-through service); Retail Store, Specialty or Miscellaneous; Wholesale Trade A; Wholesale Trade B; Building Contractor, Heavy; Shopping Center; Banking and Financial Services; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Business B; Services, Personal; Storage Services, Retail; Recreation Services, Indoor; Child Care Institution; Child Day Care Center; Government Offices; School, Private; School, Vocational or Professional; Manufacturing A; Testing and Research Lab; and Veterinary Services]

### **ANALYSIS**

The subject request is necessary to meet the legal advertising requirements for a previously reviewed rezoning case. Although the case was presented as one comprehensive development comprised of three Tax Lots, one of those Tax Lots was not included in the legal advertisement for the case. Therefore, the case is being processed again to allow for the appropriate legal advertisement. The site plan that was reviewed and approved included the entire property and will not change.

Acreage: ±36.09

### **LOCATION:**

Street: South side of Stafford Village Boulevard, west of Peters Creek Parkway

Jurisdiction: City of Winston-Salem

Ward: South Ward

**STAFF RECOMMENDATION**

**APPROVAL.**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Wesley Curtis moved approval of the zoning map amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Arthur King

VOTE:

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

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning