DOCKET #: F1458

PROPOSED ZONING:
Final Development Plan

EXISTING ZONING:
MU-S

PETITIONER:
Brookberry Farm LLC
for property owned by Same

SCALE: 1" represents 1000'

STAFF: Roberts

GMA: 3

ACRES: 9.08

NEAREST BLDG: 5' north

MAP(S): 594862

Printed: 2/7/2007
<table>
<thead>
<tr>
<th>Docket #</th>
<th>F-1458</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Brookberry Farm, LLC</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>Portion of Tax Lot 6D / Tax Block 4620 and portion of Tax Lot 110B / Tax Block 4619</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Final Development Plan for property zoned MU-S Mixed Use District [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Multifamily; Boarding or Rooming House; Planned Residential Development; Convenience Store; General Merchandise Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); ABC Store (liquor); Arts and Crafts Studio; Food or Drug Store; General Merchandise Store; Retail Store, Specialty or Miscellaneous; Building Materials Supply; Fuel Dealer; Furniture and Home Furnishings Store; Hardware Store; Outdoor Display Retail; Restaurant (with drive-through service); Shopping Center; Wholesale Trade, A; Wholesale Trade, B; Banking and Financial Services; Offices, Miscellaneous; Services, Business A; Services, Business B; Services, Personal; Bed and Breakfast; Car Wash; Health Services, Miscellaneous; Medical or Dental Laboratory; Medical and Surgical Offices; Professional Office; Testing and Research Lab; Veterinary Services; Hotel or Motel; Motor Vehicle, Rental and Leasing; Motor Vehicle, Repair and Maintenance; Non-Store Retailer; Golf Course; Golf Driving Range; Recreation Services, Indoor; Recreation Services, Outdoor; Swimming Pool, Private; Theater, Indoor; Recreation Facility, Public; Child Day Care Center; Library, Public; Museum or Art Gallery; Adult Day Care Home; Child Day Care, Large Home; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Club or Lodge; Government Offices; Hospital or Health Center; Neighborhood Organization; Police or Fire Station; Post Office; School, Private; School, Public; Stadium, Coliseum or Exhibition Building - TWO PHASE] in order to develop an 18 lot single family subdivision.</td>
</tr>
</tbody>
</table>
| Proposal   | The petitioner is requesting Final Development Plan approval for property zoned MU-S. The petitioner is requesting the following uses:  
- Residential Building, Single Family |
| Zoning District Purpose Statement | The MU-S District is intended to accommodate and positively integrate a balanced mixture of residential, commercial, and in some cases light industrial uses within the district and the surrounding area. Depending upon the existing land use context in which the MU-S district is proposed, at least three distinctly different use component areas are expected for any MU-S zoning proposal. Building mass, rhythm, scale, and transition, as well as a cohesive and connected pedestrian and vehicular network are intended to be key elements of the overall design concept. This district |
encourages innovation by offering flexibility in design and layout requirements to achieve a greater choice of living and working environments. The development design should also be compatible with the natural terrain and surrounding uses, protect natural and/or historic resources, and provide useful open space. This district is only permitted through the special use district zoning process. This district is suitable in Growth Management Areas 1, 2, 3, 4, and activity centers.

(S)(I) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?

Yes

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>East side of Lynndale Drive, south of Robinhood Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Forsyth County</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>Approximately ± 9.08 acres</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>Site is undeveloped</td>
</tr>
<tr>
<td>Physical Characteristics</td>
<td>The site has variable topography and includes some mature wooded areas.</td>
</tr>
<tr>
<td>Proximity to Water and Sewer</td>
<td>Public water and sewer are available</td>
</tr>
<tr>
<td>Stormwater/ Drainage</td>
<td>A stormwater study was a condition of the first phase approval.</td>
</tr>
<tr>
<td>Analysis of General Site Information</td>
<td>The site poses no development constraints.</td>
</tr>
</tbody>
</table>
| Generalized Recommended Conditions | **BRIEF DESCRIPTION OF CONDITION(S):**  
• See previously approved conditions below. |

### 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>Lynndale Drive</td>
<td>Local Street</td>
<td>384’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Downing Creek Court (currently undeveloped)</td>
<td>Local Street</td>
<td>50’</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

Lynndale Drive and Downing Creek Court

**Planned Road Improvements**

Robinhood Road from Shattalon Drive to the Northern Beltway from 2 lanes to 3 lanes; 2015-2020

**Sidewalks**

Sidewalks are shown, as per the approved plan, on one side of the proposed streets.

**Connectivity**

The subject request includes a street connection to Lynndale Drive as per one of the original conditions of F-1392 (see Land Bay IV conditions)
Because a perennial stream borders the eastern side of the site, the petitioner is not proposing a street connection to the remaining portion of Land Bay IV.

**Traffic Impact Study (TIS)**
A TIS was submitted with the original request. The improvements shown on the approved master plan are consistent with the recommendation of the TIS.

**Analysis of Site Access and Transportation Information**
Access to the site is adequate. See comments above regarding improved pedestrian accommodations.

**Generalized Recommended Conditions**

<table>
<thead>
<tr>
<th>BRIEF DESCRIPTION OF CONDITION(S):</th>
</tr>
</thead>
<tbody>
<tr>
<td>See previously approved conditions below.</td>
</tr>
</tbody>
</table>

**SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS**

<table>
<thead>
<tr>
<th>Units (by type) and Density</th>
<th>18 lots on 9.08 acres = 1.98 single family units per acre</th>
</tr>
</thead>
</table>

**UDO Sections Relevant to Subject Request**

<table>
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<tr>
<th>(A) Legacy policies:</th>
<th>Yes</th>
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<tbody>
<tr>
<td>(B) Environmental Ord.</td>
<td>NA</td>
</tr>
<tr>
<td>(C) Subdivision Regulations</td>
<td>NA</td>
</tr>
</tbody>
</table>

In addition to the subject 9.08 acres, the petitioner has included some additional area on the site plan which was shown as a single phase portion of the original approval, F-1392. This area was included at the request of staff in order to allow one interdepartmental review of the plan. It will be processed through a Staff Change to allow minor changes from the original layout. It is anticipated that a revised site plan which meets the requirements of the UDO will be received.

**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 includes a public street connection onto Lynndale Drive as per the approved master plan.</td>
<td></td>
</tr>
</tbody>
</table>
The following proposed conditions are based upon the previously approved site plan, F-1392 and from interdepartmental review comments. They are proposed in order to meet codes or established standards, or to reduce negative off-site impacts. Some of these conditions may have already been addressed and complied with during development of the first phase.

- **PRIOR TO THE ISSUANCE OF GRADING 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”x10”) and color slides of the site, including the 2-story circa 1910 Conrad House, 3 small bungalow cottages, barns and associated farm outbuildings, and landscape elements (including the graveyard). Photographs of all exterior building/structure elevations, exterior architectural details, and landscape vistas shall be provided. Provide professional archival quality video of the overall site, including built and landscape elements. Documentation, by all methods described above, of the Gray House and all outbuildings/support structures directly associated with the Gray House will be provided at such time that ownership of the portion of the tract including the house is transferred rather than at time of initial grading permits. 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 the North Carolina Department of Transportation (NCDOT). NCDOT will require additional road improvements based on the discussions described in the staff report analysis and consistent with the Traffic Impact Analysis submitted by the petitioner.

- **PRIOR TO SIGNING OF FINAL PLAT**
  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 Planned Residential Development open space standards. Roads shall be built to City of Winston-Salem Public Works street standards.
  b. Within Land Bay II, developer shall dedicate a forty (40) foot wide greenway easement to the City of Winston-Salem or Forsyth County along Reynolds Creek between the proposed loop road and the proposed right-of-way of the Northern Beltway.
PRIOR TO THE ISSUANCE OF BUILDING PERMITS
a. 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.

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS
a. All required fire hydrants shall be installed in accordance with the City of Winston-Salem Fire Department or the Forsyth County Fire Department.

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 Ordinances 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. Land Bays V and VI will be allowed one freestanding entrance monument at each entrance onto Meadowlark Drive. These signs will be subject to Forsyth County/Winston Salem Unified Development Ordinance section 3.2 regulations for mixed-use development with a maximum height of twelve (12) feet. Within Land Bays V and VI 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.
c. The +/- 54 acre lake shown on the plan is for illustrative purposes. The size of the lake may be reduced as the design process with state and federal regulatory agencies moves forward. The lake may also be removed altogether if determined by the owner. The area of the lake shall remain as permanent open space and recreational area regardless of the results of the regulatory process.
d. Street and sidewalk standards within the proposed development are subject to any potential revisions of the Winston-Salem Street Standards.

The following volunteered conditions are required PRIOR TO OCCUPANCY PERMITS:

Note: The conditions for the remaining Land Bays within F-1392 carry forward and are not included here.

VOLUNTEERED CONDITIONS

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/Forsyth County Unified Development Ordinances.

**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 final development plan, certified that the site plan meets all code requirements and recommends staff conditions.
SECOND: Jerry Clark
VOTE:
FOR: Jerry Clark, Wesley Curtis, Carol Eickmeyer, Arnold King, Arthur King, Clarence Lambe, Lynne Mitchell, Paul Mullican, Brenda Smith
AGAINST: None
EXCUSED: None

_____________________
A. Paul Norby, FAICP
Director of Planning