



Bryce A. Stuart Municipal Building  
100 E. First Street  
P.O. Box 2511  
Winston-Salem, NC 27102  
CityLink 311 (336.727.8000)  
Fax 336.748.3163  
[www.cityofws.org/planning](http://www.cityofws.org/planning)

August 22, 2018

City Secretary's Office  
Post Office Box 2511  
Winston-Salem, NC 27102-2511

Re: Zoning Petition W-3378

Dear Petitioner:

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,

Chris Murphy, AICP  
Acting Director of Planning and Development Services

**ACTION REQUEST FORM**

**DATE:** August 22, 2018  
**TO:** The Honorable Mayor and City Council  
**FROM:** Chris Murphy, AICP, Acting Director of Planning and Development Services

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on zoning petition of City of Winston-Salem

**SUMMARY OF INFORMATION:**

- A. Public hearing on zoning petition of City of Winston-Salem from County MU-S to City MU-S and County RS9 to City RS9 (Zoning Docket W-3378)
- B. Ordinance amending the *Unified Development Ordinances* of Winston-Salem/Forsyth County and the Official Zoning Map

**PLANNING BOARD ACTION:**

**MOTION ON PETITION:** APPROVAL  
**FOR:** UNANIMOUS  
**AGAINST:** NONE

CITY ORDINANCE – ZONING JURISDICTION CONVERSION

Zoning Petition of City of Winston-Salem, Docket W-3378

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 MU-S to City MU-S and County RS9 to City RS9 as shown on the location map for W-3378 and described as follows:

**BEGINNING** at an existing 7/8" iron (having North Carolina Grid Coordinates of North 865,177.83, East 1,596,364.70 in the southern right-of-way of Meadowlark Drive, said iron being an easternmost corner of PIN 5896-55-6034, JCS Properties, North LLC, as recorded in Deed Book 2833, Page 1451 and Plat Book 43, Page 16, and a northern most corner of PIN 5896-64-3628, Meadowlark Developers, LLC, as recorded in Deed Book 3340, Page 375; thence with the right-of-way of said Meadowlark Drive the five (5) following courses and distances: 1) S. 51°34'27" E. 364.81' to an existing 7/8" iron; thence 2) S. 50°08'09" E. 185.06' to a 7/8" iron placed; thence 3) on a curve to the right (having a radius of 3220') a chord bearing and distance of S. 44°07'55" E. 36.25' to a 7/8" iron placed; thence 4) on a curve to the right (having a radius of 3220') a chord bearing and distance of S. 42°34'37" E. 138.53' to a 7/8" iron placed; thence 5) on a curve to the right (having a radius of 3220') a chord bearing and distance of S. 40°12'19" E. 72.36' to point; thence S. 30°18'37" W 103.72' to a point; thence S. 21°57'38" E 109.51' to a point in the northern line of Brookberry Farm Phase IV, Map V Revised as recorded in Plat Book 64, Page 94; thence with the lines of Meadowlark Developers, LLC the two (2) following courses and distances S. 89°57'58" W. 227.79' to an existing 7/8" iron; thence S. 33°18'10" W. 545.02' to a point (crossing an existing 7/8" iron at 515.05') in the north line of Lot 364 Brookberry Farm Phase IV, Map IV as recorded in Plat Book 64, Page 24 and a southeast corner of the said Meadowlark Developers, LLC; thence with the southern line of said Meadowlark Developers, LLC the three (3) following courses and distances: 1) N. 89°27'17" W. 674.54' to an existing 1/2" rebar; thence 2) N. 01°38'24" W. 15.90' to an existing 1/2" rebar; thence 3) N. 82°04'38" W. 198.99' to an existing 1/2" rebar in the eastern line of Lot 354, Brookberry Farm Phase IV, Map III as recorded in Plat Book 63, Page 147; thence continuing with the western line of said Meadowlark Developers, LLC the two (2) following courses and distances: 1) N. 29°55'44"W. 394.06' to an existing 1/2" rebar; thence 2) N. 00°51'26" E. 79.08' to an existing 3/4"iron, the northwest corner of said Meadowlark Developers, LLC and the southwest corner of said JCS Properties; thence with the northern line of said Meadowlark Developers the two (2) following courses and distances: 1) S. 85°07'44" E. 399.85' to an existing 7/8" iron;

thence 2) N. 39°43'07" E. 960.80' to the point and place of **BEGINNING**, and being PIN 5896-64-3628.00 and part of PIN 5896-64-9573.00, and containing 22.80 acres.

Section 2. This Ordinance shall be effective from and after its adoption.

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3378
<b>Staff</b>	<a href="#">Bryan D. Wilson</a>
<b>Petitioner(s)</b>	City of Winston-Salem
<b>Owner(s)</b>	Meadowlark Developers, LLC
<b>Subject Property</b>	Entire portion of The Arbors at Meadowlark as shown in plat book 68 page 1 that is not already inside the City limits. Also known as PIN #s 5896-64-3628, and a portion of 5896-64-9573 that is not already inside the City limits as shown on the Forsyth County Tax Maps.
<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 RS9 (Residential Single Family; 9,000sf lot size) and County MU-S (Mixed Use – Special use zoning) <b>to</b> City RS9 (Residential Single Family; 9,000sf lot size) and City MU-S (Mixed Use – Special use zoning).
<b>GENERAL SITE INFORMATION</b>	
<b>Location</b>	Southwest side of Meadowlark Drive, south of Robinhood Road
<b>Ward(s)</b>	Closest to West ward
<b>Site Acreage</b>	± 22.8 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 pending annexation of the subject property. The Planning Board’s role in reviewing this petition pertains only to the zoning jurisdiction. The decision to annex the property is pending approval by the Winston-Salem City Council with agreement by the property owners.</p> <p>The subject property contains the Arbors at Meadowlark subdivision which was approved by the Planning Board on February 9, 2017. As a condition of approval, the developer was required to annex the subdivision into the city limits of Winston-Salem prior to final plats being signed. Annexation was required because the proposed subdivision streets were designated as public. When Meadowlark Drive was transferred from NCDOT to the City of Winston-Salem, the only option for public maintenance of the proposed public streets was via annexation.</p> <p>This proposal will not change the zoning districts of the subject property, but will reclassify the pending incorporated property from its Forsyth County zoning classification to the equivalent City of Winston-Salem zoning classification. To further clarify, this request would convert County RS9 to City RS9 and County MU-S to City MU-S.</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.**

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**CITY-COUNTY PLANNING BOARD  
PUBLIC HEARING  
MINUTES FOR W-3378  
AUGUST 9, 2018**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe moved approval of the zoning petition.

SECOND: Chris Leak

VOTE:

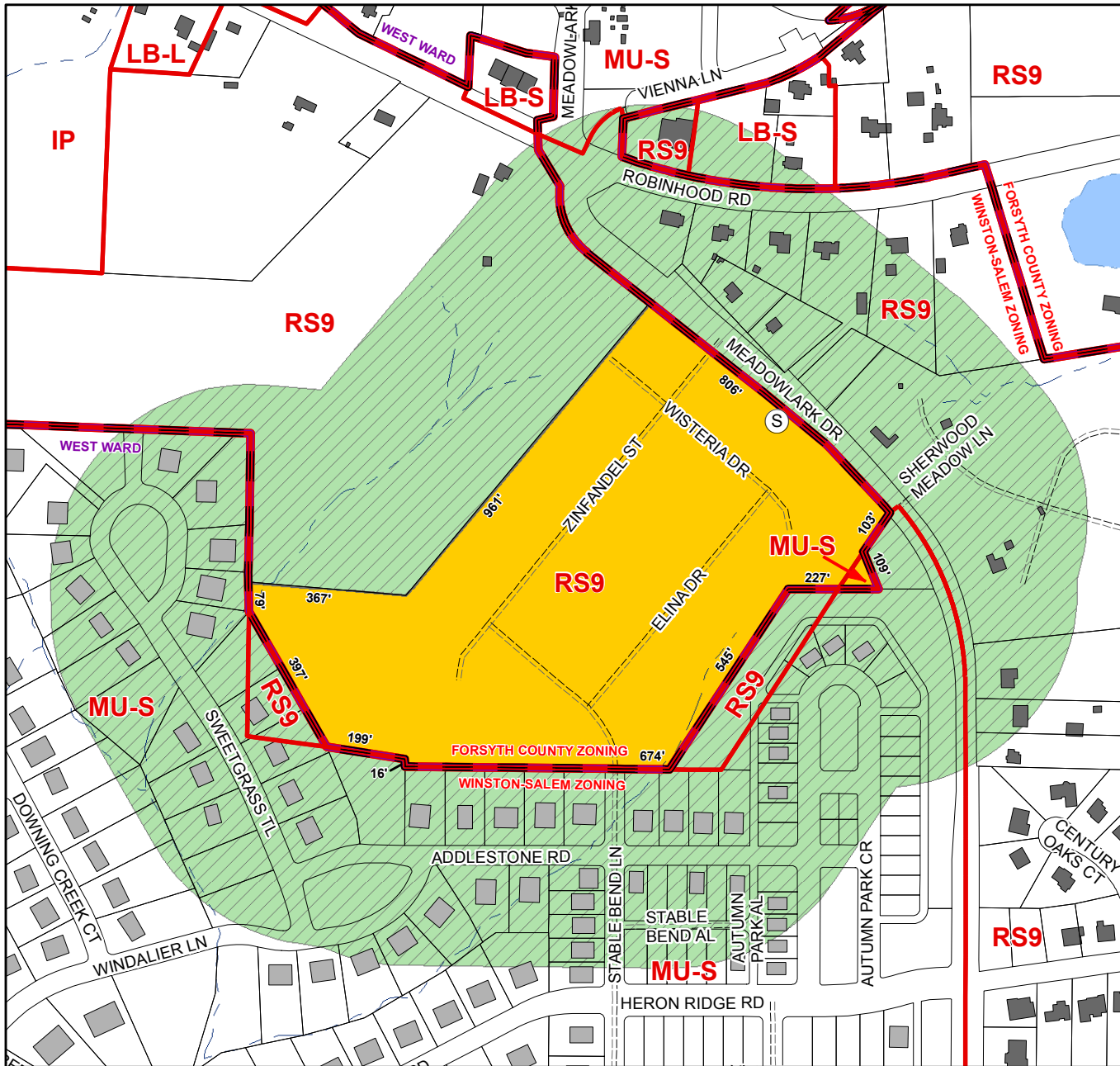
FOR: George Bryan, Melynda Dunigan, Tommy Hicks, Arnold King, Clarence Lambe,  
Chris Leak, Johnny Sigers

AGAINST: None

EXCUSED: Brenda Smith

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Chris Murphy, AICP  
Acting Director of Planning and Development Services



**DOCKET #:** W3378

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

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

**PETITIONER:**  
City of Winston-Salem for  
Meadowlark Developers, LLC

- Property included in zoning request.
- 500' mail notification radius. Property not in zoning request.

**SCALE:** 1" represents 400'

**STAFF:** Wilson

**GMA:** 3

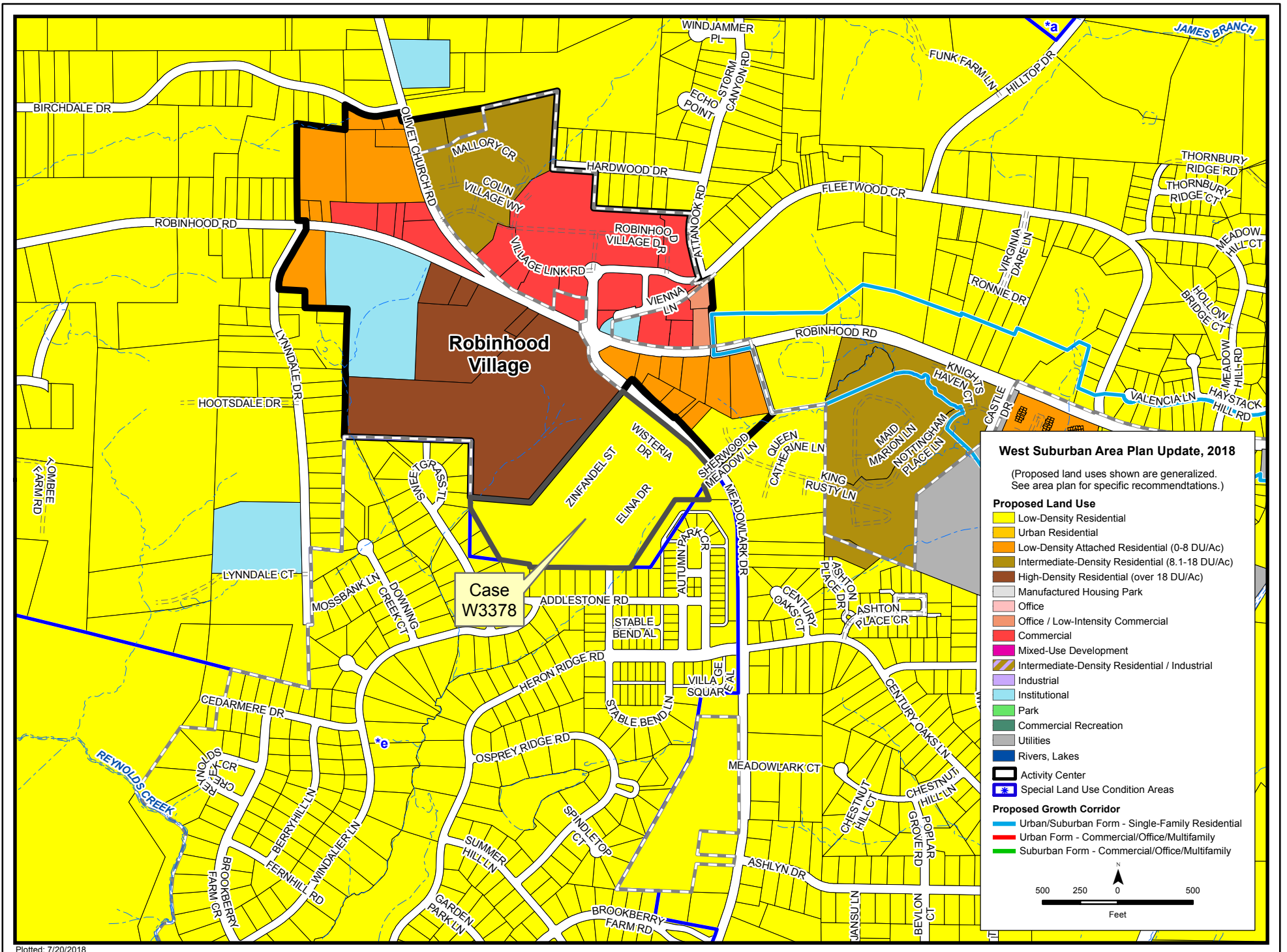
**ACRES:** 22.80

**NEAREST BLDG:** 61' west

**MAP(S):** 5896.02, 5896.04







**W-3378 ATTACHMENT A**  
**USES ALLOWED IN THE RS9 ZONING DISTRICT**

(F) = Forsyth County Jurisdiction Only  
(W) = City of Winston-Salem Jurisdiction Only

**USES ALLOWED WITH A PERMIT FROM THE ZONING OFFICER (Z)**

Adult Day Care Home  
Agricultural Production, Crops (F)  
Agricultural Production, Livestock (F)  
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  
Transmission Tower (see UDO) (F)

**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  
Manufactured Home, Class A  
Park and Shuttle Lot  
Transmission Tower (F)  
Urban Agriculture (W)

**USES ALLOWED WITH SPECIAL USE PERMIT FROM ELECTED BODY (E)**

Access Easement, Private Off-Site<sup>5</sup>  
Parking, Off-Site, for Multifamily or Institutional Uses  
Transmission Tower (W)

<sup>5</sup>SUP not required if requirements of Section [B.2-5.2\(A\)](#) are met