



October 23, 2013

Gateway Management Services, Ltd.  
190B Charlois Blvd.  
Winston-Salem, NC 27103-1522

Re: Zoning Petition W-3206

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)

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,

A. Paul Norby, FAICP  
Director of Planning and Development Services

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102  
Philip E. Searcy, 155 Sunnynoll Court, Suite 200, Winston-Salem, NC 27106  
Greg Garrett, 221 Jonestown Road, Winston-Salem, NC 27104

**City Council:** Mayor Allen Joines; Vivian H. Burke, Mayor Pro Tempore, Northeast Ward; Denise D. Adams, North Ward; Dan Besse, Southwest Ward; Robert C. Clark, West Ward; Molly Leight, South Ward; Wanda Merschel, Northwest Ward; Derwin L. Montgomery, East Ward; James Taylor, Jr., Southeast Ward; City Manager: Lee D. Garrity

**Forsyth County Commissioners:** Richard V. Linville, Chairman; Gloria D. Whisenhunt, Vice Chair; Mark Baker; Walter Marshall; David R. Plyler, Bill Whiteheart; Everette Witherspoon; County Manager: Dudley Watts, Jr.

**City-County Planning Board:** Arnold G. King, Chair; Allan Younger, Vice-Chair; Tommy Hicks; Clarence R. Lambe, Jr.; Darryl Little; Barry A. Lyons; Lynne Mitchell; Paul W. Mullican; Brenda J. Smith

**CityLink311**

Call 311 or 336-727-8000  
[citylink@cityofws.org](mailto:citylink@cityofws.org)

**ACTION REQUEST FORM**

**DATE:** October 23, 2013  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning and Development Services

**COUNCIL ACTION REQUEST:**

Request for Public Hearing on site plan amendment of Gateway Management Services LTD (for property owned by Community One Bank NA)

**SUMMARY OF INFORMATION:**

Site plan amendment request of Gateway Management Services LTD (for property owned by Community One Bank NA) for a MU-S [Residential Building, Townhouse; Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Banking and Financial Services; Offices; Services A; Services B; Testing and Research Lab; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Government Offices, Neighborhood Organization, or Post Office; Library, Public; and Museum or Art Gallery] zoned site: property is located on the south side of Hanes Mill Road and southern terminus of Northern Quarters Drive (Zoning Docket W-3206).

**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 Gateway Management Services LTD (for property owned by Community One Bank NA), Docket W-3206

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 granting a Site Plan Amendment for property zoned MU-S [Residential Building, Townhouse; Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Banking and Financial Services; Offices; Services A; Services B; Testing and Research Lab; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Government Offices, Neighborhood Organization, or Post Office; Library, Public; and Museum or Art Gallery] - Site Plan Amendment and described as follows:

PIN#s 6828-58-9471, 6828-68-1434, and 6828-68-0688

Section 2. This Ordinance is adopted after approval of the site plan entitled Northern Quarters and identified as Attachment "A" of the Special Use District Permit issued by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, to Gateway Management Services LTD (for property owned by Community One Bank NA).

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 Northern Quarters. 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 Gateway Management Services LTD (for property owned by Community One Bank NA), (Zoning Docket W-3206). 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 a Site Plan Amendment in MU-S [Residential Building, Townhouse; Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant (without drive-through service); Banking and Financial Services; Offices; Services A; Services B; Testing and Research Lab; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Government Offices, Neighborhood Organization, or Post Office; Library, Public; and Museum or Art Gallery] zoned site, 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:

Conditions in *italics* denote original conditions of approval that apply to the original 36.01 acre MU-S tract. Conditions in **bold** denote items added as part of this request.

• **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**

- a. *Developer shall identify and cordon off the limits of encroachment in the 100 year floodplain of Mill Creek and/or the required one hundred (100) foot stream buffers on that tributary, if greater. Trees in all these areas shall be protected from grading encroachment in accordance with UDO Section 3-4.2(H)(3).*

b. *Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.*

• **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**

- a. *Developer shall dedicate a forty (40) foot greenway easement to the City of Winston-Salem along the east side of Mill Creek.*
- b. *On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.*
- c. *Developer must install an approved fire apparatus turn around at the terminus of Windcastle Drive.*
- d. *As volunteered by the petitioner, the petitioner's illustration booklet is submitted as part of the site plan, since the architectural styles are indicative of the petitioner's plan. The petitioner agrees to maintain that architectural style throughout the development.*
- e. **The proposed multifamily and townhouse building plans shall be in substantial conformance with the elevations approved for W-3206 and labeled as "W-3206 Elevations." The colors of the exterior treatment materials shall be consistent with the colors used on the existing multifamily and townhouse buildings within the Northern Quarters development. Said exterior color consistency shall be verified by Planning staff.**

• **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**

- a. *Developer shall install a sidewalk along the property's entire frontage on Hanes Mill Road to the specifications of the Public Works Department of the City of Winston-Salem.*
- b. *Developer shall install road improvements on Hanes Mill Road to the specifications of the Winston-Salem Department of Transportation.*
- c. **The proposed multifamily and townhouse buildings shall be constructed in substantial conformance with the approved elevations labeled "W-3206 Elevations."**

• **OTHER REQUIREMENTS:**

- a. *Two free-standing monument style signs shall be permitted on each side of the two main entrances off Hanes Mill Road. The height of said signs shall not exceed six (6) feet in height.*
- b. *As volunteered by the developer, the buildings labeled "condominiums above retail" will be restricted to those uses only.*
- c. *The City Council added the following condition at the February 2, 2004 Public Hearing: There shall be no connection to Executive Drive.*

**CITY-COUNTY PLANNING BOARD  
STAFF REPORT**

<b>PETITION INFORMATION</b>	
<b>Docket #</b>	W-3206
<b>Staff</b>	<a href="#">Aaron King</a>
<b>Petitioner(s)</b>	Gateway Management Services LTD
<b>Owner(s)</b>	Community One Bank NA
<b>Subject Property</b>	PIN#s 6828-58-9471, 6828-68-1434, and 6828-68-0688
<b>Type of Request</b>	Site plan amendment
<b>Proposal</b>	<p>The petitioner is requesting a site plan amendment for a MU-S zoned site. The currently approved uses for the site are:</p> <ul style="list-style-type: none"> <li>• Residential Building, Townhouse; Residential Building, Multifamily; Arts and Crafts Studio; Food or Drug Store; Furniture and Home Furnishings Store; Retail Store; Nursery, Lawn and Garden Supply Store, Retail; Restaurant without drive-through service; Banking and Financial Services; Offices; Services A; Services B; Testing and Research Lab; Child Care, Drop-In; Child Care, Sick Children; Child Day Care Center; Government Offices, Neighborhood Organization, or Post Office; Library, Public; and Museum or Art Gallery</li> </ul>
<b>Neighborhood Contact/Meeting</b>	<p>As per an email from the petitioner: “Gateway Management Services, Inc held a neighborhood informational meeting on our proposed changes to the Northern Quarters development on September 30, 2013. The meeting was held at the Pine Brook Country Club from 6:00 – 7:00. There were approximately 40-50 property owners in attendance. We advised them of our plan changes, which primarily consist of eliminating 30 future townhome units in exchange for adding an additional 63 condominium units. They were advised that the condo buildings would be smaller than the existing ones because the proposed buildings are 24 units versus 33 unit building that was built. The general consensus of the meeting was that our potential purchase of the remaining property would be a positive for the community for several reasons...1. New comps that are not foreclosure will stop the value depreciation and reverse the current downward trend. 2. The property is currently managed and owned by companies that are out of town and have severely neglected the upkeep of the community and have two reputable and well known local companies involved in the project gave them some assurance that the neglect would end and their concerns would be share by us because we are trying to sell homes in the neighborhood. 3. The HOA budget is very tight and the community needs new units to help bear the cost of maintaining the community so the 33 additional units to the overall count will bolster the budget and potentially allow for some relief in the dues in the future.</p> <p>The only concerns expressed in the meeting were about the HOA and the poor management of it, poor street conditions, and the appearance of the community.”</p>

<b>Zoning District Purpose Statement</b>	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.			
<b>GENERAL SITE INFORMATION</b>				
<b>Location</b>	South side of Hanes Mill Road and southern terminus of Northern Quarters Drive			
<b>Jurisdiction</b>	City of Winston-Salem			
<b>Ward(s)</b>	Northeast			
<b>Site Acreage</b>	± 8.05 acres			
<b>Current Land Use</b>	Undeveloped land			
<b>Surrounding Property Zoning and Use</b>	<b>Direction</b>	<b>Zoning District</b>	<b>Use</b>	
	North	MU-S & CPO	Remaining Northern Quarters development and office park	
	East	GI	Office park	
	South	GI	Undeveloped land	
	West	MU-S	Townhouses and multifamily building	
<b>Physical Characteristics</b>	The subject property was mass-graded during the initial development. The current topography is relatively flat, with no development constraints noted.			
<b>Proximity to Water and Sewer</b>	The site will be served by public water and sewer.			
<b>Stormwater/ Drainage</b>	A stormwater plan was approved as part of the original MU-S rezoning.			
<b>Watershed and Overlay Districts</b>	The site is not located within a water supply watershed.			
<b>Analysis of General Site Information</b>	The site has been previously graded; however, some additional grading is proposed along the eastern portion of the site. There are no streams or wetlands and the site appears suitable for the proposed development.			
<b>SITE ACCESS AND TRANSPORTATION INFORMATION</b>				
<b>Street Name</b>	<b>Classification</b>	<b>Frontage</b>	<b>ADT Count</b>	<b>Capacity/LOS D</b>
East Hanes Mill Road	Major Thoroughfare	109'	11,100	27,500
<b>Proposed Access Point(s)</b>	The proposed site plan revisions will retain the original internal street network. The original rezoning allowed two access points onto Hanes Mill Road and that will remain unchanged with this request. Said access points are already installed.			
<b>Planned Road Improvements</b>	The <i>Comprehensive Transportation Plan</i> identifies the future cross section for Hanes Mill Road as a four-lane road with grass median, bike lanes, and sidewalks.			

<b>Trip Generation - Existing/Proposed</b>	<p><u>Existing Trip Generation</u> 108 units x 6.59 (Multifamily Residential Trip Rate) = 711 Trips per Day</p> <p><u>Proposed Trip Generation</u> 120 units x 6.59 (Multifamily Residential Trip Rate) = 790 Trips per Day</p>
<b>Sidewalks</b>	Sidewalks are provided throughout the development. They will be required along Hanes Mill Road as the frontage parcels develop.
<b>Transit</b>	Route 44 runs along Hanes Mill Road but stops just west of the subject property.
<b>Traffic Impact Study (TIS)</b>	A TIS was submitted with the original MU-S rezoning request.
<b>Analysis of Site Access and Transportation Information</b>	The proposed site plan amendment would retain the majority of the internal street layout; however, it would change some of the proposed streets from public to private in order to accommodate the on-street parking shown on the site plan. Other than a minor increase in trip generation, staff does not anticipate any negative transportation impacts associated with this request.
<b>CONFORMITY TO PLANS AND PLANNING ISSUES</b>	
<b>Legacy GMA</b>	Growth Management Area 3 (Suburban Neighborhoods)
<b>Relevant Legacy Recommendations</b>	<ul style="list-style-type: none"> <li>• Promote activity centers as compact, mixed-use areas supporting walking and transit use and providing services and employment close to residences. (p. 183)</li> <li>• Develop accessible community gathering places within activity centers that include spaces such as plazas, parks and farmers markets that encourage interaction and provide places for people to visit and relax. (p. 189)</li> <li>• Promote both horizontal and vertical mixed-use within designated activity centers. (p. 189)</li> </ul>
<b>Relevant Area Plan(s)</b>	<i>North Suburban Area Plan</i>
<b>Area Plan Recommendations</b>	<ul style="list-style-type: none"> <li>• The <i>North Suburban Area Plan</i> recommends the subject property for mixed-use development.</li> <li>• The <i>North Suburban Area Plan</i> and the <i>Legacy 2030 Growth Management Plan</i> designate the subject property as within an activity center.</li> <li>• The Northern Quarters development has already been approved for rezoning by the City-County Planning Board and the City Council. This development contains many features that can contribute to a successful mixed-use community and that should be utilized in other mixed-use communities in the North Suburban Planning Area. For example, residential units are to be built above ground floor retail establishments; buildings are pulled up to the street; parking is placed to the rear and side of buildings; common areas serve as the focal points of the development; alleys serve townhouses and help to hide parking; and, sidewalks and street trees provide a pedestrian network that is functional and visually appealing. (p. 29)</li> </ul>



<b>Analysis of Conformity to Plans and Planning Issues</b>	<p>The subject property received its original MU-S zoning from City Council in February 2004. The project garnered unanimous support from staff, Planning Board, and City Council due to its mixed use concept and impressive building elevations. To date, several of the townhouse buildings have been constructed along the western portion of the site along with two of the three story multifamily buildings located toward the rear portion of the site. Staff commends the original developer for the design and architecture of these buildings and consistently points to this project as an example of good multifamily/townhouse building design.</p> <p>The proposed site plan amendment request has been submitted because the scope of changes exceeds what can be approved at the staff level. The proposed changes include: (1) replacing proposed townhouse units with three-story multifamily buildings along the eastern portion of the site; (2) increasing the number of proposed units from 108 to 120; (3) changing a portion of the street network from public to private; and (4) changing the proposed building elevations from what was originally approved.</p> <p>Staff is supportive of the changes mentioned above, provided that the revised building elevations maintain the high degree of architectural character that was originally offered and built on-site. Staff is not recommending it be mandated that the buildings must be identical to what currently exists; however, they should be substantially consistent in terms of design, articulation, materials, colors, and exterior treatments. As of this writing, elevations have not been submitted to staff that achieve this objective.</p>
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**RELEVANT ZONING HISTORIES**

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2667	GI to MU-S	Approved 2/2/04	Includes subject property	36.01	Approval	Approval

**SITE PLAN COMPLIANCE WITH UDO REQUIREMENTS**

<b>Building Square Footage</b>	<b>Square Footage</b>	<b>Placement on Site</b>
	71,000 in 8 buildings	Eastern portion
<b>Units (by type) and Density</b>	96 multifamily units 24 town house units 14.9 dwelling units per acre for the subject property	
<b>Building Height</b>	<b>Maximum</b>	<b>Proposed</b>
	NA	3-stories (for multifamily buildings)
<b>Impervious Coverage</b>	<b>Maximum</b>	<b>Proposed</b>
	NA	27.79 (for total site)
<b>UDO Sections Relevant to Subject Request</b>	<ul style="list-style-type: none"> <li>Section 2-1.5(C) MU-S Mixed Use District</li> </ul>	

Complies with Chapter B, Article VII, Section 7-5.3	(A) <i>Legacy policies:</i>	Yes
	(B) <i>Environmental Ord.</i>	Yes
	(C) <i>Subdivision Regulations</i>	NA
Analysis of Site Plan Compliance with UDO Requirements	The site plan largely keeps the original design intact while allowing the proposed revisions. The proposed site plan meets UDO requirements.	
<b>CONCLUSIONS TO ASSIST WITH RECOMMENDATION</b>		
<b>Positive Aspects of Proposal</b>		<b>Negative Aspects of Proposal</b>
The proposed changes are consistent with the overall intent of the original MU-S rezoning.		The request creates awkward transitions between public and private streets.
The request will breathe new life into a project that has remained dormant for several years.		A minor increase in trip generation can be expected.
The revised unit mix still provides for a variety of housing choices.		
The request is consistent with the recommendations of <i>Legacy</i> and the <i>North Suburban Area Plan</i> .		
<b>SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL</b>		
<p>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.</p> <p>Conditions in <i>italics</i> denote original conditions of approval that apply to the original 36.01 acre MU-S tract.</p> <p>Conditions in <b>bold</b> denote items added as part of this request.</p> <ul style="list-style-type: none"> <li>• <b><u>PRIOR TO THE ISSUANCE OF GRADING PERMITS:</u></b> <ul style="list-style-type: none"> <li>a. <i>Developer shall identify and cordon off the limits of encroachment in the 100 year floodplain of Mill Creek and/or the required one hundred (100) foot stream buffers on that tributary, if greater. Trees in all these areas shall be protected from grading encroachment in accordance with UDO Section 3-4.2(H)(3).</i></li> <li>b. <i>Developer shall have a storm water management study submitted for review by the Public Works Department of the City of Winston-Salem.</i></li> </ul> </li> <li>• <b><u>PRIOR TO THE ISSUANCE OF BUILDING PERMITS:</u></b> <ul style="list-style-type: none"> <li>a. <i>Developer shall dedicate a forty (40) foot greenway easement to the City of Winston-Salem along the east side of Mill Creek.</i></li> <li>b. <i>On-site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.</i></li> <li>c. <i>Developer must install an approved fire apparatus turn around at the terminus of Windcastle Drive.</i></li> </ul> </li> </ul>		

- d. *As volunteered by the petitioner, the petitioner's illustration booklet is submitted as part of the site plan, since the architectural styles are indicative of the petitioner's plan. The petitioner agrees to maintain that architectural style throughout the development.*
- e. **The proposed multifamily and townhouse building plans shall be in substantial conformance with the elevations approved for W-3206 and labeled as "W-3206 Elevations." The colors of the exterior treatment materials shall be consistent with the colors used on the existing multifamily and townhouse buildings within the Northern Quarters development. Said exterior color consistency shall be verified by Planning staff.**

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

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- b. *Developer shall install road improvements on Hanes Mill Road to the specifications of the Winston-Salem Department of Transportation.*
- c. **The proposed multifamily and townhouse buildings shall be constructed in substantial conformance with the approved elevations labeled "W-3206 Elevations."**

- **OTHER REQUIREMENTS:**

- a. *Two free-standing monument style signs shall be permitted on each side of the two main entrances off Hanes Mill Road. The height of said signs shall not exceed six (6) feet in height.*
- b. *As volunteered by the developer, the buildings labeled "condominiums above retail" will be restricted to those uses only.*
- c. *The City Council added the following condition at the February 2, 2004 Public Hearing: There shall be no connection to Executive Drive.*

**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 OCTOBER 10, 2013  
W-3206**

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe moved approval of the site plan amendment and certified that the site plan (including staff recommended conditions) meets all code requirements if the petition is approved.

SECOND: Allan Younger

VOTE:

FOR: Arnold King, Clarence Lambe, Barry Lyons, Lynne Mitchell, Paul Mullican,  
Brenda Smith, Allan Younger

AGAINST: None

EXCUSED: None

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A. Paul Norby, FAICP  
Director of Planning and Development Services