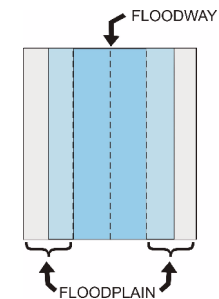


DOCKET #: W2922

PROPOSED ZONING:
Site Plan Amendment

EXISTING ZONING:
MU-S

PETITIONER:
Hillcrest Property Development
LLC and Condominium
Investment Group LLC for
property owned by Same



SCALE: 1" represents 700'

STAFF: King

GMA: 3

ACRES: 9.85

**NEAREST
BLDG:** 40' east

MAP(S): 600838 600842
606838 606842

April 25, 2007

Hillcrest Property Dev., LLC
c/o Joseph Art Kinney, Jr.
500 Spring Garden Street
Greensboro, NC 27401

RE: SITE PLAN AMENDMENT W-2922

Dear Mr. Kinney:

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
Condominium Invest. Group, P. O. Box 9147, Greensboro, NC 27429
Doug Stimmel, 601 N. Trade Street, Suite 200, Winston-Salem, NC 27101
John C. Preves, 2960 Burlwood Drive, Winston-Salem, NC 27103

ACTION REQUEST FORM

DATE: April 25, 2007
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Site Plan Amendment of Hillcrest Property Development, LLC and Condominium Investment Group, LLC

SUMMARY OF INFORMATION:

Site Plan Amendment of Hillcrest Property Development, LLC and Condominium Investment Group, LLC for MU-S zoned property: property is located on the west side of Stratford Road, south of Burlwood Drive and west of Birchway Lane (Zoning Docket W-2922).

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 Hillcrest Property Development, LLC and Condominium Investment Group, LLC, Docket W-2922

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

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, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Townhouse; Residential Building, Multifamily; Combined Use; Congregate Care Facility; Life Care Community; Planned Residential Development; ABC Store; Arts and Crafts Studio; Food or Drug Store; Furniture or Home Furnishings Store; General Merchandise Store; Hardware Store; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Bed and Breakfast; Funeral Home; Hotel or Motel; Medical or Dental Lab; Medical or Surgical Offices; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Personal; Testing and Research Lab; Veterinary Services; Golf Course; Golf Driving Range; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Adult Day Care Center; Child Day Care Center; Child Day Care, Large Home; Child Day Care, Small Home; Child Day Care, Drop In; Child Day Care, Sick Children; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices; Hospital or Health Center; Library, Public; Museum or Art Gallery;

Neighborhood Organization; Police or Fire Station; Post Office; School, Private; School, Public; School, Vocational or Professional; and Stadium, Coliseum, or Exhibition Building - TWO

PHASE - Site Plan Amendment] and described as follows:

Tax Block 3900 Tax Lots 400B, 400C, 402, 403, 404, 405, 406, 407 & 28K

Section 2. This Ordinance is adopted after approval of the site plan entitled Hillcrest Town Center/Hillcrest Property Development, LLC and Condominium Investment Group, LLC and identified as Attachment "A" of the Special Use District Permit issued by the City Council the _____ day of _____, 20___ to Hillcrest Property Development, LLC and Condominium Investment Group, 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 Hillcrest Town Center/Hillcrest Property Development, LLC and Condominium Investment Group, 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 Hillcrest Property Development, LLC and Condominium Investment Group, LLC, (Zoning Docket W-2922). 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 MU-S [Residential Building, Single Family; Residential Building, Duplex; Residential Building, Twin Home; Residential Building, Townhouse; Residential Building, Multifamily; Combined Use; Congregate Care Facility; Life Care Community; Planned Residential Development; ABC Store; Arts and Crafts Studio; Food or Drug Store; Furniture or Home Furnishings Store; General Merchandise Store; Hardware Store; Restaurant (without drive-through service); Retail Store, Specialty or Miscellaneous; Shopping Center; Banking and Financial Services; Bed and Breakfast; Funeral Home; Hotel or Motel; Medical or Dental Lab; Medical or Surgical Offices; Non-Store Retailer; Offices, Miscellaneous; Professional Office; Services, Business A; Services, Personal; Testing and Research Lab; Veterinary Services; Golf Course; Golf Driving Range; Recreation Services, Indoor; Recreation Services, Outdoor; Recreation Facility, Public; Swimming Pool, Private; Theater, Indoor; Adult Day Care Center; Child Day Care Center; Child Day Care, Large Home; Child Day Care, Small Home; Child Day Care, Drop In; Child Day Care, Sick Children; Church or Religious Institution, Community; Church or Religious Institution, Neighborhood; Club or Lodge; College or University; Government Offices; Hospital or Health Center; Library, Public;

Museum or Art Gallery; Neighborhood Organization; Police or Fire Station; Post Office; School, Private; School, Public; School, Vocational or Professional; and Stadium, Coliseum, or Exhibition Building - TWO PHASE - Site Plan Amendment], 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 previously approved conditions****

Conditions that are underlined denote conditions of a previously approved staff change that are attached to the overall Hillcrest site plan.

*****Conditions in bold font denote new conditions added with this request.*****

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**
 - a. *On site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.*
 - b. *A stormwater management study shall be submitted to the Public Works Department of the City of Winston-Salem for review.*
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**
 - a. *Developer shall obtain a driveway permit from 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.*
 - b. *All required fire hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.*
- **OTHER REQUIREMENTS:**
 - a. *Freestanding signage shall be limited to one (1) monument sign with a maximum height of five (5) feet at each major entranceway.*

General Conditions

1. *A minimum of two (2) interconnecting public streets to Area 2 shall be provided.*
2. *Street trees shall be provided at a maximum 50' on center on both sides of all public streets. Street trees may be located between the back of curb and sidewalk/right-of-way with a maintenance agreement provided by either the developer or Property Owners' Association.*

3. *Sidewalks a minimum of 5' in width shall be provided on both sides of all public streets.*
4. **The 4.03 acres formerly labeled as open space adjacent to Burlwood Drive (the subject property of W-2922) shall only be used for the existing single family home. No other subdivision of land or additional units or development shall be permitted for this site.**
5. **The 4.03 acres formerly labeled as open space adjacent to Burlwood Drive (the subject property of W-2922) shall now be recognized and referred to on all future plans as "Subarea 5."**
6. **The negative access easement along Burlwood Drive shall not apply to the existing house/driveway included with the 4.03 acres formerly labeled as open space adjacent to Burlwood Drive (the subject property of W-2922).**

Neighborhood Center/Mixed Use - Area 1

Conditions:

1. *Maximum allowable square footage for Business & Personal Services Uses/ Institutional & Public Uses shall be 520,000 square feet with the following exception: The allowable square footage may be increased above the maximum by reducing the maximum allowable Retail & Wholesale Trade Uses by 1 square foot for every square foot of Business & Personal Services Uses/Institutional & Public Uses added.*
2. *Maximum allowable square footage for Retail & Wholesale Trade Uses shall be 80,000 square feet with the following exception: The allowable square footage may be increased above the maximum by reducing the maximum allowable Business & Personal Services by 2 square feet for every square foot of Retail & Wholesale Trade Uses added.*
3. *Maximum number of Residential Units shall be 340 units with the following exception: The maximum number of units allowed may be increased by reducing the maximum allowable Retail & Wholesale Trade Uses by 500 square feet or by reducing the maximum allowable Business & Personal Services Uses/Institutional & Public Uses by 1000 square feet for every unit added.*
4. *Densities and maximum square footages may be reduced.*
5. *Individual buildings shall have a maximum total square footage of 100,000 square feet. Buildings linked together by awnings, pedestrian bridges or covered hallways may be counted as separate structures.*

6. *Buildings shall be a maximum of 3 stories.*
7. *Buildings shall be primarily oriented towards public streets. Buildings shall have at least one entrance oriented towards the public street.*
8. *Buildings terminating major axes created by streets, drives, greens, etc. shall be on axis or utilize architectural features to terminate that axis.*
9. *Fronts of buildings shall have a maximum setback of 20' from the right-of-way of public streets internal to the property.*
10. *The overall lineal footage of building frontage along the main entrance drive (Hillcrest Drive) may not be reduced more than 40 % from that as shown on the site plan. A decorative wall, fence or hedge a minimum of 3' in height shall be provided at the building line where building frontage is reduced.*
11. *Building footprints, parking lot configurations, and road layouts shall have the flexibility to be adjusted from those shown on the plan. Building footprints and parking lots can shift location and shape. Any changes or adjustments pursuant to this condition shall continue to retain the design elements described in Conditions 6-10 and shall relate to other areas in a general similar fashion as shown on plan. Adjustments according to this condition shall not require a staff change.*
12. *Off-street parking shall be located to the rear or side of the building per section 2-1.5(C)(3)(c) of the Forsyth County/Winston-Salem UDO.*
13. *Shared parking and cross access agreements are permitted.*
14. *Dumpster and/or trash compactors locations can be added wherever necessary and shall be screened per the UDO Section 3-4.6.*
15. *The maximum impervious area for the Neighborhood Center/Mixed Use - Area 1 shall be 75% with individual lots being limited to a maximum impervious area of 85%.*
16. *Street trees shall be provided at a maximum 50' on center on both sides of all public streets. Street trees may be located between the back of curb and sidewalk/right-of-way with a maintenance agreement provided by either the Developer or Property Owners' Association. Public street tree plantings shall be reviewed by Planning staff.*
17. *Sidewalks a minimum of 5' in width shall be provided on both sides of all public streets.*

18. *Solely within the common area shown on the plan in the south corner of the property adjoining Tax Block 3900 Lot 20 and Tax Block 3900B Lot 16 a 60' tree preservation buffer, retaining all trees with a caliper 10" or greater, shall be provided along the common property lines.*
19. *Any building, other than single-family residential structures, or either in whole or in part within 300' from the common property lines between the property and adjoining Tax Block 3900 Lot 20 and Tax Block 3900B Lot 16 shall be limited to 2 stories and 35' in height.*
20. *Hotel use is limited to 3 stories and shall be limited in location within 600 feet of the Stratford Road right-of-way line.*
21. *Outdoor lighting shall be so shielded and oriented as to cast no direct light onto adjacent property.*
22. *A stub street connection shall be made to the Hensley tract.*
23. Developer shall provide an eight (8) foot high wing wall off the west side of the commercial building backing up to Somerset Drive to screen the full length of the loading area prior to the issuance of occupancy permits. Said wall shall be comprised of the same architectural material and color as used on the face of the building. The face of the wall shall be landscaped with evergreen trees planted ten (10) feet o.c., minimum six (6) foot high at installation.
24. Developer shall provide an open-air pedestrian plaza between buildings backing up to Somerset Drive and Stratford Road. Said plaza shall be a minimum of 2,000 sf in size.
25. All building facades facing Stratford Road shall be comprised of the same architectural material and color as used on the face of the building, except that the rear of the building facing Somerset Drive may be comprised of other building materials but shall be painted to match the primary building color. Additionally, a Type III Bufferyard (UDO Section 3-5) shall be planted between the rear of the building and Somerset Drive.

Mixed Residential - Area 2

Conditions:

1. *Maximum allowable square footage for Business & Personal Services Uses shall be 5,000 square feet.*
2. *Maximum allowable square footage for Institutional & Public Uses shall be 5,000 square feet.*

3. *Maximum number of Residential Units shall be 6.44 units per acre equaling 300 units. Density may be reduced.*
4. *Building shall be a maximum of 2 stories with the exception of buildings with a 2-story front and 3 story back, in order to make up grade.*
5. *Buildings shall be primarily oriented towards public streets. Buildings shall have at least one entrance oriented towards the public street.*
6. *Buildings terminating major axes created by streets, drives, greens, etc. shall be centered on the axis.*
7. *Fronts of buildings shall have a maximum setback of 20' from the right-of-way of public streets internal to the property.*
8. *Off-street parking shall be located to the rear or side of the building per section 2-1.5(C)(3)(c) of the Forsyth County/Winston-Salem UDO.*
9. *Building footprints and parking lot configurations and road layouts shall have the flexibility to be adjusted from those shown on the plan. Building footprints and parking lots can shift location and shape.*
10. *In general, the public street layout shall be developed on a grid or modified grid system.*
11. *A minimum of two (2) interconnecting public streets to Area 3 shall be provided.*
12. *A minimum of one (1) interconnecting public street to Area 4 shall be provided.*
13. *Dumpster and/or trash compactors locations can be added wherever necessary and shall be screened per the UDO section 3-4.6.*
14. *The maximum impervious area for the Mixed Residential - Area 2 shall be 75%.*
15. *Street trees shall be provided at a maximum 50' on center on both sides of all public streets. Street trees may be located between the back of curb and sidewalk/right-of-way with a maintenance agreement provided by either the Developer or Property Owners' Association.*
16. *Sidewalks a minimum of 5' in width shall be provided on both sides of all public streets.*
17. *In the northwest corner of the property adjoining Tax Block 3900 Lot 27N and Tax Block 6307 Lots 3 and 4 a 60' tree preservation buffer, retaining all trees with a caliper 10" or greater, and a minimum 100' building setback shall be provided along the common property lines.*

18. *Along the southern border of the property adjoining Tax Block 3900B Lots 42 and 43 a 45' tree preservation buffer, retaining all trees with a caliper 10" or greater, and a minimum 45' building setback shall be provided along the common property lines.*
19. *All trees with a caliper of 10" or greater to the south and west of the line indicated on the site plan at the western edge of the property shall be preserved. No building other than gazebos and other passive recreation structures shall be constructed to the south or west of this line. Walking trails, paved sidewalks, greenways and fitness courses are permitted to the south or west of this line.*
20. *Outdoor lighting shall be shielded and oriented as to cast no direct light onto adjacent property.*
21. Developer shall record a minimum forty (40) foot wide greenway easement along the entire frontage of the property on the east side of Little Creek prior to recording final plats.

Single-Family Residential - Area 3

Conditions:

1. *Maximum number of Single-Family Residential Units shall be 60 units.*
2. *A minimum of one (1) interconnecting public street to Area 1 shall be provided.*
3. *Along the southern border of the property adjoining Tax Block 3900B Lots 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 34, 35, 36, ,41 and 42 a 45' tree preservation buffer, retaining all trees with a caliper 10" or greater, and a minimum 45' building setback shall be provided along the common property lines.*
4. *Lots abutting the existing RS-9 lots to the south shall be a minimum lot size of 12,000 sf.*

Single-Family Residential - Area 4

Conditions:

1. *Maximum number of Single-Family Residential Units shall be 60 units.*
2. *Street trees shall be provided at a maximum 50' on center on both sides of all public streets. Street trees may be located between the back of curb and sidewalk/right-of-way with a maintenance agreement provided by either the Developer or Property Owners' Association.*

3. *Sidewalks a minimum of 5' in width shall be provided on both sides of all public streets.*
4. *In the northwest corner of the property adjoining Tax Block 3900 Lot 27N and Tax Block 6307 Lot 4 a 60' tree preservation buffer, retaining all trees with a caliper 10" or greater, and a minimum 100' building setback shall be provided along the common property lines.*
5. *A 30' building setback shall be provided where the property adjoins Farmbrook Road and Burlwood Drive.*
6. *A negative access easement shall be provided where the property adjoins Farmbrook Road and Burlwood Drive.*
7. *Outdoor lighting shall be so shielded and oriented as to cast no direct light onto adjacent property.*

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION			
Docket #	W-2922		
Staff	Aaron King		
Petitioner(s)	Hillcrest Property Development, LLC and Condominium Investment Group, LLC		
Owner(s)	Same		
Subject Property	Portion of Tax Lots 400B and 406B, Tax Block 3900		
Type of Request	Site plan amendment to MU-S zoned property		
Proposal	The petitioner is requesting a site plan amendment to MU-S zoned property to convert 4.03 acres of land currently designated as common open space to one single family lot.		
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 surrounded 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.		
GENERAL SITE INFORMATION			
Location	West side of Stratford Road, south of Burlwood Drive and west of Birchway Lane		
Jurisdiction	City of Winston-Salem		
Ward(s)	Southwest		
Site Acreage	Approximately ± 4.03 acres		
Current Land Use	Single family home and undeveloped land		
Surrounding Property Zoning and Use	Direction	Zoning District	Use
	North	RS-9	Single family homes
	East	RS-9	Single family homes
	South	MU-S	Hillcrest mixed use development, currently under construction
	West	RS-9	Little Creek and associated floodplain

Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Yes, the subject property is surrounded by residential uses, including single family homes.			
Physical Characteristics	The site is relatively flat and does contain a tributary of Little Creek that runs northeast to southwest through the site.			
Proximity to Water and Sewer	The subject property has access to public water and public sanitary sewer.			
Stormwater/ Drainage	A stormwater study was reviewed for the entire MU-S site.			
Watershed and Overlay Districts	The subject property is not located within a water supply watershed.			
Analysis of General Site Information	The subject property is a 4.03 acre portion of the Hillcrest development. The site is located on the south side of Burlwood Drive and contains one single family home that would remain with this request. The topography of the site is flat and does contain a tributary to Little Creek. No other development is proposed for this site.			
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u> <ul style="list-style-type: none"> • Condition for greenway easement 			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Burlwood Drive	Local Road	+/- 257 feet	NA	NA
Proposed Access Point(s)	The subject property has access to Burlwood Drive.			
Planned Road Improvements	No improvements to Burlwood Drive.			
Sidewalks	No sidewalks along Burlwood Drive			
Traffic Impact Study (TIS)	Not required for this request.			
Analysis of Site Access and Transportation Information	The subject request does not pose any negative transportation issues. The existing single family home currently has a driveway onto Burlwood Drive and would continue to use this driveway should the request be approved.			
CONFORMITY TO PLANS AND PLANNING ISSUES				
Legacy GMA	GMA 3 (Suburban Neighborhoods)			
Relevant Legacy Recommendations	Manage growth and development to reduce sprawl, create a more compact and balanced urban development pattern and preserve open space and rural character.			
Relevant Area Plan(s)	<i>South Stratford Road Development Guide (1989)</i>			

Greenway Plan Information	The site plan shows a 40' greenway easement that runs along Little Creek. This request proposed two additional pedestrian connections from Hillcrest to the 40' greenway easement along Little Creek.					
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(S)	(S)(3) - Have changing conditions substantially affected the area in the petition?					
	Yes					
	(S)(4) - Is the requested action in conformance with <i>Legacy</i>?					
	Yes					
Analysis of Conformity to Plans and Planning Issues	Staff is concerned that this request will remove common open space for the development that has been shown on the overall approved site plan. Homes were marketed and sold with this area shown as common open space and approval of this request would transfer the open space from common ownership to an individual owner. The petitioner has reduced the acreage of this request from 8.84 to 4.03 acres. Another issue that this request focuses on is the pedestrian connection from Burlwood Drive to Hillcrest. Approval of this request would eliminate this connection, but would add two more connections from Hillcrest to the proposed greenway. While staff believes that the pedestrian connection from Burlwood Drive to Hillcrest is important, this request would provide additional connections to the greenway.					
RELEVANT ZONING HISTORIES						
Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-2763	MU-S Site Plan Amendment	Approved 6/6/05	Subject property	161.57	Denial	Approval
W-2582	RS-9 to MU-S	Approved 2/3/03	Subject property	161.57	Approval	Approval
Generalized Recommended Conditions	<u>BRIEF DESCRIPTION OF CONDITION(S):</u>					
	<ul style="list-style-type: none"> • Condition to limit development on this site to one single family home • Site shall be referred to as Subarea 5 • Remove existing condition regarding lot layout changes for Subarea 4 • Condition that negative access easement along Burlwood Drive does not apply to a single family house on this site 					
CONCLUSIONS TO ASSIST WITH RECOMMENDATION						
Positive Aspects of Proposal			Negative Aspects of Proposal			
This request would allow the existing house to be re-used.			The request removes open space originally approved as part of the overall Hillcrest mixed-use site.			
This request would provide two greenway connections.			The request places the open space in private ownership rather than common ownership.			

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

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.

****Conditions in italics denote previously approved conditions****

Conditions that are underlined denote conditions of a previously approved staff change that are attached to the overall Hillcrest site plan.

*****Conditions in bold font denote new conditions added with this request.*****

PRIOR TO THE ISSUANCE OF BULDING PERMITS:

- a. *On site fire hydrant locations shall be approved by the City Fire Department in writing to the Inspections Division.*
- b. *A stormwater management study shall be submitted to the Public Works Department of the City of Winston-Salem for review.*

PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:

- a. *Developer shall obtain a driveway permit from 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.*
- b. *All required fire hydrants shall be installed in accordance with the City of Winston-Salem Fire Department.*

OTHER REQUIREMENTS:

- a. *Freestanding signage shall be limited to one (1) monument sign with a maximum height of five (5) feet at each major entranceway.*

General Conditions

1. *A minimum of two (2) interconnecting public streets to Area 2 shall be provided.*
2. *Street trees shall be provided at a maximum 50' on center on both sides of all public streets. Street trees may be located between the back of curb and sidewalk/right-of-way with a maintenance agreement provided by either the developer or Property Owners' Association.*
3. *Sidewalks a minimum of 5' in width shall be provided on both sides of all public streets.*
4. **The 4.03 acres formerly labeled as open space adjacent to Burlwood Drive (the subject property of W-2922) shall only be used for the existing single family home. No other subdivision of land or additional units or development shall be permitted for this site.**
5. **The 4.03 acres formerly labeled as open space adjacent to Burlwood Drive (the subject property of W-2922) shall now be recognized and referred to on all future plans as "Subarea 5."**
6. **The negative access easement along Burlwood Drive shall not apply to the existing house/driveway included with the 4.03 acres formerly labeled as open space adjacent to Burlwood Drive (the subject property of W-2922).**

Neighborhood Center/Mixed Use - Area 1

Conditions:

1. *Maximum allowable square footage for Business & Personal Services Uses/ Institutional & Public Uses shall be 520,000 square feet with the following exception: The allowable square footage may be increased above the maximum by reducing the maximum allowable Retail & Wholesale Trade Uses by 1 square foot for every square foot of Business & Personal Services Uses/Institutional & Public Uses added.*
2. *Maximum allowable square footage for Retail & Wholesale Trade Uses shall be 80,000 square feet with the following exception: The allowable square footage may be increased above the maximum by reducing the maximum allowable Business & Personal Services by 2 square feet for every square foot of Retail & Wholesale Trade Uses added.*
3. *Maximum number of Residential Units shall be 340 units with the following exception: The maximum number of units allowed may be increased by reducing the maximum allowable Retail & Wholesale Trade Uses by 500 square feet or by reducing the maximum allowable Business & Personal Services Uses/Institutional & Public Uses by 1000 square feet for every unit added.*
4. *Densities and maximum square footages may be reduced.*
5. *Individual buildings shall have a maximum total square footage of 100,000 square feet. Buildings linked together by awnings, pedestrian bridges or covered hallways may be counted as separate structures.*
6. *Buildings shall be a maximum of 3 stories.*
7. *Buildings shall be primarily oriented towards public streets. Buildings shall have at least one entrance oriented towards the public street.*
8. *Buildings terminating major axes created by streets, drives, greens, etc. shall be on axis or utilize architectural features to terminate that axis.*
9. *Fronts of buildings shall have a maximum setback of 20' from the right-of-way of public streets internal to the property.*
10. *The overall lineal footage of building frontage along the main entrance drive (Hillcrest Drive) may not be reduced more than 40 % from that as shown on the site plan. A decorative wall, fence or hedge a minimum of 3' in height shall be provided at the building line where building frontage is reduced.*
11. *Building footprints, parking lot configurations, and road layouts shall have the flexibility to be adjusted from those shown on the plan. Building footprints and parking lots can shift location and shape. Any changes or adjustments pursuant to this condition shall continue to retain the design elements described in*

Conditions 6-10 and shall relate to other areas in a general similar fashion as shown on plan. Adjustments according to this condition shall not require a staff change.

12. *Off-street parking shall be located to the rear or side of the building per section 2-1.5(C)(3)(c) of the Forsyth County/Winston-Salem UDO.*
13. *Shared parking and cross access agreements are permitted.*
14. *Dumpster and/or trash compactors locations can be added wherever necessary and shall be screened per the UDO Section 3-4.6.*
15. *The maximum impervious area for the Neighborhood Center/Mixed Use - Area 1 shall be 75% with individual lots being limited to a maximum impervious area of 85%.*
16. *Street trees shall be provided at a maximum 50' on center on both sides of all public streets. Street trees may be located between the back of curb and sidewalk/right-of-way with a maintenance agreement provided by either the Developer or Property Owners' Association. Public street tree plantings shall be reviewed by Planning staff.*
17. *Sidewalks a minimum of 5' in width shall be provided on both sides of all public streets.*
18. *Solely within the common area shown on the plan in the south corner of the property adjoining Tax Block 3900 Lot 20 and Tax Block 3900B Lot 16 a 60' tree preservation buffer, retaining all trees with a caliper 10" or greater, shall be provided along the common property lines.*
19. *Any building, other than single-family residential structures, or either in whole or in part within 300' from the common property lines between the property and adjoining Tax Block 3900 Lot 20 and Tax Block 3900B Lot 16 shall be limited to 2 stories and 35' in height.*
20. *Hotel use is limited to 3 stories and shall be limited in location within 600 feet of the Stratford Road right-of-way line.*
21. *Outdoor lighting shall be so shielded and oriented as to cast no direct light onto adjacent property.*
22. *A stub street connection shall be made to the Hensley tract.*
23. Developer shall provide an eight (8) foot high wing wall off the west side of the commercial building backing up to Somerset Drive to screen the full length of the loading area prior to the issuance of occupancy permits. Said wall shall be comprised of the same architectural material and color as used on the face of the building. The face of the wall shall be landscaped with evergreen trees planted

ten (10) feet o.c., minimum six (6) foot high at installation.

24. Developer shall provide an open-air pedestrian plaza between buildings backing up to Somerset Drive and Stratford Road. Said plaza shall be a minimum of 2,000 sf in size.

25. All building facades facing Stratford Road shall be comprised of the same architectural material and color as used on the face of the building, except that the rear of the building facing Somerset Drive may be comprised of other building materials but shall be painted to match the primary building color. Additionally, a Type III bufferyard (UDO Section 3-5) shall be planted between the rear of the building and Somerset Drive.

Mixed Residential - Area 2

Conditions:

1. *Maximum allowable square footage for Business & Personal Services Uses shall be 5,000 square feet.*
2. *Maximum allowable square footage for Institutional & Public Uses shall be 5,000 square feet.*
3. *Maximum number of Residential Units shall be 6.44 units per acre equaling 300 units. Density may be reduced.*
4. *Building shall be a maximum of 2 stories with the exception of buildings with a 2-story front and 3 story back, in order to make up grade.*
5. *Buildings shall be primarily oriented towards public streets. Buildings shall have at least one entrance oriented towards the public street.*
6. *Buildings terminating major axes created by streets, drives, greens, etc. shall be centered on the axis.*
7. *Fronts of buildings shall have a maximum setback of 20' from the right-of-way of public streets internal to the property.*
8. *Off-street parking shall be located to the rear or side of the building per section 2-1.5(C)(3)(c) of the Forsyth County/Winston-Salem UDO.*
9. *Building footprints and parking lot configurations and road layouts shall have the flexibility to be adjusted from those shown on the plan. Building footprints and parking lots can shift location and shape.*
10. *In general, the public street layout shall be developed on a grid or modified grid system.*

11. *A minimum of two (2) interconnecting public streets to Area 3 shall be provided.*
12. *A minimum of one (1) interconnecting public street to Area 4 shall be provided.*
13. *Dumpster and/or trash compactors locations can be added wherever necessary and shall be screened per the UDO section 3-4.6.*
14. *The maximum impervious area for the Mixed Residential - Area 2 shall be 75%.*
15. *Street trees shall be provided at a maximum 50' on center on both sides of all public streets. Street trees may be located between the back of curb and sidewalk/right-of-way with a maintenance agreement provided by either the Developer or Property Owners' Association.*
16. *Sidewalks a minimum of 5' in width shall be provided on both sides of all public streets.*
17. *In the northwest corner of the property adjoining Tax Block 3900 Lot 27N and Tax Block 6307 Lots 3 and 4 a 60' tree preservation buffer, retaining all trees with a caliper 10" or greater, and a minimum 100' building setback shall be provided along the common property lines.*
18. *Along the southern border of the property adjoining Tax Block 3900B Lots 42 and 43 a 45' tree preservation buffer, retaining all trees with a caliper 10" or greater, and a minimum 45' building setback shall be provided along the common property lines.*
19. *All trees with a caliper of 10" or greater to the south and west of the line indicated on the site plan at the western edge of the property shall be preserved. No building other than gazebos and other passive recreation structures shall be constructed to the south or west of this line. Walking trails, paved sidewalks, greenways and fitness courses are permitted to the south or west of this line.*
20. *Outdoor lighting shall be shielded and oriented as to cast no direct light onto adjacent property.*
21. Developer shall record a minimum forty (40) foot wide greenway easement along the entire frontage of the property on the east side of Little Creek prior to recording final plats.

Single-Family Residential - Area 3

Conditions:

1. *Maximum number of Single-Family Residential Units shall be 60 units.*
2. *A minimum of one (1) interconnecting public street to Area 1 shall be provided.*

3. *Along the southern border of the property adjoining Tax Block 3900B Lots 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 34, 35, 36, ,41 and 42 a 45' tree preservation buffer, retaining all trees with a caliper 10" or greater, and a minimum 45' building setback shall be provided along the common property lines.*
4. *Lots abutting the existing RS-9 lots to the south shall be a minimum lot size of 12,000 sf.*

Single-Family Residential - Area 4

Conditions:

1. *Maximum number of Single-Family Residential Units shall be 60 units.*
2. *Street trees shall be provided at a maximum 50' on center on both sides of all public streets. Street trees may be located between the back of curb and sidewalk/right-of-way with a maintenance agreement provided by either the Developer or Property Owners' Association.*
3. *Sidewalks a minimum of 5' in width shall be provided on both sides of all public streets.*
4. *In the northwest corner of the property adjoining Tax Block 3900 Lot 27N and Tax Block 6307 Lot 4 a 60' tree preservation buffer, retaining all trees with a caliper 10" or greater, and a minimum 100' building setback shall be provided along the common property lines.*
5. *A 30' building setback shall be provided where the property adjoins Farmbrook Road and Burlwood Drive.*
6. *A negative access easement shall be provided where the property adjoins Farmbrook Road and Burlwood Drive.*
7. *Outdoor lighting shall be so shielded and oriented as to cast no direct light onto adjacent property.*

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: Jerry Clark moved approval of the site plan amendment, certified that the site plan meets all code requirements and recommends staff conditions.

SECOND: Paul Mullican

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

