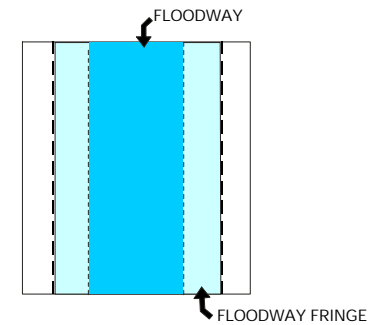


**DOCKET #:** F1313

**PROPOSED ZONING:**  
HB-S (Services, Personal)

**EXISTING ZONING:**  
HB-S (Multiple Uses-TWO PHASE)

**PETITIONER:**  
Duke Energy Corporation



**SCALE:** 1" represents 400'

**STAFF:** G. Simmons

**GMA:** 4A

**ACRE(S):** 0.69

**MAP(S):** 588846

June 14, 2000

Duke Energy Corporation  
422 S. Church Street  
Charlotte, NC 28242-0001

RE: ZONING MAP AMENDMENT F-1313

Dear Sirs:

The attached report of the Planning Board to the Forsyth County Board of Commissioners is sent to you at the request of the Commissioners.

When the rezoning is scheduled for public hearing, you will be notified by Jane Cole, Clerk to the County Commissioners, of the date on which the Commissioners will hear this petition.

Sincerely,

A. Paul Norby, AICP  
Director of Planning

Attachment

pc: Jane Cole, County Manager's Office  
Jerry Weyker, 2966-D St. Marks Road, Winston-Salem, NC 27103  
Mark A. Smith, 1339 Lewisville-Clemmons Road, Lewisville, NC 27023

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

**MEETING DATE:** \_\_\_\_\_ **AGENDA ITEM NUMBER:**  
\_\_\_\_\_

**SUBJECT:-**

Zoning petition of Duke Energy Corporation

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:-**

**SUMMARY OF INFORMATION:-**

Zoning petition of Duke Energy Corporation from HB-S (Multiple Business Uses-TWO PHASE) to HB-S (Services, Personal): property is located on the southwest side of Utility Drive (private), northwest of Styers Ferry Road (Zoning Docket F-1313).

After consideration, the Planning Board recommended approval of the rezoning petition.

**ATTACHMENTS:-**     YES         NO

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
\_\_\_\_\_

COUNTY ORDINANCE - SPECIAL USE

Zoning Petition of Duke Energy Corporation,  
Docket F-1313

AN ORDINANCE AMENDING  
THE FORSYTH COUNTY  
ZONING ORDINANCE AND THE  
OFFICIAL ZONING MAP OF  
THE COUNTY OF FORSYTH,  
NORTH CAROLINA

---

BE IT ORDAINED by the Board of County Commissioners of the County of

Forsyth as follows:

Section 1. The Zoning Ordinance of the *Unified Development Ordinances* of the County of Forsyth, North Carolina, and the Official Zoning Map of the County of Forsyth, North Carolina, are hereby amended by changing from HB-S (Multiple Uses - TWO PHASE) to HB-S (Services, Personal) the zoning classification of the following described property:

Beginning at the point of intersection of the north right-of-way line of Styers Ferry Road and the proposed south right-of-way line of Utility Drive; thence south 43° 49' 14" west 12.11 feet; thence north 88° 13' 00" west 331.64 feet; thence north 41° 46' 15" east 225.22 feet to a point in the proposed south right-of-way line of Utility Drive; thence along said right-of-way line, south 48° 13' 45" east 254. 53 feet to the point of Beginning, containing approximately 0.692 acres.

Said property also being part of Tax Lot 1A, Tax Block 4433.

Section 2. This Ordinance is adopted after approval of the site plan entitled A Cleaner World, and identified as Attachment A of the Special Use District Permit issued by the Forsyth County Board of Commissioners the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ to Duke Energy Corporation.

Section 3. The Board of Commissioners 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 A Cleaner World. 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.

COUNTY, SPECIAL USE DISTRICT PERMIT

SPECIAL USE DISTRICT PERMIT

Issued by the Forsyth County  
Board of Commissioners

The Forsyth County Board of Commissioners issues a Special Use District Permit for the site shown on the site plan map included in this zoning petition of Duke Energy Corporation (Zoning Docket F-1313). 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 HB-S (Services, Personal), approved by the Forsyth County Board of Commissioners the \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_" and signed, provided the property is developed in accordance with requirements of the HB-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances* of the County Code, the Erosion Control Ordinance, and other applicable laws, and the following conditions be met:

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. A maintenance agreement must be approved by the City-County Utilities Commission for the existing sewer pump station which will serve this site and the River Ridge Shopping Center.
  - b. Utility Drive shall be recorded on a final plat and dedicated as a public Street as shown on the site plan. The North Carolina Department of Transportation must inspect and approve this street before signing final plats. Any improvements needed to bring this street up to public standards must be completed before the final plat is recorded or a bond must be posted to assure completion of those improvements.
  
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. All required road improvements as recommended in the approved Traffic Impact Study for this site must be completed to the specifications of the North Carolina Department of Transportation.
  - b. The internal drive connection to the adjacent property to the west as shown on the site plan must be constructed to the property line. This drive will be connected in the future when the adjoining property is developed.

- **OTHER REQUIREMENTS**

- a. One freestanding ground sign shall be permitted along the frontage on Utility Drive. Any new sign or replacement sign shall be limited to monument type with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.

Note: The following conditions as part of the Two Phase (HB-S) zoning approval for the Ridge Station development (F-1250) are referenced as companion conditions for approval of the current site plan.

- **PRIOR TO ISSUANCE OF GRADING PERMITS**

- a. This property has applied for a Special Intense Development Allocation (SIDA) and, if granted, must meet all the special requirements for storm water quality control for a SIDA in the UDO. The Erosion Control Officer shall enforce all of the requirements from this study.
- b. Developer shall cordon off all areas shown on the site plan as buffer areas or undisturbed areas including the undisturbed buffer area shown along the south and west sides of Tracts I and II. These areas shall be retained and not disturbed. Trees in all these areas shall be protected from grading encroachment in accordance with UDO Section 3-4.2(H)(3).
- c. Developer shall identify and cordon off the limits of encroachment in the 100 year floodplain of Blanket Bottom Creek and/or the required one hundred (100) foot stream buffers on that creek, if greater. Trees in all these areas shall be protected from grading encroachment in accordance with UDO Section 3-4.2(H)(3).

- **PRIOR TO ISSUANCE OF BUILDING PERMITS**

- a. Developer shall install required storm water management devices per approved plan
- b. Developer shall complete any improvements or other requirements negotiated with either the North Carolina Department of Transportation and/or the consultant for storm water for the Village of Clemmons for the Styers Ferry Road/Blanket Bottom Creek crossing.
- c. Developer shall dedicate new right-of-way in fee simple to the North Carolina Department of Transportation needed to widen Lewisville-Clemmons Road under the proposed widening plan by the North Carolina Department of Transportation.
- d. Developer shall dedicate any new right-of-way for future widening of Styers Ferry Road, as determined by the NCDOT in fee simple as shown on the site plan to the North Carolina Department of Transportation.
- e. Developer shall dedicate the proposed public right-of-way and cul-de-sac for Utility Drive.
- f. Developer shall dedicate a forty (40) foot greenway easement to the City of Winston-Salem along Blanket Bottom Creek from the north to the south property line of this property. Planning staff shall approve the location of said greenway easement.

- g. On-site fire hydrant locations shall be approved by the County Fire Department in writing to the Inspections Division.

- **PRIOR TO ISSUANCE OF OCCUPANCY PERMITS**

- a. Developer shall install road improvements on Lewisville-Clemmons Road as shown on the site plan (not including the roadway design in the upper corner of the site plan) to the specifications of the North Carolina Department of Transportation.
- b. Developer shall install improvements on Styers Ferry Road as shown on the site plan (not including the roadway design in the upper corner of the site plan) to the specifications of the North Carolina Department of Transportation.
- c. Developer shall construct a five (5) foot berm along the northern property lines of Lots 9 and 10 in Tract IV adjoining the ramp from US 421 and install landscaping as required in the UDO for the Thoroughfare Overlay (T/O) District on top of said berm.
- d. All parcels approved for development located in Tract IV shall be enclosed on all four sides by a ten (10) foot streetyard in accordance with the UDO. Exempted from this requirement are the north sides of Lots 9 and 10 because of other landscaping requirements listed in "c." above.
- e. All required fire hydrants shall be installed in accordance with the County Fire Department.
- f. Developer shall install the additional bufferyard landscaping shown on the site plan along the south side of Lot 2 and 3 in Tract II prior to the issuance of occupancy permits for those respective lots.

- **OTHER REQUIREMENTS**

- a. Two (2) freestanding ground signs shall be permitted for the shopping center. One (1) sign may be located on Lewisville-Clemmons Road and one (1) sign may be located on Styers Ferry Road with the proper sign or access easements to those roads. Said sign shall be limited to a monument type with a maximum height of fifteen (15) feet.
- b. The driveways to Lots 5, 6, 7, 8, and 12 located in Tract IV shall be located on the proposed internal roads at least one hundred (100) feet off both Lewisville-Clemmons Road and/or Styers Ferry Road.

- **OUTPARCEL OR OTHER TWO PHASE LOT REQUIREMENTS**

- a. City-County Planning Board shall approve Final Development plans for all outparcels or other lots within this development which are not approved for development at this time with the exception of Lots 2 and 3 in Tract II. Lots 2 and 3 in Tract II shall have Final Development Plans approved by both the City-County Planning Board and the Forsyth County Board of Commissioners.
- b. All outparcels or lots other than the shopping center shall be limited to one (1) freestanding ground sign with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.



- c. All outparcels or other lots in Tract IV shall be enclosed on all four sides by a ten (10) foot streetyard in accordance with the UDO.
- d. Lot 4 in Tract V shall remain vacant with the existing fence and landscaping installed under the previous rezoning petition to remain in place.
- e. Lot 13 in Tract IV shall only be used for a storm water quality control facility.
- f. Outparcels or other lots shall only be allowed the permitted uses as shown in the table on the site plan.

## ZONING STAFF REPORT

**DOCKET #** F-1313

**STAFF:** Glenn Simmons

Petitioner(s): Duke Energy Corporation

Ownership: Same

### **REQUEST**

From: HB-S Highway Business District [ABC Store; Child Day Care Center; Funeral Home; Furniture and Home Furnishings Store; General Merchandise Store; Government Offices; Health Services, Miscellaneous; Medical and Surgical Offices; Medical or Dental Laboratory; Museum or Art Gallery; Nursery, Lawn and Garden Supply Store, Retail; Offices, Miscellaneous; Post Office; Professional Office; Public Library; Services, Business A; Theater, Indoor, Warehousing; and Wholesale Trade A - TWO PHASE]

To: HB-S Highway Business District (Services, Personal)

Both general and special use district zoning were discussed with the applicant(s) who decided to pursue the zoning as requested.

**Staff Note:** This zoning petition consists of property previously approved as part of the River Ridge Station (F-1250) Special Use district zoning petition. With the exception of the proposed change of use to "Services, Personal", all other previously adopted site plan conditions and Special Intense Development Allocation (SIDA) approvals shall apply. Please note also that an identical zoning request for the current site (F-1274) was submitted for consideration in November 1999, but was withdrawn until a traffic impact study could be completed by the petitioner and reviewed by the NCDOT. Staff understands that the DOT has received the study and is now able to comment on specific site plan conditions with respect to the current site's driveway location.

Acreage: 0.69 acre

### **LOCATION**

Street: Property is located on the south side of Utility Drive (private) beginning at the intersection of Styers Ferry Road and extending northwest approximately 255 feet on the south side of Utility Drive.

Jurisdiction: County.

## **SITE PLAN**

Proposed Use: Dry Cleaner Service.

Square Footage: 3,364 Square Feet.

Building Height: One story.

Parking: Nine spaces required (1 space per 400 square feet); eleven spaces shown.

Bufferyard Requirements: No new bufferyard is required. Current site is adjacent to a one hundred and fifty foot wide bufferyard which includes a twenty foot wide type III bufferyard and a 100-foot wide undisturbed buffer located along the southern property boundary. This bufferyard was required as part of the previously approved TWO PHASE HB-S zoning (F-1250) for the River Ridge Station development.

Vehicular Use Landscaping Standards Requirements: All paved parking areas must meet the UDO Landscape Ordinance.

## **PROPERTY SITE/IMMEDIATE AREA**

Existing Structures on Site: None existing.

Adjacent Uses:

- North - Undeveloped HB-S zoned property for the River Ridge Station (Tract IV) shopping center development.
- South - Undeveloped HB-S zoned property for the River Ridge Station (Tract II) development reserved as a hundred foot wide undisturbed setback and type III bufferyard between existing single family homes on Styers Ferry Road and Immanuel Drive; zoned RS-30.
- East - Undeveloped HB-S zoned land as a portion of the River Ridge Station (Tract IV) shopping center development.
- West - Undeveloped HB-S zoned land as part of the River Ridge Station (Tract II) office and low intensity office development.

## **GENERAL AREA**

Character/Maintenance: A newly developing commercial node around the US 421/Lewisville-Clemmons Road intersection.

Development Pace: Moderate.

## **PHYSICAL FEATURES**

Topography: Site slopes slightly downward from north (front) to south (rear).

Streams: None on site. A drainage swale contiguous to the southern property boundary was previously approved as part of the River Ridge Station development (F-1250). The swale and associated storm water detention basins are designed to accommodate runoff from the current site, as well as other commercial developments in the area, prior to discharge into Blanket Bottom Creek.

Vegetation/habitat: Site is mostly open with some mature hardwood vegetation.

Constraints: Minor constraints. The site lies within the Yadkin River WS IV State Regulated Water Supply Watershed. However, as noted earlier, SIDA allocations from the previous zoning approval for the River Ridge Station development are proposed to carry forward to this site.

Impact on Existing Features: Most of the site will be impacted by grading or other site improvements.

## **TRANSPORTATION**

Direct Access to Site: Utility Drive via Styers Ferry Road.

Street Classification: Utility Drive is an unclassified private street which has been approved to be dedicated as a public street under the previously approved site plan for the River Ridge Station development. Styers Ferry Road - minor thoroughfare.

ADT Count and Estimated Capacity at Level of Service D (Vehicles/Day): Styers Ferry Road - no traffic count/9,000.

Planned Road Improvements: Lewisville-Clemmons Road - Relocation of Styers Ferry Road intersection with Lewisville-Clemmons Road was completed by Duke Power Company under a previous rezoning petition (F-1042). Lewisville-Clemmons Road has been widened by the NCDOT to three lanes (one through lane in each direction plus a common left turn lane). The "Lewisville-Clemmons Road Project", scheduled by NCDOT to be constructed 2001-2006, will include the widening of the bridge over US 421 and Lewisville-Clemmons Road from US 421 to Clemmons. The project also includes upgrade of the interchange with US 421. The new bridge will have at least five or six lanes and Lewisville-Clemmons Road will have at least five (5) lanes for traffic in this area. There will also be a median installed in Lewisville-Clemmons Road from the Marty Lane/Styers Ferry Road traffic light to the off ramps on US 421. Median breaks will be allowed in the middle of this section to allow a left turn into this new commercial development and into the existing commercial development on the east side of Lewisville-Clemmons Road. The median will be designed to totally eliminate any left turns out of any of the developments along this congested commercial area of Lewisville-Clemmons Road. The realignment of the Lewisville-Clemmons/US 421 interchange will impact the shopping centers now located at the northeast and northwest corners of the intersection of Styers Ferry Road and US 421.

Northern Beltway - Pending revised environmental impact study currently underway.

Sight Distance: Good along Utility Drive. Note: NCDOT has expressed possible concerns related to the one-way exit connection to Utility Drive and its proximity to the Styers Road intersection which is still under design review.

Interior Streets: Private drive with stub connection proposed to adjacent HB-S zoned property west of the current site.

Transit: None.

## **HISTORY**

### Relevant Zoning Cases:

1. F-1274; HB-S Highway Business District (Multiple Office, Retail Commercial, and Warehouse Uses - TWO PHASE) to HB-S Highway Business District (Services, Personal); withdrawn January 13, 2000; southwest side of Utility Drive (Private) at the intersection of Styers Ferry Road; 0.69 acre; Planning staff recommended approval.
2. F-1250; HB-S (Highway Business, Special Use District zoning; multiple business uses - Two Phase) to HB-S (Shopping Center and multiple business uses - TWO PHASE); approved March 22, 1999; this petition, which contained a total of 84.61 acres, included the current petitioned site; Planning Board recommended denial and staff recommended approval.
3. F-1042; B-3-S and R-6 to B-3-S (converted to HB-S in UDO); approved December 21, 1992; this petition included the current petitioned site; this petition also proposed moving the Duke Power Company facility to the western end of the site instead of being located on tract 2 or in the middle of the property which was approved in 3. below; Planning Board recommended denial and staff recommended approval.
4. F-967; R-6 and B-2-S to B-3-S; approved August 27, 1990; this petition involved most of the same land in the current petition. The proposal at that time was also for a Duke Power maintenance and office facility. That facility was planned on Tract 2 at that time; Planning Board and staff recommended approval.
5. F-919; R-6 to B-3-S; denied June 26, 1989; this proposal was for a convenience store on Lewisville-Clemmons Road opposite Marty Lane. The staff felt that the area was commercial and recommended approval. The Planning Board recommended denial after hearing from neighbors in opposition to the case. The Planning Board also felt that there was inadequate storm water retention on the site.
6. F-844; R-6 to B-2-S; approved June 22, 1987; this rezoning was for a shopping center for a portion of the current petitioned site. The petition also proposed a realignment of Styers Ferry Road and improvements to Lewisville-Clemmons Road. Planning Board and staff recommended approval. This petition was highly controversial and was discussed at several public hearings by the Planning Board and Board of Commissioners.
7. F-748; R-6 to B-3-S; denied October 14, 1985; this rezoning was also for a shopping center and consisted of basically the same property as discussed in 4. above. The staff recommended denial for several reasons. The traffic problems in the area were not adequately addressed and there were no provisions for coordinating the development of adjacent property in that petition. The Planning Board recommended approval.

## **CONFORMITY TO PLANS**

GMP Area (*Vision 2005*): Area 4A: Short-range growth.

Relevant Comprehensive Plan Recommendation(s): Provision of infrastructure to support urban development; employment concentrations at activity nodes; compatibility of business/industrial uses with residential uses.

Area Plan/Development Guide: Site located north of area encompassed by *Clemmons Area Development Guide*.

Relevant Development Guide Recommendation(s): None.

Thoroughfare Plan: Northern Beltway ½ mile east and the widening of both Lewisville-Clemmons Road and the bridge over US 421.

Jurisdiction Comments: Although the project site is not located within the Village of Clemmons, the Village has been notified of the proposed rezoning. No comment has been received at this time.

## **ANALYSIS**

The current HB-S zoning petition is a request to substitute the UDO use classification of "Services, Personal" in place of a broader array of uses previously approved for a small, 0.69 acre portion of the total 84-acre River Ridge Station development. The current zoning request also includes a site plan for a proposed one story, 3,264 square foot dry cleaning establishment.

Under provisions previously approved for the TWO PHASE HB-S River Ridge Station zoning, the subject site was granted various office, low intensity commercial, wholesale trade, and other uses. These uses were approved as part of the first phase of site plan review. Other considerations regarding storm water management, Special Intense Development Allocations (SIDA), transportation improvements, and enhanced buffering and setbacks were also approved as part of the overall review of the Phase One site plan. According to the petitioner's request, all Phase One site plan conditions of the River Ridge Station project are proposed to carry forward to the subject site.

Particularly noteworthy are site plan requirements to provide a one hundred and fifty foot wide bufferyard located immediately south and adjacent to the subject property. One hundred feet of the total bufferyard width is to remain undisturbed. A twenty foot wide type III bufferyard is also included within the total one hundred and fifty foot wide buffer. This bufferyard which was a key negotiated factor in gaining support for the River Ridge Station development, provides a substantial separation between the approved commercial uses within River Ridge Station and existing residential homes located along Styers Ferry Road. A drainageway was also approved within the bufferyard to direct storm water runoff to an engineered storm water detention basin as a means to mitigate both pre-development and post-development drainage problems in the area.

In context with the previously approved site plan and related conditions for the River Ridge Station development, staff considers the current petition to substitute the "Services, Personal" use in place of other equal or greater intensity land uses to be acceptable. However, staff is

concerned about the proposed site plan which directs one way traffic out of the dry cleaning establishment onto Utility Drive near the Styers Ferry Road intersection. While the proposed site plan and vehicular circulation is expected to adequately address DOT requirements, as of this writing, NCDOT officials were still evaluating the preferred driveway access location onto Utility Drive. Staff expects a final decision by NCDOT officials on the current site's driveway location prior to the June 8 Planning Board public hearing.

## **FINDINGS**

1. The proposed substitute use of "Services, Personal" is comparable in intensity to uses previously approved for the site as part of the River Ridge Station development.
2. All Phase One site plan conditions for the River Ridge Station special use district zoning will carry forward as a condition of the current zoning request.
3. According to River Ridge Station site plan conditions, the current site will be adequately buffered from existing residential development along Styers Ferry Road by a one hundred and fifty foot wide type III bufferyard.
4. The site is located within the Yadkin River WS-III State regulated Water Supply Watershed.
5. Special Intense Development Allocations (SIDA) approved as part of the River Ridge Station development will carry forward and will allow impervious cover percentages as shown on the site plan to exceed the non-SIDA approved standard.
6. Vehicular impact studies required as a condition for various development permits for the River Ridge Station development have been completed.
7. The NCDOT is still evaluating the preferred driveway location onto Utility Drive, but expects to have a final decision available in time for the Planning Board Public Hearing.

## **STAFF RECOMMENDATION**

Zoning: **APPROVAL**.

Staff certifies that the **site plan meets all code requirements** and recommends the following conditions:

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**
  - a. A maintenance agreement must be approved by the City-County Utilities Commission for the existing sewer pump station which will serve this site and the River Ridge Shopping Center.

- b. Utility Drive shall be recorded on a final plat and dedicated as a public Street as shown on the site plan. The North Carolina Department of Transportation must inspect and approve this street before signing final plats. Any improvements needed to bring this street up to public standards must be completed before the final plat is recorded or a bond must be posted to assure completion of those improvements.
- **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS**
  - a. All required road improvements as recommended in the approved Traffic Impact Study for this site must be completed to the specifications of the North Carolina Department of Transportation.
  - b. The internal drive connection to the adjacent property to the west as shown on the site plan must be constructed to the property line. This drive will be connected in the future when the adjoining property is developed.
- **OTHER REQUIREMENTS**
  - a. One freestanding ground sign shall be permitted along the frontage on Utility Drive. Any new sign or replacement sign shall be limited to monument type with a maximum height of five (5) feet and a maximum copy area of eighteen (18) square feet.

Note: The following conditions as part of the Two Phase (HB-S) zoning approval for the Ridge Station development (F-1250) are referenced as companion conditions for approval of the current site plan.

- **PRIOR TO ISSUANCE OF GRADING PERMITS**
  - a. This property has applied for a Special Intense Development Allocation (SIDA) and, if granted, must meet all the special requirements for storm water quality control for a SIDA in the UDO. The Erosion Control Officer shall enforce all of the requirements from this study.
  - b. Developer shall cordon off all areas shown on the site plan as buffer areas or undisturbed areas including the undisturbed buffer area shown along the south and west sides of Tracts I and II. These areas shall be retained and not disturbed. Trees in all these areas shall be protected from grading encroachment in accordance with UDO Section 3-4.2(H)(3).
  - c. Developer shall identify and cordon off the limits of encroachment in the 100 year floodplain of Blanket Bottom Creek and/or the required one hundred (100) foot stream buffers on that creek, if greater. Trees in all these areas shall be protected from grading encroachment in accordance with UDO Section 3-4.2(H)(3).
- **PRIOR TO ISSUANCE OF BUILDING PERMITS**
  - a. Developer shall install required storm water management devices per approved plan



- b. Developer shall complete any improvements or other requirements negotiated with either the North Carolina Department of Transportation and/or the consultant for storm water for the Village of Clemmons for the Styers Ferry Road/Blanket Bottom Creek crossing.
- c. Developer shall dedicate new right-of-way in fee simple to the North Carolina Department of Transportation needed to widen Lewisville-Clemmons Road under the proposed widening plan by the North Carolina Department of Transportation.
- d. Developer shall dedicate any new right-of-way for future widening of Styers Ferry Road, as determined by the NCDOT in fee simple as shown on the site plan to the North Carolina Department of Transportation.
- e. Developer shall dedicate the proposed public right-of-way and cul-de-sac for Utility Drive.
- f. Developer shall dedicate a forty (40) foot greenway easement to the City of Winston-Salem along Blanket Bottom Creek from the north to the south property line of this property. Planning staff shall approve the location of said greenway easement.
- g. On-site fire hydrant locations shall be approved by the County Fire Department in writing to the Inspections Division.

- **PRIOR TO ISSUANCE OF OCCUPANCY PERMITS**

- a. Developer shall install road improvements on Lewisville-Clemmons Road as shown on the site plan (not including the roadway design in the upper corner of the site plan) to the specifications of the North Carolina Department of Transportation.
- b. Developer shall install improvements on Styers Ferry Road as shown on the site plan (not including the roadway design in the upper corner of the site plan) to the specifications of the North Carolina Department of Transportation.
- c. Developer shall construct a five (5) foot berm along the northern property lines of Lots 9 and 10 in Tract IV adjoining the ramp from US 421 and install landscaping as required in the UDO for the Thoroughfare Overlay (T/O) District on top of said berm.
- d. All parcels approved for development located in Tract IV shall be enclosed on all four sides by a ten (10) foot streetyard in accordance with the UDO. Exempted from this requirement are the north sides of Lots 9 and 10 because of other landscaping requirements listed in "c." above.
- e. All required fire hydrants shall be installed in accordance with the County Fire Department.
- f. Developer shall install the additional bufferyard landscaping shown on the site plan along the south side of Lot 2 and 3 in Tract II prior to the issuance of occupancy permits for those respective lots.

- **OTHER REQUIREMENTS**
  - a. Two (2) freestanding ground signs shall be permitted for the shopping center. One (1) sign may be located on Lewisville-Clemmons Road and one (1) sign may be located on Styers Ferry Road with the proper sign or access easements to those roads. Said sign shall be limited to a monument type with a maximum height of fifteen (15) feet.
  - b. The driveways to Lots 5, 6, 7, 8, and 12 located in Tract IV shall be located on the proposed internal roads at least one hundred (100) feet off both Lewisville-Clemmons Road and/or Styers Ferry Road.
  
- **OUTPARCEL OR OTHER TWO PHASE LOT REQUIREMENTS**
  - a. City-County Planning Board shall approve Final Development plans for all outparcels or other lots within this development which are not approved for development at this time with the exception of Lots 2 and 3 in Tract II. Lots 2 and 3 in Tract II shall have Final Development Plans approved by both the City-County Planning Board and the Forsyth County Board of Commissioners.
  - b. All outparcels or lots other than the shopping center shall be limited to one (1) freestanding ground sign with a maximum height of five (5) feet and a maximum copy area of thirty-six (36) square feet.
  - c. All outparcels or other lots in Tract IV shall be enclosed on all four sides by a ten (10) foot streetyard in accordance with the UDO.
  - d. Lot 4 in Tract V shall remain vacant with the existing fence and landscaping installed under the previous rezoning petition to remain in place.
  - e. Lot 13 in Tract IV shall only be used for a storm water quality control facility.
  - f. Outparcels or other lots shall only be allowed the permitted uses as shown in the table on the site plan.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: John Bost moved approval of the zoning map amendment.

SECOND: James Rousseau

VOTE:

FOR: Avant, Bost, Johnson, King, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

SITE PLAN MOTION: John Bost certified that the site plan meets all code requirements and recommended staff conditions.

SECOND: James Rousseau

VOTE:

FOR: Avant, Bost, Johnson, King, Powell, Rousseau, Schroeder, Snelgrove, Williams

AGAINST: None

EXCUSED: None

According to information furnished by the Office of the Tax Assessor, the subject property was in the name of Duke Power Company as of May 9, 2000.

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A. Paul Norby, AICP  
Director of Planning