

Ordinance #21-0213
2021 Ordinance Book, Page 42

CONVERSION CITY ORDINANCE - SPECIAL USE AND GENERAL USE

Zoning Petition of City of Winston-Salem for property
owned by others, Docket W-3465

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 changing from Forsyth County MU-S to Winston-Salem MU-S to the zoning classification of the following described property:

A PARCEL OF LAND LOCATED IN VIENNA TOWNSHIP, FORSYTH COUNTY, NORTH CAROLINA CONTAINING TAX PIN(S) 5896-33-2324, 5896-23-0421, 5896-33-0442, 5896-23-3611, 5896-22-8933, 5896-23-6563, 5896-23-3579, 5896-32-0753, 5896-23-9190, 5896-23-3062, 5896-33-3034, 5896-33-0185, 5896-23-0428, 5896-23-9455, 5896-23-2046, 5896-23-4538, 5896-23-2633, 5896-33-5012, 5896-33-4012, 5896-33-6215, 5896-33-2057, 5896-33-3380, 5896-23-1142, 5896-23-8497, 5896-23-0524, 5896-23-7489, 5896-23-0730, 5896-23-4091, 5896-33-3302, 5896-33-4269, 5896-23-7129, 5896-23-6234, 5896-23-6514, 5896-23-4587, 5896-23-5545, 5896-32-2950, 5896-23-9016, 5896-33-1336, 5896-23-8290, 5896-23-0322, 5896-23-8438, 5896-23-7521, 5896-23-0630, 5896-23-7187, 5896-33-7203, 5896-33-5237, 5896-23-6062, 5896-23-0138, 5896-22-8775, 5896-13-9225, 5896-23-3364, 5896-32-1864 AND A PORTION OF 5896-33-6081 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN AXLE FOUND HAVING A NCGRID NAD83 COORDINATE OF N:863,772.52, E:1,592,007.06, SAID AXLE BEING THE SOUTHWESTERN CORNER OF THE THOMAS E. BEEDING PARCEL 5896-23-2948 (AS DESCRIBED IN DEED BOOK 1581, PAGE 1306), FORSYTH COUNTY REGISTRY; THENCE ALONG THE SOUTHERN BOUNDARY LINE OF SAID THOMAS E. BEEDING PARCEL, S 76°04'07" E A DISTANCE OF 418.65 FEET TO A 3/4" IRON PIPE FOUND AT THE SOUTHWESTERN CORNER OF THE THOMAS E. BEEDING PARCEL 5896-23-6931 (AS DESCRIBED IN DEED BOOK 3490, PAGE 4209), FORSYTH COUNTY REGISTRY; THENCE ALONG THE SOUTHERN BOUNDARY LINE OF SAID THOMAS E. BEEDING PARCEL, S 76°03'44" E A DISTANCE OF 407.73 FEET TO AN AXLE FOUND AT THE SOUTHWESTERN CORNER OF THE WILLIAM B. CONRAD, HEIRS AND JOHN A. CONRAD, JR., HEIRS PARCEL 5896-33-2529 (AS DESCRIBED IN DEED BOOK 2697, PAGE 3773), FORSYTH COUNTY REGISTRY, SAID AXLE HAVING A NCGRID NAD83 COORDINATE OF N:863,573.52, E:1,592,809.11; THENCE ALONG THE SOUTHERN BOUNDARY LINE OF SAID WILLIAM B. CONRAD, HEIRS AND JOHN A. CONRAD, JR., HEIRS PARCEL, THE SOUTHERLY BOUNDARY LINE OF THE KURTIS L. HEMRICK, SR. PARCEL 5896-33-5500 (AS DESCRIBED IN DEED BOOK

3366, PAGE 1640), FORSYTH COUNTY REGISTRY AND PARTLY ALONG THE SOUTHERLY BOUNDARY OF THE CAROL B. EVERHART AND MARY B. BOLES PARCEL 5896-33-9446 (AS DESCRIBED IN DEED BOOK 2091, PAGE 55), FORSYTH COUNTY REGISTRY, S 75°52'28" E A DISTANCE OF 987.33 FEET TO A 1/2" IRON PIPE SET AT THE NORTHEASTERN CORNER OF THE CHRISTOPHER A. KREINER AND VIRGINA KREINER PARCEL 5896-33-7282 (AS DESCRIBED IN DEED BOOK 3198, PAGE 3440) FORSYTH COUNTY REGISTRY AND SHOWN AS LOT 182 ON PLAT BOOK 55, PAGE 142 FORSYTH COUNTY REGISTRY; THENCE ALONG THE WESTERN BOUNDARY OF SAID CHRISTOPHER A. KREINER AND VIRGINA KREINER PARCEL, S 12°37'56" W A DISTANCE OF 198.42 FEET TO A 1/2" IRON PIPE FOUND IN THE NORTHERN RIGHT OF WAY LINE OF CEDARMERE DRIVE, A 50' PUBLIC R/W AS SHOWN ON SAID PLAT BOOK 55, PAGE 142; THENCE LEAVING SAID NORTHERN RIGHT OF WAY OF SAID CEDARMERE RIGHT OF WAY, S 07°32'30" W A DISTANCE OF 50.00' TO A 1/2" IRON PIPE SET IN THE SOUTHERN RIGHT OF WAY LINE OF SAID CEDARMERE DRIVE; THENCE ALONG SAID SOUTHERN RIGHT OF WAY THE FOLLOWING TWO (2) COURSES: 1) A CURVE TO THE LEFT WITH A RADIUS OF 1,175.00 FEET, HAVING A CHORD BEARING AND DISTANCE OF N 83°08'12" W, 27.82 FEET TO A 1/2" IRON PIPE SET; THENCE 2) N 83°48'54" W A DISTANCE OF 12.80 FEET TO A 1/2" IRON PIPE SET IN THE NORTHERN BOUNDARY LINE OF THE JEFFERY M. ICKES AND KIMBERLY G. ICKES PARCEL 5896-33-6081 (AS DESCRIBED IN DEED BOOK 3134, PAGE 1427), FORSYTH COUNTY REGISTRY AND SHOWN AS LOT 181 ON PLAT BOOK 60, PAGE 176, FORSYTH COUNTY REGISTRY; THENCE LEAVING SAID SOUTHERN RIGHT OF WAY OF SAID CEDARMERE DRIVE AND ALONG AN OLD PLAT LINE AS SHOWN ON SAID PLAT BOOK 60, PAGE 176, S 06°26'23" W A DISTANCE OF 167.15 FEET TO A 1/2" REBAR WITH CAP FOUND IN THE NORTHERN BOUNDARY LINE OF THE MICHAEL E. ZAPADKA AND ANDREA P. ZAPADKA PARCEL 5896-32-6825 (AS DESCRIBED IN DEED BOOK 3046, PAGE 557), FORSYTH COUNTY REGISTRY AND SHOWN AS LOT 176 ON PLAT BOOK 55, PAGE 142, FORSYTH COUNTY REGISTRY; THENCE ALONG SAID MICHAEL E. ZAPADKA AND ANDREA P. ZAPADKA NORTHERN BOUNDARY LINE THE FOLLOWING FOUR (4) COURSES: 1) N 85°04'35" W A DISTANCE OF 62.51 FEET TO A 1/2" IRON PIPE SET; THENCE 2) N 85°22'37" W A DISTANCE OF 38.85 FEET TO A 1/2" IRON PIPE SET; THENCE 3) N 84°58'53" W A DISTANCE OF 123.07 FEET TO A 1/2" IRON PIPE SET; THENCE 4) N 85°04'35" W A DISTANCE OF 3.38' TO A 1/2" IRON PIPE SET AT THE NORTH WESTERN CORNER OF SAID MICHAEL E. ZAPADKA AND ANDREA P. ZAPADKA PARCEL; THENCE ALONG THE WESTERN BOUNDARY LINE OF SAID MICHAEL E. ZAPADKA AND ANDREA P. ZAPADKA PARCEL AND THE ADRIAN L. LATA AND ELISA ANNE STEIN LATA PARCEL 5896-32-4765 (AS DESCRIBED IN DEED BOOK 3541, PAGE 3202), FORSYTH COUNTY REGISTRY AND SHOWN AS LOT 175 ON SAID PLAT BOOK 55, PAGE 142, S 34°38'20" W A DISTANCE OF 326.65 FEET TO A 1/2" REBAR FOUND AT THE NORTHWESTERN CORNER OF THE MARK EDWARD WEARN AND ELIZABETH NEAL MOTSINGER WEARN PARCEL 5896-32-3576 (AS DESCRIBED IN DEED BOOK 3034, PAGE 3289), FORSYTH COUNTY REGISTRY AND SHOWN AS LOT 174 ON SAID PLAT BOOK 55, PAGE 142; THENCE ALONG THE WESTERN BOUNDARY LINE OF SAID MARK EDWARD WEARN AND ELIZABETH NEAL MOTSINGER WEARN PARCEL, S 34°38'20" W A DISTANCE OF 199.07 FEET TO A 1/2" IRON PIPE SET IN THE NORTHERN LINE OF THE BROOKBERRY FARM, LLC., PARCEL 5896-31-2760 (AS DESCRIBED IN DEED BOOK 3559, PAGE 3235), FORSYTH COUNTY REGISTRY AND SHOWN AS FUTURE DEVELOPMENT ON PLAT BOOK 70, PAGE 41 AND 107, FORSYTH COUNTY REGISTRY; THENCE ALONG SAID NORTHERN BOUNDARY OF SAID BROOKBERRY FARM, LLC., THE FOLLOWING EIGHT (8) COURSES: 1) N 35°52'26" W A DISTANCE OF 125.22 FEET TO A 1/2" IRON PIPE SET; THENCE 2) N 67°54'28" W A DISTANCE OF 91.09 FEET TO A 1/2" IRON PIPE SET; THENCE 3) N 60°29'29" W A DISTANCE OF 148.50 FEET TO A 1/2" IRON PIPE SET; THENCE 4) N 30°41'10" W A DISTANCE OF 115.27 FEET TO A 1/2" IRON PIPE SET; THENCE 5) N 59°03'29" W A DISTANCE OF 71.66 FEET TO A COMPUTED POINT; THENCE 6) S 87°03'50" W A DISTANCE OF 75.85 FEET TO A COMPUTED POINT; THENCE 7) N 86°04'18" W A DISTANCE OF 202.15 FEET TO A COMPUTED POINT; THENCE 8) N 87°00'09" W

A DISTANCE OF 209.09 FEET TO A COMPUTED POINT AT THE NORTHEASTERN CORNER OF THE BROOKBERRY FARM, LLC., PARCEL 5895-29-3860 (AS DESCRIBED IN DEED BOOK 3164, PAGE 4189), FORSYTH COUNTY REGISTRY AND SHOWN AS FUTURE DEVELOPMENT ON PLAT BOOK 70, PAGE 107, FORSYTH COUNTY THENCE ALONG THE NORTHERN BOUNDARY OF SAID BROOKBERRY FARM PARCEL THE FOLLOWING FIVE (5) COURSES: 1) N 58°50'12" W A DISTANCE OF 111.57 FEET TO A COMPUTED POINT; THENCE 2) N 35°56'19" W A DISTANCE OF 102.76 FEET TO A COMPUTED POINT; THENCE 3) N 58°51'45" W A DISTANCE OF 62.94 FEET TO A COMPUTED POINT; THENCE 4) S 84°36'23" W A DISTANCE OF 89.39 FEET TO A COMPUTED POINT; THENCE 5) S 46°43'25" W A DISTANCE OF 129.86 FEET TO A COMPUTED POINT IN THE EASTERN LINE OF FUTURE WINSTON-SALEM NORTHERN BELTWAY, WESTERN LOOP SECTION CA AS SHOWN ON SAID PLAT BOOK 70, PAGE 107; THENCE ALONG SAID EASTERN LINE OF FUTURE WINSTON-SALEM NORTHERN BELTWAY, WESTERN LOOP SECTION CA, N 06°57'48" E PASSING A 1/2" IRON PIPE SET AT 75.00 FEET, CONTINUING 761.18 FEET FOR A TOTAL DISTANCE OF 836.18 FEET TO A 1/2" IRON PIPE SET IN THE SOUTHERN BOUNDARY LINE OF NAOMI L. ALGOOD PARCEL 5896-14-4335 (AS DESCRIBED IN DEED BOOK 1579, PAGE 1466), FORSYTH COUNTY REGISTRY; THENCE ALONG SAID SOUTHERN BOUNDARY LINE OF SAID NAOMI L. ALGOOD PARCEL, S 76°44'48" E A DISTANCE OF 62.31 FEET TO THE POINT OF BEGINNING, CONTAINING 30.580 ACRES. ALL AS SHOWN ON PLATS OF PROPERTY SURVEYED FOR BROOKBERRY FARM, LLC RECORDED IN PLAT BOOK 70 AT PAGE 41 AND PLAT BOOK 70 AT PAGE 107 IN THE FORSYTH COUNTY PUBLIC REGISTRY.

Section 2. This Ordinance is adopted with the certification that the previous MU-S site plan(s) and conditions are not changed by this zoning jurisdiction change and remain in effect.

Section 3. The City Council hereby directs the issuance of a Special Use District Permit identical to the permit issued by Forsyth County Board of Commissioners pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for the MU-S zoned portion of the site. 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.