

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 Brookberry Farm LLC., (Zoning Docket W-3358). 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, Multifamily; Boarding or Rooming House; Planned Residential Development; Adult Day Care Home; Child Day Care Center; Child Day Care, Large Home; Child Day Care, Small Home; Church or Religious Institution, Neighborhood; Church or Religious Institution, Community; Club or Lodge; Government Offices, Neighborhood Organization, or Post Office; Hospital or Health Center; Library, Public; Life Care Community; Museum or Art Gallery; Police or Fire Station; School, Private; and School, Public), 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:

**PRIOR TO ISSUANCE OF ANY PERMITS:**

- a. **Developer shall obtain a driveway permit from The City of Winston-Salem DOT; additional improvements may be required prior to issuance of driveway permit. Improvements include, but are not limited to:**
  - **Dedication of right-of-way twenty-five (25) feet from the centerline of Hundley Road.**
  - **Widen Hundley Road thirteen (13) feet from the centerline and install curb and gutter and sidewalk and install right turn lane with 100' of storage and appropriate taper.**
  - **Provide a payment in lieu of the sidewalk along Meadowlark Drive.**
  - **Provide a payment in lieu of the right turn on Meadowlark Drive for Meadowlark Knoll Crossing.**
- b. **Because this area was included in an overall stormwater management study approved on 09/14/2007, it is exempt from the current Stormwater**

Ordinance provisions provided the development stays below 30% in built upon area. The proposed site plan stays below this maximum level of impervious coverage with the extensive use of permeable pavement in the parking and circulation areas. Staff notes that this method will work only if the soils are found to be conducive to the design and use of permeable pavement and hence receive a 100% credit for those areas in regard to built upon area. Otherwise, stormwater will be collected with a network of pipes which drain to the southeastern and northeastern corners of the site where underground stormwater management devices will be located. Should said Stormwater management devices be required, they must meet all of the current Post Construction Stormwater Management Ordinance design provisions.

c. Obtain any necessary off-site grading easements as shown on site plan.

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

a. *Developer shall record a final plat in the Office of the Register of Deeds. Final Plat shall show right-of-way dedication and public utilities.*

b. The proposed building plans shall be in substantial conformance with the submitted elevations as shown on “Exhibit A” as verified by Planning staff.

c. An engineered lighting plan shall be submitted to Inspections for the proposed lighting demonstrating the use of full-cut off fixtures, light height of 25' or less and no more than 0.5 foot-candles at the western, northern, and eastern property lines.

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

a. All required improvements of the City of Winston-Salem driveway permit shall be completed.

b. Lighting shall be installed per approved lighting plan and certified by an engineer.

c. Buildings shall be constructed in substantial conformance with the approved building elevations as approved by Planning staff.

• **OTHER REQUIREMENTS**

a. ~~Land Bays V and VI will be allowed one freestanding entrance monument at each entrance onto Meadowlark Drive. These signs will be subject to Forsyth County/Winston Salem Unified Development Ordinance section 3.2 regulations for mixed use development with a maximum height of twelve (12) feet. Within Land Bays V and VI neighborhood identification signage, directional signage, amenity area identification signage and any other necessary signage will be allowed, with a maximum height of six (6) feet.~~

b. Freestanding signage shall be limited to monument signs with a maximum height of six (6) feet and a maximum copy area of thirty-six (36) square feet each as shown on site plan. Electronic message board signs shall be prohibited.

The following volunteered conditions are required prior to **Occupancy Permits**:

• **VOLUNTEERED CONDITIONS**

**LAND BAY V**

1. *The Final Development Plan shall be consistent with the following conditions:*
2. *Maximum allowable square footage for Business and Personal Services Uses shall be 40,000 square feet.*
3. ~~*Maximum allowable square footage for Institutional and Public Uses shall be 40,000 square feet.*~~
4. *Maximum allowable square footage for Retail and Wholesale Trade Uses shall be 40,000 square feet*
5. *Maximum allowable square footage for Recreational Uses shall be 40,000 square feet.*
6. *The mixture of uses between Business and Personal Services Uses, Institutional and Public Uses, Retail and Wholesale Trade Uses and Recreational Uses will not exceed the maximum square footage stated for each use above. The total combined square footage allowable for the non-residential portion of Land Bay V shall not exceed 40,000 square feet. The square footages for each use may be mixed in any combination.*
7. *Maximum number of Residential Units including single-family, twin home, duplex, and multifamily units will not exceed 840 units or a density of 12.0 units per acre of the entire Land Bay V area.*
8. *The maximum square footages and number of residential units may be reduced.*
9. *A maximum of 10 % of the residential units shall have garages which open toward the front yard street. No more than half of those may protrude in front of the front façade of the unit.*
10. *A minimum of two (2) uses will be provided within Land Bay V.*
11. *A minimum of 20 percent of the land area for Land Bay V will be devoted to multi-family housing.*
12. *On street parallel and angled parking may be provided along all streets. All parking will meet all applicable standards of the Forsyth County/Winston Salem Unified Development Ordinances.*
13. ~~*With the exception of on-street parking, vehicles will be parked behind or between buildings, never between buildings and the roadway curb, nor closer to the street than the abutting building elevations nearest the street.*~~
14. ~~*Buildings will be placed adjacent to roadways with a maximum setback of 10' from the right of way. The architectural front elevations and main building entrances will face major roads.*~~
15. *Streets will link in an informal grid network and be part of and contribute to the pedestrian system of walkways and open space amenities. The use of dead end streets will be limited and only used where topography or other site conditions dictate.*
16. ~~*No single building shall exceed 40,000 square feet. Buildings that do not share walls and are linked together by awnings, covered walkways, trellises or other architectural means may be counted as separate structures.*~~
17. *Buildings shall have a maximum of 4 stories.*
18. *Buildings located in such a manner as to terminate an axis or site line shall have architectural features or be designed in such a way as to visually reinforce the axis.*

19. *Shared parking and cross access easements are permitted.*
20. *Dumpster and/or trash compactor locations can be added as necessary. Dumpsters and/or trash compactors shall be screened per the Forsyth County/Winston Salem Unified Development Ordinances section 3-4.6.*
21. *Sidewalks, with a minimum 5 feet width, will be provided along both sides of all public streets throughout Land Bay V.*
22. *Street trees will be provided along both sides of all public streets at a maximum of 60 feet on center, throughout Land Bay V, as indicated on the Master Plan.*
23. ~~*Outdoor lighting shall be shielded and oriented as to cast no direct light onto adjacent property. Light fixtures will also have cut-offs to direct light downward and limit light above the horizontal plane.*~~
24. *A minimum of one (1) interconnecting public street will be provided to each of the adjoining Land Bays within the subject property.*
25. *A connecting street stub will be provided on the Northern and southwestern portion of the Land Bay V.*